

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

**Who is submitting the proposal?**

<b>Directorate:</b>	Economy & Place		
<b>Service Area:</b>	Strategic Planning Policy		
<b>Name of the proposal :</b>	Statement of Community Involvement Update		
<b>Lead officer:</b>	Alison Cooke – Head of Strategic Planning Policy		
<b>Date assessment completed:</b>	5/2/24		
<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>
Laura Williams	Assistant Director Customer, Communities and Inclusion	City of York Council	Customer, Communities and Inclusion

<b>Step 1 – Aims and intended outcomes</b>	
<b>1.1</b>	<p><b>What is the purpose of the proposal?</b> Please explain your proposal in Plain English avoiding acronyms and jargon.</p>
	<p>The purpose of this proposal is to present an update to the Statement of Community Involvement (SCI) and requests members to agree consultation on this revised version. The Statement of Community Involvement sets out the Council's methods for how the community will be involved in the production of planning documents and through the development management process. It forms part of the Statutory Development Plan for the city and is required to be regularly reviewed.</p>
<b>1.2</b>	<p><b>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</b></p>
	<p>Statements of Community Involvement are a statutory requirement. Under the provisions of the Planning and Compulsory Purchase Act 2004, local authorities are required to update their adopted SCI every 5 years. Other regulations include the Town and Country Planning (Local Planning) (England) Regulations, Localism Act 2011, Neighbourhood Planning Regulations, and changes required during the Covid Pandemic (National Planning Policy Guidance paragraphs 076-079 – withdrawn August 2023)</p> <p>Additionally, the Council's duties under the Equalities Act 2010 and the Human Rights Act 1998 are key considerations in the process.</p>
<b>1.3</b>	<p><b>Who are the stakeholders and what are their interests?</b></p>
	<p>The stakeholders include statutory consultees, interested parties and members of the public, who would like to respond to consultations on planning documents and planning applications.</p> <p>In deciding who to consult, there is a clear distinction between statutory and non-statutory consultees. Regulations set out what bodies constitute a statutory consultee required as part of the planning process. The Council has also a legal requirement to make information available to interested residents and organisations, as well as a legal duty to consult with 'specific' and 'general' consultation bodies; 'Specific' consultation bodies are groups that have expertise and knowledge in a particular subject whilst 'general' consultation bodies may include voluntary and other groups with an interest in the local area.</p>

	Additionally, the regulations include a 'duty to co-operate' which places a legal duty on local authorities to engage 'constructively, actively and on an ongoing basis' with relevant strategic policy makers.
<b>1.4</b>	<b>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.</b>
	<p>The updated SCI presents a simpler, more flexible approach to consulting individuals or organisations, using the most appropriate methods. It brings into the SCI up-to-date legislative requirements. For plan-making, the SCI requires that a consultation strategy is drafted at each relevant consultation stage to ensure that the methods and consultees are appropriate. It also sets out how consultation will be undertaken for Supplementary Planning Documents and Neighbourhood Plans. For Development Management, the SCI clearly sets out the protocols for which people will be consulted within the planning application process.</p> <p>The proposal directly reflects the core aims of the Council Plan (One City for All – 2023-2037). The approach set out in the SCI will directly ensure that the right participants are engaged supporting the plan's core commitment to Equalities &amp; Human Rights. 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 – which is all reflected in the approach set out in the SCI.</p>

## 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>
	Statutory legislation (as set out in Section 1.2 above)	Sets the requirements and formal framework to be included in the SCI

National Planning Policy Guidance	Provides guidance about the requirements
Planning Policy database	This database provides the contact detail for consultees (Statutory and non-Statutory) for individuals and bodies to be consulted.
'Uniform Consultee list' for planning applications	This provides contact details for interested parties for planning applications.

### 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>	
N/A		N/A	

### 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? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.</b>		
<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>	No impacts identified	0	N/A

<b>Disability</b>	For plan-making, there will be opportunities to engage and work with those who identify as either having an impairment or being a disabled person. The revised SCI allows flexibility for this to be detailed at individual stages of consultation to maximise input where relevant.	+	L
<b>Gender</b>	No impacts identified	0	N/A
<b>Gender Reassignment</b>	No impacts identified	0	N/A
<b>Marriage and civil partnership</b>	No impacts identified	0	N/A
<b>Pregnancy and maternity</b>	No impacts identified	0	N/A
<b>Race</b>	For plan-making, there will be opportunities to engage and work with harder to reach groups such as gypsies and travellers. The revised SCI allows flexibility for this to be detailed at individual stages of consultation to maximise input where relevant.	+	L
<b>Religion and belief</b>	No impacts identified	0	N/A
<b>Sexual orientation</b>	No impacts identified	0	N/A
<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>	No impacts identified	0	N/A
<b>Low income groups</b>	No impacts identified	0	N/A

<b>Veterans, Armed Forces Community</b>	No impacts identified	0	N/A
<b>Other</b>	N/A - no other groups identified	N/A	N/A
<b>Impact on human rights:</b>			
List any human rights impacted.	No impacts identified	0	N/A

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

## 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>
<p>The SCI reflects a positive and proactive approach to consultation on planning documents and planning applications. It will not discriminate who can respond to consultations, providing access to comment to consultations from anyone who wishes to be involved in the process, thereby avoiding any unlawful prohibited conduct or adverse impacts, such as certain individual or organisations being unable to be involved in the process.</p> <p>There will be opportunities in the plan-making process to ensure that consultation proposals are targeted at harder to reach group to ensure their views are represented in policy making where applicable.</p> <p>The SCI will be subject to monitoring and periodic review, in line with the requirements in the legislation.</p>	

## 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>
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- **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.

<b>Option selected</b>	<b>Conclusions/justification</b>
<i>No major change to the proposal</i>	<i>The EIA demonstrates the proposal is robust. The SCI seeks to ensure that opportunities to engage with planning consultations is equal. There are opportunities to advance equality and foster good relations through targeted and specific consultation in plan-making, which will be subject to continuing monitor and review.</i>



## 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>
N/A	N/A	N/A	N/A

## 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?
	It is anticipated that the Statement of Community Involvement will be monitored annually and reviewed every 5 years, in line with the Regulations.