

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:		City Development	
Service Area:		Rights of Way	
Name of the proposal:		Proposed diversion of public footpath Nether Poppleton 1	
Lead officer:		Molly Kay	
Date assessment completed:		4 September 2025	
Names of those who contributed to the assessment:			
Name	Job title	Organisation	Area of expertise
Laura Williams	Assistant Director of Housing and Communities	City of York Council	Equalities and Human Rights
David Smith	Access Officer	City of York Council	Accessibility

1.1	<p>What is the purpose of the proposal?</p> <p>Please explain your proposal in Plain English avoiding acronyms and jargon.</p>
	<p>This proposal relates to the proposed diversion of a section of the public footpath Nether Poppleton 1 from the north side of the existing hedgerow to the south side.</p> <p>The application to divert part of the public footpath has been made by the landowner to enable solar development.</p> <p>This Equalities Impact Assessment investigates the impact the above proposal will have on the accessibility of the path for people who have a protected characteristic.</p>

Step 1 – Aims and intended outcomes

1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	<p>The diversion will be made under S119 of the Highways Act 1980. The making of a diversion order is a power that the council can choose to exercise. There is no guarantee that the order to divert the footpath will be successful. If there are strong, unresolved objections to the order to divert the path, the proposal may be referred to the Secretary of State for determination, however in this scenario it is likely that the council will abandon the order. It is the officer's opinion that the diversion meets the statutory tests, which is that it is expedient to divert the path in the interests of the owner of land crossed by the path.</p> <p>Under S119(A) of the Highways Act 1980, the council must consider any material provisions of their Rights of Way Improvement Plan (ROWIP). The ROWIP is intended to be a mechanism for improving the network of public rights of way and other non-motorised routes in light of the needs of all types of users. It is not designed to provide detailed solutions to access problems in every locality, but to take a strategic approach to managing public access. York's ROWIP is currently in draft format. The council are satisfied that the proposal meets the aspirations of the draft ROWIP.</p>

1.3	Who are the stakeholders and what are their interests?
	<p>City of York Council – The Highway Authority. Duty to assert and protect the use of the public footpath for members of the public and to maintain the surface. Powers to make the required Public Path Order to divert the footpath.</p> <p>The landowner– The owner of the land over which the footpath passes.</p> <p>Current and future users of the routes – Health and recreational use by walkers and runners.</p> <p>Other stakeholders – Statutory utilities who may have services, access points, pipework, telecommunications poles or cabling near or along the route.</p>
1.4	What results/outcomes do we want to achieve and for whom?
	<p>Links to Council Plan: Two of the key outcomes are: Climate and Health.</p> <p><u>Climate – Environment and the climate emergency</u> The diversion of the existing footpath will continue to allow use by pedestrians, and to provide a convenient off-road, active travel and sustainable means of travelling.</p> <p><u>Health - Health and wellbeing</u> The diversion of the footpath will continue to help the city meet the 10 ‘big goals’ of the current Council Plan’s Health and Wellbeing Strategy, in particular:</p> <p>2. Support more people to live with good mental health, reducing anxiety scores and increasing happiness scores by 5%</p> <p>5. Reverse the rise in the number of children and adults living with an unhealthy weight</p>

