Equality Impact Assessment

Cumbria Minerals and Waste Development Framework
Submission Draft Core Strategy, and
Submission Draft Generic Development Control Policies.

Directorate: Economy, Culture & Environment
Environment Unit:

March 2008
## Associated policies and procedures

<table>
<thead>
<tr>
<th>Name of policy</th>
<th>Has this policy had an Equality Impact Assessment</th>
</tr>
</thead>
</table>
Phase 1: Gathering information

Table 1: Aims of policy or procedure being assessed

<table>
<thead>
<tr>
<th>Purpose of the policy</th>
<th>Statutory Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the policy support a Council Plan objective, or BVPI indicator? (please state)</td>
<td>The Minerals and Waste Development Framework is directly relevant to the Council Plan Theme – ‘Creating and protecting a high quality environment for all’. In particular, it should help deliver the sites that are needed for new waste management facilities and one of its main objectives is to minimise the impacts of minerals and waste management developments on climate change. It is also relevant to the theme – ‘Making Cumbria More Prosperous’, particularly in relation to improving Cumbria’s infrastructure. The community engagement procedures for the plan are relevant to the theme – ‘Improving Council Services’.</td>
</tr>
<tr>
<td>Who is intended to benefit from the policy?</td>
<td>Stakeholders and members of the public will benefit from the Framework, as it enhances and protects the environment, and enables essential minerals extraction, and waste management facilities to increase recycling and divert waste from landfill.</td>
</tr>
<tr>
<td>Scope of policy:</td>
<td>The policies within the two Submission Draft documents, once adopted by the County Council, will relate to minerals and waste developments in the plan area (Cumbria excluding areas within the National Parks).</td>
</tr>
<tr>
<td>• One directorate</td>
<td></td>
</tr>
<tr>
<td>• Cross directorate</td>
<td></td>
</tr>
<tr>
<td>• Outsourced organisation</td>
<td></td>
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</tbody>
</table>
Table 2: Background information on the policy.

<table>
<thead>
<tr>
<th>Type of information</th>
<th>Findings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evidence base and consultation results as published on County Council Website.</td>
<td>Stakeholder groups (in 2006), and Neighbourhood Forums (June/July 2006 and March/April 2007) showed that public interest was either a) in favour of recycling and new waste facilities or b) focused on problems/issues close to specific waste or minerals sites or the lorry routes to those sites. At Preferred Options Stage comments on sites were also more likely to be objections (59% object, 29% support), as opposed to 41% object, 55% support on the Core Strategy and 40% object, 54% support for the Generic Development Control Policies. No disability group contacted made a representation, and a number when telephoned said that their members were not concerned about the issues raised. South Lakeland Equality &amp; Diversity Partnership suggested that impacts were most likely among the Gypsy and Traveller community. The Chair of Cumbria Gypsy and Traveller Liaison Committee does not envisage differential impacts. Traditional travellers work is equivalent to small builders operations and fully licensed. Waste activities are limited to a small section of travellers, on unauthorised illegal sites. Providing proper authorised sites, and enforcing against others, are seen as desirable, and not an equality issue. Report shows 54 authorised pitches in Cumbria, plus 37 unauthorised and a need for 35 additional transit pitches. The report focuses on residential accommodation needs, requirements for ancillary uses are not known at present, but would be dealt with under existing regulations.</td>
</tr>
<tr>
<td>Consultations with Cumbria CC officers and others.</td>
<td></td>
</tr>
<tr>
<td>Cumbria Gypsy and Traveller Accommodation Needs Assessment Preliminary Pitch Requirements. Salford Housing &amp; Urban Studies Unit - University of Salford</td>
<td></td>
</tr>
</tbody>
</table>
Phase 2 Screening the policy

From the evidence you have seen, please indicate where you think the policy disadvantages a particular group. Please also indicate where you think the policy is having a good impact in promoting equality and diversity. Wherever possible use monitoring data to support the issue. You should also rate the policy for relevance:
High: Affects most of the group and has a major impact.
Medium: Affects some of the group and has a variable impact.
Low: Affects few people in the group and has a minimal impact.

Table 5: Screening for issues

Ethnicity: All ethnic groups recognised under the Race relations Act including Asian, Black, East Asian and white minority ethnic groups, including Eastern Europeans, Irish people and Gypsy Travellers.

