

# 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 Supplementary Planning Document (SPD) 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 SPD 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 SPD 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) (or any replacement guidance) but also meet the local 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.

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One of the aims of the Local Plan and the key aim of this Allocation Scheme SPD 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 SPD, the input of the Council's Housing and Legal Services teams has been sought to ensure that the Allocation Scheme is realistic and achievable. To some degree, once adopted, the Council will be able to measure whether or not the Scheme is working as intended through the level of need for pitches and plots arising locally as determined through future GTAAs. This will indicate whether the accommodation needs of the Borough's Gypsies, Travellers and Travelling Showpeople have decreased since the assessment published in January 2018 which underpinned the 2030 Local Plan.

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 in Runnymede will not be eligible for a pitch/plot, or cannot afford to purchase one, 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 SPD 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 5<sup>th</sup> 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 SPD 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 SPD 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) (2015, as amended) currently 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 or Travelling Showman for planning purposes.

The Council's 2018 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 Policy SL22 of the adopted Local Plan, and subsequently the Allocation Scheme SPD being prepared includes a local connection element, -to help 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 9<sup>th</sup> 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.

An earlier draft of the Allocation Scheme was consulted upon in Autumn 2021. This included 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. A further six-week public consultation will now be held on the amended Allocation Scheme SPD. Care will be taken to ensure that the 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 SPD 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 SPD is fully compliant with the Equality Act.

Once adopted, the Allocation Scheme SPD 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. For affordable pitches and plots, 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 had a detailed EqIA undertaken at each stage of Plan preparation, and which was found sound by an independent Inspector appointed by the Secretary of State. The Allocation Scheme SPD will provide detailed guidance to help implement the relevant parts of policy SL22 and of policies 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 Bittams 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 SPD 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 SPD 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: Originally completed 18.08.2021.

Sign-off by senior manager: Georgina Pacey 18.08.2021. Updated version from 10.05.2024 signed off by Ashley Smith

# EQUALITY IMPACT ASSESSMENT

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## SCOPING

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**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, particularly the protected characteristic of race, 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 unlawful developments; 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 5<sup>th</sup> 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.

When the Allocation Scheme was originally consulted on in Autumn 2021, the definition of a traveller for planning purposes as contained in the Planning Policy for Traveller Sites related to those travellers who continued to lead a nomadic way of life. However following the High Court judgement of 'Lisa Smith -v- The Secretary of State for Levelling Up, Housing and Communities and Others, the definition of a traveller for planning purposes was updated in the Planning Policy for Traveller Sites (PPTS) in December 2023, and again in December 2024 and now also includes those who, on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel permanently, as well as all other persons with a cultural tradition of nomadism or of living in a caravan. This change of definition has been reflected in the amended Allocation Scheme SPD to ensure that travellers which fall under this wider definition are eligible to purchase or rent the allocated pitches and plots.

**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, Travellers and Travelling Showmen. 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 restricted, in the first instance, to those who meet one of the planning definitions for Gypsies, Travellers and Travelling Showpeople as set out in the PPTS, and who have a local connection to Runnymede (in line with Policy SL22 requirements). However, if following a reasonable period of marketing, it has not been possible to dispose of the pitches and plots to traveller households with a local connection, and the Council is satisfied with the evidence provided by the developer/landowner in this regard, the disposing the pitches/plots to traveller households without a local connection will be supported. This is in line with the spirit of paragraph 25 of the PPTS which states that, 'Local planning authorities

*should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:*

*e) that they should determine applications for sites from any travellers and not just those with local connections*

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 GTAA<sup>1</sup>** 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 (the 2015 definition at this time) up to 2030. The Runnymede 2030 Local Plan is based on the evidence of need in the 2018 GTAA and concluded at the time of adoption that there was a need for 83 pitches and 19 plots between 2015 and 2030 to meet assessed 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, at the time of assessment there was found to be a 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 included an assessment of the accommodation needs of Traveller households that did not meet the planning definition at this time. This assessment was included 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 stated 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).

Given the change in the definition of Gypsies and Travellers in the PPTS since the 2018 GTAA was produced, the additional households who were previously outside of the planning definition contained in the PPTS will now also be eligible to acquire the allocated pitches and plots.

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<sup>1</sup> [Planning policy evidence based documents – Runnymede Borough Council](#)



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 both the previous (2015) and current (2024) planning definitions.

