

Core Strategy Submission Draft
Initial Impact Assessment Report
Race Relations Act

JMW 300 September 08

Purpose of Assessment

- 1.0 The purpose of the assessment is to see if the policies and provisions of the JPSU's submission draft Core Strategy discriminate against particular persons/groups. To do this consideration must be given to the provisions of the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000.

Race Relations Act

- 2.0 The Race Relations Act 1976 makes it unlawful to discriminate against persons or groups either directly or indirectly on grounds of their race. The general duty is set out in Section 71(1) of the Act. This duty is to eliminate unlawful racial discrimination, promote equality of opportunity and to promote good race relations.
- 2.01 The Act defined direct discrimination as
Treating a person on racial grounds, less favourably than others are, or would be, treated in the same or similar circumstances. Segregation of a person on racial grounds is to be regarded as treating him or her less favourably
- 2.02 The Act defined indirect discrimination as
When a person applies a requirement or condition, which is such that the proportion of persons from the same racial group who can comply is considerably smaller than persons who are not of that racial group; and it cannot be shown that the condition is justified irrespective of the racial origins of the person concerned; and it is to that person's detriment that he/she cannot comply.
- 2.03 The act applies to public authorities and their employees and specifically to matters relating to employment, education, housing and service provision.
- The Race Relations (Amendment) Act 2000
- 3.0 This was introduced to ensure that those public authorities and functions not previously subject to the 1976 Act are now subject to it. E.g. the Police
- 3.01 There is a duty to produce a Race Equality Scheme, which sets out arrangements for ensuring that any new or proposed policy is screened for race equality. Where the policy is deemed to be relevant to race equality, the authority should carry out a Race Equality Impact Assessment (REIA) and appropriate consultation. This is a simple, sound and effective tool for ensuring new and proposed policies proactively address the different strands of the duty. They enable the removal of aspects of the policy, which may be considered to be discrimination, prior to the introduction of the policy.
- 3.02 The assessment is a two stage process. Stage 1 involves screening a proposed policy to see if it is relevant to the race equality duty. Stage 2 is a full assessment, including consultation and is only required if the policy is relevant to the race equality duty.

Minerals and Waste Core Strategy

4.0 The submission draft Core Strategy is a Development Plan Document that will form part of the Joint Minerals and Waste Development Framework. The documents that comprise the framework will replace the existing Replacement Minerals Plan for Berkshire¹ and the Waste Local Plan².

4.01 The Core Strategy sets out the basic approach for the JMWDF to ensure that adequate resources for future mineral and waste development are planned for in Berkshire. It will also highlight the extent and location of mineral resources needed for extraction, and the waste management capacity which needs to be provided and the potential location for facilities.

The Assessment

5.0 This is a stage 1 screening assessment of the policies in the core strategy. Each of the policies in the Core Strategy is summarized below. Following the summary there is a commentary based on the following checklist:

- What is the purpose of the policy and why?
- Who is intended to benefit and how?
- What consultation, statistical or qualitative information is available to aid assessment?
- To what extent will the proposed policy or provision achieve equal opportunities and good relations between different racial groups or impact upon them
- Is there a risk associated with the proposed policy or provision that the race equality duty will not be met if it has an impact on particular persons or groups

5.01 The Core Strategy contains 18 policies. The stage 1 screening assessment of each these policies, is set out below.

Core Policy M1 –Safeguarding of Sand and gravel Deposits

The purpose of this policy is to ensure that minerals are safeguarded. Minerals are a valuable but limited resource that can only be won where they naturally occur. Safeguarding of viable or potentially viable mineral deposits from sterilisation by surface development is an important component of sustainable development

Commentary:

This policy will not discriminate against particular persons or groups.

Policy M2 – Apportionment Rate and Landbank

The purpose of this policy is to make provision for ensuring an adequate and steady supply of aggregates for the construction industry by means of maintaining a landbank.

Commentary

This policy will not discriminate against particular persons or groups.

¹ Replacement Minerals Local Plan for Berkshire Incorporating the Alterations adopted in December 1997 and May 2001. Bابتie.

² Waste Local Plan for Berkshire. Bابتie. 1998

Core Strategy Policy M3 – Minerals Preferred Areas for Sharp Sand and Gravel

The purpose of this policy is to make provision for the landbank by identifying the most sustainable locations where mineral extraction is most likely to take place. This will be done by identifying Minerals Preferred Areas for future working where mineral resources are known to exist.

Commentary

This policy will not discriminate against particular persons or groups.

