

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Transport, Environment and Planning		
Service Area:	Transport		
Name of the proposal :	York Outer Ring Road Phase 1 Dualling		
Lead officer:	Gary Frost		
Date assessment completed:	10 th August 2021. Note that this is ongoing and will be revisited 1 and 5 years post opening (2026 and 2030).		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Gary Frost	Major Transport Projects Manager	CoYC	Infrastructure development, civil engineering and project management.

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.
	<p>The aim of the proposal is to improve the operation of the York Outer Ring Road (YORR) across a number of areas:</p> <p>Local – reduce congestion of queueing vehicles at junctions on the A1237; improve journey time reliability for motorists along the route; improve air quality; reduce severance of communities; provide active travel facilities for pedestrians and cyclists; improve road safety; create capacity in suburban and urban areas of York to enable interventions for traffic restrictions.</p> <p>Strategic - provide better connectivity with the Strategic Road Network i.e. the A1(M); provide improved cross-country routes to North Yorkshire.</p> <p>Economic – the proposals will improve access to employment, retail, health and recreational facilities. Sites allocated for housing in the local plan will also be accessible from the scheme proposals.</p>

1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	<p>Yes.</p> <ul style="list-style-type: none"> • Design Manual for Roads and Bridges • The Treasury Green Book on business cases • The WYCA Project Assurance Framework • Town and Country Planning Act • Highways Act • Compulsory Purchase Order code • Local Transport Note 1/20 • National Planning Policy Framework
1.3	Who are the stakeholders and what are their interests?
	<ol style="list-style-type: none"> 1. The direct stakeholders are travelling public who need to use the existing route including all classes of vehicles from private to commercial. As the scheme proposals include facilities for pedestrians and cyclists, they are also direct affected stakeholders. 2. Landowners, residents and business proprietors who are located nearby and who gain access from the YORR to their premises. 3. Businesses e.g. Nestle who use the YORR to enable distribution of their products. 4. York District Hospital who's patients and visitors access their services from the hinterland north of York.
1.4	<p>What results/outcomes do we want to achieve and for whom?</p> <p>The answer to this question comes from the objectives set out in 1.1 above. The proposals work on a number of levels as follows:</p>

Local: Improvement to the operation of the YORR by increasing capacity to decrease congestion and queueing. Improve journey time reliability, reduce end to end journey times and improve air quality. The provision of new pedestrian and cycle facilities will, it is anticipated, encourage sustainable transport and reduce the use of private vehicles which will lead to a reduction in congestion and pollution while increasing road safety.

Strategic: Better connectivity to the strategic road network e.g. A1M and cross country routes in North Yorkshire. By distributing vehicular traffic more evenly across the network, it is anticipated that opportunities will arise to restrict traffic from central and suburban areas of York, again improving air quality and reducing congestion.

Economic Growth: The improved operation of the YORR and creation of capacity will not only attract businesses to employ people, it will also enable existing businesses to function more efficiently ensuring that they stay in York. The proposals are a key component of the projected housing needs for the city in the Local Plan and provides the capacity to enable these developments to proceed.

In terms of the wider community, the proposals will impact on their daily lives by enabling them to get about easier than they do currently. The investment in cycling and walking facilities will also provide a step change to what is currently available. Not only will there be an orbital pedestrian/cycle path along the route, the scheme will provide more grade separated and controlled crossing points for users.

The Scheme proposals are embedded in the Council Plan 2019-23. The implementation of this programme of highway improvements will be an integral part of the key priorities to “create homes and a world class infrastructure; well paid jobs and an inclusive economy; getting around sustainably; a greener and cleaner city; safe communities and culture for all and an open and effective council”. Improvements to transport infrastructure such as reduced journey times are key drivers for improved productivity and unlocking sites for homes and jobs. This in turn leads to economic growth and the increase in wealth, helping local businesses to thrive.

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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
	YORR Public Engagement Process 2020.	<p>This process was undertaken specifically to understand the public's perception of the project teams' proposals. A good response, exceeding 3,500 comments, was received. The process has been evaluated and resulted in a number of revisions to the scheme, notably more pedestrian and cycle facilities, which will be recommended to Members for inclusion in a future planning application for the project.</p> <p>The engagement process was targeted at specific groups, acknowledging their particular role or situation: Landowners Businesses Key Stakeholders Residents</p> <p>In this way the project team have been able to prioritise the nature of respondents' comments and decide how to address them within the constraints of the scope of the scheme.</p>

