



**The Great Grid Upgrade**

Sea Link

# Sea Link

**Volume 9: Examination Submissions**

**Document 9.103: The Equalities Act 2010 Supplemental Note**

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**nationalgrid**

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# 1. Introduction

- 1.1.1 This note is supplemental to Application Document 7.9 Equality Impact Assessment (App-362) (EqIA) and has been written in response to Agenda Item 6 of the Compulsory Acquisition Hearing 1 (“The applicant to provide further detail in relation to the response to ExQ1 question 1GEN72 in respect of compliance with the Equality Act 2010”).
- 1.1.2 The First Written Question and response can be found in **Application Document 9.73 Applicant's Responses to First Written Question (REP3-069)**. The question raised was,  
*“The Equality Act 2010 The Statement of Reasons [CR1-033] states that the applicant has taken into account its duties under section 149 of the Equality Act 2010. The Equalities Impact Assessment [APP-362] explains how the pre-application consultation considers those with protected characteristics. Provide further detail and clarification how regard to the Equality Act 2010 has been, and will be had, during the examination, particularly in relation to the powers sought for CA and TP? Have any affected persons been identified as having protected characteristics since the Equalities Impact Assessment was undertaken? If so, what regard has been given to them?”*

## 2. Purpose of this Supplemental Note

- 2.1.1 This Supplemental Note considers how potentially affected parties and Parties with an Interest in Land (PiLs) have been accommodated during negotiations and the Examination period and sets out the measures which National Grid has taken, in its consideration of the Equality Act 2010 duties.
- 2.1.2 The purpose of this supplemental note is to assist the Secretary of State in determining National Grid's application for development consent for the Proposed Project and demonstrates that appropriate regard has been had to the aims of the Public Sector Equality Duty (PSED), pursuant to Section 149 of the Equality Act 2010. Those subject to the PSED are, in summary, required to have due regard to:
- Eliminating unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
  - Advancing equality of opportunity between people who share a protected characteristic and those who do not; and
  - Fostering good relations between people who share a protected characteristic and those who do not.
  - As set out in the EqIA, although National Grid is not itself subject to the PSED, the Secretary of State is, and must have regard to these requirements in determining the outcome of the application for development consent.



## 3. Protected Characteristics

- 3.1.1 The Proposed Project may affect people with protected characteristics as defined in the Equality Act 2010. These protected characteristics are summarised below:
- 3.1.2 Age: this refers to persons defined by either a particular age or a range of ages. This can include children (aged under 16), young people (aged 16-25), older people or pensioners (i.e. those aged 65+) and the elderly/very old (i.e. those aged 85+);
- 3.1.3 Disability: a disabled person is defined as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to undertake normal day-to-day activities. It can also include people who have progressive conditions such as human immunodeficiency virus (HIV), cancer, or multiple sclerosis (MS), even where someone is able to undertake day to day activities;
- 3.1.4 Gender reassignment: this refers to people who are proposing to undergo, are undergoing, or have undergone a process for the purpose of reassigning their gender identity;
- 3.1.5 Pregnancy and maternity: pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth.
- 3.1.6 Race: race is defined as encompassing colour, nationality (including citizenship) and ethnic or national origins;
- 3.1.7 Religion or belief: religion means any religion a person follows. Belief means any religious or philosophical belief, and includes those people who have no formal religion or belief;
- 3.1.8 Sex: this refers to a man or to a woman or a group of people of the same sex, while gender refers to the wider social roles and relationships that structure men's and women's, boys' and girls' lives; and
- 3.1.9 Sexual orientation: a person's sexual orientation relates to their emotional, physical and/or sexual attraction and the expression of that attraction.

## 4. Persons with an Interest in Land-Specific Accommodations

- 4.1.1 During the course of negotiations with Persons with an Interest in Land (PiLs) and their agents, several measures have been taken to ensure that all PiLs, whether they have protected characteristics or not, are able to fully participate with the negotiations for voluntary agreements and with the examination process.
- 4.1.2 Every landowner and occupier is encouraged to appoint a professional representative, normally an RICS qualified land agent, to advise them during the examination and in negotiations of the voluntary agreements. The Applicant meets the reasonable costs of this professional representation in line with the Compensation Code.
- 4.1.3 The Applicant has employed Agricultural Liaison Officers through their Land Agents who are responsible for the day-to-day PiL relationships outside of the Voluntary Agreement negotiations. This allows the PiLs and their agents to have a point of contact to discuss practical matters and concerns as well as survey and access interactions with the Project.
- 4.1.4 Correspondence takes place through the preferred communication method, including where some landowners have asked for communications to take place through their agents only.
- 4.1.5 Private meetings take place in the landowner's preferred location, be it their homes or their places of work, or their agent's offices. Where appropriate, videocalls are also utilised. Meeting summaries and minutes are issued as a follow-up to ensure all actions are logged and that the affected parties have a summary of the conversation and understand the next steps in relation to their negotiations.
- 4.1.6 Continual engagement with affected parties is taking place. Where characteristics have been identified, National Grid has considered required (or requested) allowances and have communicated and treated those landowners in line with their requirements and requests.
- 4.1.7 The Applicant has been asked to set out high level examples of specific accommodations with PiLs. These can be found in the table below

Table Ex 1.1 Specific Examples of Identified Protected Characteristics and Accommodations in respect of the Proposed Project

<b>Protected Characteristic</b>	<b>Accommodation</b>
<b>Age (older people)</b>	All communications to take place through their appointed agent.
<b>Age (older people)</b>	Meetings to take place in their home, with the agent present.
<b>Age (older people)</b>	Licence to be reviewed and signed by their agent on their behalf.
<b>Age (older people)</b>	Access to land for surveys to be requested through their agent and with their agent supervising entry.
<b>Age (older people)</b>	Meeting to take place in a local venue to provide separation with their home.
<b>Age (older people)</b>	Heads of Terms details to be discussed without them, in their agent's office, as the PiL found the discussions confusing.
<b>Age (older people)/ Disability</b>	Licence for surveys required to be collected in person by our ALO due to landowner's lack of mobility.
<b>Disability</b>	Letters and correspondence to be issued to their sister as next of kin.
<b>Sex</b>	Female only National Grid representative, or a female accompanied/not lone working male required to speak to a vulnerable PiL and for delivery of notices and letters.
<b>Disability</b>	Advise sought on protecting future eligibility for care and benefits as a result of the Land Acquisition payment being a lump sum payment.
<b>Age (Older People)/Disability</b>	Detailed hard copy plans provided to landowner to support with understanding of proposals





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