# Equality Impact Assessment Design and Sustainability DPD

Regulation 18B Preferred Approaches

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# 1. Part 1 - Introduction & Background

# The purpose of the EQIA

- 1.1. This report details the results of the Equality Impact Assessment (EqIA) of the Design and Sustainability Development Plan Document (DPD). The purpose of the EqIA is to assess the potential impact of the policies in the DPD on different groups within Maidstone Borough. An assessment of the Local Plan policies has been undertaken in relation to the groups with the following protected characteristics (as defined by the Equalities Act 2010):
- **Age**: this refers to a person being a particular age or being within an age group. This includes all ages, including older people, children and young people;
- Sex: this is someone being either male or female;
- **Disability**: a person has a disability if she or he has a physical impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities, e.g. physical, sensory, mental, or learning impairment:
- Race: this includes colour, nationality (including citizenship), ethnic, or national origins;
- Religion or belief: religion means any religion, including a reference to a lack of religion. Belief includes religious and philosophical beliefs, any religious/faith or other groups with a recognised belief system or lack of belief;
- **Sexual orientation**: this is whether a person's sexual attraction is towards their own sex, the opposite sex, or to both sexes;
- **Gender reassignment**: this relates to people who are transitioning from one gender to another;
- **Pregnancy and maternity**: this includes expectant mothers and mothers who have recently had a child. Protection against maternity discrimination is for 26 weeks after giving birth.
- Marriage or civil partnership: This is treating an employee differently on account of their relationship status. This can be either between a man and a woman or between members of the same sex.

#### Structure and content of the EQIA

- 1.2. This document is divided into three parts. The first part is the introduction and context. The second part provides an overview of Maidstone's population, with particular focus on those with protected characteristics, based on age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 1.3. The third part provides a context to the Design and Sustainability DPD, in terms of the key considerations, requirements and influences, with particular regard to equalities matters.

1.4. The fourth and final part of the EqIA assesses the merging policies to consider their potential impact on those with protected characteristics, and to make recommendations for any changes.

# Legal context

- 1.5. Maidstone Borough Council (MBC) is no longer required to undertake equality impact assessments (EqIAs). However, Local authorities are required to have due regard to the Public Sector Equality Duty at a formative stage in policy formulation as per the Equalities Act 2010.
- 1.6. An equality impact assessment can be used to assist with making the necessary considerations and provides evidence of how a local authority has discharged its duty.
- 1.7. Those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:
  - Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the act.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
- 1.8. These are referred to as the three arms or aims of the general equality duty. Further information in the guidance has been provided on the advancement of equality, the advancement of equality involves:
  - Removing or minimizing disadvantages suffered by people due to their protected characteristics.
  - Taking steps to meet the needs of other people.
  - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.<sup>1i</sup>
- 1.9. The Design and Sustainability DPD will show regard to this by:
  - Ensuring that the review process and revised policies are not unlawfully discriminatory
  - Production the Design and Sustainability DPD will seek to advance where
    possible the equality of opportunity between people who share protected
    characteristics and those that do not.
  - The consultation process will involve Maidstone's wider community including minority and seldom heard groups in the preparation process. This is essential in fostering good relations and maintaining confidence and trust in the local authority between people who share protected characteristics and those that do not.

<sup>&</sup>lt;sup>1</sup> Equality and Human Rights Commission, *The essential guide to the public sector equality duty*, p5, 2011

# Policy context

# Maidstone Design and Sustainability DPD

- 1.10.MBC adopted its Local Plan in October 2017. The Local Plan sets out a spatial strategy for locating future growth in housing, employment and retail, along with associated infrastructure requirements for the period until 2031. It is also seeks to protect key assets, including environmental and heritage designations and includes policies that influence land-use matters that are relevant to the assessment of planning applications.
- 1.11. The Local Plan is currently undergoing review, with the document now being subject to independent examination.
- 1.12. The Design and Sustainability DPD seeks to build on policies contained within the adopted Local Plan and Local Plan Review. It includes addressing new housing need figures and other new government requirements. There have also been changes locally, including the Council having produced a new Strategic Plan (2019-2045).

Key Stages of Local Plan Review	Dates	
Regulation 18 Scoping Themes and Issues consultation	November to December 2022	
Regulation 18 Preferred Approaches consultation	April to May 2023	
Regulation 19 Draft DPD consultation	September to October 2023	
Examination in Public and Main Modifications	June to September 2024	

Table 1. Maidstone Design and Sustainability DPD Timetable

- 1.13.Delivering a development plan document is a multi-stage process, as set out in the table. Each stage becomes more specific in terms of proposals. Accordingly, the first stage is merely a scoping exercise, the preferred approaches stage sets out intended directions of travel for potential policy areas, while the final stages are on the actual policies that the Council wishes to take forward. The final draft document will then be subject to Examination in Public with an independent Inspector.
- 1.14.Despite the above lack of detail in the early stages, each of these stages provides an opportunity for MBC to consider whether there are potential equalities implications for relevant proposals.
- 1.15. The Council's <u>Strategic Plan 2019-2045</u> was produced prior to the commencement of the Design and Sustainability DPD, and this sets out the Council's long term vision for the Borough of Maidstone. Its priorities very

clearly include the provision of homes and jobs. These are matters fundamentally important to all groups living and working in Maidstone borough, inclusive of those with protected characteristics.

- 1.16. The Council has produced its Statement of Community Involvement (SCI) which outlines its approach to public engagement and consultation with the community, for example on planning policy documents and planning applications. This has been fundamental in setting out the methods used during the relevant Design and Sustainability DPD consultation stages.
- 1.17.An evidence base will underpin and inform the revised policies as they are identified and developed via the review process. It forms a fundamental basis not only for informing the Design and Sustainability DPD but other strategies across the council that support delivery of the Design and Sustainability DPD.
- 1.18.To help ensure the delivery of successful strategic outcomes, the correlation between a Planning Authority's Strategic Plan and Design and Sustainability DPD is key.
- 1.19. The Council's Strategic Plan Priorities (and cross cutting objectives) remain overarching to the direction of the Design and Sustainability DPD process.

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# 2. Part 2 – Equalities profile of Maidstone Borough

2.1. The following section provides a summary of equalities groups in Maidstone.

# Maidstone Population

2.2. The latest population estimates (mid-2019) for Maidstone demonstrate that there are almost 171,900 people living in the borough, hence making Maidstone the most populous Kent local authority<sup>1</sup>. 75% of the borough's population live in an urban area, and the remainder live in the surrounding rural area and settlements<sup>2</sup>.

