



Dover District **Equalities Impact Assessment**

Regulation 18 Consultation on the Draft Local Plan
December **2020**



Dover District **Local Plan**
Supporting document



1. Introduction

The Equality Act 2010

1.1 Under the Equality Act 2010 the Council has a legal duty when exercising public functions¹, to have due regard to the three aims of the public sector equality duty; namely the need to:

- (a) Eliminate discrimination, harassment and victimisation;
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

Protected Characteristics

1.2 The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership²
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Due regard

1.3 Having 'due regard' entails using good equality information and analysis at the right time, including as part of decision-making procedures. To 'have due regard' in the case of Local Plan preparation and consultation means that the Council is required to consciously consider the need to carry out the three elements of the general equality duty, namely to eliminate discrimination, advance equality of opportunity and foster good relations, throughout all stages and elements of the preparation of the document, as well as the content of the Plan itself.

¹ <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

² In the case of marriage and civil partnership, only the first aim of the duty applies in relation to employment.

- 1.4 Compliance with the equality duty in this instance, can involve removing or minimising disadvantages suffered by people due to their protected characteristics, as well as taking steps to meet the needs of people with certain protected characteristics, when these are different from the needs of other people.

Dover District Council Equality Objectives 2016 - 2020

- 1.5 The Council has adopted the following Equality Objectives for the period 2016 – 2020. Those are relevant to the Local Plan are highlighted in **bold**.

<p>1. Develop a workforce that feels valued and reflects the diverse communities we serve. Measured by:</p> <ul style="list-style-type: none">• Conducting regular Personal Performance Reviews• Provision of training to develop skills, knowledge and experience to provide effective succession planning• Analysis of the workforce in relation to age, gender, ethnic background and religion• Delivery of an equality and diversity training package for all employees and members
<p>2. To make our services more accessible and welcoming to all communities. Measured by:</p> <ul style="list-style-type: none">• The use of technology and creative techniques best suited to different groups in line with the Council's digital agenda• Maintaining high levels of customer satisfaction, seeking feedback from our customers to identify where we can improve services
<p>3. To improve dialogue with local communities to encourage integration of people from a range of backgrounds to have an active role in the community. Measured by:</p> <ul style="list-style-type: none">• The rehousing of some Syrian families in line with the Syrian Refugee Scheme• Increased participation in disability sport and to make improvements to the district's facilities• Advertising and promotion of events and news through social media to reach all groups• Providing Community Officer support during a phase of development and regeneration within the district• Continuing to hold Neighbourhood Forums to maintain interaction and engagement within the community• Working in partnership with the local community to obtain external funding to improve their local areas

2. Dover District Local Plan Regulation 18 Draft: Content

- 2.1 The Regulation 18 Draft Dover District Plan sets out a bold new vision for Dover District in 2040. This vision has 17 supporting strategic objectives based on analysis of the local population, including its age structure, health and socio-economic characteristics, in addition to the housing, economic, environmental, transport and infrastructure issues facing the district. Eighteen Strategic Policies are proposed to guide the future development of the district, two Site allocation Policies and 48 Development Management Policies which will shape all development that comes forward over the plan period, which runs to 2040.
- 2.2 The vision, strategic objectives and policies priorities have been designed with due regard for the need to provide for the needs and interests of all residents of the district.

