

# Assessing the Impact on Protected Characteristics, the Welsh Language and Socio-Economic Disadvantage

For help to complete this form see the *How to Undertake an Equality Impact Assessment* leaflet. You are also welcome to contact Delyth Gadlys Williams, Policy and Equality Officer on ext. 32708 or [DelythGadlysWilliams@gwynedd.llyw.cymru](mailto:DelythGadlysWilliams@gwynedd.llyw.cymru) for further assistance.

The Council's is required (under the Equality Act 2010) to consider the effect any change in policy or procedure (or the creation of a new policy or procedure), has on people with protected equality characteristics. The Council also has a general duty to ensure fairness and foster good relations. A timely Equality Impact Assessment must be undertaken before making any decision on any relevant change (i.e. which has an effect on people with protected characteristics).

The Council is also required, under the requirements of the Welsh Language Standards (Section 44 of the Welsh Language (Wales) Measure 2011) to consider the effect of a change in any policy or procedure (or the creation of a new policy or procedure), in its opportunities for people to use Welsh and to ensure that Welsh is not treated less favourably than English. This document therefore ensures that these decisions protect and promote the use of the Welsh language.

From April 1st 2021 the Council has a duty to have due regard to tackling socio-economic disadvantage in strategic decisions.

## 1) Details

### 1.1. What is the name of the policy / service in question?

Gwynedd Local Development Plan Delivery Agreement (DA)

### 1.2 What is the purpose of the policy / service that is being created or amended? What changes are being considered?

The purpose of the document is to set out a timetable for the statutory steps that need to be undertaken in the preparation of a Local Development Plan. The document also includes a community involvement scheme that sets out how, when with whom we will consult with (which includes organisations representing the characteristics of equality, the Welsh language and the economically disadvantaged).

The Local Development Plan (in its final form) is a planning policy document that provides guidance in informing decisions on future development proposals and addressing the needs and opportunities of the area. The Local Development Plan must contribute to achieving sustainable development and be consistent with the relevant national and regional planning principles and

policies. In essence, the purpose of a Local Development Plan is to provide guidance as to the types of developments suitable in different locations. The law makes it clear that decisions on planning applications should be made in accordance with the policies within the Local Development Plan unless there are other relevant planning considerations.

### **1.3 Who is responsible for this assessment?**

Heledd Fflur Jones – Planning Policy Team Leader

### **1.4 When did you commence the assessment? Which version is this?**

Version 2.

This assessment has been modified following the public consultation period. Detailed assessments will be made at the stages of LDP preparation. Version 1 of this document can be examined as part of the information pack prepared in relation to the public consultation period.

## **2) Action**

### **2.1 Who are the stakeholders or partners you need to work with to undertake this assessment?**

The People of Gwynedd

People who have shown an interest in the preparation of a Local Development Plan or commented on the Joint Local Development Plan.

Organisations that support or represent people with certain equality characteristics with its members.

North Wales Public Sector Organisations.

Annex 6 of the Delivery Agreement sets out a full list of stakeholders.

As part of the consultation on the Draft Delivery Agreement we asked if the Council is consulting with the right people. As a result of the consultation period, additional stakeholders have been identified. As a result, the list of stakeholders associated with the preparation of the Local Development Plan has been modified.

### **2.2 What measures have you taken to engage with people with equality characteristics, regarding the Welsh language or with communities (either of place or of need) that live with socio-economic disadvantage?**

Annex 6 of the Delivery Agreement highlights the statutory and non-statutory stakeholders where it is incumbent to contact and inform them of the various steps involved in preparing the Local Development Plan. In terms of the non-statutory stakeholders who have been listed, these

include organisations and partners representing people with protected characteristics, the Welsh language and or and economically disadvantaged communities. Furthermore, the Planning Policy Service has a contacts base-data containing details of individuals who have expressed an interest in the Local Development Plan and the preparation process.

It is a statutory requirement to consult with general and specific consultation bodies on the contents of the Delivery Agreement. However, it was considered necessary to exceed these statutory requirements by undertaking wider public consultation.

Awareness of the public consultation period was raised by: -

- Informing statutory and non-statutory stakeholders;
- Notifying local members;
- Notifying Community/Town/City Councils;
- Notifying neighbouring Local Authorities;
- Notifying individuals/organisations who have declared an interest in the LDP (contacts database, 1,316 in number);
- Sharing regular messages on the Council's social media sites (Facebook, Instagram and X).