# Equalities Groups Within Maidstone

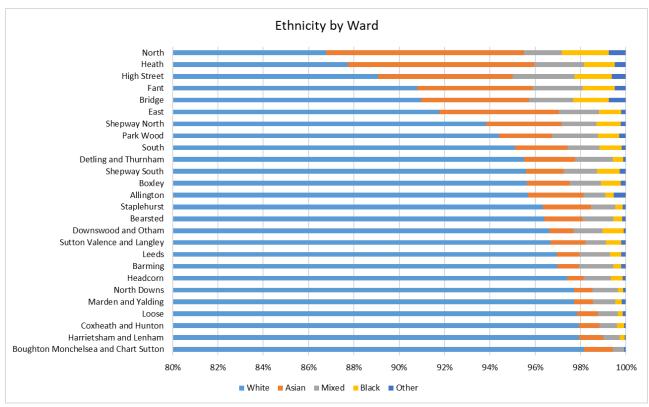
2.3. The following section looks at each equalities group (and some sub-groups) in more detail:

#### Race

- 2.4. At the last census in 2011, 5.9% of Maidstone's population were from Black and Minority Ethnic (BAME) groups<sup>3</sup>, indicating an increase in diversity across the borough since the 2001 census when the BAME community made up 2.7% of Maidstone's population<sup>4</sup>. Data from the School Census 2020 suggests that in Maidstone, 12.6% of all pupils have a first language that is not/believed not to be English; the figure is 15.5% for primary school, and 9.8% for secondary school, pupils, and 5.8% among pupils attending special schools<sup>5</sup>.
- 2.5. The following analysis looks at data from the 2011 census for further details please see the diagram below<sup>14</sup>.
- 2.6. Data suggests that North ward had the highest non-White population; 13.2% of the ward's population was from a BAME ethnic group. Heath had the next highest proportion of the population being from a BAME group (12.3%), and High Street was third (10.9%)<sup>14</sup>.
- 2.7. Six wards had the highest White population, at 98.0%: Boughton Monchelsea and Chart Sutton; Harrietsham and Lenham; Coxheath and Hunton; Loose; Marden and Yalding; and, North Downs. The highest number of people from an English/Welsh/Scottish/Northern Irish/British ethnic background lived in Shepway North, whilst Fant was the most popular ward to live in amongst those from an Irish background. High Street had the highest number of people from the Other White background. Those from a Gypsy or Irish Traveller background lived in the highest number in Marden and Yalding, and Harrietsham and Lenham nobody from this ethnicity lived in Allington<sup>14</sup>.
- 2.8. Asians resided most popularly in North, High Street, and Heath wards. Fant was popular among those from the Other Asian, Indian, and Bangladeshi communities. Other Asians popularly resided in North ward, Indians were highest in Heath ward, and those from a Chinese background resided in highest numbers in East ward. Amongst Bangladeshis and Pakistanis, High Street was the most popularly resided in ward. Nobody from the Chinese and

Pakistani communities lived in North Downs, and nobody from the Bangladeshi and Pakistani communities lived in Leeds. Bangladeshi people also did not live in Barming, Detling and Thurnham, Downswood and Otham, and Sutton Valence and Langley. Nobody from the Pakistani community lived in Boughton Monchelsea and Chart Sutton, Harrietsham and Lenham, Headcorn, and Marden and Yalding<sup>14</sup>.

- 2.9. The Mixed community popularly lived in High Street this ward was a popular one for those from the White and Asian, White and Black Caribbean, Other Mixed, and White and Black African ethnicities to live in. Fant was a ward commonly lived in by those from a White and Asian, Other Mixed, and White and Black African background. Bearsted was popular amongst White and Asian people too, whereas amongst the White and Black Caribbean, and White and Black African communities, Park Wood was a common ward to live in. The White and Black Caribbean community also lived in North ward in higher numbers Leeds did not have any usual residents from this group. North was also popular amongst those from the Other Mixed background, whilst the same could be said for East ward amongst the White and Black African community<sup>14</sup>.
- 2.10.The highest numbers of usual residents from a Black ethnic background were in North ward both African and Caribbean people lived in the highest numbers here, and this was the second most popular ward to live in amongst the Other Black group. High Street was the second most popular choice amongst all three of the subgroups making up the Black ethnic group. Fant was the most popular ward to live in amongst those from the Other Black community, and the third most popular ward to live in amongst Africans. Nobody from a Black background lived in Boughton Monchelsea and Chart Sutton, and nobody in the Other Black community lived in Detling and Thurnham, Leeds, and Loose<sup>14</sup>.
- 2.11. Those from the Other ethnic group lived most popularly in North too it was the ward with the highest number of people with an ethnic background that was Arab and that was not Arab (the latter made up 70.8% of the Other ethnic group). High numbers of the Arab community lived in Allington and Fant too. Those from a background that was not Arab did not live in Loose, whilst nobody from an Arab background lived in Downswood and Otham, North Downs, or Sutton Valence and Langley<sup>14</sup>.



Source: Produced by Maidstone Borough Council (2021); NOMIS – Ethnic group (2011 census) 14

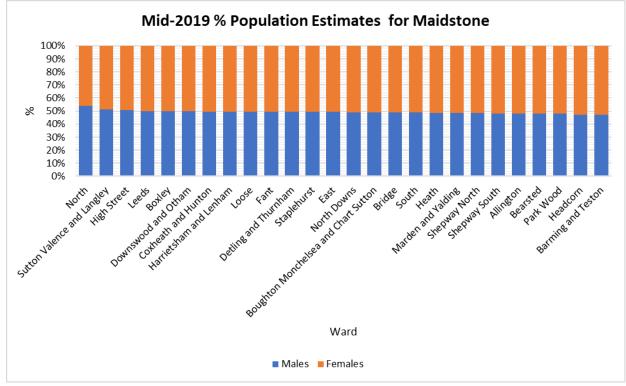
# Religion or belief

- 2.12. Data from the 2011 census has been used for the analysis below.
- 2.13.Christianity is the most prominent religion in Maidstone; according to the last census (2011), 62.9% of the population identified as Christian3. Maidstone is not a diverse place when it comes to religion; the next most popular religious group is Islam, which is represented by 1.1% of Maidstone's population3. The data also points out that Maidstone's population is made up of followers of Hinduism (1%), Buddhism (0.6%), Sikhism (0.1%), and Judaism (0.1%), and followers of other religions made up 0.4% of Maidstone's population. People who identified as having no religion made up 26.7% of Maidstone's population, whilst 7.1% of respondents did not state which religion they followed3.
- 2.14.In Maidstone, the highest number of people who were religious lived in Bearsted. High Street was the ward in which the highest proportion of those who were not religious lived in. Fant and North wards had the joint highest proportion of people who did not state a religion living there. Fant had the highest proportion of those people who believed in religion different to the mainstream ones, followed by High Street, which itself was followed closely by North. 28.7% of all people who believed in a religion different to a mainstream one lived in these three wards<sup>15</sup>.
- 2.15. The highest proportion of Christians lived in Bearsted, followed by Boxley and then South, and this made up 17.3% of all Christians. High Street was a

popular ward for both Muslims and Buddhists to live in. North was the ward with the most Hindus and the most Buddhists. 38.1% of Muslims, over half of Hindus, and 42.5% of Buddhists resided in the three wards where each of these groups were seen in the highest numbers. No followers of Hinduism resided in Boughton Monchelsea and Chart Sutton, Loose, and Sutton Valence and Langley. The highest number of Sikhs were usual residents in Fant ward, followed jointly by Bridge, and South – 34.1% of all followers of Sikhism resided in these three wards. No Sikhs lived in Barming, Detling and Thurnham, Marden and Yalding, and Staplehurst. On the other hand, Marden and Yalding had the highest number of Jews living there, followed by High Street, and then jointly the three wards of East, Headcorn, and South; 40.5% of the Jewish community resided in these five wards<sup>15</sup>.