Prosperous Economy

- 2.3 The Draft Plan has three strategic objectives to deliver a prosperous economy over the Plan period:
- To grow and diversify the Dover District economy by making it an attractive and competitive place to start, grow and invest in a broad range of businesses, attracting more and better jobs and attracting and retaining working age people.
 - To support opportunities to strengthen the role of Dover, Deal and Sandwich Town Centres through their diversification, enhancement and improvements to the public realm.
 - To provide a range of high-quality tourism facilities and accommodation, which facilitate the growth of the tourism sector, and encourage longer staying visits.
- 2.4 Strategic Policies SP8 and SP9 create and protect employment opportunities. Development Management Policies DM18 – DM27 seek to protect existing employment sites, enable home and remote working, improve tourist and visitor accommodation and facilities and maintain the vitality and viability of town centres in order that they can survive and fulfil the needs of all residents, including those who need shopping facilities within walking distance.
- 2.5 These policies seek to further the aims of the Public Sector Equality Duty by seeking to provide employment opportunities for all those living in the district. Existing successful employment sites are protected from alternative development ensuring that these facilities are not lost to higher value uses, while home working policies support remote working which can particularly benefit people with physical disabilities who may not otherwise be able to access employment. Ensuring vibrant successful town centres benefits whole communities as vital services can be accessed within the district and locally, reducing the need to

travel. This is beneficial for everybody but particularly for those without the means or ability to travel.

Vibrant Communities

- 2.6 The Draft Plan has four strategic objectives to deliver vibrant communities over the plan period.
- To provide greater choice of high-quality housing to meet the needs of Dover District's growing population and changing demographic, and address affordability issues.
 - To focus new development at accessible and sustainable locations which can utilise existing infrastructure, facilities and services, and to ensure development contributes to the sustainability of local communities and services, supporting regeneration and wherever possible make the best use of brownfield land.
 - To ensure that new buildings and spaces are of the highest design quality, to create attractive, inclusive, healthy places which promote local distinctiveness and a sense of place.
 - To provide new and improved community infrastructure and assets, including open space and sports facilities to meet the needs of the District's communities.
- 2.7 Strategic Policies SP2, S3, SP4, SP5, SP6, SP7, Site Allocations Policy 1 and Site Allocations Policy 2, and Development Management Policies DM12 -DM17 seek to address the housing need of all groups, including the young, the elderly and gypsies and travellers, by providing for the objectively assessed need of the district.
- 2.8 Policy DM10 supports the intensification of four gypsy and traveller sites, Policy DM11 responds to the housing needs of various community groups and the emerging population trends and demographics that been assessed through the latest Strategic Housing Market Assessment for the district, while Policy DM12 requires the delivery of adequate provision of affordable housing units across new developments in the district for those who may be unfairly disadvantaged and unable to find housing accommodation when demand exceeds supply. Policy DM13 supports exception sites for housing in rural areas that addresses rural 'concealed households' and the local needs of young people and those working in agriculture who are unable to afford housing in the villages of the district. Other housing policies proposed in the Draft Plan support gypsy and traveller windfall accommodation, specific community housing needs, including those wishing to self build, and support for the living needs of mobile older persons thereby reducing the premature need to enter into care facilities.
- 2.9 With regard to the objective of delivering new building and spaces of highest design quality, Strategic Policies SP15 sets criteria for high quality and inclusive design of both buildings and related open spaces, ensuring safe and accessible access for all. In order to meet the changing needs of an increasingly aging

population in this district, Policy DM37 of the Draft Plan requires developers to consider the future needs of households when designing residential units. It requires, as a minimum, all new development to be designed to building regulation optional requirement M4 (2) accessible and adaptable dwellings. In respect of the Building Regulation optional requirement M4 (3) wheelchair user dwellings, in accordance with national guidance this can only be required on units where the local authority has nomination rights, i.e. within the affordable rented element of a development. The Plan requires this to be delivered on sites of 20 dwellings or more, where the Council will require 5% of the total dwellings to meet this standard. The plan seeks to improve the living conditions of residents by applying the national space standards ensuring appropriate liveable space and safe and accessible developments.

