

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Place Directorate		
Service Area:	Strategic Planning Policy		
Name of the proposal :	Prioritising Supplementary Planning Documents		
Lead officer:	Alison Cooke Head of Strategic Planning Policy		
Date assessment completed:	20 May 2024		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Laura Williams	Assistant Director (Customer and Communities)	CYC	Equalities and Human Rights
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 in relation to the prioritisation of Supplementary Planning Documents (SPDs) that will support the delivery and effectiveness of planning policies in the Local Plan. Whilst the emerging new Local Plan sets the overarching planning policy framework, Supplementary Planning Documents (SPDs) can provide further detail on the implementation of specific policies as guidance for both internal and external parties. SPDs seek to ensure policy intentions are clear and can be applied consistently. They cannot introduce new planning policies and rely upon policies set out in the development plan.</p> <p>The recommendations of the report seek to continue to prioritise SPDs for climate change, housing and green Infrastructure. It also seeks to prioritise SPDs covering topic areas of Healthy Places, Transport and the Gypsy and Travellers. The report sets out the anticipated scope of those SPD</p>
1.2	<p>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</p>
	<p>The National Planning Policy Framework (NPPF) recognises SPDs as a useful tool. This defines SPDs as: <i>‘Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.’</i></p> <p>Where SPDs are agreed to be taken forward, they are subject to Regulations 11 to 16 in Part 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012. These regulations dictate the process by which the SPD must be produced, including public participation, consultation and adoption procedures.</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>

1.3	Who are the stakeholders and what are their interests?
	<p>Local Communities: SPDs are relevant to anyone who intends to apply for planning permission. They will add detail to planning policies in the Local Plan applicable to masterplanning and in the decision-taking process.</p> <p>Voluntary and community Sector: The forthcoming SPD for Gypsies and Travellers will be of particular to interest to the York Travellers Trust, a registered charity that work with gypsy and traveller community with York and surrounding areas. Other community groups may engage in the SPD process in so far as the SPDs may cover issues of interest.</p> <p>City of York Council: SPDs will add detail to the policies in the emerging Local Plan to ensure a consistent approach to applying policy and to decision-making. Technical officers across the Council will be involved as necessary to ensure the approach taken is appropriate. 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 different SPDs being recommended to be produced.</p> <p>Planning Agents and Developer community: Planning policy and SPDs inform masterplanning and development schemes put forward in the planning process. SPDs will be of interest as they will add a layer of detail and aid consistency to the decision-making process with which the developer community will need to engage.</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 prioritise the SPDS for production. This will help to direct resources to ensure policy areas which require clarification come forward first. The Local Plan and supporting evidence base refer to a wide variety of issues, which are relevant to planning and decision-making. SPDs will help to deliver this effectively.</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. All are relevant to this proposal are:</p> <ul style="list-style-type: none"> • <i>'Equalities and Human Rights - Equality of Opportunity': '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>

- **'Tackling the cost-of-living crisis'**: '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'.
- **Health and Wellbeing**: '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.'
- **Climate – Environment and the climate emergency**: 'We know the race to net zero is more urgent than ever and we will understand the impact our actions have on the environment. We will prepare for the future, adapting our city to extreme climate events and enhancing our environment for future generations to enjoy.'

SPD production aligns to achieving the Council's four core commitments for Equalities and Human Rights, Affordability, Climate Change and Health. Table 1 indicates which core commitment each SPD would significantly address, notwithstanding that equalities, climate change and health will be themes covered in general across all SPDs. More detailed indication of how each SPD addresses the council's core commitments and priorities will be set out in forthcoming reports on each individual SPD brought to Executive.

Table 1: Indicative compatibility to Council Plan Core Commitments and priorities.

	Core commitments					Council Plan Priorities				
	Equalities	Affordability	Climate Change	Health	Health & well-being	Education & skills	Economy & good employment	Transport	Housing	Sustainability
SPDs										
Climate Change			Y	Y	Y					Y
Housing	Y	Y		Y	Y				Y	
Green Infrastructure			Y	Y						Y
Sustainable Transport	Y		Y	Y				Y		
Gypsy, Travellers & Travelling Showpeople	Y			Y	Y				Y	

Developer Contributions		Y		Y	Y	Y		Y	Y	
Review of the House Extensions and Alterations (existing draft)									Y	
Review of the Subdivision of dwellings (existing draft) SPD									Y	
Heritage										Y
Environmental Protection			Y	Y	Y					Y
Culture							Y			
Healthy Places	Y			Y	Y					
Guidance										
Accessibility	Y				Y					
Biodiversity Net Gain			Y							Y
Flood Risk Sequential Tests			Y							Y
Health Impact Assessment				Y	Y					

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
York's Local Plan (2018) draft, as proposed to be modified. Local Plan Main Modifications Schedule (2023)	Provides the policy framework against which the SPDs will be developed. This is supported by an extensive and broad evidence base as well as several rounds of consultation representations and Examination in public hearings documents.

EIA to the Local Plan Main Modifications (Jan 2023)	The implications of the Local Plan Modifications were subject to an EIA- Appendix 1.
Executive Report and supporting EIA for Delivering additional Gypsy and Traveller Accommodation and improving existing facilities (March 2024)	This was a joint report with the Housing team to set out the requirements for further accommodation provision for the Gypsy and Traveller community as well investment required to improve exiting sites.

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
	Detailed SPDs are yet to be produced	Each SPD when drafted will be subject to individual EIA.

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 prioritise the SPDs for production, including for housing and health. The breadth of actions is likely to have positive outcomes for people of all ages.	+	M
Disability	The proposal seeks to prioritise the SPDs for production, including for housing and health. It also supports the development of associated guidance supporting accessibility applicable to planning decision-making. The breadth of actions is likely to have positive outcomes for all people.	+	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	+	L

	residents. This is likely to have positive outcomes for those identified under this characteristic.		
Race	The purpose of the Gypsy and Traveller SPD is to specifically address accommodation needs for the GRT community. This should have significant positive outcomes against this characteristic.	+	H
Religion and belief	This proposal is not expected to impact on that characteristic	0	
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 applicable to all regardless of their income. The housing SPD will specifically seek to address the delivery of suitable affordable homes.	+	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.	Further consideration of Human rights will be considered in forthcoming individual SPDs which will have detailed content.	0	
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<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 this report and the recommendation to prioritise delivery of new Supplementary Planning Documents . This approach should make a positive difference in providing further clarity and detail in delivering planning policy and decision-making.</p> <p>Future EIAs will be developed to consider the detail of each SPD and their impacts.</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:
<p>- 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.</p>	

- **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	<p>The EIA demonstrates that this approach positively supports the delivery of planning policy with positive or neutral effects.</p> <p>Future EIAs will be developed to consider the detail of each SPD and their impacts.</p>

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 of detailed SPDs when produced	Impacts of the detail of each SPD to be considered	Alison Cooke	Associated with the production of the SPDs.

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?
	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 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: 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

	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.	<p>H5: Gypsies and Travellers</p> <p>H6: Travelling Showpeople</p>
4.19	Other rights	No Impact	None deemed likely	N/A