

EQUALITY SCREENING

Equality Impact Assessment guidance should be considered when completing this form.

POLICY/FUNCTION/ACTIVITY	LEAD OFFICER
Runnymede Pitch and Plot Allocation Scheme for Gypsies, Travellers and Travelling Showpeople	Georgina Pacey

A. What is the aim of this policy, function or activity? Why is it needed? What is it hoped to achieve and how will it be ensured it works as intended? Does it affect service users, employees or the wider community?

The aim of this Allocation Scheme is to clearly set out the different criteria which an applicant will need to meet in order to be eligible for a gypsy/traveller pitch or travelling showman's plot in Runnymede. This allocation scheme only relates to the pitches and plots allocated through the following adopted policies of the Runnymede 2030 Local Plan: SD9: Longcross Garden Village, SL6: Pycroft Road, Chertsey, SL7: Thorpe Lea Road North, Egham, SL8: Thorpe Lea Road West, Egham, SL10: Virginia Water South, SL11: Parcel B, Vet Labs site, Addlestone, SL12: Ottershaw East, Ottershaw, SL14: Chertsey Bittmas A, SL15: Chertsey Bittams B, SL16: Chertsey Bittams C.

Policy SL22 of the adopted Local Plan which is concerned with meeting the accommodation needs of Gypsies, Travellers and Travelling Showpeople states, *'Where traveller pitches are required to be provided on sites allocated through this Local Plan, the Council will secure their delivery through the imposition of appropriate planning conditions or obligations attached to any planning approval granted. Those obligations will include an appropriate management agreement including measures to secure [amongst other things]:*

-Measures to ensure the site is secured in perpetuity for Gypsies, Travellers or Travelling Showpeople (in accordance with the relevant definition from the Planning Policy for Traveller Sites, or any replacement guidance) as appropriate;

-A policy for Allocation (to preserve access for those with local connection);

The Allocation Scheme has been produced to build upon and provide more detailed advice on how this part of the policy should be interpreted and applied.

It is anticipated that the adoption of an Allocation Scheme for the allocated pitches and plots will ensure that they are purchased/occupied by Gypsies and Travellers who not only meet the definition of a Gypsy/Traveller or Travelling Showperson for planning purposes as set out in the Planning Policy for Traveller Sites (PPTS) but also meet the identified accommodation needs identified in the Council's 2018 Gypsy and Traveller Accommodation Assessment (GTAA). As part of the GTAA, all of the Borough's Gypsies, Travellers and Travelling Showpeople were invited to take part in an interview with the Council's researchers to provide information about their own (and their family's where relevant) accommodation needs at the time of interview and also as predicted in the future to help the Council meet the Government's aim of ensuring that local planning authorities, working collaboratively, develop

fair and effective strategies to meet needs through the identification of land for sites.

One of the aims of the Local Plan and, the key aim of this Allocation Scheme is to meet the accommodation needs of Gypsies, Travellers and Showpeople as identified in the Council's 2018 GTAA.

In the drafting of this Allocation Scheme, the input of the Council's Housing and Legal Services teams has been sought to ensure that the Allocation Scheme is realistic and achievable. Once adopted, the Council will be able to measure whether or not the Scheme is working as intended when the next full update of its GTAA is completed. This will determine whether the accommodation needs of the Borough's Gypsies, Travellers and Travelling Showpeople have decreased since the assessment published in January 2018.

The Allocation Scheme will not affect any employees or service users on the basis of a protected characteristic(s) they have. Any effects it has on the wider Borough community, including those groups with protected characteristics is likely to be beneficial, particularly for Gypsies, Travellers and Travelling Showpeople, through the provision of permanent authorised pitches/plots to live on. It must be recognised however that it is possible that some members of the Gypsy, Traveller and Travelling Showpeople communities who would like an authorised permanent pitch or plot to live on will not be eligible for a pitch/plot which could mean that any current accommodation needs they have will remain unresolved.

B. Is this policy, function or activity relevant to equality? Does the policy, function or activity relate to an area in which there are known inequalities, or where different groups have different needs or experience? Remember, it may be relevant because there are opportunities to promote equality and greater access, not just potential for adverse impacts or unlawful discrimination. The Protected Characteristics are; Sex, Age, Disability, Race, Religion and Beliefs, Sexual Orientation, Marriage and Civil Partnership, Gender Reassignment, Pregnancy and Maternity.

The Allocation Scheme is relevant to equality. It relates to the allocation of pitches and plots to a group(s) who often have different accommodation needs to that of the settled community and who are known to experience inequalities. Romany Gypsies, Scottish Gypsy/Travellers and Irish Travellers have all been declared by the courts to be protected as 'races' under the Equality Act 2010.

The House of Commons committee report from 5th April 2019 titled, 'Tackling inequalities faced by Gypsy, Roma and Traveller communities found that Gypsy, Roma and Traveller people have the worst outcomes of any ethnic group across a huge range of areas, including education, health, employment, criminal justice and hate crime.