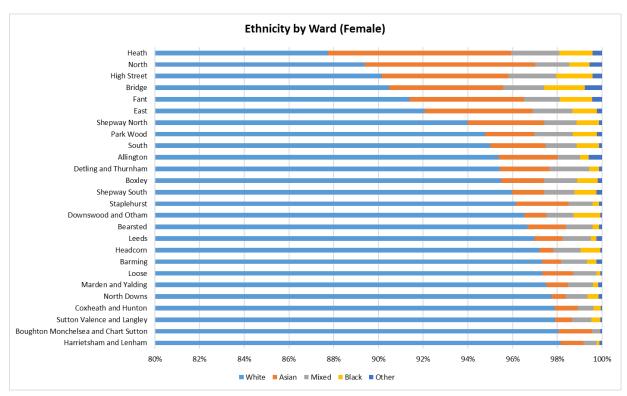
# Sex

- 2.16. The 2011 Census identifies that within the borough 51% of the population is female and 49% of the population is male.
- 2.17.According to the latest (experimental statistics) population estimates (mid-2019) at ward level, in Maidstone, the female population made up a higher proportion of every ward's population except 5 of the 26 wards. Males made up a higher proportion of the ward population in three wards North (54.1%), Sutton Valence and Langley (51.2%), and High Street (50.5%) whereas males and females made up the same proportion of the population in Leeds and Boxley<sup>19</sup>.



Source: Produced by Maidstone Borough Council (2021); ONS - Mid-2019 population estimates (experimental statistics)<sup>19</sup>

2.18. The latest census (2011) also demonstrates that, in Maidstone, males formed the larger proportion of every ethnic group except the White population where females made up 50.9% of White people. Females made up the lowest proportion of the Other ethnic group, followed by the Mixed, then Black, and then Asian ethnic groups. In addition, females made up a larger proportion of the White ethnic group among 22 wards, and they made up a higher proportion of the Asian population among 14 wards. Among the Mixed and Other ethnic groups, males made up the higher proportion in the majority of all of the wards (females made up a higher proportion in 9 wards for Mixed, and 7 wards for those from the Other ethnic group). Nobody from the Black ethnic group resided in Boughton Monchelsea and Chart Sutton, and of the 25 wards that this ethnic group did reside in, females made up more than half of the population in 13 wards. Females made up 100% of the Black community in North Downs, and they also made up 100% of the Other ethnic group in Harrietsham and Lenham<sup>18</sup>.



Source: Produced by Maidstone Borough Council (2021); NOMIS – Ethnic group by sex by age (2011 census)<sup>18</sup>

#### Marriage and civil partnership

- 2.19.In 2011 the census reported that in Maidstone Borough a total of 64,344 people were married. This was 51% of the eligible population.
- 2.20.In the 2011 census data points out that in Maidstone, 206 people (0.2% of all people aged 16+) were in a registered same-sex civil partnership. The same proportion of people aged 16+ in England were also in a registered

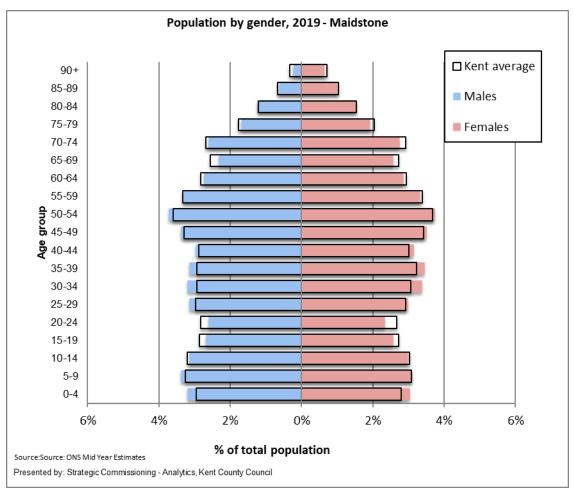
same-sex civil partnership as per the census results3. Although data on civil partnership formations is not available at borough level, between 2012 and 2019, in Kent, 430 same-sex civil partnerships were formed, with an average of 54 (to the nearest whole number) per year. Over time, the number of same-sex civil partnerships formed per year have decreased in Kent (157 in 2012, to 15 in 2019)8.

# Pregnancy and maternity

- 2.21.In 2019 there were 1,891 live births in the borough. This was a crude birth rate of 11 per 1,000 of the borough's population.
- 2.22.In Maidstone, at the last census, 9.7% of households were lone parent households. This figure is slightly lower than the figure of 10.0% seen in Kent<sup>6</sup>. This data also suggests that those, in Maidstone, who looked after the home or family were predominantly women they accounted for 25.3% of the economically inactive 16-74 female usual resident population there<sup>3</sup>. This is higher than the figure of 24.0% seen for Kent<sup>7</sup>.

# Age

- 2.23.The most recent population estimates (mid-2019) for Maidstone suggest that the population is mainly of working age: 57.6% of residents are 19-64 year olds. It is estimated that 29.0% of the population is aged 24 or less, and 19.2% of the population is aged 65 or more. Overall, there is a marginally higher proportion of females within the borough (50.7%). Males make up a slightly higher proportion of the population aged between 0 and 29, and females make up a higher proportion of those aged 30 and above. The variance is highest when looking at the oldest age groups, with females making up 71% of those aged 90 and above and 58% of those aged between 80 and 89¹. In Maidstone (2015-2017), females had a longer life expectancy at birth than males; ONS data suggests that the life expectancy at birth for females was 82.2 years, and for males it was 80.5 years this is a difference of 1.7 years³.
- 2.24. The population pyramid below shows the most recent population estimates (mid-2019) for Maidstone against the average for Kent. Overall, Maidstone has a similar age profile to the county average, although it has a slightly higher proportion of pre-school age children and a smaller proportion of retired people compared to the KCC average<sup>3</sup>.



