

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Economy and Place		
Service Area:	Strategic Planning Policy		
Name of the proposal :	York Minster Precinct Neighbourhood Plan – Examiner’s Report		
Lead officer:	Sophie Hall-Thompson, Development Officer		
Date assessment completed:	31/01/22		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Sandra Branigan	Senior Solicitor	City of York Council	Legal

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><i>The proposal is brought forward by the Strategic Planning Policy team on behalf of the Minster Precinct Neighbourhood Planning Forum (MPNF) in conformity with Neighbourhood Planning (2012) Regulation 18. The Minster Precinct Neighbourhood Forum and Area were designated following consultation and following a Decision by the Executive Member for Transport and Planning in March 2019. The MPNF and area were designated to enable a Neighbourhood Plan to progress for the Minster Precinct Area. The Neighbourhood Plan has been developed, consulted on and examined by an independent examiner and found to meet the legislation requirements. This proposal is for the Neighbourhood Plan to proceed to referendum in line with the Examiner's modifications and Neighbourhood Planning Regulations. The referendum will determine if the Neighbourhood Plan is made part of the City of York's development plan. Where more than 50% of those taking part in the referendum vote in favour of the plan, it will become part of the development plan. Those who are invited to take part in the referendum, live in the planning area or in close proximity (150m).</i></p>
1.2	<p>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</p>
	<p><i>The council's duties under the Equalities Act 2010 and the Human Rights Act 1998 are key considerations. The proposals also need to be considered in light of Neighbourhood Planning Regulations (2012).</i></p>
1.3	<p>Who are the stakeholders and what are their interests?</p>
	<p><i>Stakeholders include people who live, work or carry on business in the York Minster Precinct Neighbourhood Planning Area in alongside consultation bodies referred to in paragraph 1 of Schedule 1 of the Neighbourhood Planning Regulations (2012).</i></p>
1.4	<p>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 York Minster Precinct Neighbourhood Plan is required to be in conformity with the National Planning Policy Framework (NPPF) and the local Development Plan which comprises of the emerging Local Plan (Publication Draft Local Plan 2018). The proposals seek to support the Council Plan (2019-2023) with respect to:

- *Well-paid jobs and an inclusive economy*
- *A greener and cleaner city*
- *Getting around sustainably*
- *Good health and wellbeing*
- *Safe Communities and culture for all*

With respect to the emerging Local Plan, the proposal seeks to support:

- Policy DP2: Sustainable Development
- Policy DP3: Sustainable Communities
- Policy SS1: Delivering Sustainable Growth for York
- Policy SS3: York City Centre Policy SS4: York Central
- Policy EC4: Tourism Policy
- H10: Affordable Housing
- Policy HW2: New Community Facilities
- Policy ED6: Preschool, Primary and Secondary Education
- Policy D1: Placemaking Policy
- D11: Extensions and Alterations to Existing Buildings
- Policy D12: Shop fronts
- Policy CC1: Renewable and Low Carbon Energy Generation and Storage
- Policy CC2: Sustainable Design and Construction of New Development
- Policy T1: Sustainable Access
- Policy T5: Strategic Cycle and Pedestrian Network Links and Improvements
- Policy T8: Demand Management

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	
Regulation 19 Local Plan and Local Plan Evidence Base	The Regulation 19 Local Plan was assessed under an Equalities Impact Assessment (EqIA) and the Neighbourhood Plan has been developed to comply with the Regulation 19 Local Plan.	
National Planning Policy Framework: Equality Impact Assessment, July 2018	The updated NPPF was assessed under an Equalities Impact Assessment (EqIA) and the Neighbourhood Plan has been developed to comply with the National Planning Policy Framework.	
York Minster Precinct Neighbourhood Plan Statement of Community Involvement	Details the extensive consultation undertaken over three years with the community, including people who live, work, visit and worship within the York Minster Precinct, including comments and responses to all stages of consultation undertaken. The consultation has informed the development of the Neighbourhood Plan.	
York Minster Precinct Neighbourhood Plan Evidence Base (Conservation Management Plan (2021); Heritage Impact Assessment (2021); Sustainability Appraisal (2021); Habitats Regulation Assessment (2021); Ecology Report (2016); Draft York Minster Liturgical Plan (2021).)	These documents have informed the consultation that has taken place with the community.	

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	Policy E2 'Accessibility and Wayfinding' state the 'Minster Precinct is to work towards universal accessibility wherever possible to provide a welcoming environment which recognises the needs of people of all abilities and stages of life.	+	M
Disability	Dean's Park will be designed to facilitate disabled access from the Precinct onto a small part of the City Walls.	+	M

Gender	No impacts identified	0	n/a
Gender Reassignment	No impacts identified	0	n/a
Marriage and civil partnership	No impacts identified	0	n/a
Pregnancy and maternity	No impacts identified	0	n/a
Race	No impacts identified	0	n/a
Religion and belief	No impacts identified	0	n/a
Sexual orientation	No impacts identified	0	n/a
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	Policy E2 'Accessibility and Wayfinding' state the 'Minster Precinct is to work towards universal accessibility wherever possible to provide a welcoming environment which recognises the needs of people of all abilities and stages of life. Dean's Park will be designed to facilitate disabled access from the Precinct onto a small part of the City Walls.	+	L
Low income groups	No impacts identified	0	n/a
Veterans, Armed Forces Community	No impacts identified	0	n/a
Other	n/a, no other groups identified	n/a	n/a

Impact on human rights:			
List any human rights impacted.	<p>The Convention rights applicable are:</p> <ul style="list-style-type: none"> • Article 8 - protects the right of the individual to respect for their private and family life, their home and their correspondence. The private life part of this right covers things like wellbeing, autonomy, forming relationships with others and taking part in our community. • Article 14 - protects the right to be free from discrimination when enjoying other rights, such as Article 8. <p>The equalities impact assessment identifies some positive impacts as a result of the aspirations set out within the neighbourhood plan.</p>		

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>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>The neighbourhood plan supports some positive impact measures contained with the Local Plan. These positive impacts will be optimised through the community actions identified in the neighbourhood plan alongside policies in the plan which stipulate further public consultation. The plan will also be subject to annual monitoring and periodic review.</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:
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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.

Option selected	Conclusions/justification
No major change to the proposal	The EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impacts. Opportunities to advance equality and foster good relations will be applied throughout the York Minster Precinct Neighbourhood Plan

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			

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?
	York Minster Precinct Neighbourhood Forum annually monitor the York Minster Precinct Neighbourhood Plan with periodic review in accordance with Neighbourhood Plan Policy F1.