Further it was ensured that the relevant material required to facilitate the submission of representations including the Draft Delivery Agreement and the Integrated Impact Assessment (see Appendix 3) were available for inspection in the following places:-

- Hard copy at Siop Gwynedd Caernarfon, Dolgellau and Pwllheli;
- Hard copy in the public local libraries;
- Council website

To facilitate the process of commenting on the Draft Delivery Agreement a comment form (hard copy and interactive copy) was provided. The form asked general questions on the various sections of the Draft Delivery Agreement, with a total of 9 specific questions asked. The first seven questions were general questions relating to the Delivery Agreement, question 8 was specifically relevant to the impact of the Delivery Agreement on the Welsh language and question 9 was about the impact on individuals and protected characteristics and the economically disadvantaged.

The public consultation period took place between 26 October 2023 and 7 December 2023. 14 individuals/organisations responded to the consultation with a total of 37 comments.

### **2.3 What was the result of the engagement?**

As a result of the engagement period comments have been received in relation to the contents of the Delivery Agreement. Consideration has been given to the relevance of those representations and consequently, when appropriate, amendments has been proposed to the contents of the Delivery Agreement. These amendments are considered to add value and integrity to the Delivery Agreement. These comments can be explored in the Consultation Report (Appendix 2).

**2.4 On the basis of what other evidence are you operating?**

The Planning and Compulsory Purchase Act 2004 requires local planning authorities in Wales to prepare a Local Development Plan (LDP) for their areas. A DA must be prepared before it can progress to the formal LDP preparation process.

The Town and Country Planning (Local Development Plans) (Wales) Regulations 2005 set out the regulations that must be followed in the preparation of a Delivery Agreement.

The preparation of a Local Development Plan is a priority in Gwynedd Council's Plan 2023-28.

**2.5 Are there any gaps in the evidence that needs to be collected?**

No gaps identified.

**3) Identifying the Impact**

**3.1 The Council must give due regard to the effect any changes will have on people with the equality characteristics noted below. What impact will the new policy/service or the proposed changes in the policy or service have on people with these characteristics?**

<b>Characteristics</b>	<b>What type of impact? *</b>	<b>In what way? What is the evidence?</b>
<b>Race (including nationality)</b>	None	<p>Although a question was asked relating to the impact of the Delivery Agreement on individuals who have equality characteristics, no representation was received during the public consultation period in relation to race.</p> <p>If it becomes apparent during subsequent consultation exercises that there is an impact on these specific characteristics, we will consider appropriate measures for avoiding/mitigating the effect.</p>

<b>Disability</b>	None	<p>Although a question was asked relating to the impact of the Delivery Agreement on individuals who have equality characteristics, no representation was received during the public consultation period in relation to disability.</p> <p>If it becomes apparent during subsequent consultation exercises that there is an impact on these specific characteristics, we will consider appropriate measures for avoiding/mitigating the effect.</p>
<b>Sex</b>	No impact	<p>Although a question was asked relating to the impact of the Delivery Agreement on individuals who have equality characteristics, no representation was received during the public consultation period in relation to sex.</p> <p>If it becomes apparent during subsequent consultation exercises that there is an impact on these specific characteristics, we will consider appropriate measures for avoiding/mitigating the effect.</p>
<b>Age</b>	Positive	<p>During the public consultation period it was expressed that there was a lack of housing provision for young families in the county. Further consideration will be given to how the Local Development Plan can meet the needs of all Gwynedd residents (of all ages) as the process of preparing and formulating the Plan progresses.</p> <p>Please see the full representation and response to this issue in Appendix I – Consultation Report.</p>
<b>Sexual orientation</b>	No impact	<p>Although a question was asked relating to the impact of the Delivery Agreement on individuals who have equality characteristics, no representation was received during the public consultation period in relation to sexual orientation.</p> <p>If it becomes apparent during subsequent consultation exercises that there is an impact on these specific characteristics, we will consider appropriate measures for avoiding/mitigating the effect.</p>
<b>Religion or belief (or non-belief)</b>	No impact	<p>Representation was received relating to the fact that the bodies listed in Annex 6 of the Delivery Agreement are "umbrella" organisations. They indicated that they wished to be informed of all changes that might affect their church.</p> <p>It is emphasised that there is an opportunity for any organisation/charity/individual interested in the Plan to contact the Planning Policy Service with their contact details. Those details will be added to the Development Plan contacts database (meaning that they will be notified during</p>

