

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated April 2023)

Malton and Norton on Derwent Neighbourhood Plan- Decision Statement and Referendum

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যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔



Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	Community Development, Planning Policy and Place
Lead Officer and contact details	Rachael Balmer Planning Policy and Place Manager Rachael.balmer@northyorks.gov.uk
Names and roles of other people involved in carrying out the EIA	None
How will you pay due regard? e.g. working group, individual officer	The Malton and Norton on Derwent Neighbourhood Plan has been prepared by the respective Councils of Malton and Norton on Derwent as a collective 'Qualifying Body'. North Yorkshire Council (and as formerly Ryedale District Council) planning policy officers have advised on preparation as part of local planning authority's duty to support those preparing neighbourhood plans. The plan has been undertaken with equalities considerations being taken into account throughout

	the plan-making process- and it is assessed in this regard by the independent Examiner of the Plan. See 5.29 and 5.30 of the Examiner's report.
When did the due regard process start?	On-going from start of preparation of the plan.

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

This EIA relates to Malton and Norton on Derwent Neighbourhood Plan. Neighbourhood Plans are prepared by qualifying bodies external to North Yorkshire Council and seek to put in place planning policy to guide future development and the use of land in a 'neighbourhood area'. This Neighbourhood Plan has been prepared by Malton and Norton Town Councils and relates to the parishes of Malton and Norton on Derwent.

Following preparation, the Neighbourhood Plan has been submitted to the local planning authority to arrange an independent examination to inform its decision as to whether the plan meets the basic conditions and other relevant legal requirements and can, therefore, proceed to the referendum stage.

Subject to the decision making above and a positive result at referendum, North Yorkshire Council is required to 'make' (adopt) the plan, thereby bringing it into force.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

Town planning provisions within The Localism Act 2011 enable qualifying bodies, such as parish and Town councils, to prepare Neighbourhood Plans. Neighbourhood Plans set out policies in relation to the development and use of land within a neighbourhood area. Following preparation, and subject to meeting the 'basic conditions' and receiving a positive result at referendum, Neighbourhood Plans are 'made' (adopted) by the local planning authority (LPA).

Once 'made', Neighbourhood Plans become part of the statutory development plan and are used to determine planning applications within the neighbourhood area, alongside other development plan policies. Planning law requires that applications for planning permission are determined in accordance with the statutory development plan unless material considerations indicate otherwise.

Malton and Norton on Derwent Town Councils have prepared a Neighbourhood Plan and submitted this to the local planning authority to arrange an independent examination to inform its decision as to whether the plan can proceed to referendum.

Following the issuing of the examiner's report, North Yorkshire Council must now decide whether the plan can whether the plan meets the basic conditions and other relevant legal requirements and can, therefore, proceed to the referendum.

Section 3. What will change? What will be different for customers and/or staff?

Subject to the decision making described above and a positive result at referendum, the council would bring the plan into full force. It would then be used to determine applications for planning

permission within the Malton and Norton on Derwent Parishes. At this point relevant proposals for development would be assessed against planning policies prepared by the Town Councils on behalf of the local community.

It is important to note that the plan will operate in conjunction with other policies in the strategic Local Plan- the Ryedale Plan- which has also been subjected to EIA as part of its development.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

Preparation of the plan by the Town Council's has involved on-going engagement with stakeholders, including the local community, and a formal opportunity for interested parties to comment on a draft of the plan to inform consideration of further revisions. This took place in a range of formats, at different times and resulted in a good return of responses.

Following submission of the plan to the local planning authority, North Yorkshire Council has carried out a formal consultation on the plan and supporting documents, as required by The Neighbourhood Planning (General) Regulations 2012 (as amended), further details including responses are available at: <https://www.northyorks.gov.uk/planning-and-conservation/planning-policy/neighbourhood-planning/malton-and-norton-neighbourhood-plan>

An independent examination, informed by the formal consultation, has taken place to consider whether the plan meets legal requirements- and it has concluded that with specific modifications it meets the basic conditions and proceed to referendum.

