



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

Town House,
ABERDEEN 13 January 2016

COMMUNITIES, HOUSING AND INFRASTRUCTURE COMMITTEE

The Members of the **COMMUNITIES, HOUSING AND INFRASTRUCTURE COMMITTEE** are requested to meet in Council Chamber - Town House on **WEDNESDAY, 20 JANUARY 2016 at 2.00 pm.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

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 October 2015 - for approval (Pages 7 - 22)

- 3.2 Minute of the Meeting of the Disability Advisory Group of 3 June 2015 - for approval (Pages 23 - 32)
- 3.3 Minute of Meeting of the Older People's Advisory Group of 16 June 2015 - for approval (Pages 33 - 38)

COMMITTEE BUSINESS, MOTIONS AND ANNUAL REPORTS LIST

- 4.1 Committee Business Statement and Annual Reports (Pages 39 - 52)
- 4.2 Motions List (Pages 53 - 56)

MOTIONS

- 5.1 None received

REFERRALS

- 6.1 None at this time

FINANCE

- 7.1 2015/16 Trading Services Budget Monitoring (Pages 57 - 62)
- 7.2 2015/16 General Fund Revenue & Capital Budget Monitoring (Pages 63 - 80)
- 7.3 2015/16 Housing Revenue Account (Pages 81 - 94)

PERFORMANCE MANAGEMENT AND SERVICE ISSUES

- 8.1 CHI Performance Report (Pages 95 - 138)

COMMUNITIES

- 9.1 Police Scotland Aberdeen City Division Performance April - September 2015 (Pages 139 - 152)
- 9.2 Police Scotland - Independent Assurance Review - Call Handling (Pages 153 - 288)

- 9.3 HMICS Scrutiny Plan 2016-17 (Pages 289 - 302)
- 9.4 Removal of 77-79 Bon Accord Street (Pages 303 - 306)
- 9.5 Mobility Scooters in Sheltered and Very Sheltered Blocks (Pages 307 - 350)
- 9.6 A New Disability Group for the City (Pages 351 - 364)

PLANNING AND SUSTAINABLE DEVELOPMENT

- 10.1 Buildings Performance Policy (Pages 365 - 374)
- 10.2 Bay of Nigg Bay Development Framework (Pages 375 - 484)
- 10.3 External Funding for Switched on Fleets Project (Pages 485 - 490)
- 10.4 Station Gateway (Pages 491 - 536)
Colour copies of the appendix have been provided to members
- 10.5 New Psychoactive Substances - report to follow

ECONOMIC DEVELOPMENT

- 11.1 Memorandum of Understanding with Pemba, Mozambique (Pages 537 - 542)
- 11.2 FCH-JU Commercialisation Study (Pages 543 - 550)
- 11.3 International Trade and Investment Plan 2016-17 - report to follow
- 11.4 Aberdeen and Aberdeenshire Tourism Company - report to follow

TRANSPORT

- 12.1 Local Transport Strategy (Pages 551 - 682)
- 12.2 Crossing Refuge - North Deeside Road, Cults (Pages 683 - 688)
- 12.3 Corporate Fleet Management Performance and Compliance - Update (Pages 689 - 714)

- 12.4 Various Small Scale Traffic Management & Development Associated Proposals (Stage 1 - New Works) (Pages 715 - 740)
- 12.5 A96 Park and Choose and Dyce Link Road Stage 1 (Pages 741 - 748)
- 12.6 Third Don Crossing Traffic Management Stage 3 (Pages 749 - 760)
- 12.7 Roads Collaboration Programme: Governance First Northern Project Group: Members Forum (Pages 761 - 770)

ENVIRONMENT

- 13.1 Aberdeen Crematorium and Hall of Remembrance Management Rules (Pages 771 - 788)
- 13.2 Virement of Funds to Waste and Recycling Bins Budget (Pages 789 - 792)

ITEMS WHICH THE COMMITTEE MAY WISH TO CONSIDER IN PRIVATE

- 14.1 Housing Support Services Commissioning Plan (Pages 793 - 836)
- 14.2 Roads Asset Management Plan Update (Pages 837 - 920)

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