

Bristol City Council Equality Impact Assessment Form

(Please refer to the Equality Impact Assessment guidance when completing this form)



Name of proposal	Bristol City Councils policy for vehicle dwelling encampments
Directorate and Service Area	Growth and Regeneration
Name of Lead Officer	Lindsay Hay

Step 1: What is the proposal?

Please explain your proposal in Plain English, avoiding acronyms and jargon. This section should explain how the proposal will impact service users, staff and/or the wider community.

1.1 What is the proposal?

A newly created vehicle dwelling encampment on the highway policy for Bristol.

This policy sets out the approach the council will take to manage vehicle dwelling encampments on the highway in Bristol.

There is not a legal definition for vehicle dwellers however, literature tells us that New Travellers and, more recently 'vehicle dwellers', are terms used to describe those who live a travelling lifestyle but, are not ethnically defined as Gypsy, Roma and Travellers (GRT). Recently, more non GRT communities are opting to live in vehicles as opposed to what is perceived as traditional types of accommodation some of whom may live a travelling life style others may not.

Due to an increase in the numbers of people living in vehicles in recent years, it has become necessary for the council to write a policy that sets out how it plans to manage such dwellings. There are many reasons for the creation of a policy but in particular social cohesion and welfare concerns caused by encampments have expedited the need for its creation.

We know that people living in vehicles have different reasons for living the lifestyle they do; political ideologies, unaffordable housing, nomadic lifestyles, employment requirements, cyclical i.e. festival workers.

In partnership with Avon and Somerset Police, Bristol City Council has set out the complexities associated with vehicle dwelling encampments in Bristol. It also demonstrates how it will support occupants where they are willing to engage.

Government guidelines do not provide instruction to councils on encampments with converted vehicles for dwelling purposes, nor the New Traveller, or vehicle dwelling communities.

The policy sets out the approach that the Council and the Police will take towards encampments. A decision will be taken on the impact of encampments on local communities and those living in vehicles using a low and high impact criterion assessment before any action is taken. These criteria will essentially show the impact of these encampments on residents, those using the highway and on those living in vehicles themselves.

Step 2: What information do we have?

Decisions must be evidence-based, and involve people with protected characteristics that could be affected. Please use this section to demonstrate understanding of who could be affected by the proposal.

2.1 What data or evidence is there which tells us who is, or could be affected?

Women who are pregnant or on maternity leave, LGBT+, older people, faith groups, BAME, Disabled People, Show people and GRT communities are protected groups under the Equality Act 2010, Public Sector Equality Duty (PSED). Bristol City Council have provided specific sites for the GRT and Show people community so there is current provision in Bristol for this group. We also have a duty to ensure social cohesion concerns/ issues are not problematic to citizens, and so this policy supports our duty to solve any as they become apparent, or pre-empt where the Council is able.

We do not have the personal details of vehicle dwelling occupants for the various encampments in Bristol, and therefore we are unable to determine whether they are from the GRT community or indeed another protected group. The welfare assessments carried out during operations relating to 4 vehicle dwelling encampments in the last 12 months indicate that occupants on the whole do not consider themselves as GRT but a small minority do.

The Council has a duty to ensure equality groups and non-equality groups get on well together and so the policy demonstrates where social cohesion

concerns are highlighted a decision will be taken as to what action is appropriate to remedy this. Other relevant factors will include; the level of any nuisance, including noise, proximity to residential properties, schools, children's play areas and public amenities, and general crime and public order offences.

We are unable to determine the equality group of those living in vehicles and so this presents a risk that the council will default on its duty because it is unable to demonstrate that GRT, Show people, and other protected groups such as those living in vehicles do not have mental health issues that would be considered a disability. However, welfare assessments will be carried out before any action is taken to remove an encampment.

Other relevant factors will be taken into account to determine when and what enforcement action is taken by the Council to remove encampments. We hope that occupants will engage with the Council and provide welfare information so it can assess their level of need. We will not be able to determine the level of need or the appropriate action to be taken if this information is not collected.

We have ward data on encampments on the highway, in BS2, and BS5 in particular. The largest unauthorised encampment was in Greenbank, Easton (50 plus vehicles in May 2018). In this ward there is a higher than average number of people on means tested benefits (24% compared to 11% for Bristol overall). There are a higher than average number of BME people (37.9% compared to 16% for Bristol overall, and 17.5% of people speak English additional language compared to 8.5% for Bristol overall. There is a caveat that those living in vehicles will not necessarily be residents of this ward but could present community cohesion concerns for these groups.

2.3 How have we involved, or will we involve, communities and groups that could be affected?

The Vehicle Dwelling Encampments (VDE) Policy consultation was open between 29 June 2018 and 26 August 2018 and sought views from the public (including those living in vehicles) about the draft policy.

The VDE consultation comprised an online questionnaire. Paper copies of the survey and alternative accessible formats were available on request. Paper copies of the questionnaire were also available in all libraries and were distributed to agencies which support those dwelling in vehicles and at four

area drop-ins and 2 meetings of the GRT Voices group. Easy read versions of the policy and questionnaire were also available at the drop ins.

Opportunities to ask questions about the policy and consultation and to have help completing the questionnaire was provided at the drop-ins and via support agencies' outreach. Locations of the drop –ins were chosen to be as accessible as possible to those living in vehicles. The consultation was widely publicised through the press and broadcast media, social media, postcard distribution and communications with the public, including partner organisations and other stakeholders. 808 people completed the consultation survey 59 of whom described themselves as living in vehicles. Of the 554 respondents who gave their postcode, one third was from two wards; Easton (22%) and Ashley (11%). Both of which have high numbers of vehicle dwelling encampments.