<p>Modelling: Traffic modelling Noise Modelling Air quality modelling</p>	<p>These tools are used in the preliminary stages of scheme preparation to inform the decisions about:</p> <ul style="list-style-type: none"> • Value for money • Design • Planning requirements <p>They also give a sense of looking into the future and understanding the the day to day impacts on peoples' lives.</p>
<p>Road safety statistics (STATS 19)</p>	<p>The accident data from STATS19 will identify cluster and trends of road traffic collisions. In terms of the publication of the future monitoring and evaluation plan, we will be able to compare previous accident statistics with the rates post opening.</p>

Step 3 – Gaps in data and knowledge

<p>3.1</p>	<p>What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.</p>	
<p>Gaps in data or knowledge</p>		<p>Action to deal with this</p>
<p>How many cyclists and pedestrians will use the facilities?</p>		<p>Manual surveys</p>
<p>Will the upgrade to the route give the anticipated in road safety improvements?</p>		<p>Comparison of accident data pre and post opening of the road.</p>

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	May find using the ring road easier to use and negotiate with safer layouts and more space. Likewise those who take up the opportunity to walk or cycle will find it easier and safer to use and cross the ring road.	+	M
Disability	May be more encouraged to cycle more.	+	M
Gender	No differential impact identified	0	
Gender Reassignment	No differential impact identified	0	
Marriage and civil partnership	No differential impact identified	0	
Pregnancy and maternity	Improved journey time reliability and access to York District Hospital. For pedestrians and cyclists, access to health facilities in Haxby will be safer and easier to use if they live outside of the village.	+	L
Race	No differential impact identified	0	
Religion and belief	No differential impact identified	0	
Sexual	No differential impact identified	0	

orientation			
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	No differential impact identified	0	
Low income groups	May be more encouraged to cycle more for utility purposes.	+	M
Veterans, Armed Forces Community	No differential impact identified	0	
Other	Improvements in air quality will provide benefits to people with respiratory problems.	+	M
Impact on human rights:			
List any human rights impacted.	<p>Compulsory Purchase of land</p> <p>CYC are attempting to purchase the land required for the scheme by private agreement. However, if this approach fails CYC have resolved to make a Compulsory Purchase Order (CPO) to acquire the land.</p> <p>The MHCLG Guidance on the CPO confirms that an acquiring authority should be sure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected.</p> <p>In this case no dwellings are to be acquired to deliver the Scheme, only strips of land adjacent to the existing A1237.</p>	-	M

	<p>However, before deciding whether to authorise a CPO, the Executive will need to consider the balance and compatibility between the compulsory powers sought and the rights enshrined in the ECHR and whether there is a compelling case for a CPO in the public interest which means that the acquisition of land to enable the scheme to proceed, brings benefits to the area, which could not be achieved without the use of compulsory purchase powers.</p> <p>Officers are of the view that a compelling case in the public interest for making and promoting a CPO could be made out and the use of the powers could be seen as both necessary and proportionate and the public benefits associated with the proposed works are likely to outweigh the interference with the rights of those affected. So whilst negotiations to acquire the necessary land by agreement are ongoing and will continue, in the event that these do not prove successful officers intend to take a report to a future Executive meeting requesting authority to make the Order.</p>		
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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	<p>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>
<p>In the construction phase, the contractor will be bound by a series of constraints which will limit things like possession of site areas and working hours to control the impact of those operations.</p> <p>On completion it is likely that the profile of the scheme will be high and members of the public will have awareness through press and social media. People will use the YORR in their daily lives and will see existence of the new cycleways and crossing facilities. The pedestrian and walking facilities will be shown in CYC's city-wide cycle route map, and there will be directional signing giving guidance to the local villages and other facilities.</p>	

Step 6 – Recommendations and conclusions of the assessment

6.1	<p>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>
<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	The only adverse impact is the potential for compulsory purchase of land. The opportunity to sell land to CYC by private agreement is and will be available throughout the process and compulsory purchase powers will only be used for those strips of land where the owners refuse to sell. If this occurs, acquisition of the land will be undertaken using the compulsory purchase powers within UK law.

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
Safety of people with protected characteristics	Road Safety audits	Mel Farnham	At appointed times between 2021-2025
Improvement of air quality	Publication of benefits realisation report (monitoring and evaluation).	Clare Davies	Post opening in 2025

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?
	<p>In terms of the value for money and meeting objectives, the scheme will be subject to a benefits realisation process post opening in 2025. A comprehensive monitoring and evaluation report is a requirement as part of the above process.</p> <p>In terms of safety, the scheme will have road safety audits done at specified intervals including post opening and 1 year after opening.</p>