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| | <p>9. Reduce sedentary behaviour, so that 4 in every 5 adults in York are physically active</p> <p>10. Reduce the proportion of adults who report feeling lonely from 25% to 20% of our population</p> <p>Leisure users and commuters will continue to benefit from improved physical/mental health and wellbeing for example dog walking, jogging and enjoyment of green space as a place to relax and meet up with others.</p> |
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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?
Source of data/supporting evidence	Reason for using
Application from the landowner	This helps us understand the needs of the individual landowner and their reason for applying for the diversion, which is to enable solar development. It allows us to understand what impact their day-to-day working activities can have on those with a protected characteristic.
Responses from initial consultation	To gauge public opinion on the proposed diversion. An initial consultation was carried out between 4 August 2025 and 5 September 2025. Responses were received Northern Powergrid, York Consortium of Drainage Boards, CYC Natural Environment and Northern Gas, all of whom had no objections to the proposed diversion. Councillor Hook, Nether Poppleton Parish Council and The Ramblers all supported the proposed diversion. Please note there will be a second consultation if the Executive Member authorises the making of an order. This is required by the Highways Act 1980.
Data from the council's rights of way management systems	Records of reports and comments taken from members of the public regarding the condition of the current footpath. There have been no reports from the public regarding the state and condition of the section of footpath except for a report in June 2025. This was a report of overgrowth along the path but this was due to a delay in the council's annual maintenance cutting programme, therefore this was not the responsibility of the landowner.

Previous diversion in 2005	An eastern section of the footpath, which is not included in this diversion, was previously diverted in 2005. The alignment, before the 2005 diversion, ran closer to the farm buildings.
Information gathered from PROW Officer's site visits and correspondence with the landowner	To give an indication of the use of the path and by whom. The suitability of the proposed diversion has been assessed by officers and discussed with the landowner. This assessment included discussions regarding the alignment of the proposed diversion, increasing the available width to all users, effectively separating users from the solar farm development and any surface improvements that are required. There is no furniture on the current or planned section of footpath.
ROWIP (draft under review)	Examines, in detail, the needs of users, ensuring we consider the accessibility for disabled people. Information was gathered from various publications and a wide consultation, including a 'Talk About Panel' survey. The survey was carried out in the local area, to help the council take the first steps towards improving the rights of way network.
Countryside for All Good Practice Guide (2005) The Fieldfare Trust	Provides a series of tools and outlines suggested processes which can lead to better countryside access for disabled people, with due regard to economic and environmental constraints.
The Ramblers	Provide advice and recommendations on how to make footpaths more accessible for all users.

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
If the proposed section of the footpath will be used as frequently as the current section of the footpath is used		As there is only a minimal increase in travel time and distance (approximately 10 metres) and the surface will remain the same, there will be no appreciable difference to users. It will also provide users with an increased recorded, legal width from the current 1 metre to 2 metres. There are minimal works required to the new section of footpath to bring it up to a satisfactory standard (minor levelling and grass seeding at the western end of the footpath). Nevertheless, we will monitor use of the new route.

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 (Think about these in terms of physical, operational and behavioural impacts)	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	<p>Length The proposed new section of footpath (379 metres) will be approximately 10 metres longer than the current section of footpath (369 metres), therefore there will be no appreciable increase in travel time and distance for people with this protected characteristic.</p> <p>Width The proposed new section of footpath will have a recorded, legal width of 2 metres which is wider than the current recorded, legal width of 1 metre. This may provide some benefit for people with this protected characteristic.</p>	<p>0</p> <p>+</p>	<p>L</p> <p>L</p>

	<p>Surface (terrain) The proposed new section of footpath will have a similar, arable surface and gradient to the current section of footpath.</p>	0	L
	<p>Furniture The current and proposed section of footpath do not include any furniture such as gates or stiles.</p>	0	L
	<p>Signage The new section will be clearly signposted to make users aware of the change in route. After a recent review of timber signposts on York's public rights of way, a decision was made to implement a change in service and to install metal signposts on the network going forward. Feedback from visually-impaired people is that these signs are much easier to read and consequently encourage use of the right of way.</p>	+	M
	<p>Noise The solar development in the field to the north of the proposed diversion may cause temporary noise disturbance whilst construction activities are ongoing. This may cause anxiety for neurodivergent people and for those who are sensitive to noise.</p>	0	L

