City of York Council

Equalities Impact Assessment

Who is submitting the proposal?

Directorate:		Corporate Services		
Service Area:		Policy and Partnerships		
Name of the proposal :		Consultation on the devolution agreement for York and North Yorkshire		
Lead officer:		Samuel Blyth		
Date assessment completed:		January 2023		
Names of those who	o contributed to the asse	essment :		
Name	Job title	Organisation	Area of expertise	
Will Boardman	Head of Corporate Policy and City Partnerships	City of York Council	Policy	
Jan Kilmartin	Strategic Officer	City of York Council	Policy, Equalities	

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.

On 1 August 2022 the Secretary of State for Levelling Up, Housing and Communities announced that the Government was minded to enter into a Devolution Deal with York and North Yorkshire with a view to establishing a Mayoral Combined Authority.

The devolution agreement (available at: https://www.gov.uk/government/publications/york-and-north-yorkshire-devolution-deal) includes:

- York and North Yorkshire establishing a combined authority and electing a directly elected mayor to provide overall vision and leadership, seek the best value for taxpayer's money, be directly accountable to the city region's electorate and to receive new powers on transport, housing and skills.
- Control of a £18 million per year allocation of investment funding over 30 years 35% capital, 65% revenue, to be invested by York and North Yorkshire to drive growth and take forward its priorities over the longer term.
- New powers to improve and better integrate local transport, including the ability to introduce bus franchising, control of appropriate local transport functions e.g., local transport plans, and control of a Key Route Network.
- An integrated transport settlement starting in 2024/25 and an additional £1 million to support the development of local transport plans.
- New powers to better shape local skills provision to meet the needs of the local economy, including devolution of the core Adult Education Budget, as well as input into the new Local Skills Improvement Plans.
- New powers to drive the regeneration of the area and to build more affordable homes including compulsory purchase powers and the ability to establish Mayoral Development Corporations.
- Over £13 million for the building of new homes on brownfield land across 2023/24 and 2024/25, subject to sufficient eligible projects for funding being identified.
- Investment of up to £2.65 million on projects that support York and North Yorkshire's priority to deliver affordable, low carbon homes across the area, subject to final business cases.
- Subject to a full business case, demonstrating the value of the scheme in delivering housing, jobs and GVA to the area, the government is minded to provide additional support to the York Central brownfield regeneration scheme.
- £7 million investment to enable York and North Yorkshire to drive green economic growth towards their ambitions to be a carbon negative region. This investment is subject to agreement of submitted business case.
- York and North Yorkshire Combined Authority will plan and deliver the UK Shared Prosperity Fund (UKSPF) from 2025/26 if there is a continuation of the Fund and the delivery geographies remain the same.
- Integration of the York and North Yorkshire Local Enterprise Partnership (YNY LEP) into York and North Yorkshire Combined Authority. This will ensure there continues to be a strong and independent local business voice which informs local decision making.
- A commitment to explore a local partnership with Great British Railways so that the mayor can help shape and improve local rail.
- Support to develop a Natural Capital Investment plan for York and North Yorkshire.
- Commitments to work in partnership with the area on the development and delivery of strategies to realise the region's cultural potential.

- Engagement on broadband and mobile infrastructure rollout and on the development of the Scarborough Cyber Cluster.
- A commitment to establish a programme working group in support of the BioYorkshire programme.
- A key leadership role for the mayor in public safety, taking on the role and functions of the Police Fire & Crime Commissioner and having a clear role in local resilience and civil contingency planning, preparation, and delivery.

The agreement states that the deal it is, "Subject to ratification of the deal by all partners and the statutory requirements including, public consultation, the consents of councils affected, and parliamentary approval of the secondary legislation implementing the provisions of this deal". This consultation considered the devolution scheme. The scheme sets out the proposed role and functions of the Combined Authority.