		<p>the key phases of Plan preparation and their opportunities to provide input into the process).</p> <p>Please see the full representation and response to this issue in Appendix I – Consultation Report.</p>
<b>Gender reassignment</b>	No impact	<p>Although a question was asked relating to the impact of the Delivery Agreement on individuals who have equality characteristics, no representation was received during the public consultation period in relation to gender reassignment.</p> <p>If it becomes apparent during subsequent consultation exercises that there is an impact on these specific characteristics, we will consider appropriate measures for avoiding/mitigating the effect.</p>
<b>Pregnancy and maternity</b>	Positive	<p>Although a question was asked relating to the impact of the Delivery Agreement on individuals who have equality characteristics, no representation was received during the public consultation period in relation to pregnancy and maternity.</p> <p>If it becomes apparent during subsequent consultation exercises that there is an impact on these specific characteristics, we will consider appropriate measures for avoiding/mitigating the effect.</p>
<b>Marriage and civil partnership</b>	No impact	<p>Although a question was asked relating to the impact of the Delivery Agreement on individuals who have equality characteristics, no representation was received during the public consultation period in relation to marriage and civil partnership.</p> <p>If it becomes apparent during subsequent consultation exercises that there is an impact on these specific characteristics, we will consider appropriate measures for avoiding/mitigating the effect.</p>
<b>The Welsh language</b>	Positive	<p>A specific question was included in the consultation on the Welsh language.</p> <p>Comments have been received on the need to ensure that the impact of the Plan on the Welsh language is given full consideration. It is emphasised that considering the likely impacts of the LDP on the Welsh language is an essential element of the SA. The LDP Handbook encourages undertaking an integrated approach to impact assessment when undertaking LDP preparation, noting that it offers an opportunity to undertake an assessment that is more transparent, proportional and comprehensive.</p>

		<p>No decision has yet been made on whether to carry out an integrated assessment or an individual Welsh language assessment.</p> <p>Further a representation was received relating to ensuring that discussions were held with the Gwynedd Language Forum. Opportunities for discussion and the Language Forum will be taken advantage of.</p> <p>Please see the full representation and response to this issue in Appendix I – Consultation Report.</p>
<p><b>Socio-Economic Disadvantage</b></p>	<p>Positive</p>	<p>A specific question was included in the questionnaire relating to considering the impact which the Delivery Agreement could have on individual with protected characteristics or those experiencing socio-economic disadvantage.</p> <p>As part of the comments received during the public consultation period, a comment was received regarding the lack of consideration given in the current Plan to the needs and role of all communities of Gwynedd and specifically South Gwynedd. This comment is premature. The detail of the content of the Local Development Plan, including the settlement hierarchy and growth strategy will be subject to consideration and consultation in relevant subsequent documents.</p> <p>The process of receiving communities' input into these subsequent documents will follow the Community Involvement Plan included in the Delivery Agreement.</p> <p>Representation has also been made on ensuring that input is received from communities in the preparation of the Plan. Every effort will be made to ensure that this is achieved. Further there is an opportunity for any individuals/organisations interested in LDP to include their details on our contacts database which meant we would receive correspondence regarding any future public consultation periods.</p> <p>A representation was received relating to ensuring that public consultation periods are held for a period longer than 6 weeks, this comment specifically related to ensuring that it provides opportunities for the socio-economic disadvantaged to be able to respond to consultation periods. Where appropriately and practical, further consideration will be given to undertaking public consultation periods for longer periods.</p>

		<p>A comment was submitted stating that the Plan and needs (housing growth) should be community led. Receiving the input of the public and the communities of Gwynedd is a core part of the preparation of the Plan. The role of the Council will be to consider what the needs and aspirations of Gwynedd communities are and to seek to achieve that vision within the Plan, as long as that is consistent with relevant national and regional planning policy guidance.</p> <p>Please see the full representation and response to this issue in Appendix I – Consultation Report.</p>
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\* Delete as appropriate

**3.2 The Council has a duty under the 2010 Equality Act to contribute positively to a fairer society by promoting equality and good relations in its activities regarding the following characteristics – age, gender, sexual orientation, religion, race, gender reassignment, disability and pregnancy and maternity. The Council must give due attention to the way any change affects these duties.**