- 2.10 Through its housing and design policies, the Draft Plan seek to further all three aims of the Public Sector Equality Duty. In assessing overall need specific consideration has been given to the housing requirements of particular groups within the community which include individuals/groups with protected characteristics, including older people, younger people, people suffering long term illness/disability, and gypsies and travellers. By allocating sites for housing development the council is helping to ensure that residents, including those in younger age groups, have access to housing and are not unfairly disadvantaged due to inability to afford or lack of supply. By requiring/facilitating provision of specific types of homes including some which the market might not otherwise choose to deliver and by ensuring that there is an adequate dwelling mix and housing supply the Council is ensuring that the housing market is accessible for all protected groups. In requiring 30% affordable housing the Council is seeking to mitigate financial disadvantage for people with socioeconomic difficulties.
- 2.11 Finally, Strategic Policy SP13 and Development Management Policies DM31 - DM35 work to ensure that the right infrastructure, is provided in the right place, at the right time, across the district to support the scale of growth identified in the Plan. To this end the Draft Plan provides for the needs of all those living and working in the District, in relation to access to education, services and facilities and commits the Council to working with our partners to address existing deficiencies in infrastructure provision, in order to ensure the broad range of needs of the growing population are met including the requirements of the digital economy for superfast broadband connections and good coverage across the District.
- 2.12 The Draft Plan also address the need, through development management policies DM31, DM32 and DM33 to improve the provision of good quality sports facilities and a better network of public open space, to increase participation in sports and physical activity, particularly among children and young people, in order to tackle obesity and improve health and well-being, and to increase accessibility, ensuring public open spaces are adaptable and capable of accommodating multiple uses. Further, the Draft Plan recognises that valued open spaces within the District need to be retained and protected for the health and well-being of all residents.

- 2.13 These policies seek to further all three aims of the Public Sector Equality Duty by ensuring that areas of open space, countryside and recreational opportunities are provided which are accessible to all, to help improve people's quality of life and sense of well-being and by helping to create a healthier environment for all residents of Dover district.

Spectacular and Sustainable Environment

- 2.14 The Draft Plan has six strategic objectives to protect and enhance the spectacular natural and historic environment of the district over the plan period:
- To respond to the challenges of climate change, ensuring new development is resilient to, and mitigates against the effects of climate change, including by reducing carbon emissions, and designing development that is resilient to the effects of climate change.
 - To manage flood risk sustainably in a way that ensures the safety of residents and property and take opportunities to reduce flood risk where possible.
 - To conserve or enhance the designated and undesignated heritage assets of the District in a manner appropriate to their significance, recognising their intrinsic value as a finite resource as well as their contribution to the character of the District and their positive role in regeneration of the District.
 - To conserve and enhance the district's biodiversity, including all designated wildlife sites and priority habitats and to enhance ecological connectivity between them, delivering a net gain in biodiversity.
 - To conserve and enhance the District's important natural landscapes and water environments, to ensure these assets can continue to be experienced and valued by residents and visitors and are protected from inappropriate development.
 - To ensure the District's natural resources are used prudently, waste is minimised, and environmental pollution is reduced or avoided.
- 2.15 Strategic Policies SP1, SP16, SP17 and SP18 and development management policies DM1 – DM9, and DM38 – DM48 seek to deliver these strategic objectives.
- 2.16 The opening chapter of the Draft Plan focuses on planning for climate change, a priority which underpins the plan as a whole. Policies DM1 – DM9 set out how all development coming forward over the lifetime of the Plan will be required to adapt to and mitigate against the effects of climate change, including through renewable energy measures and infrastructure, managing flood risk, and by encouraging sustainable modes of transport and water efficiency.
- 2.17 Strategic Policies SP16 and SP17 protect the natural environment of the district for residents and visitors, focusing in particular on the hierarchy sites of national and international importance for wildlife (also protected by Policy DM40), valued

landscapes including the Kent Downs AONB (Policy DM39), green infrastructure, air quality (Policy DM41) and water supply and quality (Policy DM42 and DM43) . Policy DM38 advances the delivery of a Biodiversity Net Gain of at least 10% in all developments coming forward over the plan period. Strategic Policy SP18 protects Dover's heritage assets, with Policies DM44, DM45, DM46, DM47 and DM48 providing policy support for the various categories and components of the rich and wide-ranging historic landscape of the district.