On 6 October 2022, Councillors in York agreed to proceed with a public consultation on the scheme. Councillors in North Yorkshire agreed likewise on 6 September 2022. The consultation asked respondents for their views on:

- Governance arrangements for the proposed Mayoral Combined Authority
- Finance functions
- Role of a Mayor and Mayoral Combined Authority in delivery of net zero, climate change and natural capital ambitions
- Transport functions
- Housing and regeneration functions
- Skills and employment functions
- Transfer of Police, Fire and Crime Commissioner functions

The eight-week consultation took place across York and North Yorkshire commencing on 21 October 2022 and ending on 16 December 2022. Results have been analysed and are presented in the report to City of York and North Yorkshire County Councils.

Devolution is connected to the wider national policy on 'levelling up' – a government approach to rebalancing the national economy. The Levelling Up White Paper (https://www.gov.uk/government/publications/levelling-up-the-united-kingdom) sets out Government policy across a range of areas infrastructure, skills, health, welfare and industrial development. Its purpose is to transform places and boost local growth, and it aims to foster innovation and private sector investment alongside local pride and resilience. As part of the levelling up proposals, the Government described a 'Devolution framework' in which it presented an indication of the types of powers and functions that would be considered as part of devolution agreements. Three levels of devolution were presented, identified in figure 1 below: Figure 1: Devolution framework (source: HM Government, Levelling Up the United Kingdom, p.140)

Table 2.3 Devolution Framework

Level 3 – A single institution or County Council with a directly elected mayor (DEM), across a FEA or whole county area

Level 2 - A single institution or County Council without a DEM, across a FEA or whole county area

Level 1 – Local authorities working together across a FEA or whole county area e.g. through a joint committee

Function	Detail	u	L2	L3
Strategic role in	Host for Government functions best delivered at a strategic level involving more than one local authority e.g. Local Nature Recovery Strategies	1	1	/
delivering services	Opportunity to pool services at a strategic level	1	1	1
	Opportunity to adopt innovative local proposals to deliver action on climate change and the UK's Net Zero targets	1	1	/
Supporting local businesses	LEP functions including hosting strategic business voice		1	/
	Control of appropriate local transport functions e.g. local transport plans*		1	1
	Defined key route network*			1
Local control of sustainable	Priority for new rail partnerships with Great British Railways – influencing local rail offer, e.g. services and stations			/
transport	Ability to introduce bus franchising		1	1
	Consolidation of existing core local transport funding for local road maintenance and smaller upgrades into a multi-year integrated settlement			/
Investment	UKSPF planning and delivery at a strategic level		1	1
spending	Long-term investment fund, with an agreed annual allocation			1
Giving adults the skills for	Devolution of Adult Education functions and the core Adult Education Budget		1	/
the labour	Providing input into Local Skills Improvement Plans		1	1
market	Role in designing and delivering future contracted employment programmes			1
	Ability to establish Mayoral Development Corporations (with consent of host local planning authority)			/
Local control of infrastructure	Devolution of locally-led brownfield funding			1
decisions	Strategic partnerships with Homes England across the Affordable Housing Programme and brownfield funding			/
	Homes England compulsory purchase powers (held concurrently)		1	1
Keeping the	Mayoral control of Police and Crime Commissioner (PCC) functions where boundaries align^			/
public safe and	Clear defined role in local resilience*		1	1
healthy	Where desired offer MCAs a duty for improving the public's health (concurrently with local authorities)			/
Financing local	Ability to introduce mayoral precepting on council tax*			1
initiatives for residents and business	Ability to introduce supplement on business rates (increases subject to ballot)			,

^{*} refers to functions which are only applicable to combined authorities

To receive the maximum benefit to the region, York and North Yorkshire pursued a 'level 3' agreement with the government which included provision for the creation of a Mayoral Combined Authority. York and North Yorkshire is one of several devolution agreements currently being considered across England. Other areas progressing toward devolution include the North East

(https://www.gov.uk/government/news/historic-14-billion-devolution-deal-for-north-east, Suffolk and Norfolk (https://www.gov.uk/government/news/historic-14-billion-devolution-deals-transfer-building-regeneration-and-skills-powers-to-level-up-suffolk-and-norfolk--2), and the East Midlands (<a href="https://www.gov.uk/government/news/east-midlands-local-economy-to-be-levelled-up-with-historic-billion-pound-devolution-deal}).