Source: Kent County Council (KCC) – Kent District Profiles (accessed January 2021)<sup>3</sup>

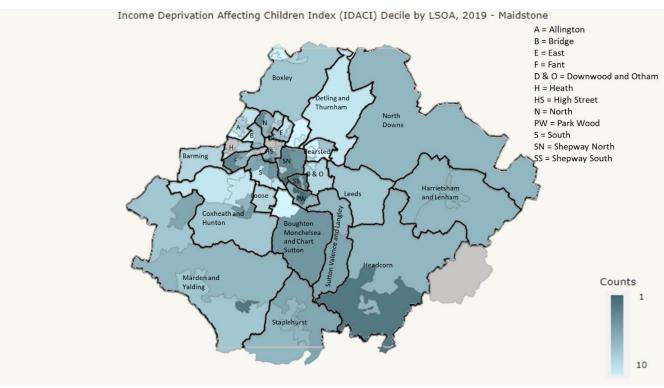
2.25. In addition, the usual residents in the following age groups made up the highest, and lowest, proportions of the ward populations from the 2011 census data<sup>16</sup>:

Age group of usual	Ward with highest	Ward with lowest		
residents	proportion	proportion		
0 to 19	Park Wood (33.8%)	Barming (18.5%)		
20 to 29	High Street (19.5%)	Barming (6.0%)		
30 to 44	Heath (26.1%)	Barming (14.1%)		
45 to 59	Detling and	Park Wood (14.3%)		
	Thurnham (25.0%)			
60 to74	Barming (26.0%)	Park Wood (9.0%)		
75 and over	Barming (14.0%)	Park Wood (3.8%)		

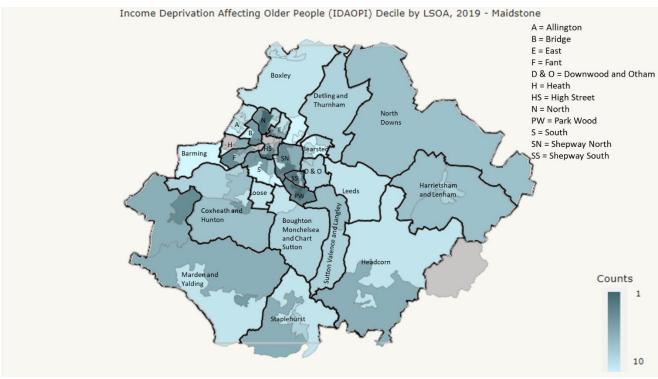
Source: Produced by Maidstone Borough Council (2021); NOMIS – Age structure (2011 census)<sup>16</sup>

2.26.ONS data (2015-2017) shows that the life expectancy at birth, for males was 80.5 years and for females it was 82.2 years. Whilst the figure for males was higher in Maidstone than in both Kent (79.9 years) and England (79.6 years), the figure for females was lower than the figure for both Kent (83.4 years) and England (83.1 years). The life expectancy at age 65 years in Maidstone was 19.0 years for men, and 21.2 years for women. Again, the figure for men in Maidstone was higher than the figure for Kent (18.9 years)

- and England (18.8 years), but although the figure for females was lower than the figure for Kent (21.3 years) it was higher than the figure for England  $(21.1 \text{ years})^3$ .
- 2.27.The KCC Housing Led Forecasts (November 2019) forecasted Maidstone's population growing by 15.1% from 2018 to 2038. The 0-15 age group's population was expected to increase by 5.6%, although change from making up 19.7% of Maidstone's population in 2018 to making up a smaller, 18.0% of the population in 2038. The 65+ age group was expected to go up by the biggest: 50.6%. Where, in 2018, the 65+ age group made up around 19.0% of the population, it was expected to make up 24.8% of Maidstone's population in 2038. The 16-64 age group was expected to grow by 9.0%<sup>3</sup>.
- 2.28. The diagrams below show which decile Maidstone's Lower Layer Super Output Areas (LSOAs) fall into nationally, for the income deprivation affecting children index, and the income deprivation affecting older people, for 2019. The colour code system is such that relatively more deprived areas (with a relatively lower decile figure) are a darker blue in colour, and those areas which are relatively less deprived (as they have a relatively higher decile figure) are a lighter shade of blue, in the maps<sup>17</sup>.



Source: Produced by Maidstone Borough Council (2021); Ministry of Housing, Communities & Local Government – The English Indices of Deprivation 2019<sup>17</sup>



Source: Produced by Maidstone Borough Council (2021); Ministry of Housing, Communities & Local Government – The English Indices of Deprivation 2019<sup>17</sup>

# Older People - 65 and over

2.29. Furthermore, the latest census (2011) highlights that the highest number of older people (aged 65 and over) were usual residents in Bearsted, followed by Allington. White people made up the highest proportion of older people in Maidstone (98.4%). BAME groups made up 1.6% of older people, where Asians (1.0%) made up the second largest ethnic group, in Maidstone. High Street was the ward in which the highest number of older people from the Asian, Mixed, and Black communities resided. No older Asians lived in Loose, and no Mixed older people lived in either Headcorn or Staplehurst. Bridge had the highest number of older people living there who were from the Other ethnic group. Older Black people could be seen in 14 wards, and older people from the Other ethnic group could be seen in half (13) of Maidstone's wards. Nobody from the Black and Other ethnic groups aged 65 and above lived in the following eight wards: Barming; Boughton Monchelsea and Chart Sutton; Detling and Thurnham; Harrietsham and Lenham; Headcorn; Leeds; North Downs; and, Staplehurst. Moreover, there were no people aged 65 and above who were Black living in Coxheath and Hunton, Loose, Marden and Yalding, and South, whilst Bearsted, Downswood and Otham, Park Wood, Shepway North, and Sutton Valence and Langley had nobody aged 65 and over who was from the Other ethnic group usually residing there 18.

# Younger people - 0 to 24

2.30. The latest census (2011) also highlights information about the 0 to 24 population in Maidstone. The highest number of younger people (aged 0 to 24) were usual residents in High Street. Those from a White ethnic background made up the highest proportion of younger people (91.5%), and BAME groups made up 8.5% of younger people in Maidstone - Asians made

up 3.9%, and the Mixed community made up 3.1%, of Maidstone's population. The highest number of younger White people were usual residents in High Street, whilst the highest number of Asian people aged 0 to 24 were usual residents in North ward. The highest number of younger people from a Mixed background, and from a Black background, lived in High Street, and nobody from these ethnic groups were usual residents in Boughton Monchelsea and Chart Sutton. The highest number of younger people from the Other ethnic group were usual residents in North, and nobody from this ethnic group or the Black community aged 0 to 24 lived in Loose, although Barming, Detling and Thurnham, and North Downs, also didn't have anybody aged 0 to 24 residing there who was from the Other ethnic group<sup>18</sup>.

# Lone Parent Households And Women

2.31.According to the 2011 census, the ward with the highest proportion of households with a lone parent was Park Wood – 9.3% of all households with a lone parent in Maidstone lived here. This was followed by High Street, and then Fant. In Maidstone, lone parent households with dependent children made up the higher proportion of lone parent households (68.9%), and lone parent households with all non-dependent children made up 31.1% of all lone parent households. Park Wood had the highest proportion of lone parent households with dependent children (10.8%), and Shepway North had the highest proportion of lone parent households with non-dependent children (7.2%). High Street was second for both groups. Barming had the lowest proportion of households with a lone parent overall, and also when looking at lone parent households with dependent children, but also amongst lone parent households without dependent children<sup>6</sup>.