In the Equality and Human Rights Commission report 'Inequalities experienced by Gypsy and Traveller communities: A review' from 2009 found *'The lack of suitable, secure accommodation underpins many of the inequalities that Gypsy and Traveller communities experience...Evidence is now available about the extent of provision and unmet need, as a result of the requirement for housing authorities to carry out formal accommodation assessments. These highlight a considerable shortfall in the quantity of residential and transit accommodation available to Gypsies and Travellers who do not wish to reside in conventional housing...Many Gypsies and Travellers are caught between an insufficient supply of suitable accommodation on the one hand, and the insecurity of unauthorised encampments and*

developments on the other: they then face a cycle of evictions, typically linked to violent and threatening behaviour from private bailiff companies. Roadside stopping places, with no facilities and continued instability and trauma, become part of the way of life. Health deteriorates, while severe disruptions occur to access to education for children, healthcare services and employment opportunities’.

However, the Local Plan, and this related this Allocation Scheme is seeking to help address the known inequalities experienced by Gypsies, Travellers and Travelling Showpeople by providing a mechanism for them to access suitable, secure accommodation through the provision of permanent, authorised pitches and plots for members of the communities who have a local connection to the Borough. This is considered to be a positive step forward. The allocations themselves are considered to be in sustainable locations with good access to a range of local facilities (including healthcare and education facilities) which the Council hopes will have a positive knock-on effect in helping the travelling communities accessing these much needed services, and addressing the known inequalities that these communities face.

If the policy, function or activity is considered to be relevant to equality then a full Equality Impact Assessment may need to be carried out. If the policy function or activity does not engage any protected characteristics then you should complete Part C below. Where Protected Characteristics are engaged, but Full Impact Assessment is not required because measures are in place or are proposed to be implemented that would mitigate the impact on those affected or would provide an opportunity to promote equalities please complete Part C.

C. If the policy, function or activity is not considered to be relevant to equality, what are the reasons for this conclusion? Alternatively, if there it is considered that there is an impact on any Protected of Characteristics but that measures are in place or are proposed to be implemented please state those measures and how it/they are expected to have the desired result. What evidence has been used to make this decision? A simple statement of ‘no relevance’ or ‘no data’ is not sufficient.

It is concluded that this Allocation Scheme will have an impact on the Protected Characteristic of Race.

The Allocation Scheme proposed seeks to firstly ensure that any eligible applicants meet the planning definition of a Gypsy, Traveller or Travelling Showperson. The Planning Policy for Traveller Sites (PPTS) sets out the relevant definitions in Annex 1. Applicants will be given the opportunity on their application form to provide a brief supporting statement setting out why they are of the view that they meet the definition of a Gypsy, Traveller of Travelling Showman for planning purposes.

The Council’s 2018 Gypsy and Traveller Accommodation Assessment (GTAA) provides the evidence of the level of need for new pitches and plots in Runnymede, and the Local Plan seeks to meet the level of need evidenced in this document. The GTAA calculated the accommodation needs of Borough’s Gypsies and Travellers based on interviews with the Borough’s Gypsies and Travellers. It is for this reason that a local connection element has been included in the Allocation Scheme-to make sure that the new pitches and plots are meeting the needs identified in the GTAA itself.

Finally, for affordable pitches and plots, the Allocation Scheme seeks to prioritise eligible Gypsies and Travellers who are in the greatest level of need. This includes those who can demonstrate that one of the following circumstances applies:

- Welfare and hardship
- Overcrowding
- Homelessness
- Those living in unsatisfactory housing lacking basic facilities
- Those with specific medical conditions or disability

It is considered that this would help address accommodation inequalities where they are most acute.

It is recognised that Gypsy and Traveller communities face inequalities in education and the House of Commons Briefing Paper on Gypsies and Travellers from 9th May 2019 highlighted the low literacy levels in the Gypsy and Traveller communities compared with the settled community as being a barrier in many different areas and contributing to inequalities elsewhere. Therefore assistance will be offered to any interested person in completing the application form as it is recognised that some interested parties may otherwise experience a barrier to applying for one of the pitches or plots.

A six-week public consultation will be held on the proposed Allocation Scheme. This will include targeted consultation with planning agents who are known to represent Gypsies and Travellers in Runnymede, representative groups for Gypsies, Travellers and Travelling Showpeople, as well as travellers living in the Borough. In relation to the Gypsies, Travellers and Travelling Showpeople themselves, it will be ensured that consultation material is kept concise, in plain English and with it being made clear who interested parties can contact by telephone or email for more information.

Any comments made on the draft Allocation Scheme will be carefully considered by the Council before the scheme is finalised and adopted. Equality implications will also be discussed with the Council's Equalities Group to ensure that the Allocation Scheme is fully compliant with the Equality Act.

Once adopted, the Allocation Scheme is considered to be likely to have a positive benefit for the traveller community in terms of allocating permanent pitches and plots for members of the community who meet the relevant eligibility criteria. Eligible applicants will be prioritised where they are in most need.

The Allocation Scheme is considered to be consistent and complementary to the Runnymede 2030 Local Plan, which has had a detailed EqIA undertaken at each stage of Plan preparation. The Allocations Scheme provides detailed guidance to help implement the relevant parts of policy SL22 and of policies SD9: Longcross Garden Village, SL6: Pyrcroft Road, Chertsey, SL7: Thorpe Lea Road North, Egham, SL8: Thorpe Lea Road West, Egham, SL10: Virginia Water South, SL11: Parcel B, Vet Labs site, Addlestone, SL12: Ottershaw East, Ottershaw, SL14: Chertsey Bittmas A, SL15: Chertsey Bittams B, SL16: Chertsey Bittams C. The requirements of the above listed policies have already been assessed under Local Plan EqIA to have either positive or neutral impacts on protected characteristics of the population, including Race. Continued monitoring of the Allocation Scheme will take place after it is adopted which may

reveal any positive or negative impacts that are resulting which will assist officers in providing measures that seek to mitigate any negative impacts on any of the protected characteristics through an amendment(s) to the scheme.