Survey responses to the VDE consultation

- Similar numbers of respondents (2 in 5) agree and disagree that the proposed approach balances the needs of those living in vehicles and members of the wider community; Responses were similar across all housing situations, including those living in vehicles, with the exception of those describing themselves as living in 'other' who more strongly disagreed
- A clear majority of respondents agreed with each of the ten proposed criteria for assessing whether an encampment was high or low impact. The criterion with lowest support (58% agree) was assessment of the welfare needs of vehicle occupants.

Other criteria were suggested; the most frequently suggested were:

- that the impact should not be assessed because encampments should never be tolerated (25%);
 - that the impact on available parking facilities should be considered (6%);
 - that obstruction of the highway should be taken into account(4%)
 - condition/appearance of vehicles/aesthetics (4%)
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- More people agreed that facilities should be provided for tolerated encampments (52%) than disagreed (43%) There was a marked variation in response to this question between different housing situations For example of those describing themselves as home owners 45% agreed whilst 96% of people living in a vehicles agreed
 - A majority of people (60%) agreed that parking restrictions could be

introduced to enable parking enforcement to manage encampments in certain locations. 28% disagreed. There was a marked variation in response to this question between different housing situations. For example of those describing themselves as home owners 72% agreed but only 12% of those living in a vehicle agreed.

- 59% of respondents provided further free text comments on the draft policy. The comments are categorised in 4.5. The greatest number of comments was on the following themes:
 - o 148 (31%) stated that VDEs should not be tolerated;
 - o 85 (18%) thought BCC should provide designated sites
 - o 51 (11%) said BCC should build more affordable houses and or cap rents

Step 3: Who might the proposal impact?

Analysis of impacts on people with protected characteristics must be rigorous. Please demonstrate your analysis of any impacts in this section, referring to all of the equalities groups as defined in the Equality Act 2010.

3.1 Does the proposal have any potentially adverse impacts on people with protected characteristics?

Yes, there is potential that protected groups could be represented in the vehicle dwelling community, and could be a form of indirect discrimination if we are not able to identify them. Children and vulnerable adults are also groups who we have a duty to, and could occupy these vehicles.

3.2 Can these impacts be mitigated or justified? If so, how?

The policy provides for a welfare assessment to be carried out for all those living in vehicles at first contact stage and for information and advice about housing and health related support to be given. Where additional support is required to carry out welfare assessments such as interpreter services, GRT outreach or mental health support, this will be provided.

3.3 Does the proposal create any benefits for people with protected characteristics?

The new policy will set out what is acceptable and not acceptable in terms high and low impact on the communities they reside in and details what issues are deemed serious breaches and or unlikely to cause disruption. The implementation of the policy could have a positive impact for children and

older people for whom, the consultation and other feedback suggests, the presence of an encampment has a negative impact on their sense of safety. Air quality and public hygiene are also affected. The incidence of obstacles on the pavement associated with encampments also has an impact on pedestrians with physical and sensory impairments and carers with a pushchair as does reduced visibility caused by large vehicle parked together when crossing the road.

We will offer to carry out a welfare assessment and provide information and advice for all those living in vehicles and provide any additional support required to carry these out such as interpreter services or mental health support. This will benefit those who are not aware of where they can seek help if they require it.

The availability and consistent application of a clear policy which sets out on what basis impact assessments are taken and what subsequent enforcement action will happen will potentially reduce the risk of subjective and potentially prejudicial decisions being made about when to enforce.

3.4 Can they be maximised? If so, how?

The consultation indicated that there was clear support amongst those living in vehicles for the provision of waste collection and toilet facilities for tolerated encampments and 52% of all respondents agreed with this proposal. Cabinet Board has decided not to support the option of providing a designated site for vehicle dwelling.

Step 4: So what?

The Equality Impact Assessment must be able to influence the proposal and decision. This section asks how your understanding of impacts on people with protected characteristics has influenced your proposal, and how the findings of your Equality Impact Assessment can be measured going forward.

4.1 How has the equality impact assessment informed or changed the proposal?

- The policy for managing vehicle dwelling encampments will provide for welfare assessments to be carried out for all those living in vehicles at first contact stage and for information and advice about housing and health related support to be given. Where additional support is required to carry out welfare assessments such as interpreter services,

<p>GRT outreach or mental health support, this will be provided.</p> <ul style="list-style-type: none"> • That the welfare needs of those living in vehicles should form part of the impact assessments of any encampment and the timescales for removal of an encampment.
<p>4.2 What actions have been identified going forward?</p>
<p>That the management of vehicle dwelling encampments should be considered as part of the wider homelessness strategy.</p>
<p>4.3 How will the impact of your proposal and actions be measured moving forward?</p>
<ul style="list-style-type: none"> • Welfare assessment responses will be recorded and analysed. This will be the main source of information relating to who is living in vehicles, why they are living in vehicles and what the needs are of people living in vehicles. • Equalities data captured by the welfare assessments will be recorded and reviewed by the manager responsible for enforcement and housing options. This to inform how the policy is being implemented and the potential impact it has on those living in vehicles that are protected under the Public Sector Equality Duty.

<p>Service Director Sign-Off:</p> 	<p>Equalities Officer Sign Off:</p> <p>Cherene Whitfield</p>
<p>Date: 15/03/19</p>	<p>Date: 13/03/19</p>