



To: Councillor Cooney, Convener; Councillors Jean Morrison MBE and Graham, Vice Conveners; and Councillors Allan, Corall, Cormie, Crockett, Delaney, Dickson, Jackie Dunbar, Finlayson, Flynn, Grant, Laing, Milne, Noble, Samarai, Thomson and Yuill

Town House,
ABERDEEN 23 October 2015

COMMUNITIES, HOUSING AND INFRASTRUCTURE COMMITTEE

The Members of the **COMMUNITIES, HOUSING AND INFRASTRUCTURE COMMITTEE** are requested to meet in Council Chamber - Town House on **TUESDAY, 27 OCTOBER 2015 at 2.00 pm.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

DETERMINATION OF EXEMPT BUSINESS

- 1.1 Members are requested to determine that any exempt business be considered with the press and public excluded

REQUESTS FOR DEPUTATIONS

- 2.1 None at this time

MINUTE OF PREVIOUS MEETING

- 3.1 Minute of Previous Meeting of 27 August 2015 - for approval (Pages 7 - 28)

COMMITTEE BUSINESS, MOTIONS AND ANNUAL REPORTS LIST

- 4.1 Committee Business Statement and Annual Reports (Pages 29 - 46)
- 4.2 Motions List (Pages 47 - 50)

MOTIONS

- 5.1 Motion by Councillor Reynolds - referred by Council on 19 August 2015

“That it be remitted to the appropriate Committee, to instruct officers to bring forward a report supporting the need for a temporary traffic order restricting the use by HGV’s to access only on the unnumbered road running from the B997, past Shielhill Farm to the B999, with a view to the introduction of a permanent restriction.”

- 5.2 Motion by Councillor Yuill - referred by Council on 8 October 2015

“That this Council instructs officers to report on the feasibility of locating a major item of public art at an appropriate point alongside the route of the Aberdeen Western Peripheral Route and what the potential sources of funding for such a project might be”

REFERRALS

- 6.1 Downsizing Policy - Referred from Housing Cases Review Sub Committee 16 September 2015

At its meeting of 16 September 2015, the sub committee referred to Communities, Housing and Infrastructure Committee the recommendation that powers be delegated to the Head of Housing and Communities to give the equivalent of Committee priority, in exceptional circumstances, to a household who are Aberdeen City Council tenants living in high demand family accommodation to downsize to appropriate amenity or sheltered housing where they have been assessed as needing such accommodation.

FINANCE

- 7.1 2015/16 General Fund Revenue and Capital Budget Monitoring (Pages 51 - 66)
- 7.2 2015/16 Housing Revenue Account (Pages 67 - 76)
- 7.3 2015/16 Trading Services (Pages 77 - 82)

PERFORMANCE MANAGEMENT AND SERVICE ISSUES

- 8.1 CHI Performance Report (Pages 83 - 128)

COMMUNITIES

- 9.1 Local Fire and Rescue Plan Performance Report (Pages 129 - 146)
- 9.2 Her Majesty's Fire Service Inspectorate (HMFSI): Local Inspection of Aberdeen City (Pages 147 - 152)
- 9.3 Review of Voids Processes (Pages 153 - 168)
- 9.4 Non- Housing Developers Contributions (Pages 169 - 190)
- 9.5 Affordable Housing - Grant Assistance relating to Froghall Terrace, Cloverleaf Hotel, Summerhill Road and Muggiemoss Road (Pages 191 - 198)
- 9.6 North Regeneration Area - Digital District (Pages 199 - 228)

PLANNING AND SUSTAINABLE DEVELOPMENT

- 10.1 Aberdeen Local Development Plan - Proposed Plan, Summary of Representations and Responses (Pages 229 - 236)
Appendixes for Local Development Plan will be circulated separately
- 10.2 Draft AECC site, Bridge of Don Development Framework Consultations Findings (Pages 237 - 296)
- 10.3 Draft Rowett North Masterplan Consultation Findings

TRANSPORT

- 11.1 External Funding for Transport Projects (Pages 297 - 304)
- 11.2 Corporate Fleet Management Performance and Compliance (Pages 305 - 334)
- 11.3 Introduction of a Controlled Parking Zone with Priority Parking in the area around Hill of Rubislaw - Initial Statutory Consultation (Pages 335 - 340)

- 11.4 Garthdee / Kaimhill Controlled Parking Zone
- 11.5 Rural Roads - Speed Limits (Pages 341 - 350)
- 11.6 Roads Winter Service Plan 2015-16 (Pages 351 - 374)
- 11.7 Various Small Scale Traffic Management and Development Associated Proposals (Stage 1 - New Works) (Pages 375 - 392)
- 11.8 Various Small Scale Traffic Management and Development Associated Proposals (Stage 3 - Public Advert) (Pages 393 - 406)