Overall, when considering all the elements in the round, it is considered that a full Equalities Impact Assessment is required prior to the adoption of the allocation scheme given the potential impacts of the scheme on the protected characteristics of race/ethnicity.

This screening assessment will need to be referred to the Equality Group for challenge before sign-off.

Date completed: 18.08.2021

Sign-off by senior manager: Georgina Pacey 18.08.2021. Minor amendments as shown tracked made on 17.10.2022

EQUALITY IMPACT ASSESSMENT

SCOPING

1. What aspects of the policy function or activity are particularly relevant to equality? Other aspects should not necessarily be excluded from the assessment, but attention should be focused on the most important areas and include which of the equality strands the policy function or activity is relevant to. Diversity within the strands should also be considered. Please consider whether any comments made in Part B of the Screening form are relevant here.

By way of introduction, the scope of this EqIA is Borough-wide as it concerns future development across different parts of the Borough. The Council recognises the duty to facilitate the traveller way of life and protect this without discrimination.

As set out in the response given to Part B of the screening assessment above, it is considered that the Allocation Scheme (now proposed to be a Supplementary Planning Document (SPD)) as a whole is relevant to equality as it relates to the allocation of pitches and plots for a group who often have different accommodation needs to that of the settled community and who are known to experience inequalities. Romany Gypsies and Irish and Scottish Travellers are recognised as having a protected characteristic under the Equality Act 2010. Equalities issues related to the protected characteristic of race have therefore been identified.

Through the implementation of the Allocation Scheme SPD, positive impacts will be experienced by Gypsy and Traveller communities who will benefit from new permanent pitches and plots. The wider settled community, including those with protected characteristics, are expected to benefit from the reduction in the need for illegal encampments; and the transparent system for the allocation of pitches and plots is further expected to advance equality of opportunity between persons who share a relevant protected characteristic and those who do not, and to foster good relations between persons who share a relevant protected characteristic and persons who do not. This is supported by the Commission for Racial Equality who found in 2006 that 67% of local authorities reported tension between Gypsies and Travellers and other groups in their area, while 94% of these identified unauthorised encampments as the cause of the tension.

The House of Commons committee report from 5th April 2019 titled, 'Tackling inequalities faced by Gypsy, Roma and Traveller communities found that Gypsy, Roma and Traveller people have the worst outcomes of any ethnic group across a huge range of areas, including education, health, employment, criminal justice and hate crime.

In the Equality and Human Rights Commission report 'Inequalities experienced by Gypsy and Traveller communities: A review' from 2009 found *'The lack of suitable, secure accommodation underpins many of the inequalities that Gypsy and Traveller communities experience...Evidence is now available about the extent of provision and unmet need, as a result of the requirement for housing authorities to carry out formal accommodation assessments. These highlight a considerable shortfall in the quantity of residential and transit accommodation available to Gypsies and Travellers who do not wish to reside in conventional*

housing...Many Gypsies and Travellers are caught between an insufficient supply of suitable accommodation on the one hand, and the insecurity of unauthorised encampments and developments on the other: they then face a cycle of evictions, typically linked to violent and threatening behaviour from private bailiff companies. Roadside stopping places, with no facilities and continued instability and trauma, become part of the way of life. Health deteriorates, while severe disruptions occur to access to education for children, healthcare services and employment opportunities’.

However, the Local Plan, and this related Allocation Scheme SPD is seeking to help address the known inequalities experienced by the Gypsy and Traveller communities by providing a mechanism for them to access suitable, secure accommodation through the provision of permanent, authorised pitches and plots for members of the communities who have a local connection to the Borough. This is considered to be a positive step forward. The allocations themselves are considered to be in sustainable locations with good access to a range of local facilities (including healthcare and education facilities) which the Council hopes will have a positive knock-on effect in helping the travelling communities accessing these much needed services.

Within the scheme itself, equalities issues are also potentially raised by the Council’s proposal to prioritise the pitches and plots for members of the travelling communities who continue to lead a nomadic way of life, or who have only ceased to travel temporarily (falling with the Priority A category as described at paragraph 4.11 of the Allocation Scheme SPD). This could disadvantage older/retired members of the travelling community who have a local connection to the Borough but who have ceased to travel for work permanently. Such applicants would be known as Priority B applicants (see para 4.11 of the Allocation Scheme), and would only be eligible to acquire the allocated pitches and plots if there was insufficient take up of them by Priority A applicants. Case law has established that ‘travelling’ in the context of applying the planning definition of a gypsy, traveller or travelling showperson will only include those who travel (or have ceased to travel temporarily) for work purposes and in doing so stay away from their usual place of residence (see Runnymede Gypsy and Traveller Accommodation Assessment 2018 (GTAA), pages 11 and 12). Further equalities matters have therefore been identified related to the protected characteristic of age. This is a new equalities matter identified beyond the original Equalities screening.

2. Set out the available evidence that will help you assess the impact of this policy function or activity on equality. This could include service-level monitoring data, analysis of complaints/enquiry records, existing user feedback, data obtained from external sources and information about the local community. You may find it useful to compare your service-user statistics against the [Runnymede population profile](#).