#### Sexual orientation

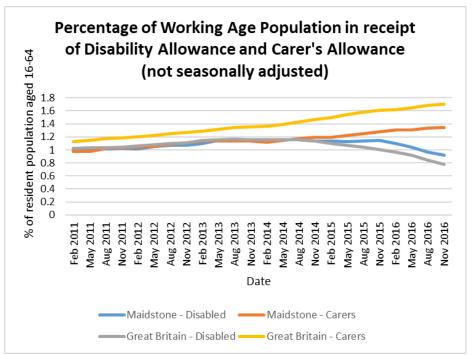
- 2.32. There is no data available on the distribution of LGBTQ+ people in Maidstone. However, the actual extent of this population is likely to be different to the data recorded in the previous census (2011) on same-sex civil partnership data. One reason for this is because census data is somewhat dated. Secondly, it is possible that people may hide their sexuality from others. In addition, same-sex civil partnership data is not likely to provide an accurate indication of sexual orientation or gender identity. Furthermore, it is difficult to establish any obvious places of congregation of LGBTQ+ groups in order to gain further information about the LGBTQ+ community in Maidstone.
- 2.33.However, the 2021 census shall have additional voluntary questions for people aged 16 and over about their sexual orientation and gender identity which may be more relevant to the society we live in<sup>20</sup>.

# Gender reassignment

2.34. There is no known data relating to gender reassignment in the Maidstone Borough population. Gender reassignment data is not captured by the Census (2011).

# Disability

- 2.35.In the 2001 census, 15.2% of Maidstone's population had a limiting longterm illness<sup>9</sup>. According to the 2011 census, 23.5% of all households in Maidstone had one person in the household with a long-term health problem or disability<sup>10</sup>. The most recent census also showed that, in Maidstone, 24,505 people's day-to-day activities were either limited a little, or a lot, by a long-term health problem or disability<sup>11</sup>. That is, 15.2% of all usual Maidstone residents living in households had their day-to-day activities being limited due to a long-term health problem or disability. This figure is slightly lower than the figure of 17.2% seen in England<sup>3</sup>. The DWP 5% sample data (February 2020) demonstrates that, in Maidstone, 93.7% of disability benefits claimants had a physical disability, 31.1% had a health condition relating to mental health, and 20.7% had a learning difficulty<sup>3</sup>. Census data from 2011 also suggests that 10.1% of those people aged 16-74 in Maidstone who were economically inactive were long-term sick or disabled<sup>3</sup>. On the other hand, the latest ONS annual population survey data that is available for Maidstone (July 2017 to June 2018) highlights that 28.5% of those aged 16-64 were economically inactive because they were long-term sick; the figure for Great Britain is lower at 22.4%<sup>12</sup>.
- 2.36.According to the 2011 census, 15.8% of all usual residents in Maidstone stated that they had a long-term health problem or disability. The wards which had the highest number of people whose day-to-day activities were limited by a long-term health problem or disability were Shepway North, High Street, and Shepway South. The wards with the highest, and lowest, proportions of usual residents whose day-to-day activities were limited due to a long-term health problem or disability were Shepway South (25.3% of the population were affected) and Downswood and Otham (this ward also had the lowest number of people with a long-term health problem or disability), respectively<sup>11</sup>.
- 2.37.The 2011 census data also suggests that Downswood and Otham ward had the highest proportion of usual residents aged 16 and over who had a long-term health problem or disability and were economically active. This was followed by Boxley and Fant wards. Barming had the lowest figure across all wards; 53.1% of all usual residents aged 16 and over with a long-term health problem or disability were economically active. 55.5% of Shepway South's usual residents aged 16 and over with a long-term health problem or disability were economically active<sup>21</sup>.
- 2.38.Across Maidstone, when looking at those with a long-term health problem or disability, the retired population made up 65.0% of the economically inactive population. 7.7% of the economically inactive population was made up of those who were long-term sick or disabled<sup>21</sup>.
- 2.39.Data on DWP benefit claimants (2011 to 2016) working age client group on disabled, and carers, benefit claimants can be seen in the diagram below<sup>13</sup>.



Source: Produced by Maidstone Borough Council (2021); DWP – benefit claimants - working age client group<sup>13</sup>

#### Carers

- 2.40.In addition, 2011 census data highlights that 10.2% of all usual residents in households in Maidstone provided unpaid care, compared with 10.4% in England as a whole<sup>3</sup>. In Maidstone, 23.3% of unpaid carers were aged 65 or more, and 2.3% were between 0 and 15 years of age (inclusive)<sup>3</sup>.
- 2.41.Of the 10.2% of Maidstone's usual residents provided unpaid care; with 67.3% of these providing 1 to 19 hours, 11.1% providing 20 to 49 hours, and 21.6% spending 50 hours or more, on unpaid care per week<sup>22</sup>.
- 2.42. The data suggests that the highest proportion of unpaid carers who provided 1 to 19 hours of unpaid care per week resided in Bearsted, whereas the lowest proportion lived in Downswood and Otham. The highest proportion of unpaid carers who provided 20 to 49 hours of unpaid care per week lived in Shepway North, and the lowest proportion lived in Barming followed closely by Boughton Monchelsea and Chart Sutton. Shepway North also had the highest proportion of unpaid carers who provided 50 or more hours of unpaid care per week living there. Similarly, Barming had the lowest proportion of unpaid carers who provided 50 or more hours' unpaid care per week living there and this was followed closely by Leeds<sup>22</sup>.
- 2.43.Data from the 2011 census also demonstrates that the 35 to 49 age group was the most common age group for an unpaid carer to fall into in Maidstone. Fant had the highest proportion of unpaid carers in this age group living there, followed by North, and Barming had the lowest. The 50 to 64 age group was the second most popular age group for an unpaid carer to fall into in Maidstone. The highest proportion of unpaid carers in this age group were usual residents in Boxley, followed by Marden and Yalding. Downwood and

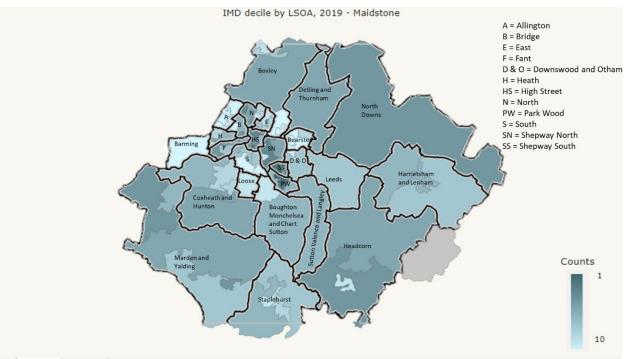
Otham had the lowest proportion of unpaid carers in this age bracket living there. The 0 to 15 age group was the third most common age group for an unpaid carer to fall into in Maidstone, followed by the 65 and over age group, the 25 to 34 age group, and finally the 16 to 24 age group<sup>23</sup>.

2.44.Data on DWP benefit claimants (2011 to 2016) – working age client group – suggests that, over time, the percentage of the working age population in receipt of Carer's Allowance has increased in both Maidstone and Great Britain, although the percentage of the working age population in receipt of Disability Allowance has decreased for both<sup>13</sup>. The DWP Longitudinal Study (February 2020) demonstrates that 0.5% of people aged 16+ in Maidstone claim Carer's Allowance. In both Kent and Great Britain, this figure is slightly lower at 0.4%<sup>3</sup>.

