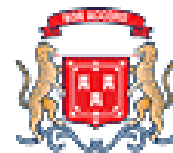


# Equality and Human Rights Impact Assessment - the Form

Eight steps to an equality and human rights impact  
assessment

DRAFT



**ABERDEEN**  
CITY COUNCIL

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form.

**STEP 1: Identify essential information** (To complete this section please use the notes on page 8 of the guide to the Equality and Human Rights Impact Assessment.)

1. Name of function, policy or procedure

Local Development Plan Scheme 3

2. Is this function, policy or procedure  New  Reviewed

3. Officers completing this form

Name	Designation	Service	Directorate
Louise MacSween	Planning Trainee	Planning and Sustainable Development	EP&I

4. Date of Impact Assessment 20 January 2011

5. Lead council service(s) involved in the delivery of this function, policy, procedure

Planning and Sustainable Development

6. Who else is involved in the delivery of this function, policy or procedure? (for example other Council services or partner agencies)  
**(if none go to question 8)**

7. How have they been involved in the equality and human rights impact assessment process?

**STEP 2: Outline the aims of the function, policy or procedure** (To complete this section please use the notes on pages 9 -10 of the guide to the Equality and Human Rights Impact Assessment.)

8. What are the main aims of the function, policy or procedure? Please list

This is a document that sets out our programme for preparing and reviewing local development plans.

This document provides information on the following issues;

- What development plans we have now
- Why we need to prepare a new Local Development Plan
- A timetable for preparing this plan (the project plan)
- A timetable for consulting people and how we will do this (the participation statement)

9. Who are the main beneficiaries of the function, policy or procedure? Please list

People interested or involved in the preparation of the Aberdeen Local Development Plan – stakeholders, agencies, the development industry, citizens, other Council services

10. Is the function, policy or procedure intended to increase equality of opportunity by permitting positive action or action to redress disadvantage?

Yes

No

Give details

The document raises awareness and understanding of the development plan review process and how long it will take. Although this work has not been a statutory requirement in the past, we have published details about how people can get involved. The document goes into far greater detail than previous documents about how and when people can have their say and the overall timescale/ programme for the preparation of the plan. This seeks to ensure greater inclusion in the process.

11. What impact will the function, policy or procedure have on promoting good relations and wider community cohesion?

The document raises awareness about a process in which all are invited to participate, regardless of who they are or where they live.

**STEP 3: Gather and consider evidence** (To complete this section please use the notes on pages 11 - 12 of the guide to the equality and human rights impact assessment)

12. What evidence is there to identify any potential positive or negative impacts?

Evidence	Details
Consultation	<p>A public consultation was carried out in early 2009 to ascertain the level of interest in developing land in the city ('development options').</p> <p>The Main Issues Report has been subject to extensive consultation, including a statutory representation period between October and December 2009. During this period we ran public engagement exercises across the city.</p> <p>The proposed Local Development Plan was subject to a statutory consultation period between October 2010 and January 2011. During this period we held a number of consultation events across the city.</p> <p>We will also carried out neighbour notification for all opportunity sites and major infrastructure developments.</p>
Research	<p>A SEA was carried out during the preparation of the Local Development Plan.</p>
Officer knowledge and experience (including feedback from frontline staff)	<p>Officers in Planning and Sustainable Development and other services will be informed of the timescale for the plan's preparation, so that they can take account of it in their Service Plans.</p>
Equality monitoring data	<p>People submitting representation forms to the Main Issues Report were asked to fill in an equalities monitoring form (EMF) which was available online and with the paper representation forms. 56 filled out the EMF out of 990 submissions (5.7%) – a low rate probably reflecting the fact that the EMF's were voluntary. We found that 5% had a disability, and there was a 40/60 split between females and males. In terms of ethnicity, we had 16% British, 14% English, 66% Scottish and 3.6% gypsy traveller. In retrospect, it would have been useful to know age breakdowns because we spoke to the Youth Council and engaged the Young Scot website (with a link to the Local Development Plan), SHMU Radio and Bebo. Our basis for doing this is that today's younger people will have to live with the decisions we take now. Obtaining an age breakdown would be useful in future monitoring arrangements. We did this in the consultation on the Development Options in June</p>

	<p>2009 and found that the average age of those attending the meetings was 55.</p> <p>During the Proposed Local Development Plan consultation people were asked to fill in an EMF. This was made available on the web and with the paper representation forms. 13 filled out the EMF out of 1550 submissions (0.8%) – a much lower rate than the Main Issues Report consultation probably reflecting the fact that the EMF’s were voluntary and people were preoccupied submitting their representations with their proposed modifications to the Plan. We found that 7% had a disability, and there was a 40/60 split between males and females. In terms of ethnicity, we had 76.9% Scottish, 7.7% English, 7.7% British and 7.7% stating that they were another European ethnic group.</p>
<p>User feedback (including complaints)</p>	<p>The Main Issues Report and proposed Local Development Plan are both subject to statutory consultation periods. The development options process and engagement exercises also provided feedback opportunities.</p>
<p>Other</p>	

**STEP 4: Assess likely impacts on equality strands** (To complete this section please use the notes on pages 13 –14 of the guide to the Equality and Human Rights Impact Assessment)

13. Which, if any, equality target groups and others could be affected by this function policy or procedure? Place the symbol in the relevant box.

