

South Worcestershire Travellers and Travelling Showpeople Site Allocations Development Plan Document

Equalities Impact Assessment Scoping Report

February 2018



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1. Introduction

- 1.1 The purpose of this Equalities Impact Assessment (EqIA) is to examine the content of the South Worcestershire Travellers and Travelling Showpeople Site Allocations Development Plan Revised Preferred Options Document in terms of its likely impact on different community groups and how the needs of such groups have been taken into account in the evolution of the DPD policies. Therefore the main question for this EqIA is:

“Does the South Worcestershire Travellers and Travelling Showpeople Site Allocations DPD have the potential to cause adverse impact on or unlawfully discriminate against any groups in the community”?

2. Background to the Travellers DPD

- 2.1 The South Worcestershire Travellers and Travelling Showpeople Site Allocations Development Plan Document (the Travellers DPD) sets out a strategy to deliver sufficient traveller and travelling showpeople sites to meet identified needs by safeguarding existing sites in addition to identifying specific traveller sites and setting out criteria for their development and future safeguarding to 2030.
- 2.2 National planning policy as set out in the National Planning Policy Framework (NPPF) and more specifically guidance in the Planning Policy for Travellers Sites (2015) requires local authorities to assess the accommodation requirements of travellers and to develop a strategy that addresses any unmet identified need.
- 2.3 The local plan South Worcestershire Development Plan (SWDP) sets out a strategic policy for the provision of travellers sites in SWDP17 Travellers and Travelling Showpeople. This gives a minimum figure for provision as well as criteria for determining applications for new sites. The 2017 Local Development Scheme, covering the South Worcestershire Councils (SWC) of Worcester City, Malvern Hills and Wychavon District Councils sets out a requirement and timetable for the delivery of the Travellers DPD, in support of SWDP17, to identify and allocate sufficient sites to meet the identified need in the latest Gypsy Travellers Accommodation Assessment (GTAA).
- 2.4 The Traveller DPD Revised Preferred Options is being published for consultation between 28 February and 18 April 2018. Therefore this is an appropriate stage at which to undertake an EqIA on the proposed preferred sites and policies. The EqIA is available on the SWDP website as part of the consultation. This will allow any recommendations from this scoping report and feedback from the consultation to inform the final expression of policies and proposals prior to the publication and submission for examination later in 2018.

2.5 Further to the Revised Preferred Options consultation the next key stage for the Travellers DPD is the Publication version timetabled for September 2018, in advance of the Submitted plan to the Planning Inspectorate in November 2018. The examination will be in early 2019 and subsequent adoption of the DPD is anticipated by July 2019.

3. Equality Guidance

3.1 The SWC are subject to a legal requirement to carry out what is referred to as the public sector equality duty. This is set out in the Equalities Act 2010 and states that public bodies must, in carrying out their functions, have **due regard** to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

3.2 The Equality Act explains that the second aim (advancing equality of opportunity) involves, in particular, having due regard to the need to:

- Remove or minimise disadvantages suffered by people due to their protected characteristics;
- Take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

3.3 People and individuals who are protected under the Equalities Act have protected characteristics which are:

- age
- disability
- gender reassignment (transgender)
- marriage and civil partnership
- pregnancy and maternity

- race
- religion and belief
- sex (gender)
- sexual orientation

4. Equality and Planning

4.1 Targeted advice on improving planning outcomes for the community is set out in 'Equality and Diversity' produced by the Planning Advisory Service (PAS) in partnership with Improvement and Development Agency for local government (I&DeA). This focuses on the aspects of:

- Evidence gathering
- Plan-making
- Community engagement
- Development Management
- Employment and training

4.2 The PAS advice sets out particular issues in regard to plan-making, advising that there are certain steps that local authorities must undertake if they are to succeed in mainstreaming equality. Table 1 below illustrates how these apply to the Traveller DPD.