Policy M4 –Extraction of sharp sand and gravel Outside Minerals Preferred Areas

The purpose of this policy is to focus future extraction to the identified Minerals Preferred Areas, proposals for the extraction of sharp sand and gravel and to resist proposals elsewhere.

Commentary

This policy will not discriminate against particular persons or groups.

Core Strategy Policy M5 – Areas of Search for Building Sand

The purpose of this policy is to identify Areas of Search for soft sand. (The deposits of soft sand containing material suitable for building sand are too variable to allow Minerals Preferred Areas to be defined.)

Commentary

This policy will not discriminate against particular persons or groups

Core Strategy Policy M6 – Supply of Recycled or Secondary Aggregates

The purpose of this policy is to increase the use of recycled and secondary aggregates as substitutes for primary aggregates

Commentary

This policy will not discriminate against particular persons or groups

Core Strategy Policy M7 – Transportation of Minerals and Policy M8 – Safeguarding rail depot sites

The purpose of these policies is to encourage the use of sustainable transport for the movement of minerals.

Commentary

This policy will not discriminate against particular persons or groups

Core Strategy Policy M9 – Borrow Pits

The purpose of this policy is to open a local, temporary supply of materials for a specific construction project

Commentary

This policy will not discriminate against particular persons or groups

Core Strategy Policy M10 – Chalk, Clay and Other Non-Energy Minerals and Policy M11 – Oil and Gas

The purpose of these policies is to set out the high level conditions under which proposals for extraction of all non aggregate minerals will be judged.

Commentary

This policy will not discriminate against particular persons or groups

Core strategy Policy M12 - Restoration and after-use

The purpose of this policy is to ensure that the restoration of mineral workings will achieve public and environmental benefits, such as improvements to the long term appearance of the landscape, the creation of greater diversity of habitats for wildlife, provision of new opportunities for public access and recreation, and the alleviation of flooding

Commentary

This policy will not discriminate against particular persons or groups

Core Strategy Policy Policy W1 – Waste Self-sufficiency

is to achieve net self-sufficiency in waste management and disposal capacity for all types of waste in Berkshire requires provision of waste treatment and disposal capacity at least equivalent to the forecast scale of arisings

Commentary

This policy will not discriminate against particular persons or groups

Core Strategy Policy W2 – Waste Management Targets

The purpose of this policy is to include in the plan defined targets both for specific required waste management capacity and to enable other performance targets to be met.

Commentary

This policy will not discriminate against particular persons or groups

Core Strategy Policy W3 – The Spatial Distribution of Waste Facilities

The purpose of this policy is to identify the broad spatial distribution of waste facilities.

Commentary

This policy will not discriminate against particular persons or groups

Core Strategy Policy W4 – The Transfer of Waste

The purpose of this policy is to minimise the distance over which waste is transported for treatment and disposal and to encourage opportunities for non-road-borne modes of transport.

Commentary

This policy will not discriminate against particular persons or groups

Core Strategy Policy W6 – Need

The purpose of this policy is to ensure that waste is moved as far up the waste hierarchy as possible

Commentary

This policy will not discriminate against particular persons or groups

Core Strategy Policy W7 – Specialist Waste Management Facilities

The purpose of this policy is to ensure that the identification of, and profile for, each Waste Preferred Area, will consider the suitability for specialist waste management activity and will have regard to the need and opportunity for such facilities.

Commentary

This policy will not discriminate against particular persons or groups

Core Strategy Policy W8 – Safeguarding of Waste Management Facilities

The purpose of this policy is to safeguard existing waste facilities from competing land uses.

Commentary

This policy will not discriminate against particular persons or groups

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ਜੇ ਤੁਹਾਨੂੰ ਇਹ ਲਿਖਤ ਸਮਝਣ ਲਈ ਸਹਾਇਤਾ ਦੀ ਲੋੜ ਹੈ ਜਾਂ ਇਸਨੂੰ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਲੈਣਾ ਚਾਹੁੰਦੇ ਹੋ ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਕਿਸੇ ਅੰਗਰੇਜ਼ੀ ਬੋਲਣ ਵਾਲੇ ਨੂੰ 01628 796518 ਤੇ ਫੋਨ ਕਰਨ ਲਈ ਕਹੋ। (Punjabi)

اگر آپ کو اس دستاویز کو سمجھنے کیلئے مدد درکار ہو یا آپ یہ دستاویز کسی اور شکل میں حاصل کرنا چاہیں تو براہ مہربانی کسی انگریزی بولنے والے شخص کو 01628 796518 پر ٹیلیفون کرنے کیلئے کہیں۔ (Urdu)

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