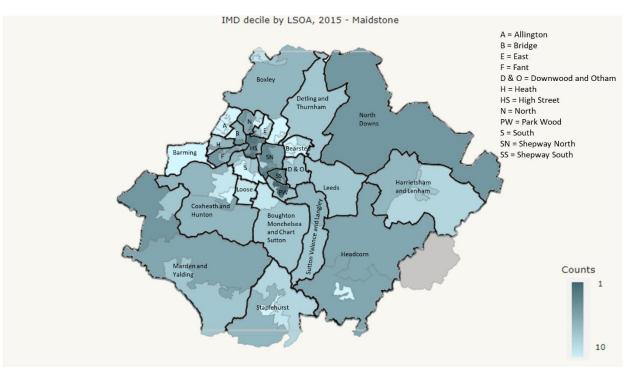
# Other

# Index of Multiple Deprivation

- 2.45.In the Index of Multiple Deprivation (IMD) for 2019, Maidstone was given a rank of average rank of 188 nationally (out of 317 local authority districts in England), and it was behind three other Kent local authorities<sup>17</sup>. Hence, Maidstone ranks within England's least deprived half of authorities. In 2015, the rank of average rank for Maidstone was 206 nationally, which suggests that the borough's level of deprivation has increased, relative to other areas in England, over time. Maidstone was behind the same three Kent local authorities in 2015 as it was in 2019<sup>24</sup>. When measured by the extent of the population living in the most deprived LSOAs, Maidstone ranked at 170<sup>th</sup> in England in the 2019 indices<sup>17</sup>, down from 173<sup>rd</sup> seen nationally in the 2015 indices<sup>24</sup>.
- 2.46.The diagrams below show which decile Maidstone's LSOAs fall into nationally, for the IMD. The colour code system is such that relatively more deprived areas (with a relatively lower decile figure) are a darker blue in colour, and those areas which are relatively less deprived (as they have a relatively higher decile figure) are a lighter shade of blue, in the maps. The first diagram looks at the English Indices of Deprivation data for 2019, and the second diagram looks at the English Indices of Deprivation data for 2015<sup>25</sup>.



Source: Produced by Maidstone Borough Council (2021); Ministry of Housing, Communities & Local Government – The English Indices of Deprivation (2019)<sup>17</sup>



Source: Produced by Maidstone Borough Council (2021); Ministry of Housing, Communities & Local Government – The English Indices of Deprivation (2015)<sup>24</sup>

# Occupation

2.47.In Maidstone, according to data from the 2011 census, the highest proportion of all people aged 16-74 in employment happened to be in a professional occupation (16.4%). 14.1% were in an associate professional and technical occupation, whilst 10.6% were in elementary occupations. 12.1% came under the 'Managers, directors and senior officials' occupation.

Collectively, this makes up 53.2% of all people aged 16-74 in Maidstone in employment<sup>3</sup>.

#### Crime

2.48.In the Residents' Survey (2017) carried out by Maidstone Borough Council, 93.2% of respondents said they felt either very, or fairly, safe in their own home. 100% of respondents living in Boughton Monchelsea and Chart Sutton, Downswood and Otham, Heath, and Loose wards felt safe in their own home, whereas Shepway South ward had the lowest figure (82.6%). When asked how worried they were about someone breaking into their home, over half of Maidstone's respondents said they were not worried. East ward (68.1%), followed by Heath ward (66.8%), had the highest proportion of people who were not very, or not at all, worried. Shepway South had the lowest proportion of people being not very, or not at all, worried, about someone breaking into their home (34.8%)<sup>26</sup>.

# 3. Part 3 - The equality impact assessment

# Methodology

3.1. At each stage of the Design and Sustainability DPD process the Council has sort to test its policies and approaches via the public sector duty outlined above. How this has been done is via pre-consultation and post-consultation analysis.

# Stage 1. - Pre-consultation

3.2. Before a consultation the content and process of the consultation were assessed to define if there are to be any equalities impacts. The content is the proposed consultation document, and the process were the consultation methods. The impacts are defined as positive negative or neutral based on the protected characteristics. Once an impact is defined recommendations for changes are made to the document and process. This enables equalities impacts to clearly be part of the Design and Sustainability DPD development process.

# Stage 2 - Post-consultation

3.3. Following a consultation, the content and process were again analysed for their equalities impact. The content analysed were the responses received, both in terms of those that comment on an issue that may impact a person with a protected characteristics and responses from those who have an identified protected characteristic. While the process was the consultation methods undertaken. The analysis is done via the protected characteristics groups identified through the Equality Act 2010.

# Design and Sustainability DPD Equality Impact Assessment Regulation 18 Scoping, Themes and Issues Consultation

# Pre-consultation Considerations Content

- 3.4. The Scoping, Themes and Issues consultation document did NOT set out specific policies. It is only when the Design and Sustainability DPD reaches Regulation 18b (the second consultation stage) that policies are set out. Indeed, the purpose of the consultation is purely to help establish the matters that should be considered in the Regulation 19 version of the Design and Sustainability DPD. Instead, the document contained 7 identified issues, with a range of questions associated with these.
- 3.5. The table below sets out the issues that were identified in the consultation document. Each issue also contains questions that assist the public in providing their thoughts on each issue.

Issues		Relevant Strategic Plan Strategic Priority
1	Ensure that Maidstone Borough is delivering attractive and distinctive places that people want to live, work and play in	2 & 4
2	creating safe and secure places where people of all ages want to spend time and develop a sense of pride in where they live and work.	2 & 4
3	Ensure that development in Maidstone Borough is attractive with distinctive and easy to navigate streets and public spaces.	1, 2 & 4
4	Ensure that Maidstone Borough is integrating green spaces and infrastructure at every scale of design, and that these are making a genuine and significant contribution to the net gain of biodiversity, the causes and effects of climate change, and the health and wellbeing of communities	2 & 4
5	Ensure that the Borough of Maidstone is delivering a connected network of streets that prioritises journeys by active and sustainable transport modes, whilst allowing the use of streets for essential private vehicle movements. Maidstone's streets should be attractive and safe for all users with a clear and legible movement hierarchy of primary, secondary and quiet streets.	1, 2 & 4
6	Ensure that new development in the Borough of Maidstone is delivered with	2 & 4

	net-zero carbon, and that buildings are able to mitigate the effects and adapt to the rapidly changing climate.	
7	Ensure the delivery of great buildings and landscapes that are robust and adaptable enough to stand the test of time, enhancing the borough's identity. This includes new homes that have sufficient space to allow for a good standard of living and meeting the needs of current and future lifestyles. Ensure the use of high quality and appropriate materials that last throughout a development's lifespan.	2 & 4

3.6. Taking each of the protected characteristics in turn -

# Age:

- Identifying the needs of the borough to help deliver places that work for a range of ages.
- The provision of accessible infrastructure and places.

# **Disability:**

 That buildings and new environments will be designed to encourage wellbeing amongst new and existing residents and to encourage the good health of all our residents.

# **Gender reassignment:**

• No impact identified.

# Marriage and civil partnership:

• No impact identified.

# **Pregnancy and maternity:**

• No impact identified.

#### Race:

• No impact identified.

# Religion and belief:

• No impact identified.