- 2.18 These policies seek to further all three aims of the Public Sector Equality Duty by working to ensure that the district is resilient to the effects of climate change over the Plan period and conserving and enhancing the accessible and high quality countryside and heritage areas of the district for all groups to enjoy.

Cross Cutting Issues

- 2.19 Finally, there are four strategic objectives of the Plan which deliver issues which cut across the eight themed chapters of the Draft Plan:
- To support improvements in the health and wellbeing of residents, improve quality of life for all and reduce health inequalities.
 - To improve connectivity and movement through significantly enhancing the provision of sustainable modes of transport and delivering improvements to the local and strategic road network.
 - To ensure infrastructure is delivered, in a timely manner, to support the needs of new and existing communities in the District.
 - To work with the Council's partners to ensure that the social, environmental and economic impacts of new developments are mitigated, and that the benefits of new development are captured, to protect the District's people and places
- 2.20 Strategic Policy SP13 provides a policy framework for healthy and inclusive communities by ensuring new community infrastructure, including schools and medical facilities, is provided alongside new development. Strategic Policy SP14 and development management policies DM4, DM29 and DM30 address transport infrastructure for new development with the aim of improving accessibility particularly by sustainable means of transport, supporting safe, efficient and environmentally suitable use of the highway network and working to ensure that a suitable level of car parking is provided in new developments.
- 2.21 These policies seek to further all three aims of the public sector equality duty and are responsive to issues including people with limited mobility, energy and awareness, people unable to access/afford travel by private car, in addition to addressing the needs of some protected groups (including age and disability) which may be reliant on the use of private cars. The duty is followed by policies which require that every-day travel by various modes of transport is accessible to all, with specific regard to the protected groups, and create opportunities to access services and job opportunities.

3. Dover District Local Plan Regulation 18 Draft: Preparation and Consultation

Dover District Local Plan Regulation 18 Draft

- 3.1 The Dover District Local Plan Regulation 18 Draft is the first draft of Council's new Local Plan for the District. This Local Plan will replace the existing Core Strategy (2010) and Land Allocations Local Plan Local Plan (2015).
- 3.2 A Local Plan sets out a vision and a framework for the future development of the area. It addresses the needs and opportunities for housing, the local economy, community facilities and infrastructure, as well as establishing the basis for conserving and enhancing the natural and historic environment of the district, mitigating and adapting to climate change, and achieving well designed places. The Local Plan is at the heart of the planning system and provides the framework for all planning decisions to be judged against.

What have we done so far?

- 3.3 Producing and consulting on the Draft Plan (known in this instance as a Regulation 18 Draft) provides an opportunity for local residents, businesses, community, amenity and interest groups, as well as statutory consultees (collectively referred to as local stakeholders), to
 - shape the future development of Dover District,
 - input into the Plan preparation, and
 - to identify any key issues that they feel need to be addressed.
- 3.4 Community and stakeholder engagement in this process has been encouraged through a range of methods, in order that the final draft of the Plan (known as the Regulation 19 Submission Local Plan), which will be submitted to Government for examination in 2021, reflects the opinions and interests of as many local stakeholders as possible.
- 3.5 To date, we have carried out a series of stakeholder workshops which have helped to inform the key issues that the Plan needs to address. Targeted stakeholder consultation has also been undertaken on specific issues to inform the Draft Plan for consultation. In addition, we have liaised with our neighbouring authorities under the duty to co-operate in order to arrive at agreed statements of common ground in relation to cross border issues. Details of such consultations are set out in the Consultation Strategy that accompanies the Regulation 18 Draft Plan.