Table 1: How the DPD Addresses Equality

PAS/I&DeA Advice	SW Traveller DPD
Understand the demographics of the area served, together with the needs and aspirations of the communities that live there.	The DPD preparation is underpinned by detailed demographic evidence of the area. The plan is informed by the Worcestershire Gypsy & Traveller Accommodation Assessment (GTAA) and the South Worcestershire Addendum to the GTAA undertaken by arc4 in 2014 and 2016 respectively. The Addendum was to confirm the number of pitches in south Worcestershire and consider possible implications arising from the Governments change to the definition of travellers with the publication of the

	Planning Policy for Traveller Sites in 2015.
Ensuring inclusive consultation methods and targets if necessary of previously excluded groups.	Consultation on draft documents and evidence base via a variety of means, including the SWC websites, local press, LDF database mail out, briefings for parish and town councils and public consultation roadshows.
Take clear steps to promote equality in plans.	The SWC corporate strategies, Statement of Community Involvement, Sustainability Appraisals.
Assess who is benefiting from existing plans and develop systems to reconcile issues revealed through the analysis of data.	As above. The Traveller DPD attempts to balance benefits to travellers with the needs of the wider community.
Use influence to ensure private developers and other stakeholders do the same.	As above. A variety of consultation techniques have been utilised to encourage participation.
Set specific equality objectives.	The SWC corporate strategies and this EqIA. The SWDP and the emerging DPD also set local targets for pitch provision to meet an identified need.
Monitor plans through data collection, engagement, and feedback.	The Traveller DPD has a monitoring framework built in. The planning applications process provides this data on an ongoing basis.

5. South Worcestershire Councils Corporate and Equality Policies

- 5.1 Malvern Hills District Council has produced and adopted an Equality Scheme in 2010. The purpose of the scheme is to set out how the council intends to promote equality of opportunity and eradicate discrimination in the delivery of public services and in its actions as an employer through meeting the statutory responsibility and addressing the needs of all who face inequality and discrimination.

5.2 Worcester City Council adopted an Equality and Inclusion strategy in 2013. It aspires to make a difference to the lives of people in Worcester by improving services and opportunities for people from different sections of the city's communities. This represents a commitment to promoting equality and tackling social exclusion having regard to:

- Eliminating unlawful discrimination.
- Promoting equality and opportunity; and
- Promoting good relations between all groups.

5.3 Wychavon District Council seeks to address the relevant aspects of the Equality Act 2010 through the district council's corporate strategy which includes the strategic priority of **strong communities**. The following goals are set under this policy to promote equality:

- Target services and support to those who need them most.
- Provide great value services.
- Listen to communities and to support people to play an active role in their communities.

6. **EqIA Scoping Assessment of the Revised Traveller DPD Preferred Options**

6.1 The Traveller DPD has been produced to address the needs of travellers and travelling showpeople who may be considered a disadvantaged and discriminated group (race)ⁱ. The DPD therefore aims to have a positive effect on a group containing the protected characteristics as outlined below:

- In addressing the particular needs of travellers and travelling showpeople the DPD is promoting equality.
- By involving the travelling community directly in the initial assessment of needs and provision of subsequent policies and site allocations the DPD is encouraging the participation of these groups.
- The development of appropriate policies for travellers which provides for their accommodation needs, whilst protecting the surrounding environment and limiting impacts on the wider community, should have positive effects on promoting good relations.

6.2 The scoping assessment for each of the protected characteristics is set out below for the Travellers DPD and reveals that the majority of the categories score positively or not applicable. As the DPD is a land use planning document its scope is limited to planning for travellers and travelling

showpeople. The DPD does not therefore attempt to deal with all sections of the community, nor all types of land use.

- 6.3 The preparation of the DPD has been subject to consultation with both travellers and the wider community. In March 2016 a first version of the Preferred Options was published for 6 weeks public consultation. Subsequently the SWC undertook a further call for sites over 2016/17 in order to identify additional numbers of potential allocations sites. A further key change that has influenced the preparation of this DPD was the change in definition of ‘travellers’ as now specified in the Governments’ guidance of August 2015, this required the SWC to consider possible implications for the GTAA which was originally undertaken in 2014 in an Addendum, published in 2016.
- 6.4 A further revised Preferred Options consultation seeking views on requirements for traveller sites is being undertaken in February 2018. The Published Traveller DPD will be published for consultation between August and September 2018. The results of the consultation will be analysed in relation to the SWC equality duties and also to ensure wide community representation and involvement. In addition the emerging site allocations, policies and alternative options for the Preferred Options have also been subject to an interim Sustainability Appraisal which includes references to building communities through the promotion of social inclusion; provide good quality accommodation for all; and improving the health and wellbeing of all which address some of the equality issues.