[^] refers to functions which are are currently only applicable to mayoral combined authorities

Turning specifically to the consultation, there is a statutory requirement to conduct a public consultation to gather the views of interested parties, to assist the Secretary of State in deciding whether to draft legislation to create the Combined Authority. The Consultation Institute (https://www.consultationinstitute.org/), a UK based not-for-profit specialist consultation organisation, was engaged to ensure that best practice was followed throughout the consultation process. It provided quality assurance advice throughout the process to date and has also carried out an independent analysis of the results, which has been reviewed by both Councils. It will complete a full Quality Assurance at the end of the process, once feedback has been provided to stakeholders.

1.3 Who are the stakeholders and what are their interests?

All residents and organisations in York and North Yorkshire are stakeholders in the discussions on devolution for the region. However, it is difficult to project the decisions that a Mayor and a Mayoral Combined Authority may take in the future. As such, this EIA considers the impact of the devolution scheme – that is the proposed role and functions of the MCA – on stakeholders.

For all residents, the devolution of powers and funding to York and North Yorkshire could be transformative.

Support for the region's net zero, climate change and natural capital ambitions will have long reaching benefits for all residents.

Drilling down in more detail, bus users may benefit from powers to introduce bus franchising for the region while all road users may benefit from the coordination of the Key Route Network in the region. An integrated transport settlement will support strategic management of the network which could benefit those who use the transport in the region more broadly.

Powers over housing development could support ambitions to develop homes for those looking to get on the housing ladder whilst regeneration powers will help to create infrastructural, community development and wellbeing opportunities to support physically and emotionally healthy, connected lives throughout the region.

The proposal to devolve the Adult Education Budget (AEB) has the potential to help those looking to find new employment opportunities or upskill to align with the needs of the local economy.

Whether that is having further control of regional transport decisions that supports business growth, community infrastructural development that helps the voluntary, community and social enterprise sectors reach more people, or control of the AEB for skills providers, the benefits of devolution are equally as applicable to institutional stakeholders in the city.

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.

A Mayoral Combined Authority will have a potentially transformative impact on York and North Yorkshire, representing a significant change in local governance and the unlocking of significant investment.

The consultation sought to understand the views of residents and organisations about the proposed scheme. In doing so, it has looked to identify thematic support and challenge for the proposals outlined in the Scheme. This will help to instruct how the deal progresses and inform the development of the Combined Authority.

Consultation is a key statutory requirement in the progression towards devolution for the wider region. This will help support City of York Council's Council Plan (and other corporate strategies) through investment in York and the opportunity to have decisions previously taken by Government to be made closer to the people affected.

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.

the views of equality groups, as	well your own experience of working in this area etc.
Source of data/supporting evidence	Reason for using
Public consultation events	Public consultation events gave members of the public the opportunity to ask questions about the devolution proposals in an open and accessible format.
	In York, City of York Council held four public consultation events in libraries across the city (plus an ongoing display in West Offices). The decision to host the events in the libraries was taken to ensure accessibility for all interested parties. In North Yorkshire, events were hosted by the LEP and North Yorkshire County Council and were part of a wider 'Let's talk' consultation. In total, 564 people attended face to face consultation events, or made comments regarding the consultation received via the dedicated consultation inbox, the Common Place platform and social media accounts.