Subject to the decision making described above, electors in the parishes affected will be asked to vote on whether the plan should be brought into force.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Subject to the decision making described above, a referendum will be held in both Malton and Norton on Derwent Parishes. The Localism Act requires North Yorkshire Council, as the local planning authority, to pay for the referendum. The Department for Levelling Up, Housing and Communities (DLUHC) provides financial support for neighbourhood planning through the Neighbourhood Planning Grant (NPG). Monies received from the NPG could be used to fund the referendum on the Malton and Norton on Derwent Neighbourhood Plan.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age		X		E3 policy on open space in new development to ensure it able to be used by a range of different age groups H1: Housing Mix

				<p>On larger housing sites, of 0.4ha or more, or of at least 10 dwellings, development which contributes to the provision of the following housing types will be supported:</p> <p>-Accommodation which meets the needs of the elderly, particularly bungalows and specialist provision;...</p> <p>-A predominant proportion of 2-3 bedroom properties;</p> <p>-A proportion of affordable rented units agreed with NYC Housing Services and reflecting needs information in the most up to date Strategic Housing Market Assessment available at the time.</p> <p>Where recent housing needs evidence clearly demonstrates a case to provide for other specific needs, these will be supported.</p>
Disability		X		<p>TM6 To improve the range of opportunities within Malton and Norton to utilise a range of sustainable modes of transport</p> <p>CF3 medical centre development- support expansion of capacity and or a new surgery within the built-up area of Norton.</p> <p>HD2: balancing people's access needs, including wheelchair users and those with sensory or cognitive impairments, with local historic and architectural interests;</p>
Sex	X			No relevant policies within the plan
Race	X			No relevant policies within the plan
Gender reassignment	X			No relevant policies within the plan
Sexual orientation	X			No relevant policies within the plan
Religion or belief	X			No relevant policies within the plan
Pregnancy or maternity		X		CF3 medical centre development- support expansion of capacity and or a new surgery within the built-up area of Norton.
Marriage or civil partnership	X			Not relevant as the proposal does not relate to North Yorkshire Council in its capacity as an employer

Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
..live in a rural area?	X			Malton and Norton on Derwent are separate settlements but are adjoining and urban areas. The Parishes do extend into a more rural hinterland.
...have a low income?		X		The Plan makes specific reference to smaller properties 1-2 bedrooms and provision for affordable rent properties
...are carers (unpaid family or friend)?	X			No relevant policies within the plan

Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)	
North Yorkshire wide	
Craven district	
Hambleton district	
Harrogate district	
Richmondshire district	
Ryedale district	Only – and specifically parish areas of Malton and Norton on Derwent
Scarborough district	
Selby district	
If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.	
The Towns of Malton and Norton on Derwent and their wider parish areas	

Section 9. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.
It is not considered that the proposed polices and area designations will affect people more because of a combination of protected characteristics.

Section 10. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	X
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or	

remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why option has been chosen. (Include any advice given by Legal Services.)	
The EIA demonstrates that the policies within the Neighbourhood Plan are robust, and the evidence shows no potential for discrimination. Opportunities to advance the equality of opportunity for people with protected characteristics and foster good relations between groups have been taken.	

Section 11. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)
The Malton and Norton on Derwent Neighbourhood Plan includes a monitoring framework by which the impacts of policies can be assessed.
The policies will be used to determine applications for planning permission. If a decision making applying the policies identifies that application of a policy may be discriminatory in a particular circumstance, this would be a material consideration when making the decision. Planning law requires applications to be determined in line with the statutory development plan- of which this Neighbourhood Plan would be part- unless material considerations indicate otherwise. The Equalities Act requires consideration of the Public sector Equality Duty when making decisions, and this could be a material consideration in such a particular instance.

Section 12. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.				
Action	Lead	By when	Progress	Monitoring arrangements
				Annual Monitoring Reports

Section 13. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.
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The EIA of the Malton and Norton on Derwent Neighbourhood Plan demonstrates that the policies within the plan do not show potential for discrimination, and that opportunities to advance the equality of opportunity for people with protected characteristics and foster good relations between groups have been taken during its preparation.

While many of the policies within the plan are not relevant to specific equalities consideration, it is not identified that the policies would result in discrimination in any form.

It is identified that the plan includes policies that will 'make things better' for people with some protected characteristics. The protected characteristics with the largest number of positive benefits identified are age and disability, although the plan will also be beneficial in relation to religion or belief and pregnancy or maternity.

In conclusion, it is considered that this EIA demonstrates that the public sector equality duty has been met.

Section 14. Sign off section

This full EIA was completed by:

Name: Rachael Balmer

Job title: Planning Policy and Place Manager

Directorate: Community Development

Signature:

Completion date: 10/05/2024

Authorised by relevant Assistant Director (signature):

Date: