

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Place Directorate		
Service Area:	Housing		
Name of the proposal :	Delivering additional Gypsy and Traveller Accommodation and improving existing facilities		
Lead officer:	Alison Cooke Head of Strategic Planning Policy		
Date assessment completed:	01 March 2024		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Michael Jones	Head of Housing Delivery and Asset Management	CYC	Housing Delivery and Asset Management
Cathryn Moore	Legal Business Partner (Corporate) & Deputy Monitoring Officer	CYC	Legal Matters

Step 1 – Aims and intended outcomes

1.1	<p>What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.</p>
	<p>The purpose of the proposal is to seek agreement to an investment package for Gypsy and Traveller accommodation. As well as providing new pitches, there is a need to invest in existing pitches and sites to improve the quality of accommodation and facilities for residents. This report identifies how the additional pitches will be delivered by the council alongside improvements to existing facilities. It is proposed this programme of works will be forward funded with a full business case to be developed and brought before Executive in 2024. It is estimated the cost of the additional pitch provision and improvements will be around £5.25m.</p>
1.2	<p>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</p>
	<p>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, the Gypsy, Roma and Traveller community are specifically protected under the protected characteristics for 'Race'.</p> <p>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).</p>

1.3	Who are the stakeholders and what are their interests?
	<p>Local Communities and Families: The census identifies that there are around 370 York residents who identify as being from the Gypsy and Traveller community. We also have residents living on 61 pitches across three local authority sites.</p> <p>Voluntary and community Sector: The York Travellers Trust is a registered charity that work with gypsy and traveller community with York and surrounding areas. They seek to amplify the voices of and advocate for the community at a local and national level.</p> <p>City of York Council: The local authority is key stakeholder on the delivery of outcomes and engagement with the GRT community. 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.</p> <p>Health Partners: The Health Needs Assessment for Gypsies and Travellers recognises the challenge with existing accommodation and the positive benefits appropriate accommodation could have on health.</p>
1.4	What results/outcomes do we want to achieve and for whom? 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>The overall aim of the proposal is to outline measures and agree financial investment to deliver new and improvements to existing Gypsy and Traveller accommodation in the authority.</p> <p>The new Council Plan, which was adopted in September 2023, contains four core commitments to enable it to deliver the vision for the next four years. Specifically relevant to this proposal are:</p> <ul style="list-style-type: none"> • <u>'Equalities and Human Rights - Equality of Opportunity'</u>: <i>'We will create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths. We will stand up to hate and work hard to champion our communities.'</i> • <u>'Tackling the cost-of-living crisis'</u>: <i>'We will find new ways so everyone who lives here benefits from the success of the city, targeting our support at those who need it most, supporting communities to build on their own strengths and those of the people around them.'</i>

	<ul style="list-style-type: none"> • <u>Health and Wellbeing:</u> <i>'We will improve health and wellbeing and reduce health inequalities, taking a 'Health in All Policies' approach, with good education, jobs, travel, housing, better access to health and social care services and environmental sustainability.'</i> <p>The Council Plan 2023-27 seeks to review options for and increase the supply of travellers' homes. This is being delivered through the emerging Local Plan which seeks to provide an additional 38 Gypsy and Traveller 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>Alongside a commitment to deliver additional pitches, it is known that the three council owned sites are in need of significant investment in order to improve the quality of accommodation and communal facilities on site. The principle to fund this investment following a stock condition survey is set out in the proposal and is subject to a subsequent business case to allow priorities for investment, based upon this evidence, to be agreed.</p>
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Step 2 – Gathering the information and feedback

2.1	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? 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.	
	Source of data/supporting evidence	Reason for using
	Gypsy & Traveller Health Needs Assessment: A Rapid Assessment of the Health Needs of York's Gypsy and Traveller Population (2024)	Produced by the City of York Public Health team with local level information regarding the state of health for York's GRT community. This assessment provides a comprehensive insight into the health needs of Gypsies and Travellers and includes some local quantitative research undertaken in 2022 and 2023. It also talks about some

	limitations, including gaps in the data set. Presentations of key findings will accompany in due course.
Gypsy and Traveller Accommodation Assessment (2022) [EXCYC88]	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) EXCYC121a Gypsy and Traveller Pitch Provision trajectory (2022) Local Plan Main Modifications Schedule (2023) Phase 5 Hearing Statement for gypsy and traveller policy session (February 2024)	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. A hearing specifically to discuss GRT policy matters was held in 2022; a further hearing session is scheduled for 6 March 2024. For both sessions hearing statements have been submitted evidencing the supported approach and further information has been submitted directly by request.
EIA to the Local Plan Main Modifications (Jan 2023)	The implications of the Local Plan Modifications were subject to an EIA- Appendix 1.