Focus Groups	Focus groups provided an opportunity for residents to delve into the detail of the devolution
Todas Gisaps	process in more detail in a more discursive environment. Nine resident focus groups took place across York and North Yorkshire both in-person and online. A total of 70 residents took part in the discussions.
	The objectives of the events were to engage and consult with the public on their views of the following;
	 To explore what influences quality of life in the local area – York and North Yorkshire Explore understanding and views towards devolution as a concept – in favour/opposed/concerns and why
	To explore understanding of governance and Mayoralty - in favour/opposed/concerns and why
	 To explore residents' relative priorities in devolution delivery in York and North Yorkshire, and perception and expectations of what devolution can/should deliver
	A specialist agency (Westco Communications) was commissioned to run a programme of focus groups run across the geography targeting audiences identified as 'seldom heard' and cross referenced against a demographic analysis conducted before the consultation began. This series of focus groups took place after the Mid-term of the Consultation enabling the team to identify selected groups that had not engaged with the Consultation through other methods.
Young people	To ensure that the voices of younger residents were heard during the consultation, staff gave presentations and held question and answer sessions with students at York College and with York Youth Council and North Yorkshire Youth Forum.
Disabled People	Better Connect, The Opportunity Centre in Scarborough and North Yorkshire Disability and Carers forum were directly engaged to share information with audiences.
Institutional stakeholders	Various meetings were held with institutional stakeholders to discuss the devolution proposals. As employers they have a significant interest in how devolution may improve skills and infrastructure in the region in addition to being able to articulate the opportunities and challenges that the proposals may present their workforces.

Engagement with elected representatives	There has been continual engagement with elected representatives (MPs, Councillors) throughout the development of the MCA deal to ensure that their views are taken into account as the deal progresses.
Communications campaign	A communications plan included broadcast and advertorial, targeted social media across a range of platforms and offline activity. Communications signposted either direct to the survey or to the 'home' website where an animation video delivered headline key messages to inspire response. Public events were also publicised on the website and through social media and localised media activity.
Consultation survey	The consultation survey was available online and in hard copy from public libraries and community spaces. Hard copy surveys included a return freepost envelope.
	The survey was produced in different accessible formats, e.g. Braille, to encourage participation. Available on request were translations in the following languages and a large print version:
	 Arabic Kurdish (there are several types) Pashto Romanian Polish Dari Ukrainian Bengali Farsi
	A video explainer (with subtitles) of the consultation document was also available. Varying audio formats of the video were also available (without background music for example).

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and ur indicate how any gaps will be dealt with.	nderstanding of the impact of your proposal? Please
Gaps in	data or knowledge	Action to deal with this
	on relating to views of children on the creation of all Combined Authority.	Continued engagement with schools to ensure awareness of MCA.
information opposition	sultation couldn't cross-tabulate demographic on with responses, so we don't know if the n or support levels differed across the different distance characteristics.	As the MCA is developed, EIAs will continue to inform its work, with engagement across different protected characteristics.

Step 4 – Analysing the impacts or effects.

4.1	sharing a padjustmen	nsider what the evidence tells you about the likely impact (protected characteristic, i.e. how significant could the impacts? Remember the duty is also positive – so please identify where to promote equality and/or foster good relations.	cts be if we di	id not make any
Equality and Human	Groups Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age		The consultation engaged individuals across all adult age groups. A common theme emerging was related to transport provision in the region, an issue particularly pertinent to younger and older demographics. The transfer of some transport functions, including bus franchising, has the	+	Н

	otential to support better public transport connectivity in the egion supporting those reliant on services.		
wa av op	n additional theme emerging particularly for young people as access to affordable housing. Funding being made vailable through the devolution agreement provides an pportunity to support the development of affordable housing the region.	+	M
pa wh	oung people – deal is an opportunity to increase higher aid jobs and retain talent in our area, to create a place there young people can see a positive future, where they ant to stay, live and work.	+	Н
Yo en	evolution will bring draw powers down from Whitehall to ork and North Yorkshire. However, there will be a need to nsure that decision-making is made accessible to all via hysical and digital options.	-	M
bu mo req the ha	Vorking age population – deal is an opportunity for usinesses, skills providers and communities to work in a nore joined up way to deliver economic benefits for the egion. Bringing a closer relationship and alignment between ne business needs, skills providers and residents so people ave the relevant skills and knowledge for jobs that re needed in the region, now and into the future.	+	H

