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East Devon Gypsy and Traveller Site Design and Layout Supplementary Planning Document



Equality Impact Assessment

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Screening Report

Prepared by Officers of East Devon District Council

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1.0 Introduction

- 1.1 The purpose of this report is to assess the proposals in the East Devon Gypsy and Traveller Site Design and Layout Supplementary Planning Guidance (hereafter referred to as the SPD) to determine whether it requires a full Equality Impact Assessment (EqIA). An EqIA is required for all plans which may have a significant effect on a group with a protected characteristic (in this case Romany Gypsies and Irish Travellers) under the Equality Act 2010.
- 1.2 The conclusion of the assessment is that the SPD is unlikely to have a significant negative effect under the Equality legislation so should not be subject to a full EqIA.
- 1.3 This report will be subject to public consultation along with the SPD.

Equality Impact Assessment Form

1. **Name of the current or proposed new or changed, policy, strategy, procedure, project or service being assessed:**
East Devon Gypsy and Traveller Site Design and Layout Supplementary Planning Document

2. **Team responsible for completing the Equality Impact Assessment:**

Planning Policy, East Devon District Council

3. **What is the main aim or purpose of the current or proposed new or changed, policy, strategy, procedure, project or service and what are the intended outcomes?**

There is a need for 28 new Gypsy and Traveller pitches in East Devon, 12 of these are needed in the next 3 years. A shortage of pitches is leading to increasing numbers of unauthorised stops, often on the side of dangerous roads without basic water or toilet facilities. These stops can last for many months and result in legal action, with the associated mental and physical health problems that this can bring, a lack of access to everyday facilities and a lack of access to education and health.

The East Devon Local Plan contains policy H7 which establishes criteria against which planning applications for Gypsy and Traveller pitches will be assessed. The SPD adds detail to that Policy, setting out the basic requirements for Gypsy and Traveller sites and pitches and providing guidance on their layout and design.

It is intended that sufficient new pitches will be provided to meet the predicted need, the quality of new development will improve and that residents will have their basic requirements met (and exceeded) in an environment which positively contributes to their quality of life.

4. **What existing sources of evidence will you use to help you identify the likely impacts on different groups of people?**

RRR "Devon Partnership Gypsy and Traveller accommodation Assessment" (2015)

DCLG 'Designing Gypsy and Traveller Sites Good Practice (2008)'

DCLG 'Planning policy for traveller sites (Aug 2015).

Bi-annual Caravan Count figures

The Planning Inspectorate statistics and appeal decisions

Discussion with local Gypsies and Travellers

Discussions with Officers of Neighbouring Authorities and their published guidance and Policies

Meetings of the Teignbridge Traveller Forum

Records of discussions with traveller community representatives including: Friends, Family and Travellers; Irish Travellers Movement in Britain; Derbyshire Gypsy Liaison Group; and the UK Association of Gypsy Women

Inequalities experienced by Gypsy and Traveller communities: a review (Equalities and Human Rights Commission)

Report of the Local Government Association Gypsy and Traveller Task Group

Information gathered through the Government's formal consultation on the planning policy for traveller sites and National Planning Policy Framework

5. **Are there gaps in evidence which make it difficult or impossible to form an opinion on how the existing or proposed policy, strategy, procedure, project or service does or might affect different groups of people? If so what are the gaps and how and when do you intend to collect the additional information?**

There is a sufficient breadth and depth of information to allow the SPD to be produced and the potential impacts on differing groups to be accurately assessed.

A range of evidence bases were consulted in developing the draft SPD (see above).

Officers attended meetings with local Councils in those areas where the needs assessment suggested new Gypsy and Traveller sites are most likely to be required.

Landowners, statutory consultees and other potentially interested parties were consulted electronically and in writing.

Gypsies and Travellers were specifically contacted (in writing and in person by the Gypsy Liaison Officer at Devon County Council) and invited to make representations. Recognising that Gypsy and Traveller communities have poor literacy rates, consultation was carried out in 'plain English', by telephone and in person- with Officers assisting with form completion as required.

6. Having analysed the initial and additional sources of information including feedback from any consultation, is there any evidence that the policy, strategy, procedure, project or service has or is likely to have an adverse equality impact on, and/or that there are known or anticipated different needs or requirements, for any of these different groups of people?

The SPD is likely to affect Romany Gypsies and Irish Travellers, who are recognised as having a protected characteristic under the Equality Act 2010. In accordance with Section 149 of the Act, we have had due regard to the needs of these protected groups in formulating the SPD. The SPD also 'facilitates the gypsy way of life' in accordance with the Human Rights Act 1998.

The Council recognises that Irish Travellers and Romany Gypsies are ethnic minorities that experience poor social outcomes and discrimination as well as lower than average access to health and education. A proper assessment of site numbers means that sufficient new pitches can be provided to meet outstanding need- reducing overcrowding and unauthorised occupation of land. The location of new sites and pitches (and therefore proximity to health and education provision) is addressed through the East Devon Local Plan but the SPD aims to encourage social inclusion and community cohesion through the provision of on-site facilities. Outcomes for these minority groups will also be improved when permanent pitches are provided which incorporate sufficiently flexible space that families can expand as needed eg if children require their own caravans or when family visit.

The National Federation of Gypsy Liaison Groups identified an inequality in the draft text during the consultation from 4 October 2016 to 15 November 2016. They stated "The suggestion that a fire risk assessment should invariably be undertaken is unduly restrictive. The requirement that electrical equipment must be inspected annually by competent and appropriately qualified personnel is wholly unreasonable. This would never be imposed on "bricks and mortar housing" and is thus discriminatory." In light of these comments the text was changed to state that equipment "should" be tested annually rather than "must" however it is considered that these actions were/are recommended in order to maximise the safety of residents particularly where it is a landlord, rather than themselves as owner occupiers, who is responsible for such safety checks.

7. Is a full EqIA required?

A full EqIA is not required because:

The proposals are not likely to result in negative equality impacts that would require justification or mitigation. The SPD provides guidance to ensure that sites are laid out in a way that contributes to a high quality of life for residents- by providing safe and secure, visually attractive and socially inclusive places to live. Communal facilities are required on larger sites to encourage social integration (such as play space, room for a site manager and a meeting room which can be used for education and health visitors as well as private functions). Minimum space standards will provide room to safely manoeuvre homes onto and within the site and provide for landscaping and differing household sizes.

Pitches are required to provide for residents basic requirements (space for living and touring vehicles, an amenity/day room, lockable shed, washing line and outside space) with room for future expansion should additional space be required recognising that all residents needs will differ and flexibility will enable permanent residents to adapt their accommodation to different stages of their lives.

There is unlikely to be negative public opinion or media coverage about the proposed changes.

Elsewhere it is the location and size of sites which has tended to generate local objection and negative publicity. These issues are already covered in the local Plan. The SPD mainly addresses site layout, provision and design issues and requires that sites be sensitively integrated into their surroundings and include boundary screening. The SPD aims to deliver higher quality sites than otherwise might come forward.

An opportunity has not been missed to promote equality of opportunity and further details do not need to be provided of action that can be taken to remedy this.