<table>
<thead>
<tr>
<th>Area</th>
<th>Relevance</th>
<th>Positive Impact</th>
<th>Negative impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ethnicity</td>
<td>Low</td>
<td>No differential impact</td>
<td>The documents assessed are strategic and generic, not site specific. Existing policies for environmental protection already apply and are enforced, revised MWDF will have marginal impact. Climate Change policies could impact but are targeted at larger developments, not the smallest operators. Changed rules for waste separation and disposal (e.g restrictions on vans and trailers at HWRCs) have affected the community. These are largely aimed at removing commercial and industrial wastes from the household waste stream, partly in response to national policy and targets, and are a matter for the Joint Municipal Waste Management Strategy Partnership. Other potential impacts on Gypsy Travellers should be assessed when specific sites are considered. Information on authorised sites, including transit sites for showmen, will be available through the normal channels, and negative impacts can be avoided.</td>
</tr>
</tbody>
</table>

Disability: All forms of disability recognised under the Disability Discrimination Act including sensory impairment, mental health, learning disabilities, mobility related conditions, conditions such as heart disease, diabetes, asthma.
<table>
<thead>
<tr>
<th>Area</th>
<th>Relevance</th>
<th>Positive Impact</th>
<th>Negative impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disability</td>
<td>Low</td>
<td>Policy assists proper controls on environmental impacts such as dust and odour at minerals and waste sites. This has a positive impact on people with asthma.</td>
<td>None. The Submission Draft documents relate to waste disposal rather than collection. Household Waste Recycling Centres (HWRCs) are the only sites that individual householders may use, and an alternative home collection service for bulky refuse is available in each district. These may involve a fee, but the equality impact of this is a matter for the Joint Municipal Waste Management Strategy Partnership. The MWDF Submission Draft documents referred to in this assessment do not involve any change in access to HWRCs.</td>
</tr>
<tr>
<td>Gender</td>
<td>Low</td>
<td>No evidence of differential impact.</td>
<td>No evidence of differential impact.</td>
</tr>
<tr>
<td>Age</td>
<td>Low</td>
<td>No evidence of differential impact.</td>
<td>As for disability - no evidence of differential impact.</td>
</tr>
</tbody>
</table>
Phase 3: Full Impact Assessment

*Detail areas for change before completing the action plan relating to each issue:* No requirement to change is identified at the current stage (Submission Draft Core Strategy, and Generic Development Control Policies). There are potential negative impacts at the Site Allocations Stage, consultation on which has been delayed until September 2008. This will enable initial action to be taken to ensure that any equality impacts at that stage are addressed adequately.

Table 7: Action Plan

<table>
<thead>
<tr>
<th>Negative Impact</th>
<th>Actions proposed</th>
<th>Lead officer</th>
<th>When</th>
<th>Outcome</th>
</tr>
</thead>
</table>
| Potential impact on Gypsy Travellers – a) where new waste or mineral sites are close to authorised or unauthorised pitches and b) where income generating activities conflict with waste and mineral policies (e.g. on sites with planning permission for residential use only; or small scrap yards in locations that are not on existing industrial estates or waste management sites) | 1. Internal meeting with Chair of Cumbria Gypsy and Traveller Liaison Committee (GTLC).  
2. Attend Cumbria GTLC to discuss issues and ensure adequate consultation.  
3. Screen potential sites for proximity to known Gypsy Traveller sites (authorised and unauthorised)  
4. Consider an extension to Gypsy and Traveller Accommodation Assessment report to ascertain level and type of additional uses on Gypsy and Traveller sites. | Maggie Mason      | 1. February 2008  
2. April/May 2008  
3. August 2008  
4. April/May 2008 | Impacts reviewed – see above                                                                                   |

Documents appended to the Equality Impact Assessment:
Executive Summary Cumbria Gypsy and Traveller Accommodation Needs Assessment -. Salford Housing & Urban Studies Unit -University of Salford
Cumbria Gypsy and Traveller Accommodation Needs Assessment

Executive Summary

Philip Brown, Lisa Hunt and Jenna Condie
Salford Housing & Urban Studies Unit
University of Salford

March 2008
The Study

1. Recent legislation and guidance from the government has indicated a commitment to taking steps to resolve some of the long standing accommodation issues for members of the Gypsy and Traveller communities. This legislation has an overarching aim of ensuring that members of the Gypsy and Traveller communities have equal access to decent and appropriate accommodation options akin to each and every other member of society. As a result, a number of Gypsy and Traveller Accommodation Assessments (GTAAs) are now being undertaken across the UK, as local authorities respond to these new obligations and requirements.

2. The research and report were commissioned by the authorities within Cumbria (Eden District Council; Copeland Borough Council; Allerdale Borough Council; Carlisle City Council; Barrow-in-Furness Borough Council; South Lakeland District Council; and, Lake District National Park Authority\(^1\)) in May 2007. The study was conducted by a team of researchers from the Salford Housing & Urban Studies Unit at the University of Salford. The study was greatly aided by research support and expertise from members of the Gypsy and Traveller communities. The study was managed by a Steering Group composed of officers representing the commissioning authorities.