	<p>A preliminary noise assessment has been undertaken by ITP Energised for the proposed solar development which modelled the inverters and solar arrays and determined that the predicted noise levels arising from the proposed development are sufficiently low that the proposed development would give a negligible contribution to the background noise level. This assessment concludes that noise impacts associated with the proposed development will be low. The difference between the predicted operational level and the assumed background levels are such that it is likely that the proposed development will be inaudible at all noise sensitive receptors, i.e. nearby residences.</p> <p>However, the above impacts identified are a consequence of the solar development and not the proposed diversion. The proposed diversion will divert users away from construction activities and the solar development once completed.</p> <p>Impact Some disabled people, especially those who are neurodiverse, blind or visually impaired, ambulant disabled, use a wheelchair (whether powered or manual) or other mobility device will continue to have difficulty using the footpath. The terrain of the footpath remains as before but accessibility will be improved by the slightly wider footpath.</p>	<p>0</p> <p>0</p> <p>+</p>	<p>L</p> <p>L</p> <p>M</p>
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Gender	Lone females, especially at night-time, may feel vulnerable and prefer to stick to well-lit, busier areas. They may be wary of using an unlit field-edge path for personal safety reasons however this would be applicable to the current and proposed footpath.	0	L
Gender Reassignment	No effects identified		
Marriage and civil partnership	No effects identified		
Pregnancy and maternity	<p>Length The proposed new section of footpath (379 metres) will be approximately 10 metres longer than the current section of footpath (369 metres), therefore there will be no appreciable increase in travel time and distance for people with this protected characteristic.</p> <p>Width The proposed new section of footpath will have a recorded, legal width of 2 metres which is wider than the current recorded, legal width of 1 metre. The increased width of the route may make the path more accessible to people with pushchairs.</p> <p>Surface(terrain) The proposed new section of footpath will have a similar, arable surface and gradient to the current section of footpath. Those with pushchairs will have difficulty crossing either route as they are both equally as uneven.</p>	<p>0</p> <p>+</p> <p>0</p>	<p>L</p> <p>L</p> <p>L</p>

	<p>Furniture</p> <p>The current and proposed section of footpath do not include any furniture such as gates or stiles. Therefore there is no risk to small children or toddlers getting their fingers caught or trapped in gates. Those with pushchairs will not need to struggle with the additional effort required to manoeuvre pushchairs around and through gates.</p> <p>The above also applies for people whose pregnancy means they are less mobile.</p>	0	L
Race	No effects identified		
Religion and belief	No effects identified		
Sexual orientation	No effects identified		
Other Socio-economic groups including:	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	<ul style="list-style-type: none"> Carers could personally have the same characteristic as any other group listed above and would therefore experience the same benefits. Carers who look after others who have a protected characteristic, may experience the same benefits/ issues as those with that protected characteristic. 	+/-	L
		+/-	L
Low income groups	The diversion order continues to benefit the rights of way network, meaning there are still opportunities for free	+	L

	access to the countryside and the health and well-being benefits that brings.		
Veterans, Armed Forces Community	No effects identified		
Other	No effects identified		
Impact on human rights:			
List any human rights impacted.	No impacts identified		

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>As there is no significant difference between the current footpath and proposed footpath, there is not any unlawful prohibited conduct which has been identified or unwanted adverse impact. There will be a minor increase in width from 1 metre to 2 metres, which may benefit people with certain protected characteristics.</p> <p>Any unwanted adverse impacts identified are a consequence of the solar development and not the proposed diversion. The proposed diversion will divert users away from construction activities and the solar development once completed.</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 equality 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	There is no potential for unlawful discrimination or adverse impact and officers have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.

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
To enable solar development on the applicant's land, whilst providing users with an alternative route which is not considered less convenient than the current one.	To authorise the making of the order to divert Nether Poppleton 1 using S119 of the Highways Act 1980.	Director of City Development	Executive Member Decision Session to be held on Tuesday 18 November 2025

Step 8 - Monitor, review and improve

Monitor use of the proposed route and requests for action received by the rights of way team, paying particular attention relating any to equality of access and enjoyment.