

**City of York Council**  
**Equalities Impact Assessment**

**Who is submitting the proposal?**

<b>Directorate:</b>	City Development
<b>Service Area:</b>	Strategic Planning Policy
<b>Name of the proposal :</b>	Amendments to policy H5 of the City of York draft Local Plan proposed in the Main Modifications July 2024
<b>Lead officer:</b>	Alison Cooke Head of Strategic Planning Policy
<b>Date assessment completed:</b>	8 July 2024

**Names of those who contributed to the assessment :**

<b>Name</b>	<b>Job title</b>	<b>Organisation</b>	<b>Area of expertise</b>
Alison Stockdale	Principal Strategic Planning Policy Officer	City of York Council	Strategic Planning Policy
Laura Williams	Assistant Director Customer, Communities and Inclusion	City of York Council	Customer, Communities and Inclusion
Cathryn Moore	Legal Business Partner (Corporate) & Deputy Monitoring Officer	City of York Council	Legal Matters

## Step 1 – Aims and intended outcomes

<b>1.1</b>	<b>What is the purpose of the proposal?</b> Please explain your proposal in Plain English avoiding acronyms and jargon.
	City of York Council submitted a Local Plan for public Examination in May 2018. Modifications to the submitted plan were consulted on in Spring 2023. Further modifications are proposed to policy H5: Gypsies and Travellers as required by the Local Plan inspectors in their correspondence of 7 May 2024 ( <a href="#">EX/INS/50</a> ). The modifications are required to make policy H5, and the Local Plan as a whole, sound.
<b>1.2</b>	<b>Are there any external considerations?</b> (Legislation/government directive/codes of practice etc.)
	The Equalities Act 2010 provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. It provides a discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society. Under the Act, Gypsy, Roma and Traveller communities are specifically protected under the protected characteristics for 'Race'. Planning policy requirements regarding the spatial delivery of Gypsy, Roma and Traveller provision, must be evidenced based and in accordance with Planning Policy for Travellers (2023) and the National Planning Policy Framework (2023).
<b>1.3</b>	<b>Who are the stakeholders and what are their interests?</b>
	<b>Gypsy and Traveller communities:</b> These communities will be impacted by the policy which seeks to safeguard existing Gypsy and Traveller sites and provide for future needs. <b>City of York Council:</b> The local authority is key stakeholder on the delivery of outcomes and engagement with GRT communities and is committed to producing a Local Plan for the city. The Council has made commitments through the Council Plan to deliver on our equalities duty, suitable housing provision for all and reducing health inequalities for its residents, all of which are relevant to the GRT community. <b>Developers/ Planning agents:</b> Development professionals who may use the policy to influence development masterplans, where policies may be applicable.

1.4	<p><b>What results/outcomes do we want to achieve and for whom?</b> This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.</p>
	<p>The Council Plan 2023-27 seeks to review options for and increase the supply of travellers' homes. It is intended that the policy will have a positive impact on housing provision for Gypsy and Traveller communities by safeguarding and improving existing sites and providing additional pitches over the plan period on various sites within York, both council owned and on strategic housing sites. Evidence, prepared to support the Local Plan and its spatial strategy, forecasts when development is likely to happen to demonstrate that recognised needs can be met throughout the timeframe of the plan.</p> <p>This links to the Council Plan (2023-27) in relation to the positive impacts it will have on equalities and human rights, providing equal opportunities for all communities in our city.</p> <p>Alongside a commitment to deliver additional pitches, it is known that council owned sites are in need of significant investment in order to improve the quality of accommodation and communal facilities on site. The proposed changes to policy H5 ensure that no further development occurs on the sites at Water Lane and Outgang Lane without approval of a masterplan to ensure improvements are implemented prior to further accommodation being provided on the sites.</p>

## Step 2 – Gathering the information and feedback

2.1	<p><b>What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?</b> Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.</p>	
	<p><b>Source of data/supporting evidence</b></p>	<p><b>Reason for using</b></p>
<p>Gypsy &amp; Traveller Health Needs Assessment: A Rapid Assessment of the Health Needs of York's Gypsy and Traveller Population (2024)</p>		<p>Produced by the City of York Public Health team with local level information regarding the state of health for York's GRT communities. This assessment provides an insight into the health needs of Gypsies and Travellers and includes some local quantitative research undertaken in 2022 and 2023.</p>