7. Screening Assessment of Travellers DPD

- 7.1 Table 2 appended screens each of the DPD policies against the equality groups listed in Table 1.
- 7.2 In addition to a broad score using the following symbols, the commentary notes any key issues and suggests actions to be taken when considering the detailed expression of policies and supporting text when finalising the submitted DPD.
- 7.3 The following key has been used to record the overall impact of each policy.

+ve	Positive impact
?	Neutral/don't know/unsure/negligible impact
- ve	Negative impact
n/a	Not applicable

8. Summary and Conclusion

- 8.1 The screening assessment has not revealed any significant deficiencies in the expression of the policies and proposals in the Traveller DPD Revised Preferred Options in relation to equality matters. There are significant positive effects on the travelling community as a result of the proposed policies in the document. The scoping assessment has revealed some positive effects on other protected characteristics, particularly addressing the predominate needs of living in a rural area. Other positive effects may also occur on characteristics related to poverty and low income where these may be evident within the traveller and travelling showpeople communities. The DPD also addresses the need of particular age groups within the communities by taking account of issues such as concealed households and future household formation. The DPD also takes account of those who have ceased to travel temporarily due to their own or their family's or dependents' educational or health needs or age.
- 8.2 Given the specific scope of the nature of the document the DPD does not have particular impacts on many of the protected characteristics. The DPD makes no reference to most of the characteristics and hence many of the scores are either neutral or not applicable.
- 8.3 It is recognised that some of the sites are not in ideal locations in relation to proximity to larger settlements and that this may affect the potential to access facilities and services. In particular this could adversely impact on the young, the elderly, those with health problems or disabilities and those on low incomes without access to transport. However as the DPD makes clear having undertaken a thorough call for sites exercise there are a lack of alternative sites coming forward for consideration in the DPD. Therefore it has been necessary to focus on those sites that are available and considered to be deliverable.
- 8.4 The need to provide authorised sites for traveller accommodation needs is of great importance, including in regard to the rights of children to a decent home. Given the level of identified need and the sites available, it has not been possible to select a range of sites, as sites have to be deliverable. The sites allocated have therefore been given a positive score in the screening as they are providing much needed accommodation.
- 8.5 Given the specific nature of the Traveller DPD no recommendations are considered necessary to the policies to improve their effect on equalities characteristics. However, it is recommended that the document be assessed further prior to publication and submission in order to address any changes

since the Preferred Options, with any relevant points arising from the consultation stages and any issues raised by the Sustainability Appraisal.

Recommended Actions:

1. Review EqIA at submission stage to reflect results of the consultation.
2. Consider whether any further detail could be added to the monitoring framework to allow for the analysis of the impact of the policies/proposals in relation to equality groups.

Table 2: Scoping Template

PROTECTED CHARACTERISTIC	SUB-GROUP	DISCRIMINATION & DISADVANTAGE			PROMOTING EQUALITY & PARTICIPATION			PROMOTING GOOD RELATIONS			REASONING & EVIDENCE
		+VE	-VE	N/A	YES	No	N/A	YES	NO	N/A	
SEX (GENDER)	Women	Y			Y			Y			<p>The policies included in the Traveller DPD do not make any distinction between genders.</p> <p>This DPD has a positive effect on women as a disadvantaged group insofar as part of the assessment of the needs of all travellers and their families and the DPD aims to accommodate the identified needs.</p> <p>The provision of a safe and secure environment accessible by all and safe and secure routes to and around sites. These references protect against particular kinds of crimes disproportionately impacting men/women.</p>
	Men	Y			Y			Y			
AGE	Over 80	Y			Y			Y			<p>The Gypsy and Traveller Accommodation Assessment (GTAA) fully assessed the needs for accommodation of all</p>
	Over 65	Y			Y			Y			
	22-64	Y			Y			Y			

