

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:		City Development	
Service Area:		Strategic Planning Policy	
Name of the proposal :		Murton Neighbourhood Plan Examiner’s Report and Decision Statement	
Lead officer:		Alison Cooke Head of Strategic Planning Policy	
Date assessment completed:		11 th March 2025	
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Alison Stockdale	Principal Strategic Planning Policy Officer	City of York Council	Strategic Planning Policy
John Roberts	Strategic Planning Policy Officer	City of York Council	Strategic Planning Policy

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.
	The Murton Neighbourhood Plan has been through its Examination, following its Submission Consultation. The Neighbourhood Plan has been developed by the Parish Council in consultation with the community and in accordance with appropriate legislation including the Neighbourhood Planning Regulations 2012. Policies within the Plan relate to land use planning and seek to guide development within the plan area (in this instance Murton Parish). These have been produced to strategically align with York's Local Plan, which sets the planning policy framework for the York area. The Examination commenced on Monday 13th January 2025, and the independent Examiner, Andrew Ashcroft, has assessed the Plan for soundness and whether it meets the Basic Conditions and is compatible with legislation, as required by the Neighbourhood Planning (General) Regulations 2012. The Council has received the Examiner's report which makes recommendations for modifications considered necessary to make the Plan sound. The proposal now is for Members to consider the recommendations in the Examiner's report and agree that the Plan proceeds to a local referendum. Following a successful referendum, the Plan would be 'made' by the City of York Council and become part of the development plan for the area. Policies within the draft Neighbourhood Plan cover issues around green infrastructure; heritage, character and sustainable design; employment; housing and community; and transport and movement. These policies aim to guide development in the local area but do not for example, allocate new sites for development; they focus on conserving the character of Murton and key assets within the Parish. Prior to the examination, the City of York Council was required to undertake a public consultation on the neighbourhood plan for 6 weeks. Although the consultation was open to anyone to comment on it, it is aimed at those people who live, work, or carry out business within the neighbourhood plan area. The consultation was carried out in accordance with an agreed consultation strategy.

1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	Neighbourhood Plans were introduced under the Localism Act 2011 with the regulatory details defined within the Neighbourhood Planning Regulations 2012. A Neighbourhood Plan must also meet the basic conditions defined within Schedule 4b of the Town and Country Planning Act 1990. These include the requirement that the plan has regard to national policies and advice included in guidance issued by the Secretary of State. Regulation 16 of The Neighbourhood Planning (General) Regulations (amended) requires Local Planning Authorities to publicise a neighbourhood plan as soon as possible after receiving it. This includes publicising the documents on their website, in such a manner that they consider is likely to bring the proposals to the attention of those who live, work or carry out business in the neighbourhood plan area. Additionally, the Council's duties under the Equalities Act 2010 and the Human Rights Act 1998 are key considerations in the process.

1.3	Who are the stakeholders and what are their interests?
	The Neighbourhood Plan will provide policies to guide development in the area which will be relevant to residents, developers, businesses and other consultation (statutory) bodies. The stakeholders therefore include people who live, work and carry out business in Murton Parish as well as those submitting planning applications in the area.
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.
	Once the Neighbourhood Plan has been 'made' it will become part of the development plan for the area and will be used to guide development and in the determination of planning applications.

	The Plan aims to provide a better knowledge and localised spatial planning framework for the future development of the Murton parish, within the statutory framework of the City of York Local Plan and National Planning Policy Framework. It aims to produce a policy compliant tool to help consider planning applications in the Parish, improving the environment and making the Parish a more fulfilling area to live and work. The Plan particularly links the following priorities in the Council Plan 2023-2027: • a) Health and wellbeing: A health generating city for children and adults; • c) Economy: A fair, thriving green economy for all; • d) Transport: Sustainable, accessible transport for all; Section 12 of the Council Plan (Working with Communities) champions working in partnership with providers in the City, learning from community groups, listening to residents through various mediums. This is reflected in the community led approach promoted by neighbourhood plans.
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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
	Submission version of the Murton Neighbourhood Plan and consultation on it	The Submission version of the Murton Neighbourhood Plan and its consultation, together with its supporting documents (Consultation Statement, Basic Conditions Statement, HRA & SEA) provide an important source of evidence and insight into the needs and expectations of the residents of Murton Parish.