Gypsy and Traveller Accommodation Assessment (2022) [ <a href="#">EXCYC88</a> ]	Provides the evidence for future pitch requirements and how this can be accommodated.
York's Local Plan (2018) draft, as proposed to be modified. Phase 3 Hearing Statement for Matter 9: Gypsy and Travellers (2022) [ <a href="#">EXCYC121a</a> ] Gypsy and Traveller Pitch Provision trajectory (2022) Local Plan Main Modifications Schedule (2023) <a href="#">Phase 5 Hearing Statement</a> for gypsy and traveller policy session (February 2024) Inspectors Letter of 7 May 2024 [ <a href="#">EXINS50</a> ]	Provides the planning policy to support the spatial location of new pitches required or received via windfalls. This is currently under independent Examination by the Secretary of State. The latest letter from the inspectors [ <a href="#">EXCYC50</a> ] sets out the modifications required to policy H5 and why.
EIA to the Local Plan Main Modifications (Jan 2023) [ <a href="#">EXCYC128g</a> ] (appendix 1) <a href="#">EIA to Executive Report</a> 'Delivering additional Gypsy and Traveller Accommodation and improving existing facilities' (March 2024)	The implications of the Local Plan Modifications and delivering additional accommodation were subject to an EIA.

### Step 3 – Gaps in data and knowledge

<b>3.1</b>	<b>What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.</b>	
	<b>Gaps in data or knowledge</b>	<b>Action to deal with this</b>
	Current condition of existing traveller accommodation at Council owned sites – Water Lane (Clifton), James Street and Outgang Lane (Osbalwick).	A stock condition survey has been undertaken to understand the current condition of existing traveller accommodation. The outcomes of the survey are not yet available.

Investment package for existing pitches and the development of new pitches.	The stock condition survey will evidence the required investment required and consequently, costing of a range of investment options will be able to follow.
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#### Step 4 – Analysing the impacts or effects.

<b>4.1</b>	<b>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments?</b> Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.		
<b>Equality Groups and Human Rights.</b>	<b>Key Findings/Impacts</b>	<b>Positive (+) Negative (-) Neutral (0)</b>	<b>High (H) Medium (M) Low (L)</b>
<b>Age</b>	The breadth of actions is likely to have positive outcomes for people of all ages.	<b>+</b>	<b>M</b>
<b>Disability</b>	The proposal is inclusive of all GRT residents and seeks to provide new accommodation provision. This is likely to have positive outcomes for those identified to have a disability.	<b>+</b>	<b>L</b>
<b>Gender</b>	This proposal is not expected to impact on that characteristic	<b>0</b>	
<b>Gender Reassignment</b>	This proposal is not expected to impact on that characteristic	<b>0</b>	
<b>Marriage and civil partnership</b>	This proposal is not expected to impact on that characteristic	<b>0</b>	

<b>Pregnancy and maternity</b>	The proposal is inclusive of all GRT residents and seeks to provide new accommodation provision. This is likely to have positive outcomes for those identified under this characteristic.	<b>+</b>	<b>L</b>
<b>Race</b>	The purpose of the proposal is to specifically address accommodation needs for the GRT community. This should have significant positive outcomes against this characteristic.	<b>+</b>	<b>H</b>
<b>Religion and belief</b>	The proposal is inclusive of all GRT residents and seeks to improve outcomes for all residents regardless of their religion.	<b>+</b>	<b>L</b>
<b>Sexual orientation</b>	This proposal is not expected to impact on that characteristic	<b>0</b>	
<b>Other Socio-economic groups including :</b>	<b>Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?</b>		
<b>Carer</b>	This proposal is not expected to impact on that characteristic	<b>+</b>	<b>L</b>
<b>Low income groups</b>	The proposal is inclusive and will be directed to the GRT community regardless of their income.	<b>+</b>	<b>M</b>
<b>Veterans, Armed Forces Community</b>	This proposal is not expected to impact on that characteristic	<b>0</b>	
<b>Other</b>	This proposal is not expected to impact on that characteristic	<b>0</b>	
<b>Impact on human rights:</b>			
List any human rights impacted.	The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to and came into force in the UK in	<b>+</b>	<b>M</b>