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 2017**<sup>2</sup> 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)**<sup>3</sup> 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)**<sup>4</sup>: 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)**<sup>5</sup> 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.<sup>52</sup> 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

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

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

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

<sup>5</sup> 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 plots, as allocated through the Local Plan will help meet these identified needs. The Allocation Scheme SPD will help ensure that the allocated pitches are only made available for Gypsies, Travellers and Travelling Showpeople who meet the current definition in the PPTS and are prioritised for those with a local connection to the Borough in line with adopted Policy SL22. In terms of data gaps, there is limited information in the GTAA on protected characteristics that can be referenced in this Equalities Assessment. There is also limited information in this report 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 any affordable pitches/plots delivered are prioritised for those families who are homeless. This also 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.

An initial six week consultation on the draft Allocation Scheme took place in Autumn 2021. 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 which have potential equalities implications are 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 allows both speculators and those who wish to reside on the pitches and plots to acquire them. This is in recognition of the fact that not all of the Borough's Gypsies, Travellers and Showmen are likely to be able to afford to purchase the allocated pitches and plots. Allowing speculators to also acquire the pitches and plots is likely to result in a mix of owned and rented accommodated in the local market to meet the needs of different 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 the initial consultation in 2021, 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.

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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 plots for sale privately, beyond ensuring that the terms of Policy SL22 are met. Instead, once the private 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: For affordable pitches, 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 for any affordable pitches/plots. These measures will help ensure that those with land/property elsewhere are identified wherever possible. For the private pitches and plots which are to be sold on the open market, it is possible that some will be acquired by individuals who own property elsewhere and then privately rented. As such, for the pitches and plots being sold on the open market, a fraud search will not be carried out or information on other property ownership sought.

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 Council's primary objective in the Allocation Scheme is to ensure that in line with policy SL22 of the Local Plan, the allocated pitches and plots are occupied by households who meet one of the definitions of a Gypsy, Traveller or Travelling Showman as contained in the PPTS and that they have a local connection to the Borough. Adding additional controls in the way suggested is not considered necessary as it is considered that these controls are not needed to ensure compliance with policy SL22.

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 was published alongside the amended Allocation Scheme when it went before the Planning Committee on 29<sup>th</sup> May 2024 (please see the Council's Statement of Consultation at appendix B).

1. A second round of public consultation was held between 5 June and 31 July 2024. Through this consultation, the following comments were made in relation to equalities matters:

COMMENT: In paragraph 4.1a) the Council's policy for allocation state that you have to be a "permanent member of your household, live in the borough of Runnymede and have done so for at least 3 of the past 5 consecutive years or 6 out of the last 12 months if an individual is homeless". This seems to be a conflict of the definition of a nomadic lifestyle.

RESPONSE: Local connection criteria are required by Policy SL22. The criteria in the SPD are based on those adopted by the Council in its Housing Allocation Scheme but have been amended in some areas to ensure that they do not prejudice the nomadic nature of the travelling community. Further changes have been made to the criteria to further ensure that they do not conflict with the nomadic lifestyle of some traveller households. For example, the terms 'consecutive' and 'permanent' have been removed. For the residence and employment tests, the word 'household' has also been substituted for 'family' in acknowledgement of the fact that the distinctive way of life and traditions of gypsies and travellers is frequently based around living in extended family groups. As amended, the local connection criteria are considered to be sufficiently flexible to ensure that those wishing to acquire the allocated pitches have a genuine connection to the borough, whilst also supporting traditional ways of life and allowing for nomadic lifestyles.

2. COMMENT: We represent gypsies and travellers in Liverpool where we are based and having spoken to them they have said that their absolute preference is for sites of not less than 10 pitches because otherwise this leads to fragmentation of their communities. Putting 2 pitches here or there across the borough actually does more harm than good for the gypsy and traveller community and really the objectives of the SPD would be far better served by allocating a larger site for more pitches.

RESPONSE: The number of pitches per site has been established in the Local Plan and is not a matter for consideration as part of the SPD. However at the plan making stage, the number of pitches per allocation (between 2 and 5 pitches) was based on discussions with the local community who showed a preference for living in smaller family groups.

In addition officers have reconsidered whether there should be any form of prioritisation for the market pitches.

To further ensure that the local connection criteria do not discriminate against those households who do not meet the PPTS definition are not discriminated against, and that ethnic Gypsies and Travellers have the opportunity to acquire pitches before it gets agreed that land set aside for pitches can be used for an alternative use. This will help ensure that the pitches are less likely to be lost to alternative uses given the acute needs for pitches in Runnymede.

