



Department for
Business, Energy
& Industrial Strategy

EQUALITY ANALYSIS FOR THE NATIONAL POLICY STATEMENT FOR GEOLOGICAL DISPOSAL INFRASTRUCTURE

July 2019



OGL

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Equality Analysis for the National Policy Statement for Geological Disposal Infrastructure

This document records the analysis undertaken by the Department for Business, Energy and Industrial Strategy in relation to the National Policy Statement (NPS) for Geological Disposal Infrastructure and the Public Sector Equality Duty (PSED) as set out in section 149 of the Equality Act 2010. Section 149 requires a public authority, in the exercise of its functions, to have due regard to the need to:

- eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

The protected characteristics to be considered are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

Please note that in relation to the protected characteristic of 'marriage and civil partnership' the department is required to have due regard to only the first of the three limbs of the PSED, as set out above.

SECTION 1

Policy

The NPS for Geological Disposal Infrastructure is intended to facilitate the development of geological disposal infrastructure for the disposal of higher activity radioactive waste. The purpose of the NPS is to guide the Secretary of State and the Planning Inspectorate in the consideration of any application for a development consent order for the development of geological disposal infrastructure in England.

The NPS also sets out the need for geological disposal infrastructure.

SECTION 2

Summary of the evidence considered in demonstrating regard to PSED

In order to assess the potential impact of the NPS for the purposes of the PSED, an initial screening exercise was carried out.

As part of this screening exercise, the Department considered internal and external evidence and analysis on the likely impact of the NPS, both at a regional and national level.

Assess the impact

Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the 2010 Act.

The Department considered the impact the NPS would have on eliminating unlawful discrimination, harassment, victimisation and any other conduct prohibited by the 2010 Act. Based on the screening exercise that was undertaken, it was concluded that there would be no impact.

Advance equality of opportunity between people who share a particular protected characteristic and people who do not share it.

The Department considered the impact the NPS would have on advancing equality of opportunity between people who share a particular protected characteristic and people who do not share it. Based on the screening exercise that was undertaken, it was concluded that there would be no impact.

Foster good relations between people who share a particular protected characteristic and people who do not share it.

The Department considered the impact the NPS would have on fostering good relations between people who share a particular protected characteristic and people who do not share it. Based on the screening exercise that was undertaken, it was concluded that there would be no impact.

Summary of the Analysis

In facilitating the development of geological disposal infrastructure for the disposal of higher activity radioactive waste, the Department has given consideration to the need to meet the PSED by assessing the potential impact of the NPS on protected characteristics as defined in the Equality Act 2010.

An initial screening exercise was undertaken to assess the impact and concluded that there were no impacts as a result of publishing the NPS, because equality groups, compared with other groups, are unlikely to be more or less affected by the impact of a GDF. The NPS will set out the planning framework for the timely delivery of a GDF. The NPS is a generic document and does not list any potential sites for a GDF. The NPS will nevertheless ensure the developer and decision maker take equality considerations into account once a site/s have been identified and a development consent order is being applied for.

Chapter 5 of the draft NPS sets out the generic impacts and general siting considerations to be considered by an applicant and the Examining Authority. Guidance is provided across a range of topics including health, environmental and cultural factors.

Chapter 5, Section 5.7 deals specifically with socio-economics, population and demographics. This sets out that in any applicant's assessment, a developer should demonstrate that they have taken steps to ensure that the entire demographic, including all equality groups, are considered. The applicant will need to consider how (for example, through undertaking an equality impact assessment), the impacts of a GDF – such as socio-economics, visual impacts, traffic and transport – could affect the social infrastructure and amenities available to local communities.

The Secretary of State, in making their decision, should have regard to the potential socio-economic impacts of new geological disposal infrastructure. Also, where adverse impacts are identified by the developer, the Secretary of State should also consider whether the mitigation measures put forward by the developer are acceptable.

Looking more widely, nuclear waste is currently stored in temporary sites across England and ongoing, indefinite storage would represent a permanent burden on future generations and that burden would affect those with and without protected characteristics in the same way. The NPS would facilitate the development of a GDF, which presents a permanent solution to the disposal of legacy waste and the waste generated by new nuclear power stations. A GDF therefore will limit the risks posed by climate and environmental changes on surface storage facilities over the long time periods for which higher activity radioactive waste poses a danger.

Overall therefore, people with protected characteristics would not be more or less affected than other groups by the impacts of the NPS. With regard to the specific construction of a GDF, the NPS ensures that equality considerations are embedded in the planning framework for assessing development consent applications for geological disposal infrastructure.

Given the factors outlined above, we do not consider that the GDF NPS will have a negative impact:

- on people sharing protected characteristics;

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- on harassment or victimisation for people with shared characteristics; or
 - on relations between people sharing protected characteristics and others.

This publication is available from: www.gov.uk/government/publications/national-policy-statement-for-geological-disposal-infrastructure

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