	October 2000. Specifically relevant to GRT communities is: - Article 14: Protection from discrimination in respect of these rights and freedoms.		
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**Use the following guidance to inform your responses:**

Indicate:

- Where you think that the proposal could have a **POSITIVE** impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a **NEGATIVE** impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a **NEUTRAL** effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p><b>High impact</b> (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p><b>Medium impact</b> (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p><b>Low impact</b></p>	<p>There is little evidence to suggest that the proposal could result in adverse impact</p>

(The proposal or process might be equality relevant)	<p>The proposal operates in a limited way</p> <p>The proposal has consequences for or affects few people</p> <p>The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>
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## Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	<p><b>Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?</b></p>
<p>There are no negative adverse impacts identified with the proposed modifications to policy H5 which seek to ensure existing pitches are safeguarded; additional pitch provision is made; and that the existing sites at Water Lane and Outgang Lane are not expanded without the implementation of improvements for existing pitches.</p> <p>A stock condition survey of existing pitches has been undertaken and this will inform future investment on sites. The Local Plan sets the spatial strategy for the delivery of this requirement and seeks to demonstrate this in accordance with national policy.</p>	

## Step 6 – Recommendations and conclusions of the assessment



**6.1** Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:

- **No major change to the proposal** – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.

- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.

- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty

- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

**Important:** If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

**Option selected**

**Conclusions/justification**

**No major change of the proposal**

The EIA demonstrates that the proposed policy changes support the delivery of suitable accommodation to meet the needs of the Gypsy and Traveller communities.



## Step 7 – Summary of agreed actions resulting from the assessment

<b>7.1 What action, by whom, will be undertaken as a result of the impact assessment.</b>			
<b>Impact/issue</b>	<b>Action to be taken</b>	<b>Person responsible</b>	<b>Timescale</b>
Review	Impacts of policy H5 in terms of quality and quantity of accommodation to be kept under review.	Strategic Planning Policy	Annual
Review	Impacts of accommodation proposals and actions to be kept under review.	Michael Jones	Annual

## Step 8 - Monitor, review and improve

<b>8.1</b>	<b>How will the impact of your proposal be monitored and improved upon going forward?</b> Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	The Local Plan policies will be monitored in accordance with an agreed monitoring framework and reported through the statutory Annual Monitoring Report.

APPENDIX 1:

# City of York Local Plan

## Equalities Impact Assessment Addendum

December 2022

## **Introduction:**

The following two tables provide an update to the EQIA, which was originally produced to support the Publication Draft Local Plan when it was submitted for Examination on 25<sup>th</sup> May 2018 (CD019 – City of York Local Plan EqiA (Incorporating the Better Decision Making Tool) April 2018'). The updated tables reflect the amendments made to the policies in the Proposed Modifications, following the Local Plan Examination hearing sessions. It does not replace CD019, just provide an update to Tables 1 (Equalities) and Table 2 (Human Rights). This document should be read in conjunction with CD019, rather than replace it.

## **Analysis of policies**

The assessment aims to consider impacts on groups with the following protected characteristics which are identified by the City of York Council Better Decision Making Tool.

### Equalities:

- Age;
- Disability;
- Gender;
- Gender reassignment;
- Marriage & Civil Partnership;
- Pregnancy & Maternity;
- Race;
- Religion or belief;
- Sexual Orientation;
- Carer;
- Lowest Income Groups;
- Veteran, Armed Forces community.

### Human Rights:

- Right to Education;
- Right not to be subject to torture, degrading treatment or punishment;
- Right to a fair and public hearing;
- Right to respect for private and family life, home and correspondence;
- Freedom of expression;
- Right not to be subject to discrimination;
- Other rights.