	16 to 21	Y			Y			Y			<p>travellers through interviews and surveys as part of the GTAA methodology. These assessed the needs of individuals as well as groups and families. As such it included considering the demographics of travellers on particular sites and their anticipated needs, including an assessment of likely new household formation over the plan period.</p> <p>The DPD addresses the needs of older people who may have ceased travelling, but still need to be accommodated.</p> <p>The needs of children have also been taken account in the DPD, in respect of promotion of locations near settlements and schools. The criteria for site development provide for a safe physical environment and makes for provision of play areas where appropriate.</p> <p>However, it is acknowledged not all existing sites are ideally located in terms of access to facilities, which may</p>
	Under 16	Y			Y			Y			

											adversely impact on school age children and the less mobile.
RACE	White British People			Y			Y			Y	The DPD directly addresses the needs of travellers and makes no attempt to distinguish between the variables of travelling groups, i.e. Romany gypsies, Irish travellers etc.). This is in accordance with the PPTS 2015 which states: "persons of nomadic habit of life whatever their race or origin".
	White European or Other White People			Y			Y			Y	
	Irish People			Y			Y			Y	
	Black or Black British People			Y			Y			Y	
	Asian or Asian British People			Y			Y			Y	
	Chinese or Chinese British People			Y			Y			Y	
	Mixed Race People			Y			Y			Y	
	Travellers	Y			Y			Y			
	People from other minority ethnic			Y			Y			Y	

	groups										
DISABILITY & HEALTH	Physical Impairment	Y			Y			Y			The Traveller DPD makes no distinction between these matters.
	Sensory Impairment	Y			Y			Y			
	Long-Term Health Problem	Y			Y			Y			
	Mental Illness	Y			Y			Y			
	Learning Disability	Y			Y			Y			
SEXUAL ORIENTATION	Lesbians			Y			Y			Y	The Traveller DPD makes no distinction between these groups.
	Gay Men			Y			Y			Y	
	Bisexuals			Y			Y			Y	
RELIGION & BELIEF	Faith Groups			Y			Y			Y	The Traveller DPD makes no distinction between these groups.
	Atheist, Agnostic or Other belief			Y			Y			Y	
TRANSGENDER				Y			Y			Y	The Traveller DPD makes no distinction between these groups.
MARRIAGE &	Married			Y			Y			Y	The Traveller DPD makes no

CIVIL PARTNERSHIP	Civil Partners			Y			Y			Y	distinction between these groups.
PREGNANCY & MATERNITY	Pregnant			Y			Y			Y	The Traveller DPD makes no distinction between these groups.
	On Maternity Leave			Y			Y			Y	
OTHER	Living in rural area	Y			Y			Y			All the sites considered within the Traveller DPD are within rural areas. Site assessments and individual site Sustainability Appraisals have been undertaken to attempt to ensure that sites are located where travellers can access the services of local facilities, particularly education, whilst having regard to the existing locations of current sites.
	Poor literacy &/or numeracy	Y			Y			Y			Although the Traveller DPD does not make specific reference to these groups, the assessment of the needs of the travelling community included the needs of those who were not travelling, either by age, disability etc. The DPD does make some allowance for accommodation needs of these groups as part of the wider traveller community. By providing for the needs of travellers and their family groups, the DPD may have positive
	Unemployed	Y			Y			Y			
	Low Income	Y			Y			Y			
	On benefits	Y			Y			Y			
	Caring role	Y			Y			Y			

												effects on some of the income and poverty-related characteristics as the travelling community are disproportionately represented in these groups.
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Table 3: Scoping Analysis