Regulation 18 Draft Consultation January - March 2021

- 3.6 The Draft Dover District Local Plan (Reg 18) will be published for an eight week period of consultation running from 20th January 2021 - 17th March 2021.
- 3.7 An extensive consultation list has been prepared in order to ensure that all residents and a broad spectrum of bodies, including community groups, religious organisations, voluntary bodies, schools and businesses within the Dover district are aware of the consultation exercise and are able to make their views known on its contents and proposals. Representations are being sought from all those living, and with an interest, in the district, in line with the Public Sector Equality Duty.
- 3.8 Following the end of the consultation period, officers will review and respond to all representations received. Responses will be publicly available. This consultation exercise will help inform the development of the submission draft Local Plan.
- 3.9 This Regulation 18 Draft consultation is consistent with both the approach set out in the Council's adopted Statement of Community Involvement (SCI) (2019) and the Public Sector Equality Duty. The SCI states that the Council will publish consultation documents on-line and that the preferred route for comments is via the website, as this helps make the process of analysing and responding to representations as efficient as possible. The SCI states the Council will consider using one or more of the following methods:
- Correspondence through letters or email
 - Workshops or focus groups
 - Presentations at community events
 - Joint consultations
 - Drop-in events, displays or exhibitions
 - Meetings (one to one or group)
 - Make plans available on our website and at public inspection points
 - Targeted measures for hard to reach groups.
- 3.10 The SCI predates the events of 2020 however, and this consultation is now having to be undertaken within the context of Covid-19 and the global pandemic. It therefore has had to be adapted to take into account the current restrictions on social interaction and the requirement on vulnerable groups to shield at home. In particular, no face-to-face consultation events are possible, in accordance with government guidelines at the time of writing. In addition, it is not appropriate for hard copies to be placed at public libraries or the Gateway to be viewed due to concerns surrounding a contagious virus.
- 3.11 The majority of the consultation will therefore be undertaken using online resources, in order to maintain social distancing rules and to ensure the safety of council staff and members of the public. However, the Council is ensuring that

there will still be opportunities for engagement via other formats, in particular for people without easy internet access.

Consultation methodology

- 3.12 Consultation documents will be made available on the Council's website, which will be the main access point for the consultation, with a virtual exhibition and interactive maps outlining the key issues on a parish by parish basis. A public notice will be printed within the local newspaper and letters/emails will be sent informing consultees of consultation dates and how to view and respond to documents.
- 3.13 A press release will be issued advertising the consultation which will also be publicised throughout the consultation period on the Council's Facebook page and via Twitter. A postcard will be produced to be circulated to all residential address points within the District, with consultation dates, website and a phone number. A dedicated phone number will be set up principally for residents without internet access to be able to ask any questions relating to the consultation. Representations on the Draft Plan, which can only be made through written representation, will be accepted via the online consultation page, or in exceptional circumstances, by email or letter.
- 3.14 Due to the restrictions caused by the pandemic, hardcopies of the Draft Plan will not be available for inspection in the libraries of the district as is customary, Instead, a printed summary document will be produced and will be made available to take away from Dover, Deal and Sandwich public libraries and the mobile library, and on request. Posters advertising the consultation, webpage and phone number will be sent to all parish councils to be displayed on their noticeboards and will be placed at other key locations within the district.
- 3.15 An online event will be held for members of the public as a replacement for face-to-face drop-in sessions, where officers will provide a presentation and questions can be answered. Stakeholder online workshops will also be held centred around specific issues within the Draft Local Plan.
- 3.16 The proposed components and methodology of the Regulation 18 Local Plan consultation exercise are accessible to all stakeholders. Specific efforts, including the distribution of postcards to all addresses in the district, have been made to ensure that those without access to online material are made aware of the consultation exercise and can participate in it. The range of consultation methods provides equality of opportunity, including persons who share a relevant protected characteristic and persons who do not share it, and work to eliminate discrimination, advance equality of opportunity and foster good relations with the residents of the district and users of the planning service of the Council.
- 3.17 In this way, the consultation exercise and its methodology, as outlined above, are compliant with the Public Sector Equality Duty and work to deliver, Objective 2 and Objective 3 of the District Council's Equality Objectives 2016-2020.

What happens next?

- 3.18 Following the end of the consultation all responses received will be considered and reviewed. Based upon these responses a final draft of the Plan (known as a Regulation 19 Submission Plan) will be prepared and will be subject to further consultation prior to submission for examination.