### Colour coding key to impacts:

**POSITIVE**

**NEUTRAL**

**NEGATIVE**

**Table 1 : Equalities**

	Category	Impact	What are the impacts and how do you know?	Relevant Local Plan Policy Modifications	Relevant Indicators
4.1	Age	Positive	The Plan will meet housing needs and provide a range of house types for all ages, supported by the latest evidence in the Local Housing Needs Assessment (LHNA)(2022). It will also improve the safety and accessibility of the city's streets and spaces.	<p>H3: Balancing the Housing Market</p> <p>H4: Promoting Self and Custom House Building</p> <p>H10: Affordable Housing</p> <p>D1: Placemaking</p> <p>GB2: 'Exception' sites for affordable housing in the Green Belt</p> <p>All SS Policies</p>	Delivery of new homes offering comfortable standard of living meeting specialist needs in sustainable locations with access to services
		Positive	The Plan provides for education facilities for all age groups, and ensures the universities continue to meet modern requirements. Positive benefits extend to unemployment and lack of skills with communities' access to education close to where they live	<p>ED1: University of York</p> <p>ED2: Campus West</p> <p>ED3: Campus East</p> <p>ED5: York St John University Further Expansion</p> <p>HW4: Childcare Provision</p>	New preschool / school / Further and Higher education places
		Positive	The Plan ensures the provision of adequate land for employment uses throughout the plan period. Provision is also made for development	<p>EC1: Provision of Employment Land</p> <p>EC2: Loss of Employment Land</p>	Provision of a range of employment and retail opportunities reducing unemployment across all age groups.

	Category	Impact	What are the impacts and how do you know?	Relevant Local Plan Policy Modifications	Relevant Indicators
			<p>which supports the rural economy.</p> <p>Retail provision is secured and protected to ensure a range of shops and services in sustainable locations.</p>	<p>EC5: Rural Economy</p> <p>R1: Retail Hierarchy and Sequential Approach</p> <p>R2: District and Local Centres and Neighbourhood Parades</p> <p>R3: York City Centre Retail</p>	
		Positive	The plan protects and supports new community facilities in accessible locations served by public transport	<p>HW1: Protecting Existing Facilities</p> <p>HW2: New Community Facilities</p> <p>HW3: Built Sports Facilities</p> <p>HW5: Healthcare Services</p> <p>HW6: Emergency Services</p> <p>HW7: Healthy Places</p>	<p>Increased rates of access to appropriate new community, leisure and healthcare facilities throughout the Plan area</p> <p>% of new community facilities that are within 400m of a bus route with a 15 min frequency.</p> <p>Loss of community facilities</p>
		Positive	The plan provides a framework to support and improve environmental conditions which will positively impact health and well-being across all ages.	<p>D1: Placemaking</p> <p>D2: Landscape and Setting</p> <p>D3: Cultural Provision</p> <p>GI1: Green Infrastructure</p>	Improved access to green infrastructure and improved built environment across the city leading to improvement in health and well being.

	Category	Impact	What are the impacts and how do you know?	Relevant Local Plan Policy Modifications	Relevant Indicators
				<p>GI2: Biodiversity and Access to Nature</p> <p>GI2a: Strensall Common Special Area of Conservations (SAC)</p> <p>GI3: Green Infrastructure Network</p> <p>GI4: Trees and Hedgerows</p> <p>GI5: Protection of Open Space and Playing Fields</p> <p>GI6: New Open Space Provision</p> <p>ENV1: Air Quality</p>	<p>Amount of new accessible open space provided in areas of deficiency;</p> <p>Amount of new accessible open space provided as part of residential development on strategic sites (ha);</p> <p>Condition of RAMSAR, SPA, SAC, SSSI and LNR's;</p> <p>Amount of reduction in Annual Mean NO2 and PM10 concentrations.</p>
4.2	Disability	Positive	The Plan will meet housing needs and provide a range of house types for all ages as required by latest evidence (currently the LHNA 2022). It will also improve the safety and accessibility of the city's streets and spaces.	<p>H3: Balancing the Housing Market</p> <p>H4: Promoting Self and Custom House Building</p> <p>H10: Affordable Housing</p> <p>D1: Placemaking</p>	<p>Delivery of new homes offering comfortable standard of living meeting specialist needs in sustainable locations with access to services.</p> <p>Development meets the highest standards of accessibility and inclusion.</p>