The 2030 Local Plan allocates permanent pitches and plots for Gypsies and Travellers. The Allocation Scheme SPD sets out how the Council will assess who is eligible for these pitches and plots. In short, the Allocation Scheme SPD proposes that the pitches and plots will be prioritised for Gypsies, Travellers and Travelling Showpeople who meet one of the planning definitions set out in the PPTS, and who have a local connection to Runnymede. In terms of the evidence that will help assess the impact of the Allocation Scheme SPD on equality, the following studies have been analysed:

The 2018 Runnymede GTAA¹ confirmed that at the time of assessment, there were 10 unauthorised sites/yards in Runnymede containing 46 pitches/plots. A further 5 private sites/yards only had temporary planning consent for the 11 pitches/plots contained. 12 households were living a roadside existence. The GTAA sets out the level of needs for pitches and plots who meet the planning definition of a traveller up to 2030. The Runnymede 2030 Local Plan is based on the evidence of need in the GTAA and concludes that there is a need for 83 pitches and 19 plots between 2015 and 2030 to meet current and future needs of the Borough's travelling community. The local plan allocates 35 new pitches and 10 plots to help meet these needs. In summary, the GTAA concludes that there is a significant level of unmet need for pitches and plots in the Borough. Analysis of the household interviews reveals that much of the need for new pitches is from existing families (as opposed to a future need from teenagers who in the coming years will be forming their own households). Specifically, there is a current need for pitches/plots from 32 unauthorised pitches and 23 pitches for concealed or doubled-up households or adults. For plots, out of the needs identified, 7 plots were concluded to be required for concealed or doubled-up households or adults, suggesting an immediate need. This is why the Local Plan sets out in policy SL22 that of the needs identified, the majority of pitches and plots would ideally be provided by 2022 (71 pitches and 16 plots).

Furthermore, the GTAA also includes an assessment of the accommodation needs of Traveller households that do not meet the planning definition. This assessment is included for illustrative purposes to provide the Council with information on levels of need and to help meet requirements set out in the Housing and Planning Act (2016).

The GTAA states that, *'it is evident that whilst the needs of the 38 households who do not meet the planning definition will represent only a very small proportion of the overall housing need, the Council will still need to ensure that arrangements are in place to properly address these needs – especially as many identified as Romany Gypsies and may claim that the Council should meet their housing needs through culturally appropriate housing'*. Overall, over the Plan period, there is a need for an additional 45 pitches for Gypsies and Travellers and 1-2 plots for Travelling Showpeople who do not meet the planning definition. 38 of these pitches were identified as being needed within the first 7 years of the plan period (2015-22). Pitches and plots acquired by Priority B applicants would help reduce these needs for culturally appropriate housing for this group.

To conclude, the GTAA shows that there is an urgent and pent-up need for new traveller pitches and plots in the Borough for Gypsies and Traveller who meet the planning definition and for those who have ceased to travel, but who still require culturally appropriate accommodation.

¹ [Planning policy evidence based documents – Runnymede Borough Council](#)

As an urgent need for pitches and plots has been established in the Borough, studies have been reviewed which have looked at the inequalities faced by Gypsy, Traveller and Showpeople communities in England, including relating to the effects that their living conditions (including not having an authorised place to live) and factors in other areas of their lives have, for example on health outcomes. Some key findings are listed below:

'Inequalities experienced by Gypsy and Traveller communities: A review' from 2009 (see relevant text in response to question 1 above.

-Friends, Families and Travellers Briefing: Lack of increase in Affordable Pitches for Gypsies and Travellers in England, December 2017² states that: There is a recognised national shortage of sites for Gypsies and Travellers. Quotes the Better Housing Briefing Paper 261 which found that Romany Gypsies and Irish Travellers have the highest rate of housing deprivation of any minority ethnic group in the UK and are 7.5 times more likely to experience housing deprivation than other groups. This means that many families do not have a place to stop or call home. This has serious health and social implications for Gypsy and Traveller families, many of whom cannot access basic water and sanitation and experience difficulties in accessing services such as education and healthcare. Due to the lack of available pitches families are forced to camp in public spaces, where they are often the victim of hate crime, and the existence of roadside camps can lead to damaging relationships with the settled community.

The Better Housing Briefing Paper 10: Gypsies, Traveller and Accommodation (2009)³ found that, 'Ensuring access to appropriate accommodation is key to engaging with the diverse inequalities and barriers to service provision experienced by Gypsies and Travellers'.

-Impact of insecure accommodation and the living environment on Gypsies' and Travellers' health (2016)⁴: This report was commissioned by the Department of Health to inform the work of the National Inclusion Health Board. The report found that current and historical accommodation insecurity negatively impacts on Gypsies and Travellers physical and mental health. Effectively addressing accommodation insecurity/provision of sites will have a direct and positive 'knock-on' effect not just on community members' health, but also on the wider social determinants that impact on their intergenerational health and wellbeing (education, employment etc)

The Equality and Human Rights Commission (2010)⁵ assessed local authorities' progress in meeting the accommodation needs of the Gypsy and Traveller communities found that it will take councils approximately 27 years to meet their five year pitch target requirements at the rate of progress achieved in 2006-2009.⁵² The EHRC concluded that the overall rate of progress on site provision needs to increase more than fivefold to meet the five-year pitch shortfall, where pitches are provided with permanent planning permissions.