ENVIRONMENT

- 12.1 Deer Management Plan (Pages 407 - 432)

ITEMS WHICH THE COMMITTEE MAY WISH TO CONSIDER IN PRIVATE

- 13.1 Police Scotland Report - Missing Persons (Pages 433 - 446)

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Emma Parr, tel 01224 522607 or email emparr@aberdeencity.gov.uk

Briefing for Elected Members on the Importance of EHRIAs

As an elected member, you will know you have an important role to play in championing equality within and outside Aberdeen City Council. There is also a scrutiny role for you to ensure that equality considerations are included in the decision making and governance of the council.

In exercising your duties as an elected member, you will make decisions which shape the council budget as well as the practice, strategies, plans and policies of the council. You have to make sure that the relevant equality implications are considered and so need to have sufficient information to satisfy our legal requirement to pay “due regard” to equality. Since public authorities subject to the equality duties are also likely to be subject to the obligations under the Human Rights Act, our impact assessment tool also considers the potential impact our decisions could have on human rights – Equality and Human Rights Impact Assessment (EHRIA).

EHRIA forms are included in the agenda pack, and this is important as it ensures that the impact of any proposals being considered by the Committee is clear at the point of decision making. These are included at the back of the report, as an appendix. Committee members should feel able to ask questions of report authors in relation to EHRIA forms, including questions about why an impact assessment has not been carried out/is not included.

There is an onus on elected members to make sure that EHRIAs are robust and give appropriate weighting in decision-making processes. In recent guidance from the Equality and Human Rights Commission, relevant case law examples show the Courts stating that, the public authority had to demonstrate that it had paid 'due regard' to its equality obligations.

Policies and practices should be assessed for impact across the three parts of the public sector duty (eliminate unlawful treatment, advance equality of opportunity and foster good relationships).

These duties do not prevent us from taking many difficult decisions such as reorganisations and relocations, redundancies, and service reductions, nor do they stop us from making decisions, that may affect one group more than others. Whilst we have a duty to involve groups of people who have protected characteristics, this does not give them the right of veto regarding any of our budget proposals or other council decisions.

What the equality duties do is enable us to demonstrate that we are making decisions in a fair, transparent and accountable way, considering the needs and the rights of different members of our communities.

The EHRIA will allow you to see that people with protected characteristics are enjoying equal access to our services, and where they are not, or are over/under-represented, or are not getting as good a service, the EHRIA gives the opportunity to do something to resolve the situation.

The equality target groups, or people with protected characteristics, include age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex (gender) and sexual orientation.

The sort of questions to ask yourself as you read an EHRIA might include:

- How might the proposal impact on ethnic minority communities, including Gypsy / Travellers?
- How might the proposal impact on people with a disability?
- Would the impacts on women and men or the Transgender community differ?
- Would the proposal affect ethnic minority women and men in the same ways?
- Would the proposal affect women and men with disabilities in the same ways?
- What about age considerations when thinking about impacts?

It is important to remember that the potential impact is not just about numbers. Evidence of a serious impact on a small number of individuals is just as important as something that will impact on many people. You should also think about how individual proposals might relate to one another. This is because a series of changes to different policies or services could have a severe impact on particular protected groups.

The EHRIA is therefore an invaluable tool to assist you in ensuring that the interests of all groups are properly taken into account when difficult choices about resources are required.

A case study on “Southall Black Sisters – the need to impact assess decisions” is set out below.

Southall Black Sisters (SBS) provides specialist services to Asian and Black Caribbean women, particularly in relation to domestic violence issues.

In June 2007, Ealing council announced proposals to move away from funding particular organisations (such as SBS), towards commissioning services (including domestic violence services) following a competitive bidding exercise.

During discussions about criteria for commissioning domestic violence services SBS had highlighted the adverse impact the criteria could have on pre-existing domestic violence services provided to women from ethnic minority communities, and so an equality impact assessment should be carried out.

Ealing carried out belated impact assessments on proposals before deciding to proceed with the existing domestic violence services commissioning criteria, resulting in two SBS service users launching a judicial review of the decision.

Ultimately, Ealing conceded these submissions and withdrew from the case. However, in an oral judgement, Lord Justice Moses reiterated the importance of undertaking an equality impact assessment, and also the importance of carrying out an impact assessment before policy formulation.

Should you require any help with EHRIAs please contact me at sandrab@aberdeencity.gov.uk or 01224 523039 or Faiza at fnacef@aberrdeencity.gov.uk or 01224 523183