Name of the Service, Policy, or Strategy:	South Worcestershire Traveller and Travelling Showpeople Site Allocations DPD
Element(s) of the above being assessed.	Whole document
Date Screening undertaken:	January 2018
Screeners:	A Ford
File name and location:	
Question	
1. What is the main purpose of the Service, Strategy, Policy, Practice or Procedure?	Development Plan Document for the South Worcestershire Councils for the plan period 2016 – 2031. Sets out the allocation of sites for traveller requirements and policies to be applied during consideration of planning applications, in accordance with Town and Country Planning (Local Development)(England) Regulations 2012; National Planning Policy Framework 2012 and Planning Policy for Traveller Sites 2015.
2. List the main activities of the Service, Strategy, Policy, Practice or Procedure.	To set out the amount, type and location of sites for travellers in south Worcestershire and to include a series of detailed policies to determine planning applications against.
3. See table above	As above.
4. Have you identified any impact(s) on any group(s)?	Yes. The policies in the Travellers DPD have a positive impact on traveller and travelling showpeople groups. There are also positive impacts in relation to disabilities and age, rural living and income related poverty.
5. Is the Service, Strategy, Policy, Project, Practice or Procedure promoting equality of opportunity and/or participation in public life for any group(s)?	Yes. The travelling community has been interviewed specifically to identify their needs for accommodation that the DPD has been produced to address (GTAA, 2014; 2016).

	The Traveller DPD Preferred Options is subject to an extended consultation of 7 weeks from February to April 2018. The Published DPD will be subject to similar publicity procedures in the summer of 2018.
6. Can it be improved to do so?	No see above.
7. Is the Service, Strategy, Policy, Project, Practice or Procedure promoting good relations for any group(s)?	Yes. The Traveller DPD is aimed at accommodating the needs of travellers in a way that has acceptable impacts on the wider community and environment. Better planning of traveller sites should assist in promoting good relations.
8. Have you gathered any new equality information during this assessment?	No. The GTAA surveys of the travelling community to inform the Traveller DPD identified the characteristics of the respondents as relevant.
9. Have you undertaken any consultation/engagement work during this assessment?	There has not been any specific consultation undertaken in relation to the EqIA. However extensive consultation has been undertaken on the initial Preferred Options for the DPD in the spring of 2016, and continues with the revised draft of the Preferred Options consultation as described above. This will be fed back into the assessment on an ongoing basis.

Table 4: Screening of Draft DPD Policies

Section	Equality Group											Summary/ commentary
	Gender	Age	Race	Disability and health	Sexuality	Religion and belief	Transgender	Marriage and civil partnership	Pregnancy and maternity	Low income	Living in a rural area	
Proposed Site Allocations	n/a	+ve	+ve	+ve	n/a	n/a	n/a	n/a	n/a	+ve	+ve	<p>By allocating new sites to meet the identified need this policy has a very positive effect on the race characteristic by addressing the needs of travellers directly.</p> <p>As outlined in the scoping assessment, there are positive effects of providing specifically for the needs of travellers in respect of the protected characteristics of age, disability and health, and low income as these aspects may impact disproportionately on the travelling community.</p> <p>All of the sites are within the rural area, so the policy has a</p>

Section	Equality Group											Summary/ commentary
	Gender	Age	Race	Disability and health	Sexuality	Religion and belief	Transgender	Marriage and civil partnership	Pregnancy and maternity	Low income	Living in a rural area	
												positive impact in respect of this.
Delivery of Travelling Showpeople sites	n/a	+ve	+ve	+ve	n/a	n/a	n/a	n/a	n/a	+ve	+ve	The GTAA identifies the need for 2 plots for travelling showpeople over the period 2018-2023. The allocation of these sites will have a positive impact on travelling showpeople by directly addressing their needs.

Section	Equality Group											Summary/ commentary
	Gender	Age	Race	Disability and health	Sexuality	Religion and belief	Transgender	Marriage and civil partnership	Pregnancy and maternity	Low income	Living in a rural area	
Transit Sites	n/a	+ve	+ve	+ve	n/a/	n/a	n/a	n/a	n/a	+ve	+ve	By allocating new transit sites to meet the identified need this policy has a very positive effect on the race characteristic by addressing the needs of travellers directly.
Hillbee Farm, Welland road, Upton-upon-Severn	n/a	+ve	+ve	+ve	n/a	n/a	n/a	n/a	n/a	+ve	+ve	This policy allocates land specifically for Gypsies and Travellers. Therefore this has a very positive effect on the race characteristic by addressing this groups accommodation needs directly.