In conclusion therefore, the Runnymede GTAA confirms that there is an urgent and significant need for new pitches and plots in the Borough. The provision of the new permanent pitches and plots, as allocated through the Local Plan would help meet these identified needs. The Allocation Scheme SPD would help ensure that the allocated pitches were prioritised for those with a local connection to the Borough and initially, within this group, for Gypsies, Travellers

² [Lack-of-increase-in-affordable-pitches-report-Dec-2017-FINAL.pdf \(gypsy-traveller.org\)](#)

³ [Gypsies, Travellers and accommodation. Briefing 10 \(raceequalityfoundation.org.uk\)](#)

⁴ [Impact of insecure accommodation and the living environment on Gypsies' and Travellers' health \(publishing.service.gov.uk\)](#)

⁵ EHRC, 2010, Assessing local authorities' progress in meeting the accommodation needs of Gypsy and Traveller communities in England and Wales: 2010 update, Executive Summary, p.ix [RR68a Assessing Local G & T_EXEC_SUMM_FR.indd \(equalityhumanrights.com\)](#)

and Travelling Showpeople who meet one of the relevant planning definitions. In terms of data gaps, there is limited information in the GTAA on protected characteristics that it would be helpful to reference in this Equalities Assessment. There is also limited information on the financial circumstances of those with identified accommodation needs in the GTAA.

The remainder of studies analysed demonstrate the profound impacts that a lack of secure accommodation has on gypsy, traveller and showmen communities. On this basis, the provision of new permanent pitches and plots in the Borough and their allocation to Gypsies, Travellers and Travelling Showpeople who can demonstrate a local connection to the Borough is considered to have positive impacts on the protected characteristic of race. Given the clear links between insecure accommodation and impacts on the health and other indicators, it is recommended that the allocated pitches and plots are prioritised for those families who do not have a permanent authorised place to live, whether the pitches are market or affordable products. This ties in with the Council's duty to prevent or relieve homelessness.

3. What consultation and involvement has been undertaken in relation to this (or a similar) policy, function or activity and what are the results? If none have been carried out, what consultation will be needed? Data may be available from recent consultation activities on a related policy or Equality impact assessment.

A six week consultation on the draft Pitch and Plot allocation scheme took place in Autumn 2021 and has now concluded. Seven representations were received during the period of consultation and the comments made at a meeting with the Showmen's Guild and verbally by other members of the travelling community have also been summarised. A summary of the comments received is set out as follows:

1-Concern about lack of control. To that end, retention of ownership of the pitches by a public authority is essential. Effective control (enforcement), should the need arise, will be less troublesome dealing with a tenant rather than a landowner. RESPONSE: The Council will be discussing matters associated with site management and ownership with individual site promoters/land owners as appropriate as part of the planning application process. Any agreements related to site management/ownership will be reflected in the S106 legal agreements for the allocated sites.

2-Concerns about speculators acquiring the pitches/plots. RESPONSE: The Allocation Scheme SPD has been designed to prevent speculators acquiring the allocated pitches/plots as they can only be acquired by those who are deemed to be eligible under the Allocation Scheme. S106 clauses/planning conditions can be used to help ensure that the pitches/plots are only occupied by eligible households.

3-Since the inception of the Surrey Gypsy Traveller Communities Forum (SGTCF) in 1996, the number one topic of concern has been the lack of site provision for growing families living in the county. Successive governments and local authorities have indicated that this continuing situation is intolerable given the documented need for accommodation, but despite some lengthy, expensive 'need' assessments, there has been little tangible evidence of new provision. We strongly support the creation of new sites, including ones placed on larger new housing sites. RESPONSE: Support welcomed.

4- If RBC decides to continue down the dubious path of private sale of these plots, stronger control of the ownership of the plots is requested (beyond what can be achieved through S106 agreements). RESPONSE: The Council is of the opinion that the use of planning conditions and S106 clauses are appropriate mechanisms to ensure that the pitches and plots are only occupied by eligible households, and are enforceable if any breaches occur.

5-Understand that some families within the wider gypsy and traveller communities do not mix well. To avoid lack of harmony, a recognition of this in the allocation process is desirable. RESPONSE: This point has been carefully considered by officers across a range of departments, however the considered view of officers is that it would not be appropriate to include additional criteria into the allocation scheme to address this point. This is because such criteria could have the unintended consequence of leading to discrimination against people/groups within the wider Travelling community who have protected characteristics. This could leave the Council open to legal challenge. It is recognised that some allocation schemes prioritise applicants who already have family on a site. The Council has considered this specific potential mitigation but this is not considered to present a solution for brand new sites. However, additional text has been added into the market pitches/plots section of the Allocation Scheme to allow applicants to apply in groups to acquire a number of pitches/plots on a site. Allowing family/other groups to apply in this way is considered to partially address this point.

6-The consultation is hard to understand. Most Gypsies, especially the older generation do not read. Concern that subsequent allocation schemes have been unsuccessful in providing new pitches. RESPONSE: Efforts were made by the Council to make the public consultation as accessible as possible to the travelling community. A leaflet was prepared which was targeted at the travelling community to simplify what the consultation was about and provide contact details (email address and phone number) where travellers could find out more. Representative organisations were also engaged with; with leaflets also being passed to such groups, so they could help spread the word to the traveller community about what the consultation was about, and help any interested parties engage. Professional agents who are known to represent/have acted on behalf of traveller families in the Borough for planning purposes were also notified of the consultation.