Disability	At the end of the consultation period, 15% of respondents considered themselves disabled or having a long-term limiting condition.		
	The transfer of Police, Fire and Crime powers to a Mayor will support the connectivity between community safety and wider strategic ambitions of region. This may support work to prevent discrimination and hate crime.	0	M
	Powers related to transport and regeneration can also support work to improve infrastructure requirements for those with disabilities. For example, developments such as York Central are designed to be enjoyed and accessible to all.	+	M
Gender	The transfer of Police, Fire and Crime powers to a Mayor will support the connectivity between community safety and wider strategic ambitions of region. This may support work to prevent discrimination and hate crime.	+	M
Gender Reassignment	The transfer of Police, Fire and Crime powers to a Mayor will support the connectivity between community safety and wider strategic ambitions of region. This may support work to prevent discrimination and hate crime.	+	M
Marriage and civil partnership	No evidence identified.	0	
Pregnancy and maternity	No evidence identified.	0	

Race	The transfer of Police, Fire and Crime powers to a Mayor will support the connectivity between community safety and wider strategic ambitions of region. This may support work to prevent discrimination and hate crime.	+	M
Religion and belief	The transfer of Police, Fire and Crime powers to a Mayor will support the connectivity between community safety and wider strategic ambitions of region. This may support work to prevent discrimination and hate crime.	+	M
Sexual orientation	The transfer of Police, Fire and Crime powers to a Mayor will support the connectivity between community safety and wider strategic ambitions of region. This may support work to prevent discrimination and hate crime.	+	M
Other Socio- economic groups	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
including : Carer	There are around 19,000 adult carers in York, 11,000 of whom are female and about 8,000 are male. These figures do not include young carers so could be much higher. The transfer of some transport functions, including bus franchising, has the potential to create better public transport connectivity in the region supporting those reliant on services. Powers related to transport and regeneration can also	+	H
	support work to improve infrastructural requirements for those who have a caring role.		

Low income groups	The scheme contains a range of functions that may support those in low income groups, including the devolution of the Adult Education Budget and the powers to drive the development of affordable housing.	+	М
Veterans, Armed Forces Community	Across York and North Yorkshire, there are over 13,000 Armed Forces personnel - with thousands more veterans and family members. The Armed Forces Covenant is a promise to ensure the fair treatment of those who serve or have served in the Armed Forces, and their family members. It focuses on helping members of the Armed Forces community have the same access to government and commercial services and products as any other citizen. The transfer of power locally and commitment to the covenant has the potential to have a positive impact on this group.	+	L
Other	Rural poverty - people who live in remote areas hindered by poor infrastructure. The deal opens up new opportunities to better connect people and places through the MCAs increased influence or investment over transport, the economy and digital connectivity, if the focus is upon all areas of YNY (rather than prioritising urban areas). All have the potential to improve work and family life for this group.	+	L
Impact on human rights:			
List any human rights impacted.	N/A	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

Step 5 - Mitigating adverse impacts and maximising positive impacts

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?

One area of concern that has been identified is the potential exclusion of individuals wishing to attend meetings due to difficulties travelling to and from the physical location of these events. To counteract this, it would be appropriate to consider digitally accessible meetings (eg online webcasts) as a mechanism of ensuring all those who wish to participate are able to do so.

Step 6 – Recommendations and conclusions of the assessment

- 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:
 - **No major change to the proposal** the EIA does not identify any potential for unlawful discrimination or adverse impact and the consultation has taken 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 iustification column.

Justification column.	
Option selected	Conclusions/justification

determine a course of action to make this a reality.	No major change to the proposal	As the consultation considered the scheme setting out the proposed role and functions of the Combined Authority, there is an opportunity to enact the findings of this EIA into how the authority may operate in the future. The assessment has identified areas that may support residents from all backgrounds to lead better lives. However, it will be for the future authority to determine a course of action to make this a reality.
--	---------------------------------	---

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.				
Impac	ct/issue	Action to be taken	Person responsible	Timescale	
Access meeting	ibility of council gs	Ensure online accessibility of meetings	Directors of Governance	As MCA is established	

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 Mayoral Combined Authority will consider EIA's as part of its ongoing programme of work.		