# Sex:

• To deliver places that feel safe regardless of sex.

#### **Sexual orientation:**

No impact identified

#### **Process**

- 3.7. The consultation will seek the opinion of different sectors of the community and a considered and accessible Communication and Consultation Strategy in line with the Council's Statement of Community Involvement to ensure that it reaches seldom heard and minority groups.
- 3.8. The findings of the consultation will influence the evolution of the plan and associated policies and will therefore inform the proposals contained in future iterations of the Design and Sustainability DPD, including the consultation on Regulation 18b
- 3.9. It is the Council's intention that the Design and Sustainability DPD will have a positive impact upon the lives of the borough's residents. This will be evidenced by the consultation process, responses and in demonstrating the correlation between the policies and the needs and future needs of our residents.
- 3.10.It is apparent that the consultation is on a document that is wide-ranging and potentially complex. It is also lengthy. This could have the impact of deterring those with protected characteristics from expressing their views on the document.
- 3.11.In order to address this, a series of targeted questions have been inserted into the consultation document. These relate to the main issues set out above and help to illustrate some of the main purposes of the consultation. The questions are also contained separately on a standard response form, which makes it easier to provide responses and easier to access the questions themselves. It is intended that, in addition to the below consultation methods, this will make the consultation as accessible as possible to all groups with protected characteristics.
- 3.12.A further measure to improve accessibility will be the addition of a Summary Document. This document has been produced using accessible language and also reduces the time required to grasp the main issues and purposes of the consultation. The Summary Document also provides the main consultation questions and highlights the proforma that contains all questions and provides the most accessible way to respond to the consultation.
- 3.13. The methods of consultation have also been enhanced to maximise the opportunity for those with protected characteristics to get involved. The legislation regarding this stage of Design and Sustainability DPD production doesn't require a formal consultation to take place. However, Maidstone Borough Council has produced a Statement of Community Involvement that applies inter alia to the Design and Sustainability DPD production stages. At this stage of production (on the Scoping, Themes and Issues), the Statement

of Community Involvement goes significantly beyond the legislative requirements.

# 3.14.A summary of the Statement of Community Involvement consultation methods is provided below.

Engagement and Consultation Methods	How the Council will achieve this? (any important dates or information have been included)
Undertake a minimum of 6-week voluntary consultation	A 6-week consultation commencing on 28 <sup>th</sup> April.
	Statutory bodies: Notification emails will be sent to all statutory consultees (see table below for details).
	Generic bodies Stakeholders: Notification emails will be sent to all generic bodies (see table below for details).
	Dedicated letters will be sent to all Parish Councils and the North Loose Residents' Association
	Dedicated email to be sent to Councillors.
	Consultation database: Objective notification email and letters will be sent <sup>2</sup> .
	Public Notice.
Publish information on the website	The Design and Sustainability DPD webpage will provide:  - Links to summary and technical documents  - Links to response form  - Links to consultation portal  - Links to the public notice  - Closing date for representations  - Data protection information
Use the consultation portal for the submission of comments	Database will be set up the consultation questions and links to the summary document, technical document and public notice

<sup>2</sup> Notifications will not be sent to individuals who have selected no further contact, wish not to be notified or who are inactive.

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Place material at inspection points	Documents will be delivered to the 12
	libraries across the borough on week
	commencing 24 <sup>th</sup> April.

- 3.15. Maidstone Borough Council will go further in order to maximise integration and awareness from all groups. This includes:
  - An article in Borough Insight will be published,
  - Email to be sent to all MBC employees,
  - Advertising the consultation on social media,
  - Presentations to made to the Parish Councils and local members.
- 3.16. The methods illustrate that notification and awareness raising of the consultation is as widespread as possible given available resources. Documents are available online but also at key locations in the borough so they are locally available to those without online access. Councillors were also provided with all information so they were able to assist the public, including those with protected characteristics.
- 3.17. Paper copies were also available at a cost to anyone upon request.
- 3.18. In addition, Maidstone Borough Council has a consultation database that goes far beyond the minimum consultee requirements set out in legislation. The table below includes a cross-section of consultees that illustrates how the Council has sought to obtain comments from a wide variety of, including hardto-reach, groups.

	Registered providers				
Stakeholder Groups	Optivo; Golding Homes; Gravesend Churches Housing Association; Medway Housing Association; Hyde Housing Association and Town and Country Housing Group; Moat Homes Limited; Clarion Housing Group; and Sanctuary Housing Association  Gypsy and Traveller agents and representative bodies				
Others	dypsy and travelier agents and representative bodies				
	National Federation of Gypsy Liaison Groups; Canterbury Support				
	Group; The Gypsy Council; Friends, families and travellers; The				
	Showmen's Guild of Great Britain and Planning agents				
	Objective consultation database				
	This includes hard to reach groups or people who could access to those communities. E.g. The Gypsy Council, area groups, religious				

organisations,	disabled	person	liaison	committee	and	ethnic
minority community advisory group.						

# **Impact**

3.19. At Regulation 18 Scoping, Themes and Issues Stage the Strategic Planning Team worked with colleagues internally in the Policy and Engagement Team to assess the consultation and design the questionnaire. This was to ascertain whether there were any equalities impacts through the consultation. This process resulted in none being identified.

# Post- Reg 18 Scoping Themes and Issues Consultation Analysis

#### Content

- 3.20. There was no change to the content of the consultation document once it was published per the above section. This means that the content was also heavily weighted to the Council's Strategic Plan and its themes and objectives.
- 3.21. As noted above, this document was around setting the scope of the matters to be considered in future iterations of the Design and Sustainability DPD, as it was developed. It therefore set out questions, rather than providing answers. It also set out context to help inform respondents answers to the questions.
- 3.22. Whilst the content of the document did not change as a result of publication, it is possible to consider the potential future implications on equalities matters via the responses received to the consultation.
- 3.23. Responses to the consultation included the following issues around the content of the consultation document that may have implications for those with protected characteristics:

Comments received at consultation were broadly supportive of the aims of the DPD, key themes to emerge from the comments related to:

- Identification of ways that the document can contribute to wider biodiversity networks that might extend beyond the borough's boundaries.
- The DPD needs to ensure sustainable and walkable communities.
- Historic environment and its context should be embedded in new development.
- New development should seek to bring benefits to existing communities.
- The need for off street parking in new development.
- Consideration of waste generation in the development phase of new build.
- The DPD should take a holistic and integrated approach to tackling climate change.
- Landscape setting in rural areas should be an important consideration for new development.
- 3.24.It will be important to ensure, where possible, that these issues are considered and taken forward in Design and Sustainability DPD Regulation 19 document.
- 3.25.It is also possible to use the personal information provided by respondents about themselves in their representations to consider whether there are particular matters that impact on protected groups or if there is a significant difference of opinion between protected groups

#### Sex:

None identified.