3. The assessment was undertaken by conducting:
   - A review of available literature, data and secondary sources;
   - A detailed questionnaire completed by housing and planning officers;
   - Consultations with key stakeholders; and
   - A total of 130 interviews with Gypsies and Travellers from a range of tenures and community groups.

Background

4. Following the Housing Act 2004, local authorities have been preparing to develop and implement strategies to respond to the accommodation needs of the Gypsy and Traveller communities living in their areas as part of their wider housing strategies and the Regional Housing Strategy (RHS). Gypsy and Traveller Accommodation Assessments (GTAAs) are designed to provide the evidence needed to inform these strategies. However, as well as presenting evidence and information on accommodation needs at an immediate local level the evidence collected and analysis produced has a wider regional role. The assessment of accommodation need and pitch requirements are also to be fed into the Regional Planning Body (RPB), in this case the North West Regional Assembly (NWRA), for inclusion into the

\(^1\) For ease, in some instances, these are referred to only by the Borough, District or City name in this document.
Regional Spatial Strategy (RSS). The RSS then specifies pitch numbers required (but not their location) for each local planning authority (LPA) in light of the GTAAs conducted and a strategic view of need, supply and demand across the region is taken. The local planning authority’s Development Planning Document (DPD) then identifies specific sites to match pitch numbers from the RSS.

Main Findings

Local Gypsies and Travellers and accommodation provision

5. There is no one source of information about the size of the Gypsy and Traveller population in the Study Area. Our best estimate is that there are at least 771 local Gypsies and Travellers.

6. Gypsies and Travellers are accommodated in various forms in the Study Area; in housing, on private sites and on unauthorised sites. There are no socially rented sites in the Study Area. There were four residential yards for Travelling Showpeople in the Study Area.

7. There are 2 private sites in the Study Area (with the boundaries of Carlisle City Council and Eden District Council) together providing an estimated 74 pitches. These are split between approximately 54 residential pitches and 20 transit pitches. These sites accommodate approximately 178 individuals. Residents on these sites have good access to a range of basic amenities including: a water supply, electricity, rubbish collection, and eating space. There is some reduced access to WC, amenity blocks, showers, and children’s play areas. The residents of these sites were broadly positive about their accommodation and sites although neutral to poor responses were generated about the management of the sites.

Unauthorised encampments

8. The Caravan Count in July 2007 recorded 107 caravans on unauthorised encampments (on land not owned by Gypsies and Travellers). Records kept by the local authorities show that the Study Area experienced around 57 encampments over the previous full calendar year (2006). Most authorities saw this as broadly reflective of previous years. According to the authorities the average encampment size was just over 3 caravans. Most encampments stayed for a relatively short period of time with the average duration being just under 1 week. Allerdale Borough Council and Carlisle City Council experienced more encampments than any of the other local authorities. The remaining authorities experienced between 2-4 encampments over a 12 month period.

9. All the local authorities are party to joint agreements and protocols in order to manage unauthorised encampments.
10. There were 17 household interviews conducted with households on unauthorised encampments over the fieldwork period (June 2007 - January 2008). The average number of caravans owned by households on unauthorised encampments was 1.5 with around 2.9 people living in each caravan. Most households felt that they had enough living space for their needs.

11. Access to facilities was largely restricted for households on unauthorised encampments; two-thirds of households had access to an electricity supply, a quarter had access to a WC, only one in ten had access to water. No one reported being able to access waste disposal.

12. Just two respondents on unauthorised encampments had a base elsewhere.

**Gypsies and Travellers in bricks and mortar housing**

13. The inclusion of Gypsies and Travellers in local authority housing and homelessness strategies is the exception rather than the rule at present. No local authority was able to reliably quantify the number of Gypsies and Travellers in social or private bricks and mortar housing. It is estimated by the Study Team that there are at least 120 Gypsy and Traveller households in bricks and mortar housing although it is also believed that this may be a significant under-estimate.

14. A total of 58 households living in bricks and mortar housing across the Study Area were interviewed. Almost two-thirds of respondents were owner-occupiers, a quarter were council tenants, with the remainder either RSL or private tenants. Just over half of households still retained a trailer. The vast majority of respondents viewed their home either positively or ambivalently. Almost a third of respondents had lived in their accommodation for 5 years or more, and half had lived there for between 1 and 5 years. The vast majority either wanted to remain in their house indefinitely or could not say how long they wanted to stay.

15. A fifth of all respondents had lived in a house at some point in the past.

**Characteristics of local Gypsies and Travellers**

16. The survey of Gypsies and Travellers identified some of the important characteristics of the local population.

- Household size is significantly larger than in the settled/non-Traveller population at 3.5 persons across the whole sample
• A significant number of the sample (25%) were households over 60 years of age.

• Young families are the predominant household type in the Study Area as a whole. There are more couples in bricks and mortar housing than on site based accommodation – these couples tend to be older at 60+ years.

• Two-thirds of respondents felt they were ‘local’ to the area they were residing in. ‘Family connections’ was the main reason given when respondents were asked why they were living where they were.

• The local population consists mainly of Romany Gypsies (English) (51%) with the next largest population consisting of Travelling Showpeople (almost a fifth of the population). There were very few other groups of Travellers – just one in ten were Irish Travellers – which may reflect problems that certain other groups have of accessing the sites in the Study Area.

• The vast majority of children of school age reportedly regularly attend school or receive home education.

• The Gypsy and Traveller population was largely sedentary. However, around two-fifths of households on sites travelled during the year – mostly seasonally – around half of bricks and mortar households travel at some point every year.

• Respondents tended to travel to numerous locations across the UK. Appleby Fair was an obvious draw, but a number of households travelled extensively throughout Northern England, as well as some travelling to the Midlands, the South West and South East.

• Self-employment was a major source of income for respondents, with the type of work people were undertaking including: gardening/tree work, carpet related trades, uPVC and guttering and scrap.

**Gypsies and Travellers and housing-related support**

17. There were no Supporting People funded services provided in the Study Area which were directed at Gypsies and Travellers in particular.

18. The kind of housing-related services Gypsies and Travellers expressed an interested in receiving assistance with included: services around harassment, accessing health care, accessing legal services, support with planning, and accessing legal services.
Accommodation preferences and aspirations

19. All households were asked whether there was anyone living with them who were likely to want their own accommodation over the next 5 years. Overall, this equated to 13 individual households who will require their own accommodation by 2012.

20. There was support for the creation of additional long-stay residential sites within the Study Area, with a quarter of respondents interested in moving to a new residential site – this included two-thirds of the households who were currently accommodated on the private sites within the Study Area. Respondents voiced a preference for residential sites with a pitch capacity of between 15-20 pitches.

21. Just over a quarter of respondents wanted to see the development of more transit/short-stay sites in the Study Area. Interest was mainly shown from households from bricks and mortar accommodation which suggested that the creation of more authorised short-stay accommodation would enable an increase in family visits and help to maintain the tradition of travelling. It was said by around a third of respondents that such sites should be around 1-5 pitches in size with a number of people expecting to use the site for between 1-4 weeks – although over half of respondents did not know how long they would use such sites/pitches for.

22. Respondents were asked to comment on a range of differing accommodation types in order to ascertain their preferences. The clear preference was for a small private site which they/their family owned, followed by a family owned house. Living on a site owned by a private landlord or another Gypsy/Traveller was amongst the least favoured options – this highlights the importance of good management of sites. The least favoured option overall was a house owned by a local authority or RSL.

Accommodation need and supply

23. Nationally, there are no signs that the growth in the Gypsy and Traveller population will slow significantly. The supply of additional authorised accommodation has slowed since 1994, but the size of the population of Gypsies and Travellers does not appear to have been affected to a great extent. Instead, the way in which Gypsies and Travellers live has changed, with increases in unauthorised accommodation, innovative house dwelling arrangements (living in trailers in the grounds of houses), overcrowding on sites and overcrowding within accommodation units (trailers, houses, chalets, etc.). In order to respond effectively and appropriately to the lack of suitable accommodation, to meet the needs of Gypsies and Travellers, the regional planning body (North West Regional Assembly) has the role of ensuring that all local authorities contribute to resolving the current shortage of authorised site accommodation in a strategic manner, which helps redress current imbalances in the pattern of provision, and enhances the sustainability of the Gypsy and Traveller site network.
24. The ‘models’ for assessing the numerical requirement for additional residential pitches, have developed significantly over the past few years. The calculation used here is an adaptation of the example provided by the CLG.\(^2\) The calculation for years 1-5 (2007-2012) takes account of need arising from the following indicators: expiry of temporary planning permissions, household growth, need from unauthorised developments, movement between sites and housing, need from closing sites, and need from households on unauthorised encampments. On the supply side the calculation takes account of: pitch vacancies on socially rented sites, unused pitches, and known/planned developments of sites/pitches. These calculations are estimates based on information drawn from: local authority information, knowledge of key stakeholders, survey findings and assumptions based on the professional experience of the study team.

