

City of York Council

Equalities Impact Assessment

Who is submitting the proposal?

Directorate		Place	
Service Area		Forward Planning	
Name of the proposal		Huntington Neighbourhood Plan – Referendum Results and Adoption	
Lead Officer		Anna Pawson	
Date Assessment Completed		5.07.2021	
Names of those who contributed to the assessment			
Name	Job Title	Organisation	Area of Expertise
Anna Pawson	Development Officer	City of York Council	Planning Policy

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 main purpose of the proposal is to formally ‘make’ or adopt the Huntington Neighbourhood Plan. This will bring it into full legal force as part of the Development Plan for York to be used in decision-making.</p>

1.2	<p>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</p>
	<p>Under the Town and Country Planning Act 1990 (as amended), City of York Council has a statutory duty to assist communities in the preparation of neighbourhood (development) plans and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6, Chapter 3) sets out the Local Planning Authority’s responsibilities under neighbourhood planning. Additionally, the preparation of the plans needs to be in conformity with the Conservation of Habitats and Species Regulation (2017, as amended) and SEA Directive 2011/42/EC enacted through the Environmental Assessment of Plans and Programmes Regulations 2004.</p> <p>The adoption of the Huntington Neighbourhood Plan needs to be in line with Section 38A (9) and (10) of the Planning and Compulsory Purchase Act 2004 (as amended) and Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012 (as amended).</p>

1.3	<p>Who are the stakeholders and what are their interests?</p>
	<p>The stakeholders are included in Schedule 1 of the Neighbourhood Planning (General) Regulations 2012. These include statutory advisory bodies to Council such as Natural England. The people who live, work and do business in the Parish of Huntington are also stakeholders who have been provided the opportunity to comment on the Plan through two rounds of consultation. All residents on the electoral register and living in Huntington were permitted to vote in the Referendum.</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>
	<p>By adopting the Huntington Neighbourhood Plan it will bring it into full legal force as part of the Development Plan for York. This will allow the Neighbourhood Plan to progress in line with the relevant Neighbourhood Planning legislation and Regulations. The process must be undertaken to</p>

	<p>accord with national planning policy and be in conformity with local planning policies set out in the emerging Local Plan.</p> <p>The Huntington Neighbourhood Plan contains a series of policies that will be used when determining planning applications that are located within the defined Neighbourhood Area. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. It is for the Parish to determine the issues and policies they wish to include in the Neighbourhood Plan to help determine how their area deals with planning applications in the future.</p> <p>The Council Plan for 2019-2023 identifies eight priorities, seven of which are relevant to the Huntington Neighbourhood Plan and include:</p> <ul style="list-style-type: none"> • good health and wellbeing; • a well-paid and an inclusive economy; • getting around sustainably; • a greener and cleaner city; • creating homes and world-class infrastructure; • safe communities and culture for all; and • an open and effective council.
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Step 2 – Gathering the information and feedback

2.1	<p>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.</p>	
	Source of data/supporting evidence	Reason for using
	Submitted Huntington Neighbourhood Plan Basic Conditions Statement	A Neighbourhood Plan must have regard to, and is compatible with, the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. The Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR).
	The submitted Huntington Neighbourhood Plan Consultation Statement accompanied the submission version of the Neighbourhood Plan. This sets out the consultation undertaken by the Parish as part of the preparation of the plan, including their statutory Pre-Submission Consultation.	The Consultation Statement has been prepared to fulfil the legal obligations of the Neighbourhood Planning Regulations 2012 Section 15(2) of Part 5 of the Regulations (as amended).

<p>The Neighbourhood Plan has been through several public consultation exercises, including</p> <ul style="list-style-type: none"> • Pre-Submission Consultation: 29th January to 23rd March 2018, • Submission consultation: 7th October to 18th November 2019 and • Regulation 17(A)(2) consultation: 3rd December 2020 to 28th January 2021 which have shaped the Huntington Neighbourhood Plan policy formation. <p>A referendum on the Neighbourhood Plan also took place on 10th June 2021. The people who live within Huntington and on the electoral role were able to vote.</p> <p>The residents, businesses and people with a land interest in the Huntington area were consulted as part of this consultation process as well as the Statutory bodes set out in in Schedule 1 of the Neighbourhood Planning (General) Regulations 2012</p>	<p>The local authority is required to take decisions at key stages in the process within time limits that apply, as set out in the Neighbourhood Planning (General) Regulations 2012 as amended in 2015 and 2016 (“the Regulations”) and within new government guidance in relation to the Covid-19 pandemic.</p>
<p>The Huntington Neighbourhood Plan uses the City of York Local Plan policies and evidence base to support its policies.</p>	<p>The Neighbourhood Plan must be prepared to be in conformity with local planning policies; for York, this is the saved policies from the Yorkshire and Humber RSS and the emerging Local Plan submitted for independent examination in May 2018. Additionally, the Local Plan evidence base documents have been used to support policy development and understand any likely impacts of the proposal.</p>
<p>City of York Council Statement of Community Involvement (SCI) (2007) and Updated (2020).</p>	<p>All the consultation undertaken by City of York Council has been carried out in accordance with the Council’s Statement of Community Involvement (SCI) (2007) and the Update (2020). The SCI sets out the Council’s proposals for how the community will be involved in the production of planning documents and through consultation on planning applications, as required under the provisions of the Planning and Compulsory Purchase Act (2004).</p>

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	No impacts identified	0		
Disability	No impacts identified	0		
Gender	No impacts identified	0		
Gender Reassignment	No impacts identified	0		
Marriage and civil partnership	No impacts identified	0		
Pregnancy and maternity	No impacts identified	0		
Race	No impacts identified	0		
Religion and Belief	No impacts identified	0		
Sexual orientation	No impacts identified	0		
Other Socioeconomic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?	0		
Carer	No impacts identified	0		
Low income groups	No impacts identified	0		
Veterans, Armed Forces Community	No impacts identified	0		
other				

Impact on human rights:			
List any human rights impacted	No human rights impacted	0	

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
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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 Huntington Neighbourhood Plan covers a wide range of policy areas. Its overall vision responds to the issues, opportunities and challenges facing the area. It is considered that the plan will have a positive impact overall on creating a fair, healthy, sustainable and resilient neighbourhood and includes a good understanding of equalities and has regard to, and is compatible with, the fundamental rights and freedoms guaranteed under the European Convention on Human Rights.</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> <p>- Adjust the proposal – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance equality or to foster good relations.</p> <p>- 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</p> <p>- 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.</p> <p>Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.</p>	
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 impact and the Huntington Neighbourhood Plan has taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.
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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	<p>How will the impact of your proposal be monitored and improved upon going forward?</p> <p>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?</p>
	<p>The Huntington Neighbourhood Plan sets out at Section 5 that the Plan will be monitored by Huntington Parish Council in conjunction with the City of York Council on at least an annual basis. The Parish Council proposes to formally review the Plan on a five-year cycle or to coincide with the review of the City of York Local Plan if this cycle is different.</p>