In particular, during the course of consultation, officers worked closely with the Showmen's Guild who distributed leaflets on the consultation to its Members and explained what it was about. The leaflet was also distributed to each of the pitches on the public traveller sites in the Borough, and at least 1 leaflet was sent to each of the private sites in the Borough.

The Council also worked with the Surrey Gypsy Traveller Communities Forum who publicised the consultation to its members and provided information on their Facebook page and via Whatsapp.

Following the publicity around the consultation, officers engaged with numerous Gypsies, Travellers and Travelling Showpeople on the telephone, via email and face to face (with 2 face to face meetings being held with individual travellers). With their permission, contact details of all parties interested in acquiring a pitch or plot were recorded so that updates on the allocation scheme and construction of pitches/plots can be relayed.

7-New sites have been successfully and amicably established recently despite initial opposition. We feel that now is a time for councils to shoulder their responsibility to provide accommodation for all sections of the population without prejudice or discrimination. RESPONSE: Comments noted. Through its adopted Local Plan and Allocation Scheme SPD, the Council is seeking to increase the number of authorised and permanent pitches and plots in Runnymede for the travelling community.

8- For the market plots, the Council should introduce some form of prioritisation to recognise that some travellers are in more need for the new plots than others. Request that the Council gives priority to the following families in particular:

- those who are overcrowded but own no other land on which they can expand into;
- those families who have an exceptional or unique healthcare reason to live in Runnymede;
- for Showmen, those who are currently unable to store and maintain their equipment on land that they own alongside their living accommodation.

RESPONSE: This Equalities Impact Assessment shows that there are links between Gypsies and Travellers who have insecure accommodation and health and wellbeing outcomes in particular. As such, for the affordable pitches, there is a banding system included which will consider whether applicants are impacted by a number of factors which would give them a higher priority for any new affordable pitches or plots which come forward. However, it is considered to not be appropriate for the Council to intervene in the market and introduce criteria which seek to prioritise market plots, beyond ensuring that the terms of Policy SL22 are met. Instead, once the market pitches are set out and available for purchase, they will be advertised by the developers, who will consider the offers made by interested eligible parties, and as a private entity, they will decide which offer(s) they wish to accept.

9- Request that the Council should seek to verify that families who are applying for the pitches/plots do not actually own other land where they would have the ability to meet their own needs. RESPONSE: The application process will contain a "Disqualified Persons" criterion which will cover property ownership: *Applicants who own property either in the UK or abroad which they could reasonably be expected to reside in, or liquidate in order to resolve their own housing difficulties.* On the application form, the question will be asked, "do you or have you ever owned property and/or land". The application form will confirm that if applicants are found to provide false or misleading documents that they will be disqualified. Furthermore, all applicants will be run through a fraud search at the time of their application. These measures will help ensure that those with land/property elsewhere are identified wherever possible.

10-Suggestion that anyone who acquires a pitch/plot should not be allowed to sell them on or sublet them for a specified period of time. Concerned about people trying to profit from the activity.

RESPONSE: The Allocation Scheme has been designed to prevent speculators acquiring the allocated pitches/plots as they can only be acquired by those who are deemed to be eligible under the allocation scheme. S106 clauses/planning conditions can be used to help ensure that the pitches/plots are only occupied by eligible households. This would include through future sub lets. Additional text has been added into the SPD to confirm this point.

11-Requested that the draft application form was shared with the Guild prior to it being finalised so they could check that it would be in a suitable format for the Showmen.

RESPONSE: Request noted. The draft application form will be shared with both the Surrey Gypsy Traveller Communities Forum and The Showmen’s Guild for their comments before the form is finalised to ensure that it will be as accessible as possible to the traveller community.

Please note that the above commentary may not respond to every comment made during the period of consultation, however a comprehensive summary of all comments received and a response to each will be published alongside the amended Allocation Scheme when it goes before the Planning Committee in the Council’s Statement of Consultation.

4. Are there any gaps in the information established from the consultation and involvement undertaken and referred to in Part 3? If so, set out how these gaps will be filled?

None identified in relation to equalities matters

Where it is not possible to fill information/data gaps in time to inform this assessment, specific action points will need to be included in the action plan section Part 10 below, with a focus on monitoring the actual impact of the policy function or activity.

ASSESSING IMPACT

It is essential to consider not just the intended consequences of the policy but also any unintended consequences and barriers that might prevent it being effective for people within any of the Protected Characteristic groups.

Please use the Grid included below to assess the impact of the Policy/function/action on each of the Protected Characteristics. When completing the assessment, please bear in mind the following questions;

1. **What are the main findings of your consultation and involvement activities, and do they demonstrate problems that need to be addressed? For example, could the policy, function or activity outcomes differ according to people’s ethnic group, disability, gender, religion/belief, sexual orientation, or age?** For instance, there might be evidence of higher or lower participation/uptake by different groups.