25. Additional requirements beyond 2012 are based on estimated household growth. This follows commonly accepted assumptions as to the growth of the population.\(^3\)

26. Transit requirements (2007-2012) are calculated by the average number of households on unauthorised encampments seeking a transit/short-stay pitch in the area; an allowance for vacancies is included in order to manage their operation effectively. No further transit provision is estimated to be required beyond 2012 on the assumption that the level of travelling will not increase in the foreseeable future and other surrounding local authorities will also have developed appropriate transit options.

27. Requirements for the additional residential provision for Travelling Showpeople are estimated on the basis of survey findings and local authority information.

28. Because of the historical inequalities in pitch provision, Gypsies and Travellers have constrained choices as to where and how they would choose to live if they had real choice. So while choices for the non-Travelling community are generally much wider, as there is social housing available in every authority in the country, there are no local authority sites in 138 of the 353 local authorities in England, and only in 71 authorities is there more than one site. Some authorities have no authorised private sites. Over time, this has inevitably meant that Gypsies and Travellers have generally moved to areas they see as offering the best life chances; for example, an authority which provides a site; an authority which is perceived as having more private authorised sites than others; or, an authority that is attractive in some other way (slower enforcement, transport links, friends and family resident, etc.).


\(^3\) Household growth rates of 2% and 3% a year were suggested as appropriate in Niner, P. (2003) *Local Authority Gypsy/Traveller Sites in England*, London: ODPM. A 3% growth rate was also used in the recent report from Communities and Local Government (2007) Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies. HMSO.
Therefore, there is a tendency, when the need for additional accommodation is assessed, for the needs assessment to further compound these inequalities in site provision. For example, authorities which already provide Gypsy and Traveller accommodation (publicly or privately) are assessed as having greater need for additional pitch provision than authorities with little or no pitch provision. This is compounded further the longer-term the assessment is made (i.e. to 2016).

29. As requested in the research brief, Gypsy and Traveller accommodation needs have been identified at a sub-regional and a local level. This has been done on a ‘need where it is seen to arise’ basis. However, the results of this apportionment should not necessarily be assumed to imply that those needs should be actually met in that specific locality. This distribution reflects the current uneven distribution of pitch provision and the Gypsy and Traveller population across the Study Area. Decisions about where need should be met should be strategic, taken in partnership with local authorities, the County Council and the North West Regional Assembly – involving consultation with Gypsies and Travellers and other interested parties – which will take into account wider social and economic planning considerations such as equity, choice and sustainability. Table i below presents the ‘needs where they arise’ requirements; due to the lack of accurate information and data about the entire Gypsy and Traveller population it is likely that these requirements represent the minimum additional accommodation provision required.
Table i: Residential accommodation need arising from existing district level Gypsy and Traveller and Travelling Showpeople populations

<table>
<thead>
<tr>
<th>Study Area Total</th>
<th>Allerdale</th>
<th>Barrow-in-Furness</th>
<th>Carlisle</th>
<th>Copeland</th>
<th>Eden</th>
<th>Lake District NP</th>
<th>S Lakeland</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current authorised residential provision (pitches)</td>
<td>92</td>
<td>24</td>
<td>0</td>
<td>29</td>
<td>0</td>
<td>34</td>
<td>0</td>
</tr>
<tr>
<td>Additional residential need 2007-2012 (pitches and plots)</td>
<td>71</td>
<td>19</td>
<td>5</td>
<td>32</td>
<td>1</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>Additional residential need 2012-2016 (pitches and plots)</td>
<td>18</td>
<td>4</td>
<td>1</td>
<td>7</td>
<td>0</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Additional suggested transit need 2007-2016 (pitches and plots)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Estimated total additional residential pitch/plot need 2007-2016</td>
<td>89</td>
<td>23</td>
<td>6</td>
<td>39</td>
<td>1</td>
<td>13</td>
<td>0</td>
</tr>
</tbody>
</table>

Note: For pragmatic reasons these figures have been rounded up to the nearest whole pitch.

Recommendations

30. The overarching recommendation resulting from this assessment is that the authorities across the Study Area engage pro-actively to meet the accommodation needs that have been identified as a result of this assessment and that a strategic joined-up approach is taken. More specifically, a number of recommendations have been made for the Partner Authorities, which can be found in the main report.

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4 These are approximations of the provision based on information obtained from the authorities during the course of the assessment. This includes Travelling Showpeople yards.

5 This is an illustration of the equitable split of the identified need. Transit requirements are particularly difficult to quantify with any accuracy. Consideration will need to be given to the appropriate number, size and distribution of transit pitches in each authority. The main report outlines a series of options based upon different assumptions of how this need might be apportioned.