

## Annex A

### City of York Council Equalities Impact Assessment

#### Who is submitting the proposal?

<b>Directorate:</b>	Place		
<b>Service Area:</b>	City Development		
<b>Name of the proposal :</b>	Castle Gateway		
<b>Lead officer:</b>	Kathryn Daly – Head of City Development		
<b>Date assessment completed:</b>	Update to previous EIA – Feb 21		
<b>Names of those who contributed to the assessment :</b>			
<b>Name</b>	<b>Job title</b>	<b>Organisation</b>	<b>Area of expertise</b>
Sally Cawthorn	Regeneration Officer	City Of York Council	Regeneration
David Warburton	Head of Regeneration	City Of York Council	Regeneration

## 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.
	<p>In April 2018, the Executive approved a masterplan for the 'Castle Gateway' to transform a large area of the city centre that had seen private sector regeneration proposals fail over a period of 3 decades. Since the original Masterplan was approved in 2018, the individual schemes have been progressed as approved by Executive. However, the projects have been impacted by a number macro economic factors, all of which have impacted significantly on the phase 1 business case approved in January 2020.</p> <p>The new administration is committing to the Castle Gateway Masterplan and agreeing the next steps to move forward, following a period of pause. The key projects are: 17 -21 Piccadilly, Castle Mills, St George's Field car park, Castle car park and Eye of York, Coppergate Centre. The timing of this review presents an opportunity to consider how the projects can now deliver positive outcomes for the city in accordance with the original master plan principles and the recently approved Council Plan and 'Our City Centre' Vision. As well as considering more cost effective delivery.</p> <p>This change to projects, will require additional work to revise and further design the schemes. This EIA is an overarching document for the Castle Gateway projects, and as work progresses each project will have a sub EIA linked back to this one.</p> <p><b>This overarching EIA:</b></p> <ul style="list-style-type: none"><li>• provides an overall summary of the different projects being considered</li><li>• provides commitment to identifying stakeholders and how we will engage with them.</li><li>• Summarises stakeholder engagement &amp; co-production, and how this has shaped the proposals.</li><li>• summarises the scope the separate EIAs to follow.</li></ul>

<b>1.2</b>	<b>Are there any external considerations?</b> (Legislation/government directive/codes of practice etc.)
	<p>Relevant legislation includes:</p> <ul style="list-style-type: none"> <li>• Equality Act 2010, which aims to protect people from discrimination in the workplace and in wider society. The Act includes a Public Sector Equality Duty, which requires public bodies to consider how their decisions and policies affect people with protected characteristics. The public body also should have evidence to show how it has done this It also requires that public bodies have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. The Equality Act 2010 covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.</li> <li>• Human Rights Act –sets out the fundamental rights and freedoms that everyone is entitled to. In making a decision the council must consider carefully the balance to be struck between individual rights and the wider public interest and whilst it is acknowledged that there could be interference with a Convention right, the decision must be reasonably justified as it is a proportionate means of achieving a legitimate aim.</li> <li>• The Blue Badge scheme: rights and responsibilities in England (<a href="http://www.gov.uk/government/publications/the-blue-badgescheme-rights-and-responsibilities-in-england">www.gov.uk/government/publications/the-blue-badgescheme-rights-and-responsibilities-in-england</a>)</li> <li>• Protect Duty consultation documents (<a href="http://www.gov.uk/government/consultations/protect-duty">www.gov.uk/government/consultations/protect-duty</a>)</li> <li>• Hostile Vehicle Mitigation guidance (<a href="http://www.gov.uk/government/publications/crowded-places-guidance/hostile-vehiclemitigation-hvm#vehicle-as-a-weapon-vaw">www.gov.uk/government/publications/crowded-places-guidance/hostile-vehiclemitigation-hvm#vehicle-as-a-weapon-vaw</a>)</li> </ul> <p><b>Planning Acts/Guidance</b></p> <p><b>The planning process will also necessarily consider the design of public space in the context of the above</b></p>