# Age:

- National Planning Practice Guidance identifies the "critical" need for housing for older people, the only type of housing to be accorded this level of need in the guidance. Due to the size, nature and scale of the buildings that are required to meet this critical housing need it is often challenging to adhere to overly prescriptive design policies which do not allow for the enhanced density and scale necessary to deliver housing for older people.
- Good design, but also viable developments which meet the needs of an ageing population.
- It is paramount that all new builds adhere to strict high-quality design, that they are sustainable and future proofed to meet the needs of all possible occupants paying particular attention to the needs of disabled and older occupants.
- All age groups need consideration.
- Need to meet the needs of an ageing population. There is a high demand for bungalows in the borough.
- believe that given the way places are designed has a significant influence over whether communities can live healthy lives in addition to Maidstone Borough Council having a cross-cutting Strategic objective of reducing health inequalities an issue missing here.

#### Race:

None identified

## Health:

- It is paramount that all new builds adhere to strict high-quality design, that they are sustainable and future proofed to meet the needs of all possible occupants paying particular attention to the needs of disabled and older occupants.
- The County Council considers that the way places are designed has a significant influence over whether communities can live healthy lives, in addition to Maidstone Borough Council having a cross-cutting strategic objective of reducing health inequalities. It is therefore advised that a section on 'Design for Healthy Places' is included within the DPD.

# Religion or belief

None identified

#### Sexual orientation

None identified

# **Gender reassignment**

None identified

#### **Pregnancy and maternity**

None identified

#### Marriage or civil partnership

None identified

#### **Process**

- 3.26. The methods used accorded with the those set out in the previous section of this assessment. This meant that the Council made the consultation as accessible as possible within the resources available. In addition, an email was sent to all Council employees to notify them of the consultation.
- 3.27.Positive feedback was also received from Parish Councils regarding the presentations that they received at the start of the consultation process, meaning that they were able to assist those who came to them with questions, or wishing to get involved with the consultation.
- 3.28. The Council used it's Borough Insight magazine to make reference to the Design and Sustainability DPD. This magazine is sent to all properties in the Borough, maximising opportunities for groups with protected characteristics to get involved.
- 3.29. During the consultation period a total of 56 written representations were received.
- 3.30.Email was the preferred method of response. Comments were received during the consultation on the accessibility of the portal and consultation responses were received which stated that the consultation could have been made more accessible to those who have limited ICT skills.

# **Impact**

3.31. Following the consultation, the responses received were reviewed. Any comments were considered as per the method set out in the Consultation Statement. Equalities comments were considered as part of that holistic approach.

# 4. Part 3 - The equality impact assessment

4.1. The following table lists the draft policies in the Regulation 18b (Preferred Approaches) consultation document. It assesses each policy for its potential impact on those with protected characteristics.

Reg 18b Proposed Policy	Equalities impact	Explanation & Evidence	Recommendations
PM1: Placemaking	Positive	Promotes healthy communities, play facilities, and promotes community engagement	No change
PM2: Maidstone Town Centre	Neutral	This policy sets broad design framework for the town centre.	No change
S1: Built Form	Positive	Promotes active travel	No change
S2: Tall Buildings	Neutral	Sets policy for tall buildings.	No change
S3: Optimising Density	Neutral	Development to reflect the density of its surroundings.	No change
S4: Mixed Uses and Local Centres	Positive	Promotes walkable neighbourhood and good access to services.	No change
S5: High Quality Public Realm and Streetscene	Positive	Requires development to provide places for pedestrians to rest and gather.	No change
S6: Off-Street Parking	Neutral	Sets the design requirements for off-street parking.	No change
S7: On-Street Parking	Neutral	Sets the design requirements for on-street parking.	No change
S8: Settlement Edges	Neutral	Sets the design requirements for settlement edges.	No change
S9: Servicing layout and access	Neutral	Design requirements for roads.	No change
S10: Integrating refuse and recycling storage	Neutral	Sets the requirements for refuse and recycling storage.	No change
ON1: Landscape and the Setting of Places	Neutral	Requires landscape to be a key consideration to design.	No change
ON2: Open Spaces	Positive	Should be designed to attract all ages.	No change
ON3: Biodiversity, Geodiversity and Nature Recovery	Neutral	Sets the standard for natural environment	No change

Reg 18b Proposed Policy	Equalities impact	Explanation & Evidence	Recommendations
ON4: Biodiversity Net Gain	Neutral	Sets out the requirements for the implementation of biodiversity net gain.	No change
ON5: Sustainable Drainage Systems (SuDs)	Neutral	Sets out the requirements for SuDS.	No change
ON6: Green Infrastructure	Neutral	Prescribes developments approach to the incorporation of green infrastructure.	No change
ON7: Protection of Dark Skies	Neutral	Limits lighting where there is a need to protect dark skies.	No change
ON8: Building on Sloping sites	Neutral	Design based approach to sloping sites.	No change
ON9: Providing External Amenity Space for All Homes	Neutral	Requires all new homes to have external amenity space.	No change
MO1: Layout and Movement	Neutral	Promotes sustainable travel and interaction.	No change
MO2: Design for All	Positive	Requires development to reflect mix of society. Enables participation. Meets needs of wheelchair users and mobility impaired.	No change
MO3: Plan for cyclists	Neutral	Requires provision for cycle storage.	No change
SB1: Sustainable Design and Construction	Neutral	Sets requirements for design sustainability in new buildings.	No change
SB2: Minimising Greenhouse Gas emissions in New Development	Neutral	Low water and energy use in new buildings.	No change
SB3: Passive Design of Buildings	Neutral	Design and layout to maximise natural solar gain and shading.	No change
DQ1: Design led approach	Neutral	Sets design requirements in new development.	No change

Reg 18b Proposed Policy	Equalities impact	Explanation & Evidence	Recommendations
DQ2: Masterplanning	Neutral	Major development to be supported by a site wide masterplan.	No change
DQ3: Form Based Design Codes	Neutral	Major developments to set design codes.	No change
DQ4: Maintaining Design Quality	Neutral	Design quality to be maintained through the lifetime of the development.	No change
DQ5: Materials and Detailing	Neutral	Development to respond to its context in terms of materials.	No change
DQ6: Modern Methods of Construction	Neutral	Sets standards for Modern Methods of Construction.	No change
DQ7: Houses in Multiple Occupation	Neutral	Sets space standards for HMO's.	No change
DQ8: Mixed Communities	Positive	New residential developments should address the needs and access requirements of people with disabilities	No change

# 5. Conclusions

- 5.1. The aim of this EqIA has been to assess whether the policies within the Design and Sustainability DPD have the potential to be discriminatory to any of those persons with protected characteristics within the borough and to see how the needs of such groups have been considered in the policies themselves.
- 5.2. The assessment to date shows that for most policies contained within the Design and Sustainability DPD have no adverse impacts on the protected equality characteristics are identified, although for several policies significant positive effects have been established. This was particularly obvious in respect of the age and disability characteristics, whereby several policies specifically address the needs of children and young people, the elderly and people with compromised mobility. No negative impacts specific to any of the protected groups were identified.

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In addition to the above resources, the following document has also been consulted:

Newham London: Evidence Base – Equalities and the Local Plan (February 2017); Available at: https://www.newham.gov.uk/

<sup>&</sup>lt;sup>26</sup> Maidstone Borough Council: Residents' Survey (2017)