	The Murton Neighbourhood Plan Examiner considered the impacts of the Submission version of the Neighbourhood Plan on human rights and concluded in his report (paragraph 6.18): <i>“I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with, the ECHR.”</i>
Pre-Submission version of the Murton Neighbourhood Plan and consultation on it.	The Pre-Submission version of the Murton Neighbourhood Plan and its consultation, together with its supporting documents (Consultation Statement, Basic Conditions Statement, HRA & SEA) provide an important source of evidence and insight into the needs and expectations of the residents of Murton Parish
City of York Local Plan (Submission version 2018) and its subsequent modifications (between 2018-2025)	Provides the overarching planning policies and framework to address the spatial framework for the Murton Neighbourhood Plan; the neighbourhood plan has been prepared to be in strategic conformity with this framework. The Local Plan has been subject to equalities assessments at key stages of preparation.
City of York adopted Local Plan (2025)	The City of York Local Plan was adopted on 27 February 2025. The Examiner has considered the adopted plan in their examination and to inform their conclusions.
Statutory legislation as set out in Section 1.2 above	Sets out the requirements and formal framework for developing a neighbourhood plan.

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
N/a		N/a

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 Neighbourhood Plan includes policies regarding residential design but does not expand on the strategic position in relation to older persons standards; this continues to be reliant on the local plan and national policy context. This proposal therefore is not expected to impact on that characteristic.	0	N/A
Disability	The Neighbourhood Plan includes policies regarding residential design but does not expand on the strategic position in relation to accessibility standards; this continues to be reliant on the local plan and national policy context. This proposal therefore is not expected to impact on that characteristic.	0	N/A
Gender	This proposal is not expected to impact on that characteristic.	0	N/A
Gender Reassignment	This proposal is not expected to impact on that characteristic.	0	N/A
Marriage and civil partnership	This proposal is not expected to impact on that characteristic.	0	N/A
Pregnancy	This proposal is not expected to impact on that characteristic.	0	N/A

and maternity			
Race	This proposal is not expected to impact on that characteristic.	0	N/A
Religion and belief	This proposal is not expected to impact on that characteristic.	0	N/A
Sexual orientation	This proposal is not expected to impact on that characteristic.	0	N/A
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.	0	N/A
Low income groups	Whilst affordable housing may come forward as a proposal, guided in design by this plan, no specific sites are allocated. This proposal is expected to have a low positive impact on that characteristic.	+	L
Veterans, Armed Forces Community	This proposal is not expected to impact on that characteristic.	0	N/A
Other	N/A – no other groups identified	0	N/A
Impact on human rights:			
List any human rights impacted.	This proposal is not expected to impact on that characteristic.		N/A

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.

High impact (The proposal or process is very equality relevant)	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.
Medium impact (The proposal or process is somewhat equality relevant)	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
Low impact (The proposal or process might be equality relevant)	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

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?
	The Murton Neighbourhood Plan has been developed by the Parish Council in consultation with the local community to produce land use planning policies to guide development in the area. The submission consultation was run by City of York Council; this took place in accordance with relevant legislation, including our Statement of Community Involvement with an agreed consultation strategy. Consultation sought to ensure all those who work, live and carry out business within the parish as well as consultation bodies, as defined within the legislation, we're notified and informed. The Examination into the Neighbourhood Plan considered the Submission version of the Neighbourhood Plan, together with the responses to the public consultation to ascertain its soundness and whether it meets the Basic Conditions and is compatible with legislation, as required by the Neighbourhood Planning (General) Regulations 2012. The independent Examiner has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and concludes that it complies with the Human Rights Act.

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 to the proposal	The EIA demonstrates the proposal is robust. The neighbourhood plan has been developed by the Parish Council in consultation with the community to produce land-use policies to guide development in the area. It has been through a further period of consultation, undertaken by CYC in accordance with an agreed consultation strategy and in line with Regulation 16 of the Neighbourhood Planning Regulations, prior to the Examination. The conclusion of the independent Examiner also states they consider this are satisfied that the plan has been prepared and is in accordance with the requisite equalities and human right legislation.

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
N/A	N/A	N/A	N/A

Step 8 - Monitor, review and improve

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?
	This Executive report asks for a decision to proceed to referendum. Subject to a successful referendum, then CYC are required to formally 'make' the Plan. While there is no requirement to update or review a neighbourhood plan, best practise would suggest that the policies are regularly reviewed to reflect current national and local policy. At this time, new local or national level policy will be considered in the production of the plan.