<b>1.3</b>	<b>Who are the stakeholders and what are their interests?</b>
	A bespoke, 'My Castle Gateway' engagement was undertaken, delivering a comprehensive approach to public consultation and engagement from the earliest stages of the project. With over 8500 comments now received, logged and taken into account.
	<p>The 'My Castle Gateway' approach was a long term bold and innovative public engagement initiative, it has reached a diverse audience through a wide range of participatory approaches including social media (Facebook, twitter, Instagram, and YouTube channels), events, walks, talks and debates. Further detail can be found online on the 'My Castle Gateway' website and social media channels. 'My Castle Gateway' has been an ongoing and open conversation which has ensured that the public has been involved from the very early stages of visioning and master planning and will continue to be involved through the delivery stages of the project and beyond.</p> <p>An advisory group of principal land holders and custodians for this area of the city has also provided advice and critical challenge to the Gateway proposal proposals. This stakeholder group will continue to be involved through a dedicated Task and Finish group of the Economic Partnership focussed on delivery of the 'Our City Centre' Vision.</p> <p>In addition, officers have regularly engaged with other key stakeholders with an interest in the area and internally with Members and council officers.</p> <p>Police – designing out crime/HVM</p>
<b>1.4</b>	<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>Delivery of the Castle Gateway master plan will contribute to the delivery of key commitments in: the Council Plan (2023-27); 'Our City Centre' Vision; and the three 10-year strategies approved in 2022, Economic Strategy (2022-2032), Health and Wellbeing Strategy (2022-2032) and Climate Change Strategy (2022-2032).</p> <p>The Castle Gateway projects will:</p> <ul style="list-style-type: none"> <li>• Re-purpose and redesign the Castle car park as a green space with children play space and retain blue badge parking close to the city to aid accessibility.</li> </ul>

	<ul style="list-style-type: none"> <li>• The green space will enhance/improve biodiversity, therefore contributing to deliver a sustainable city to help deliver climate improvements in the city centre.</li> <li>• Create a free amenity and play space for families to encourage healthier lifestyles coupled with improved connectivity and travel opportunities across the site. Helping to improve health and wellbeing.</li> <li>• Investigate opportunities to increase the supply of affordable housing within the city centre in the longer term.</li> <li>• Explore the opportunities of affordable housing within the area on two key sites in the Castle Gateway – 17 – 21 Piccadilly and Castle Mills</li> <li>• Extend the lease for Spark: York on 17 -21 Piccadilly whilst an alternative site is found, and affordable housing options are explored. Preventing the site remain vacant. Meanwhile uses will also be explored on the Castle Mills site.</li> <li>• Continue to seek to deliver the bridge over the river Foss and the river park at the back of the museum, increasing connectivity and sustainable transport options in the city.</li> <li>• Explore options to improve the surface level car park at St George’s rather than build a multi storey car park.</li> <li>• Provide better pedestrian and cycle routes throughout the area.</li> </ul> <p>The projects therefore have a broad scope that will help to deliver benefits for residents and businesses with respect to: equalities and accessibility; physical health and wellbeing, sustainable transport, and climate change. Helping to create a more sustainable city.</p>
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## Step 2 – Gathering the information and feedback

<b>2.1</b>	<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.	
	<b>Source of data/supporting evidence</b>	<b>Reason for using</b>
	<b>Public consultation</b>	<b>Regeneration Team Insight:</b>

Whilst at this stage of the project no dedicated consultation on the impact of the Castle Gateway masterplan on equality rights and human rights has been undertaken, the Regeneration Team has carried out extensive public engagement on the key sites within the masterplan through My Castle Gateway approach and on creating a Vision for the city centre through My City Centre. This, coupled with insight from wider CYC engagement on city centre access as outlined below, provides a detailed starting point, where the comprehensive insight can be further explored as each project is reviewed/ progresses.

Through the Planning process, the **Design & Access Statement** for each planning application will explain the design approach and how access provision has been considered, including how all users will have equal and convenient access including access to, and movement around the site.

The re-design of the **Castle and Eye of York** scheme requested by this Executive report includes a brief to reflect the more inclusive ambitions of the new Council Plan. The review will focus on the retention of blue badge parking numbers, as well as flexible green space with children's play provision, and reducing capital and management costs. The project team will work with stakeholders to shape the proposals as they develop.

1. **My Castle Gateway** – engagement with residents and stakeholders throughout the masterplan process and proposals for each key site. Further details can be accessed via the My Castle Gateway website [here](#), and detailed Statements of Community Involvement were submitted for

previous planning applications and can be seen via the planning portal for the [St Georges Field & Castle Mills](#), and [Castle and Eye of York](#).

**My Castle Gateway New Public Spaces Open Brief, May 2020 - [Movement](#)**

Acknowledges that The Castle Gateway is not just about gathering and spending time in the area itself, it is also about movement to and through to areas beyond.