2. **If there is a disproportionate impact on one group, is it appropriate and consistent with the objective?** For instance the policy may include lawful positive action or other methods to address particular needs or may be considered to be a proportionate means of achieving a legitimate aim

Protected Characteristic	Positive		Neutral	Negative		Comments
	High	Low		High	Low	
Age					√	<p>As has been identified through this Equalities Impact Assessment, there is concern that the Allocation Scheme SPD, by prioritising Gypsies and Travellers who meet the planning definition, could have a negative impact on older members of the Gypsy and Traveller communities who are less likely to travel for work (due to retirement for example). However the definitions being relied on are contained within national planning policy and it is those Gypsies and Travellers who lead a nomadic way of life that the PPTS requires the Council to prioritise in terms of meeting accommodation needs.</p> <p>It is considered relevant however that the Allocation Scheme SPD confirms that if there are not sufficient applicants with a local connection to Runnymede and who meet the planning definition for a traveller, the pitches and plots would then be used to provide culturally appropriate accommodation for Gypsies and Travellers with a</p>

					local connection who have ceased to travel permanently.
Disability		√			The permanent pitches and plots allocated in the Local Plan, and to which the Allocation Scheme SPD relates, are located in sustainable, urban area locations where residents will have better access to a range of facilities including healthcare facilities. This is considered to benefit those with disabilities, particularly when this is contrasted to members of the community who live a roadside existence or have insecure accommodation and who are likely to be disadvantaged in terms of having access to continuous, consistent healthcare.
Gender Reassignment		√			The permanent pitches and plots allocated in the Local Plan, and to which the Allocation Scheme SPD relates, are located in sustainable, urban area locations where residents will have better access to a range of facilities including healthcare facilities. This is considered to benefit those who are undergoing gender reassignment, particularly when this is contrasted to members of the community who live a roadside existence or have insecure accommodation and who are likely to be disadvantaged in terms of having access to continuous, consistent healthcare.
Marriage / Civil Partnership			√		It is considered that the Allocation Scheme SPD is likely to be a neutral impact for married couples or those in a civil partnership, as those applicants who are in these types of relationship will be treated in the same way as single people (including those who are divorced or widowed).
Pregnancy / Maternity		√			The permanent pitches and plots allocated in the Local Plan, and to which the Allocation Scheme SPD relates, are located in sustainable, urban area locations where residents will have better access to a range of facilities including healthcare facilities. This is considered to benefit those who are pregnant or have babies, particularly when this is contrasted to members of the community who live a roadside existence or have insecure accommodation and who are likely to be disadvantaged in terms of having access to continuous, consistent healthcare.
Race	√				It is considered that the Allocation Scheme SPD will have significant positive impacts for the protected characteristic of race by allocating new permanent pitches and plots to Gypsies and Travellers who can demonstrate a local connection to the Borough. Given the significant disadvantages that travelling communities face in a number of areas including in terms of their ability to access permanent, secure accommodation, the Allocation Scheme SPD will have a positive effect overall.

Religion / Belief		√			The permanent pitches and plots allocated in the Local Plan, and to which the Allocation Scheme SPD relates, are located in sustainable, urban area locations where residents will have better access to a range of facilities including religious venues. This is considered to benefit those who wish to share their beliefs and/or practice a religion with like-minded members of the community, particularly when this is contrasted to members of the community who live a roadside existence or have insecure accommodation and who are likely to be disadvantaged in terms of having settled domestic arrangements and regular access to places of worship/affiliated schools etc.
Sex			√		It is considered that the Allocation Scheme SPD is likely to have a neutral impact for the protected characteristic of sex as the scheme will treat men and women equally when they apply for a pitch or plot.
Sexual Orientation			√		It is considered that the Allocation Scheme SPD is likely to have a neutral impact for the protected characteristic of sex as the scheme will not distinguish between, or give preference/ disadvantage to any applicant based on their sexual orientation.

5. Does the policy, function or activity miss potential opportunities to promote equality or positive attitudes to (and between) different Protected Characteristics or communities?

No, it is considered that the Allocation Scheme SPD takes all available opportunities to promote equality and, based on the research carried out and which is presented in this assessment, improve relationships between the settled and travelling communities in the Borough.

ADDRESSING THE IMPACT: ACTION PLANNING, MONITORING AND REVIEW

6. Does the policy, function or activity require reconsideration or amendment? If not, explain the reasons for this conclusion. If an adverse impact has been identified, you will need to set out the justification for continuing the policy, function or activity or outline measures to mitigate the impact.

It is recommended, as set out earlier in this assessment, that the Allocation Scheme SPD is amended to:

-ensure that the SPD is clear that groups of Travellers (for example family groups) can acquire multiple pitches/plots on a site for their own occupation as long as all individual households are assessed by the Council to be eligible to acquire them at the time of their offer on an allocated pitch/plot.

-Include additional text to set out the Council's requirements when pitches and plots are proposed to be sub-let.

- To prevent the pitches and plots by speculators, and to retain control over the occupation of the pitches/plots, include additional text to confirm that, *'Local Plan Policy SL22 requires the Council to implement measures to ensure that the allocated pitches and plots are secured in perpetuity for Gypsies, Travellers and Travelling Showpeople (in accordance with the relevant definition from the Planning Policy for Traveller Sites, or any replacement guidance). This wording in Policy SL22 means that the allocated pitches and plots will be prioritised initially and in the longer term for those Travellers who still lead a nomadic way of life specifically through travelling for employment purposes (even if travelling has paused for a temporary period), and for those who have a local connection to the Borough. To comply with these policy requirements, a suitably worded planning condition or obligation will be attached/secured for each of the allocated sites to secure the aims and objectives of Policy SL22 and this SPD. This condition/obligation would be enforceable by the Local Planning Authority if a breach occurs'*.