	Category	Impact	What are the impacts and how do you know?	Relevant Local Plan Policy Modifications	Relevant Indicators
				<p>GB2: 'Exception' sites for affordable housing in the Green Belt</p> <p>HW7: Healthy places</p>	
		Positive	The Plan supports wider travel choice, helping to improve travel by non-car modes, improving accessibility to employment, services, and facilities.	<p>T1: Sustainable Access</p> <p>T2: Strategic Public Transport Improvements</p> <p>T3: York Railway Station and Associated Operational Facilities</p> <p>T4: Strategic Highway Network Capacity Improvements</p> <p>T5: Strategic Cycle and Pedestrian Network Links and Improvements</p> <p>T6: Development at or Near Public Transport Corridors, Interchanges and Facilities</p> <p>HW7: Healthy Places</p>	<p>Developments integrated into and enhancing the sustainable transport network</p> <p>Enhanced and safer walking and cycling access in public spaces, streets and developments</p>
4.3	Gender	No Impact	None deemed likely	N/A	N/A
4.4	Gender reassignment	No Impact	None deemed likely	N/A	N/A

	<b>Category</b>	<b>Impact</b>	<b>What are the impacts and how do you know?</b>	<b>Relevant Local Plan Policy Modifications</b>	<b>Relevant Indicators</b>
4.5	Marriage & Civil Partnership	No Impact	None deemed likely	N/A	N/A
4.6	Pregnancy & Maternity	Neutral	None deemed likely	<a href="#">HW5: Healthcare Services</a>	N/A
4.7	Race	Positive	Meeting gypsy, traveller and travelling showpeople's accommodation needs, supporting the outcomes of the Gypsy and Traveller Accommodation Assessment (2022)	<a href="#">H5: Gypsies and Travellers</a> <a href="#">H6: Travelling Showpeople</a>	Provision of accommodation offering comfortable standard of living in sustainable locations with access to services
4.8	Religion or belief	No Impact	None deemed likely	N/A	N/A
4.9	Sexual Orientation	No Impact	None deemed likely	N/A	N/A
4.10	Carer	No Impact	None deemed likely	N/A	N/A
4.11	Lowest Income Groups	Positive	The plan will meet housing needs and provide a range of house types. The LHNA 2022 provides relevant evidence for this, including the need for affordable housing.	<a href="#">H7: Off-campus Student Housing</a> <a href="#">H10: Affordable Housing</a> <a href="#">GB2: 'Exception' sites for affordable housing in the Green Belt</a>	Delivery of new affordable homes offering comfortable standard of living in sustainable locations with access to services
4.12	Veteran, Armed Forces community	No Impact	Whilst the Local Plan and supporting evidence considers the potential for redevelopment of the MOD sites following the Defence	N/A	N/A

	<b>Category</b>	<b>Impact</b>	<b>What are the impacts and how do you know?</b>	<b>Relevant Local Plan Policy Modifications</b>	<b>Relevant Indicators</b>
			Infrastructure Review (2016), the closure of sites and any impact on the armed forces community is beyond the remit of the Local Plan.		

Table 1 demonstrates that the proposed Modifications to the Local Plan will have a positive or neutral benefit on the characteristic groups highlighted in the EqIA

**Table 2: Human Rights**

	Category	Impact	What are the impacts and how do you know?	Relevant Local Plan Policy Modifications
4.13	Right to education	Positive	Policies related to the universities will help to ensure appropriate expansion of the institutions ensuring they continue to provide modern educational facilities for the city and wider community while protecting the interests of the local communities which can be impacted by such development.	ED1: University of York ED2: Campus West ED3: Campus East ED5: York St John University Further Expansion
4.14	Right not to be subject to torture, degrading treatment or punishment	No Impact	None deemed likely	N/A
4.15	Right to a fair and public hearing	No Impact	None deemed likely	N/A
4.16	Right to respect for private and family life, home and correspondence	Positive	The Plan will meet housing needs and provide a range of house types for all ages, supported by the latest evidence in the Local Housing Needs Assessment (LHNA)(2022) and Gypsy and Traveller Accommodation Assessment (2022).	H3: Balancing the Housing Market H5: Gypsies and Travellers H6: Travelling Showpeople H10: Affordable Housing
4.17	Freedom of expression	No Impact	None deemed likely	N/A

4.18	Right to not be subject to discrimination	Positive	Policies meet gypsy, traveller and travelling showpeople's accommodation needs, supporting the outcomes of the Gypsy and Traveller Accommodation Assessment (2022). Policies address needs of those meeting the definition in the Planning Policy for Traveller Sites (2015), and those that do not.	H5: Gypsies and Travellers H6: Travelling Showpeople
4.19	Other rights	No Impact	None deemed likely	N/A