“Cycles as mobility aid... secure cycle parking... “

*“People who are blind or partially-sighted are using textured and high contrast designs in the public spaces to navigate to and through the area”*

2. **My City Centre Vision** – engagement with residents, businesses and special interest groups in 2021 to develop a vision for what the city centre could look like in the future. The vision was endorsed by Executive in November 2021, and an updated Our City Centre vision was endorsed by Executive in October 2023 to reflect the new Council Plan and 10 year strategies. Our City Centre Vision Theme 6 is *“A safe city centre which is welcoming and accessible to all”*, which includes *“improving accessibility for disabled people through a wide range of measures.”*

**Wider Council Insight:**

1. **Consultation on principles of reinstating blue badge access** – September 2023, nearly 3000 respondents gave feedback on principles including: returning to previous access before the emergency Covid measures were implemented; different access arrangements during city centre events; recognising security risks, finding solutions and longer term solutions.

2. **Reverse The Ban Petition** – was submitted to the council in October 2022 with 2,734 signatories campaigning for better “*access to York city centre for people with a Blue Badge, including access to the footstreets and sufficient parking spaces, designed in a way that addresses legitimate security concerns*”.
3. **City Centre Access Project** - the extent of the footstreet area has been subject to ongoing discussions for a number of years as part of the City Centre Access project in response to the threat of terrorism as outlined in the report, and particularly the use of hostile vehicles as a potential mode of attack. This had led to the approval of a first phase of hostile vehicle mitigation measures for the existing permanent footstreet area, but with potential future phases to expand the area of protection
4. **Temporary Covid measures** – When the temporary Covid measures were introduced, the Council engaged with approx. 450 individuals as well as advocacy groups representing thousands of people with disabilities and/or reduced mobility across the city. An open community brief detailed the main themes and challenges which these changes sought to address, and the summary of conversations with the city’s businesses and representative groups. The principles of the footstreets extension was broadly supported by a majority of respondents to the citywide survey, which was also reflected in the support from residents identifying themselves as disabled. There are tangible benefits for many, in particular blind and partially sighted people, children, and older people. However, the desire from many for footstreets and spaces to be vehicle free is in contrast to Blue Badge holders’ request for vehicular access to the pedestrianised area. These objections were articulated in a



petition signed by 1,093 people, including 501 York residents, calling for the reversal of the changes.

- 5. Additional consultation undertaken for the November 2021 Decision to permanently remove blue badge access** – A consultation took place to review available Blue Badge Parking on the outskirts of the city centre in April 2021. This took the form of an online questionnaire and two online workshops on 22 April 2021, one during the working day and one in the evening, to allow those working in disability organisations and professional advocates to attend, while also offering an out of office hours opportunity for those who may want to take part but are at work or unavailable during the day. This consultation was promoted through the media, on social media (tagging disability organisations), and to the following organisations: Alan Bott Charity, York Disability Rights Forum, York Human Rights City, York Programme for UN International Day of People with Disabilities, Jorvik Deaf Connections, Lollipop, York People First, MS Society, Older Citizens Advocacy York, Wilberforce Trust, Healthwatch York, My Sight York, York Carers Centre, York Carers Forum, York Parent Carer Forum, Age UK York, Converge (York St John), Mind, York Advocacy (Mind), Learning Disability Self Advocates Forum, York Self Advocacy Forum, York Inspirational Kids, York Access and Mobility Club Facebook Group, York Older People's Assembly, York Dementia Action Alliance, CVS, York Wheels, Dial and Ride, Shopmobility, Inclusive Engagement, Individuals from CCA Exercise, Labour Women's Officer, York Cycle Campaign, Get Cycling, Sight Loss Council, York Accessibility Action, Action on Hearing Loss, British Deaf Association, York Disability Week, York ME Community, Blueberry Academy, and York Alzheimers.

	<p>The engagement followed an open conversation approach, both online and offline, including direct conversations with individuals and advocacy groups. This allowed detailed discussions to take place with those who wished to engage in depth, and captured general views through an online survey, which was distributed to nearby residents, city centre businesses, and paper based questionnaires distributed across the city as requested. In total there were 540 survey responses completed, of the completed surveys 270 were completed by residents who are Blue Badge holders, 65 by residents who are not Blue Badge holders, 69 by carers of a Blue Badge holder, 7 from businesses (including taxi drivers) and 129 skipped the question.</p> <p><b>6. Statutory consultation for the November 2021 Decision</b> - The statutory consultation for the amendment of the TROs was advertised on 9th July 2021, with an original end date of 6th August 2021, which was extended until 13th August 2021. 206 representations were received on the proposal to remove Blue Badge access exemptions, 5 in support and 201 against the proposal and detailed in the November 2021 report.</p>
<p><b>Research reports</b></p>	<p>For the August 2019 Executive report, approving the permanent changes to the Traffic Regulation Order to deliver the Phase 1 Hostile Vehicle Mitigation proposals in the city centre, an independent review of Blue Badge Parking Access was commissioned from <b>Parking Perspectives</b> a consultancy specialising in parking.</p>