Equality Target Group	Positive Impact(+)	Neutral Impact (0)	Negative Impact(-)
Race*		√	
Disability	√		
Gender **		√	
LGB***		√	
Belief	√		
Younger	√		
Older	√		
Others		√	

\* Race include Gypsies/Travellers

\*\* Gender includes Transgender

\*\*\* LGB: Lesbian, Gay and Bisexual

14. From the groups you have highlighted above, what positive and negative impacts do you think the function, policy or procedure might have? Detail the impacts and describe the groups affected.

Positive impacts (describe groups affected)	Negative Impacts (describe groups affected)
<p>We will contact a representative body for each of the equality target groups in order to raise awareness of the process.</p>	

**STEP 5: Apply the three key assessment tests for compliance assurance** (To complete this section please use the notes on pages 15 – 17 of the guide to the Equality and Human Rights Impact Assessment.)

15. Does this policy/procedure have the potential to interfere with an individual's rights as set out in the Human Rights Act 1998? State which rights might be affected by ticking the appropriate box(es) and how. **If you answer "no", go to question 19.**

- Article 3 – Right not to be subjected to torture, inhumane or degrading treatment or punishment
- Article 6 – Right to a fair and public hearing
- Article 8 – Right to respect for private and family life, home and correspondence
- Article 10 – freedom of expression
- Other article not listed above

How?

**Legality**

16. Where there is a potential negative impact is there a legal basis in the relevant domestic law?

**Legitimate aim**

17. Is the aim of the policy a legitimate aim being served in terms of the relevant equality legislation or the Human Rights Act?

**Proportionality**

18. Is the impact of the policy proportionate to the legitimate aim being pursued? Is it the minimum necessary interference to achieve the legitimate aim?

**STEP 6: Monitor and review** (To complete this section please use the notes on page 18 of the guide to the Equality and Human Rights Impact Assessment).

19. How will you monitor the implementation of the function, policy or procedure? (For example, customer satisfaction questionnaires)

The engagement exercises already carried out have helped to inform us of any shortcomings in the development plan scheme. Scottish Ministers may provide us with feedback after we submit it to them in March.

20. How will the results be used to develop the function policy or procedure?

We are obliged to produce a development plan scheme at least annually, which gives us an opportunity to revise it in response to feedback. This is the third such scheme.

21. When is the function, policy or procedure due for review?

March 2012 or earlier.



**STEP 7: Report results and summary of EHRIA to the public** (To complete this section please use the notes on page 19 of the guide to the Equality and Human Rights Impact Assessment).

22. Where will you publish the results of the Equality and Human Rights Impact Assessment?

Please indicate as follows by ticking the appropriate box(es).

Summary of EHRIA will be published in committee report under section “Equality Impact Assessment”

Full EHRIA will be attached to the committee report as an appendix

Summary of EHRIA to be published on council website within relevant service pages

Other, please state where:

23. Please summarise the results of the Equality and Human Rights Impact Assessment and give an overview of whether the policy, procedure or function will meet the Council’s responsibilities in relation to equality and human rights. This summary needs to include any practical actions you intend to take / have taken to reduce, justify or remove any adverse negative impacts.

The document raises awareness and understanding of the development plan review process and how long it will take. We will contact a representative body for each of the equality target groups in order to raise awareness of the process and increase opportunities to shape the local development plan.

**STEP 8 SIGN OFF** (To complete this section please use the notes on page 20 of the guide to the Equality and Human Rights Impact Assessment)

The final stage of the EHRIA is to formally sign off the document as being a complete, rigorous and robust assessment.

Person completing the impact assessment

Name	Date	Signature
Louise MacSween	20 January 2011	

Quality check: document has been checked by

Name	Date	Signature
Gale Beattie		

Head of Service (Sign-off)

Name	Date	Signature
Margaret Bochel		

**Now –**

Please send a copy of your completed EHRIA form together with the Policy/Strategy/Procedure to:

Head of Service  
Community Planning and Regeneration,  
Strategic Leadership  
Aberdeen City Council  
St. Nicholas House  
Broad Street  
Aberdeen  
AB10 1GZ