



# Equality and Human Rights Impact Assessment - the Form

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. Throughout the form, **proposal** refers to policy, strategy, plan, procedure or report.

## STEP 1: Identify essential information

1. Committee Report No.

2. Name of proposal.

3. Officers completing this form.

Name	Designation	Service	Directorate
Gavin Evans	Planner	Planning & Sustainable Development	Enterprise, Planning & Infrastructure

4. Date of Impact Assessment.

5. When is the proposal next due for review?

6. Committee Name.

7. Date the Committee is due to meet.

8. Identify the Lead Council Service and who else is involved in the delivery of this proposal. (for example other Council services or partner agencies)

The intended proposal document is to be used primarily by officers within the Council's Planning & Sustainable Development Service as an important tool in the assessment and determination of planning applications. The guidance contained within the document may also be of use to other Council services when considering improvements/alterations to Council-owned residential property.

9. Please summarise this Equality and Human Rights Impact Assessment, (EHRIA). This must include any practical actions you intend to take / have taken to reduce, justify or remove any adverse negative impacts (if necessary continue on blank sheet of paper). **Please return to this question after completing EHRIA.**

Assessment of the proposed new Supplementary Guidance has indicated that there would be no adverse negative impacts on any specific equality target groups or related equality strands. The guidance will be applied consistently to all service users, regardless of matters of race, sexuality, gender, age, etc. It is therefore not necessary to take any action to reduce, justify or remove such adverse impacts.

10. Where will you publish the results of the Equality and Human Rights Impact Assessment? Tick all that apply.

- 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

## **STEP 2: Outline the aims of the proposal**

11. What are the main aims of the proposal?

The purpose of this Supplementary Guidance document is to provide further information and detail in respect of policies set out in the Local Development Plan, in accordance with the Scottish Government's intention that the Local Development Plan itself focuses on vision, the spatial strategy, overarching and other key policies, and proposals.

At present, the Council has a variety of smaller supplementary guidance documents, relating to various types of domestic/householder development, such as window replacement, house extensions etc. Many of these have not been reviewed in a number of years, and it is considered that the production of a single, up-to-date guide to the most common forms of householder development would present an opportunity to update relevant guidance, incorporate additions or updates to that guidance where appropriate, and create a more user-friendly document for applicants, agents and officers. Subject to any representations received and amendments made as a result of the consultation process, it is intended that this documents be subsequently adopted as interim Supplementary Guidance. On successful adoption of the Local Development Plan, the documents would gain the status of policy alongside the Plan.

The progression of these Supplementary Guidance documents will provide a clear framework for decision making, allowing comprehensive guidance for applicants and thereby making a significant contribution towards the Council's aim of promoting and achieving sustainable development.

12. Who will benefit most from the proposal?

Residents and businesses in Aberdeen, including stakeholders who have been involved in the preparation of the Aberdeen Local Development Plan – the development industry, key agencies, citizens, Council planning officers and other Council services.

13. Tell us if and how the proposal will increase equality of opportunity by permitting positive action to redress disadvantage?

The document provides all citizens with the opportunity to contribute to the preparation of Supplementary Guidance regarding 'householder' development. As part of the modernisation of the planning system in Scotland, public consultation plays a vital role in the preparation of development plans, meaning that people's involvement can make a real difference to the content of the plan. There is no known disadvantage to any equality target groups or related equality strands, though the consultation process allows all parts of society equal opportunity to engage with the preparation of this guidance and to make representations accordingly.

The proposed Supplementary Guidance will help to improve the quality of life of all citizens in Aberdeen by improving the design quality of domestic development. The consultation process will enable local communities, groups and individuals influence the content of the document and have their say in the design of our built environment. No positive action is therefore required to redress disadvantage.

14. What impact will the proposal have on promoting good relations and wider community cohesion?

The proposed supplementary guidance is intended to form a part of the Proposed Aberdeen Local Development Plan on its eventual adoption. The Proposed Plan and its accompanying supplementary guidance set out Aberdeen City Council's vision for the growth and development of the city. The opportunity to make representations on that vision through the Proposed Plan consultation process allows citizens to influence the way in which their city will grow over time. It is hoped that this will foster a sense of belonging and involvement in those who have engaged with the process, and encourage a sense of community.

The consultation undertaken thus far and the consultation proposed for this document do not exclude or disadvantage any particular group or part of society. Documents are made available through a range of media sources, and representations can be accepted in a number of ways.

**STEP 3: Gather and consider evidence**

15. What evidence is there to identify any potential positive or negative impacts in terms of consultation, research officer knowledge and experience, equality monitoring data, user feedback and other?

The evidence base for this study relies mainly on the fundamental workings of the planning system, where all application proposals are assessed against policy and the personal circumstances of the applicant are of no relevance. Furthermore, the proposed Supplementary Guidance itself makes no reference to any particular equality groups, and will be applied equally to all development proposals, unless material planning considerations suggest otherwise.

**STEP 4: Assess likely impacts on equality strands**

16. Which, if any, equality target groups and others could be affected positively or negatively by this proposal? Place the symbol in the relevant box.

(Positive +, neutral 0, - negative)

Equality Target Group					
Race*	0	Disability	0	Gender**	0
LGB***	0	Belief	0	Younger	0
Older	0	Others e.g. poverty	0		

\* Race includes Gypsies/Travellers

\*\* Gender includes women, men, Transgender

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

17. Please detail the potential positive and/or negative impacts on the groups you have highlighted above? Detail the impacts and describe the groups affected.

Positive impacts (describe groups affected)	Negative Impacts (describe groups affected)
The publication of Technical Advice is an invitation for <b>all</b> groups to engage with planning issues within Aberdeen. Once we publish the Supplementary Guidance there will be a chance for everyone to make comments on the documents.	

**STEP 5: Apply the three key assessment tests for compliance assurance**

18. 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 22.**

- 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**

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

### **Legitimate aim**

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

### **Proportionality**

21. 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**

22. How will you monitor the implementation of the proposal? (For example, customer satisfaction questionnaires)

Should members agree, the Supplementary Guidance shall be issued for 8 weeks consultation, at which time all citizens will have equal opportunity to make representations on the proposed guidance.

23. How will the results of this impact assessment and any further monitoring be used to develop the proposal?

The results of consultation will be considered by officers, and any appropriate or otherwise necessary changes to the guidance will be made. Following this, the guidance will be reported back to a future meeting of the Enterprise, Planning & Infrastructure Committee, along with a summary of the consultation responses received and the Council's response. Members will be asked to note those responses and any changes made to the guidance before approval.

### STEP 7 SIGN OFF

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

Person(s) completing the impact assessment.

Name	Date	Signature
Gavin Evans	4 October 2011	<b>Gavin Evans</b>

Quality check: document has been checked by

Name	Date	Signature
Gale Beattie	4 October 2011	<b>Gale Beattie</b>

Head of Service (Sign-off)

Name	Date	Signature
Maggie Bochel	4 October 2011	<b>Maggie Bochel</b>

### Now –

Please send a copy of your completed EHRIA together with the proposal to:

Head of Service  
Customer Service and Performance  
Aberdeen City Council  
St. Nicholas House, Broad Street  
Aberdeen, AB10 1GZ