	<p><b>Disabled Motoring UK</b>, a charity and advocacy group for disabled people, were commissioned to produce an independent review of York’s disabled access offer in 2020. (<a href="#">Annex 5 Nov 2021 Exec report</a>)</p> <p><b>Martin Higgitt Associates</b> produced an independent York City Centre Active Travel Study, October 2021 (<a href="#">Annex 6 Nov 2021 Exec report</a>)</p> <p><b>Strategic Review City Centre Access and Council Car Parking</b> – approved by <a href="#">Executive November 2021</a>, including a strategy for access to and through the city centre footstreets and an <a href="#">Access Action Plan</a> to implement improvements to access that were developed through public and stakeholder engagement (ref. <a href="#">open brief</a>).</p>
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### 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>		
The projects will require re-design and further work to develop them and to realign them with the Council's priorities. The impact of the changes will need to be considered.	Use previous engagement/consultation work and data to inform this work  Re-engage to test concepts and ideas with stakeholders identified		
Costs/Funding?	Phased approach Value engineering Soft v Hard landscaping balance		
Policy changes	Keep under review		

#### 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>	<i>New and improved public spaces will accommodate a diverse range of uses and activities for people of different ages from young people to older residents.</i>	<b>Positive</b>	<b>H</b>

<b>Disability</b>	<i>The proposals will deliver modern standards, accessibility and legibility in the public realm, streetscape, and new buildings.</i>  <i>Redesigning and retaining blue badge spaces in the Castle Car Park will allow this level of access to be retained</i>	<b>Positive</b>	<b>H</b>
<b>Gender</b>	<i>No impact identified</i>	<b>Neutral</b>	
<b>Gender Reassignment</b>	<i>No impact identified</i>	<b>Neutral</b>	
<b>Marriage and civil partnership</b>	<i>No impact identified</i>	<b>Neutral</b>	
<b>Pregnancy and maternity</b>	<i>No impact identified</i>	<b>Neutral</b>	
<b>Race</b>	<i>No impact identified</i>	<b>Neutral</b>	
<b>Religion and belief</b>	<i>A circular path around the Motte has been designed with input from the Liberal Jewish Community to enable people to participate in a walk to as an act of memorial for lives lost in the 1190 massacre. It will have a dedicated space to reflect and remember this and other historic events.</i>	<b>Positive</b>	<b>M</b>
<b>Sexual orientation</b>	<i>No impact identified</i>	<b>Neutral</b>	
<b>Other Socio-economic groups including :</b>	<i>Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?</i>		
<b>Carer</b>	<i>No impact identified</i>	<b>Neutral</b>	

<b>Low income groups</b>	<p><i>New and improved public spaces will accommodate a range of uses, activities and events which can be accessed and enjoyed at low or no cost to residents and visitors.</i></p> <p><i>Improved access to the city through route improvements and improved access to facilities could have a positive impact on low income groups with limited mobility. Improving access to leisure and employment opportunities in the city centre</i></p> <p><i>Improved access to affordable housing could be provided for those on lower incomes</i></p>	<b>Positive</b>	<b>H</b>
<b>Veterans, Armed Forces Community</b>	<p><i>No impact identified</i></p>	<b>Neutral</b>	
<b>Other</b>			
<b>Impact on human rights:</b>			
List any human rights impacted.			

**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> (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	<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>

## Step 6 – Recommendations and conclusions of the assessment

6.1	<b>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:</b>
<b>- No major change to the proposal</b> – 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.

<b>Option selected</b>	<b>Conclusions/justification</b>
No Major change to the proposal	This EIA is an overarching EIA for the Castle Gateway Masterplan projects. It demonstrates that continued consultation will form a key part of the development and testing of the individual projects to address unlawful discrimination or adverse impact. Opportunities to advance equality and foster good relations will continuing and be monitored and reviewed. This will be reported back via the individual project EIA's ahead of delivery

## 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>
Redesign/progression of realigned projects	Continue consultation to assess discrimination and impact	CYC Regeneration Team	Ongoing
Sub EIA's for project	Produce sub EIA's for the key projects	CYC Regeneration Team	As the projects progress

## 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?
	As the projects progress, the impact of the proposals will be monitored through <ul style="list-style-type: none"><li>• continued engagement and consultation with those identified in the EIA</li><li>• Continuous review of the impact of the proposals, changes to government guidance, and compliance with equalities and guidance</li></ul>