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.		
Gaps in data or knowledge		Action to deal with this	
Current condition of existing traveller accommodation at Council owned sites – Water Lane (Clifton), James Street and Outgang Lane (Osbalwick).		A Stock condition survey is underway to understand the current condition of existing traveller accommodation.	
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.	

Step 4 – Analysing the impacts or effects.

4.1	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? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)

Age	The proposal seeks to provide investment to improve accommodation outcomes for the Gypsy, Roma and Traveller community. The breadth of actions is likely to have positive outcomes for people of all ages.	+	M
Disability	The proposal is inclusive of all GRT residents and seeks to provide investment to improve the accommodation provision for residents. This is likely to have positive outcomes for those identified to have a disability.	+	L
Gender	This proposal is not expected to impact on that characteristic	0	
Gender Reassignment	This proposal is not expected to impact on that characteristic	0	
Marriage and civil partnership	This proposal is not expected to impact on that characteristic	0	
Pregnancy and maternity	The proposal is inclusive of all GRT residents and seeks to provide investment to improve the accommodation provision for residents. This is likely to have positive outcomes for those identified under this characteristic.	+	L
Race	The purpose of the proposal is to specifically address accommodation needs for the GRT community. This should have significant positive outcomes against this characteristic.	+	H
Religion and belief	The proposal is inclusive of all GRT residents and seeks to improve outcomes for all residents regardless of their religion.	+	L

Sexual orientation	This proposal is not expected to impact on that characteristic	0	
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	This proposal is not expected to impact on that characteristic	+	L
Low income groups	The proposal is inclusive and will be directed to the GRT community regardless of their income.	+	M
Veterans, Armed Forces Community	This proposal is not expected to impact on that characteristic	0	
Other	This proposal is not expected to impact on that characteristic	0	
Impact on human rights:			
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 October 2000. Specifically relevant to the GRT community are: <ul style="list-style-type: none"> - Article 14: Protection from discrimination in respect of these rights and freedoms 	+	M

<p>High impact (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>Medium impact (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>Low impact (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	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?
<p>There are no negative adverse impacts identified with the delivery of new and improvements to existing accommodation for the GRT community. This approach should make a positive difference in addressing issues of concern for the community.</p> <p>For housing delivery, the stock condition survey will identify issues that need addressing at the Council owned gypsy and traveller sites and the future accommodation requirements are set out in the GTAA (2022). Consequential to the housing stock survey will be an understanding of where investment is required on sites and how this should be prioritised. The Local Plan sets the spatial strategy for the delivery of this requirement and seeks to demonstrate this in accordance with national policy. To find the best future solution however, there is acknowledgement that existing sites will be benchmarked against any further identified sites to ensure the investment proposals are sound. This should ensure the best outcomes regarding the location and quality of accommodation.</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:
<ul style="list-style-type: none"> - 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 to the proposal	The EIA demonstrates that this approach positively supports the delivery of suitable accommodation to meet the needs of the GRT community.

Step 7 – Summary of agreed actions resulting from the assessment

7.1	What action, by whom, will be undertaken as a result of the impact assessment.		
Impact/issue	Action to be taken	Person responsible	Timescale
Review	Impacts of accommodation proposals and actions to be kept under review.	Michael Jones	

8. 1	How will the impact of your proposal be monitored and improved upon going forward?
	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.

Step 8 - Monitor, review and improve

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 25th 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: <i>Balancing the Housing Market</i></p> <p>H4: <i>Promoting Self and Custom House Building</i></p> <p>H10: <i>Affordable Housing</i></p> <p>D1: <i>Placemaking</i></p> <p>GB2: <i>'Exception' sites for affordable housing in the Green Belt</i></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: <i>University of York</i></p> <p>ED2: <i>Campus West</i></p> <p>ED3: <i>Campus East</i></p> <p>ED5: <i>York St John University Further Expansion</i></p> <p>HW4: <i>Childcare Provision</i></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: <i>Provision of Employment Land</i></p> <p>EC2: <i>Loss of Employment Land</i></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

	Category	Impact	What are the impacts and how do you know?	Relevant Local Plan Policy Modifications	Relevant Indicators
4.5	Marriage & Civil Partnership	No Impact	None deemed likely	N/A	N/A
4.6	Pregnancy & Maternity	Neutral	None deemed likely	HW5: Healthcare Services	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)	H5: Gypsies and Travellers H6: Travelling Showpeople	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.	H7: Off-campus Student Housing H10: Affordable Housing GB2: 'Exception' sites for affordable housing in the Green Belt	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

	Category	Impact	What are the impacts and how do you know?	Relevant Local Plan Policy Modifications	Relevant Indicators
			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