The Orchard, Knowle Hill, Evesham	n/a	+ve	+ve	+ve	n/a	n/a	n/a	n/a	n/a	+ve	+ve	This policy allocates land specifically for Gypsies and Travellers. Therefore this has a very positive effect on the race characteristic by addressing this groups accommodation needs directly.
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Section	Equality Group											Summary/ commentary
	Gender	Age	Race	Disability and health	Sexuality	Religion and belief	Transgender	Marriage and civil partnership	Pregnancy and maternity	Low income	Living in a rural area	
Shorthill Caravan Park, Crossway Green	n/a	+ve	+ve	+ve	n/a	n/a	n/a	n/a	n/a	+ve	+ve	This policy allocates land specifically for Gypsies and Travellers. Therefore this has a very positive effect on the race characteristic by addressing this groups accommodation needs directly.
Mountain View, Bastonford	n/a	+ve	+ve	+ve	n/a	n/a	n/a	n/a	n/a	+ve	+ve	This policy allocates land specifically for Gypsies and Travellers. Therefore this has a very positive effect on the race characteristic by addressing this groups accommodation needs directly.

Willows End, Guarford	n/a	+ve	+ve	+ve	n/a	n/a	n/a	n/a	n/a	+ve	+ve	This policy allocates land specifically for Gypsies and Travellers. Therefore this has a very positive effect on the race characteristic by addressing this groups accommodation needs directly.
Main Road, Kempsey¹	n/a	+ve	+ve	+ve	n/a	n/a	n/a	n/a	n/a	+ve	+ve	This policy allocates land specifically for Gypsies and Travellers. Therefore this has a very positive effect on the race characteristic by addressing this groups accommodation needs directly.
Blossom Hill, Village Street, Aldington	n/a	+ve	+ve	+ve	n/a	n/a	n/a	n/a	n/a	+ve	+ve	This policy allocates land specifically for Gypsies and Travellers. Therefore this has a very positive effect on the race characteristic by addressing this groups accommodation needs directly.

¹ This site is no longer included in the Revised Preferred Options because the landowner confirmed on 30 Jan 2018 that it is not available for Gypsy and Traveller use but instead want it considered for Travelling Showpeople use. The Council has not yet had the opportunity to assess the site for Travelling Showpeople use and therefore the site does not form part of the Revised Preferred Options consultation.

Hughes Barn, Bretforton road, Badsey	n/a	+ve	+ve	+ve	n/a	n/a	n/a	n/a	n/a	+ve	+ve	This policy allocates land specifically for Gypsies and Travellers. Therefore this has a very positive effect on the race characteristic by addressing this groups accommodation needs directly.
Design Criteria	n/a	+ve	+ve	+ve	n/a	n/a	n/a	n/a	n/a	+ve	+ve	<p>The policy can set out specific requirements and standards for the design of traveller sites in general. This has a positive impact on the race characteristic, by allowing for the needs of travellers to be appropriately accommodated.</p> <p>By requiring standards in regard to matters of safety and security, amenity and the local environment the policy has positive impacts by seeking acceptable living standards for the occupiers, whilst seeking to protect and maintain the environment of the locality</p>
Safeguarding of Sites	n/a	+ve	+ve	+ve	n/a	n/a	n/a	n/a	n/a	+ve	+ve	By safeguarding existing permitted sites this policy has a very positive effect on the race characteristic by addressing the

Section	Equality Group										Summary/ commentary	
	Gender	Age	Race	Disability and health	Sexuality	Religion and belief	transgender	Marriage and civil partnership	Pregnancy and maternity	Low income		Living in a rural area
												<p>needs of travellers directly.</p> <p>As outlined in the scoping assessment there are the positive effects of providing specifically for the needs of travellers in respect of the protected characteristics of age, disability and health, low income as these aspects may impact disproportionately on the travelling community.</p> <p>All the sites are within the rural area so the policy has a positive impact in this respect.</p>

ⁱ As indicated by research by EHRC <https://www.equalityhumanrights.com/en/gypsies-and-travellers-simple-solutions-living-together>