<b>General Duties of the Equality Act</b>	<b>Does it have an impact?*</b>	<b>In what way? What is the evidence?</b>
<b>Abolishing illegal discrimination, harassment and victimisation</b>	Possible	At this stage have done everything practical possible.
<b>Promoting equal opportunities</b>	Possible	<p>At this stage have done everything possible to ensure this. The consultation ensured that people could have input and influence council decisions.</p> <p>Representation has been received to the consultation period which states that a 6-week period is not sufficient to undertake the public consultation period. It is ensured that all consultation periods align with the statutory requirements. If appropriate and where the timeframe permits consideration will also be given to the appropriateness of carrying out the consultation/ public engagement exercise for a period longer than 6 weeks.</p>
<b>Encouraging good relationships</b>	Possible	A representation has been received which questions whether the Council is working well with the community and partners. The Delivery Agreement details the intended approach of engagement. Any opportunities to take advantage of and improve engagement will be acted upon where appropriate and practicable.

\* to be deleted as appropriate



**3.3 How does your proposal ensure that you work in accordance with the requirements of the Welsh Language Standards (Welsh Language (Wales) Measure 2011), to ensure that the Welsh language is not treated less favourably than English and that you seize every opportunity to promote the Welsh language (beyond providing services bilingually) and increase opportunities to use and learn the language in the community?**

In accordance with the Council's Welsh language policies.

Following the public engagement period, comments were received which have led to amendments being undertaken to the Delivery Agreement, including adding clarity to the Delivery Agreement and making it clear that the Sustainability Appraisal will take linguistic impact into account (see Appendix 2).

**3.4 What other measures or changes could you include to strengthen or change the policy / practice in order to have a positive impact on people's opportunities to use the Welsh language, and to reduce or prevent any adverse effects that the policy / practice may have on the Welsh language?**

Throughout the process of preparing the Plan it will be necessary to ensure that the relevant requirements are fulfilled. An ongoing assessment of the Impact on the Welsh language will be undertaken and will influence the content of the Plan.

In line with the comments received during the public consultation period relating to the Delivery Agreement we will take all opportunities available to receive input from the public and organisations/interest groups.

**3.5 How does the proposal show that you have had due regard to the need to address inequality caused by socio-economic disadvantage? (Note that this is about closing inequality gaps rather than just improving outcomes for everyone)?**

Paper Copies available in libraries and Siop Gwynedd for digitally excluded people.

Representation was received during the public consultation period indicating the need to carry out the consultation exercise for a period exceeding 6 weeks to ensure that it gives everyone an appropriate opportunity to respond. When appropriate and possible further consideration will be given to undertaking engagement exercises for periods longer than six weeks.

**3.6 What other measures or changes might you include to strengthen or change the policy / practice to show that you have had due regard to the need to reduce disproportionate outcomes as a result of socio-economic disadvantage, in accordance with the Socio-Economic Act?**

- Consider holding relevant consultation periods for periods longer than six weeks.
- Consider alternative modes of engagement.

- Take advantage of opportunities for community engagement.

These are going to receive consideration before undertaking future public consultation exercise.

#### 4) Analysing the Results

##### 4.1 Is the policy therefore likely to have a significant, positive impact on any of the above and what is the reason for this?

No significant impact has been identified as a result of the consultation.

##### 4.2 Is the policy therefore likely to have a significant, negative impact on any of the above and what is the reason for this?

No significant impact has been identified as a result of the consultation.

##### 4.3 What should be done?

Choose one of the following:

Continue with the policy / service as it is robust	Yes
Adapt the policy to delete any barriers	
Suspend and delete the policy as the detrimental impacts are too big	
Continue with the policy as any detrimental impact can be justified	
No further action at this time because it is too soon to decide, or there is insufficient evidence	

##### 4.4 If continuing with the project, what steps will you take to reduce or mitigate any negative impacts?

Throughout the stages of preparing the Local Development Plan an Equality Impact Assessment will be prepared and modified, as appropriate. If any negative impact is identified, measures will be implemented to mitigate those impacts.

**4.5 If you are not taking any further action to delete or reduce the negative impacts, explain why here.**

Not relevant.

## **5) Monitoring**

**5.1 What steps will you take to monitor the impact and effectiveness of the policy or service (action plan)?**

Revisit and modify the Impact Assessment throughout the Local Development Plan preparation process and amend the Local Development Plan and related preparation documents as necessary.