COMMENT: Question as to why travellers are treated as a special case. Most of them have become settled in static homes and no longer travel. There are plenty of young couples desperate for a home, who are being pushed aside for so called ethnic minorities who are now so embedded in this country that they should no longer be special cases. Runnymede should get a grip and treat everyone equally, that is true equality. This proposal is prioritising some people, whose ancestors used to move around in caravans, over others of similar ethnicity, whose ancestors settled in one place.

RESPONSE: Travellers are not treated as a special case or prioritised over other groups. Para 63 of the NPPF sets out that the Council is required ensure that the, 'size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes'. The Council assessed the accommodation needs of all these groups during the preparation of the Runnymede 2030 Local Plan (with the exception of looked after children as this additional requirement was only added to the NPPF in December 2024).

Paras 3 and 4 of the Planning Policy for Traveller Sites (PPTS) state, '3. The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community'.

4. To help achieve this, Government's aims in respect of traveller sites are [amongst other things]:

- a. that local planning authorities should make their own assessment of need for the purposes of planning
- b. to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites

The Council has sought to comply with these national policy requirements through the production of its adopted Local Plan by making provision for the specialist groups listed in para 63 of the NPPF where a need has been identified.

Furthermore, the 2023 amendment to the definition of a gypsy and traveller for planning

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purposes confirmed that gypsy households who had ceased to travel on grounds only of their own or their family's or dependants' educational or health needs or old age are captured under the definition. The 2024 amendment to the definition also now includes, 'all other persons with a cultural tradition of nomadism or of living in a caravan'

The distribution of pitches for gypsies and travellers was agreed through the examination and subsequent adoption of the Runnymede 2030 Local Plan. The location of pitches is not being revisited as part of the preparation of this SPD.

**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.

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## ASSESSING IMPACT

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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>It is considered relevant that the allocated pitches and plots are located in sustainable, urban area locations where residents will have better access to a range of facilities including healthcare and education facilities. This is considered to be of benefit to all ages, 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 and education.</p> <p>Now that the definition of a traveller has changed in the Planning Policy for Traveller Sites, allocated sites can be acquired by all adult traveller households and their families, including those who have ceased to travel permanently (which often includes individuals who have ceased to travel due to old age). Allocating new permanent pitches and plots is considered to have a positive effect for all age groups, including children who will have a</p>



					settled base from which they can access education.
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. 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 sexual orientation 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, is likely to improve relationships between the settled and travelling communities in the Borough.

## ADDRESSING THE IMPACT: ACTION PLANNING, MONITORING AND REVIEW

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**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 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 in Appeals procedure to allow applicants to appeal if they feel unduly discriminated against

-Confirm in review section that the Scheme will be reviewed if the definition of a traveller for planning purposes changes in the future.

-ensure that the local connection criteria do not discriminate against Gypsies and Travellers who continue to lead a nomadic way of life. The criteria are also recommended for amendment to ensure that they facilitate the distinctive way of life and traditions of gypsies and travellers which is frequently based around living in extended family groups. This is following a targeted review of the Local Connection criteria with the Council's lead Equalities officer.

- include additional text to make it clear that if the allocated pitches and plots cannot be disposed of by traveller households with a local connection after a reasonable period of marketing, then they can be disposed of/occupied by travellers without a local connection to the borough. This will help ensure that Gypsy and Traveller households who do not have a local connection to the borough are not discriminated against, and that such households have the opportunity to acquire pitches before it gets agreed that land set aside for pitches can be used for an alternative use.

~~It has also been identified that there would be benefit, prior to the Allocation Scheme being adopted, to a further targeted equalities assessment of the proposed local connection criteria being undertaken.~~

**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 when consulting on the contents of this amended Allocation Scheme SPD and also in drafting the eligibility 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)<sup>6</sup> 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 completing the eligibility form, recognising that some households may be reluctant to specify that they have literacy challenges.

In addition, once the eligibility 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 needed.

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<sup>6</sup> [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 Planning Policy team. It is intended that the eligibility form will be live in Autumn 2024. Liaison with the representative groups regarding the format and contents of the eligibility 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 eligibility form. 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: 15.05.2024. Amended 06.01.2025**

**Sign-off by an authorised Officer/Manager: Ashley Smith**

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