Whilst a potential minor adverse impact has been identified for the protected characteristic of age, the Council is following the national approach set out in the PPTS in relation to, *'setting pitch targets for Gypsies and Travellers as defined in Annex 1 and plot targets for travelling showpeople as defined in Annex 1 which address the likely permanent and transit site accommodation needs of travellers in their area'* (para 9). Annex 1 contains the relevant definitions which relate to travellers who lead a nomadic way of life or who have only stopped travelling temporarily. Whilst this could potentially disadvantage older/retired gypsies, travellers and travelling showpeople, the Allocation Scheme SPD has been amended to confirm that Gypsies and Travellers who have a local connection to the Borough but who have ceased travelling permanently would be priority B applicants who be offered the allocated pitches and plots if there was insufficient interest from members of the community who have a local connection to Runnymede and still lead a nomadic way of life. This approach is considered important as Romany Gypsies, Irish and Scottish Travellers may be able to claim a right to culturally appropriate accommodation under the Equality Act (2010). In addition, provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district/borough with respect to the provision of sites on which caravans can be stationed.

7. What actions have you identified as a result of this equality impact assessment? These might include improving data collection in order to give a clearer picture of your service-users, physical adjustments to a building, arranging for information to be sent out to individuals in alternative formats or languages, or consulting with a wider group of people to understand the impact of the policy.

The need to engage with the representative agencies for the Gypsy and Traveller communities in drafting the application form and any accompanying written material to maximise the chances of it being as accessible to as many members of the travelling community as possible.

This responds to comments made during the consultation period about the difficulties experienced in the gypsy and traveller communities with literacy. These comments are further supported by published studies including the CLG report titled Progress Report by the Ministerial Working Group on tackling inequalities experienced by Gypsies and Travellers(2012)⁶ which found that in 2011, just 25% of Gypsy, Roma and Traveller pupils achieved national expectations in English and Mathematics at the end of their primary education, compared with 74% of all pupils. At the end of secondary education, just 12% of Gypsy, Roma and Traveller pupils achieved five or more good GCSEs, including English and Mathematics, compared with 58.2% of all pupils. Many Gypsies and Travellers leave the education system before the age of 16 with poor literacy and numeracy skills.

The Council will also offer assistance with the application process, recognising that some households may be reluctant to specify that they have literacy challenges.

In addition, once the application forms are about to go live, the Council will work with representative groups with the aim of disseminating information about the allocation scheme to members of the community by word of mouth, with phone numbers being provided for Council officers who can provide further detail.

Site visits to the Borough's unauthorised sites may be carried out where appropriate to discuss the Allocation Scheme SPD (either a Council officer or an appropriate person appointed by the Council) and make the community aware of the new provision coming forward in the Borough.

8. Action Plan (where applicable): Who will be responsible for completing these actions and in what timescale? How will you review the actual impact of this policy function or activity?

Provide details of timescale and actions for review, and details of how the actions will be evaluated to measure if expected outcomes are achieved in practice. You may have identified 'triggers' that would indicate a problem with the policy, function or activity and suggest a revision is be needed.

⁶ [Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers \(publishing.service.gov.uk\)](http://publishing.service.gov.uk)

Once the Allocation Scheme SPD has been approved in its final form, its implementation will largely fall to the Council's Housing Allocations team. It is intended that the application process will be live in Spring 2023. Liaison with the representative groups regarding the format and contents of the application form and publicity of the scheme will take place prior to this.

Chapter 10 of the Allocation Scheme SPD provides information on equalities and monitoring, stating that,

'The Council will seek to ensure that the allocation scheme set out in this SPD is being operated in a manner that is fair to all sections of the community regardless of nationality, ethnic origin, marital status, age, gender, sexual orientation, disability, gender reassignment, pregnancy/maternity and religion. The information provided will be kept confidential and treated with respect. The Council believes it is important to understand the different communities who apply for a pitches/plots and it is only by asking these questions can the Council check that it is operating a fair system.'

All applicants applying for a pitch/plot will be asked to provide equalities information. Provision of this information will not be obligatory and not a requirement for acceptance of an application. However, such information will help the Council monitor the number and types of equality groups seeking a pitch/plot and therefore applicants will be strongly advised to provide this information. Equalities records will be monitored regularly to ensure pitches/plots are being allocated fairly.

Allocation policies and any changes to them will be reviewed regularly to ensure they do not operate in ways that discriminate against or disadvantage any particular group'.

Chapter 14 of the Allocation Scheme SPD also confirms the review mechanism for the Allocation Scheme SPD. The next review of the scheme is considered most likely to be required on the adoption of the next iteration of the Local Plan if additional pitches and plots are allocated for Gypsies and Travellers. The specific details of the monitoring process that will be put in place have not been identified at the time of writing this Equalities Assessment.

Furthermore, the Council will update its Gypsy and Traveller Accommodation Assessment approximately every 5 years. This will identify the accommodation needs of the Borough's Gypsies and Travellers and it will be possible to monitor the effectiveness of the Allocation Scheme SPD in terms of whether the level of need is falling in the Borough following the occupation of the allocated pitches and plots.

This assessment will need to be referred to the Equality Group for challenge.

Date completed: 17.10.2022

Sign-off by an authorised Officer/Manager: