

# 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
Daniel Harrington	Senior 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.**

There are no negative impacts outlined as a result of the EHRIA.

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.

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 a technical advice note.

The progression of the technical advice note 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 on the development of wind turbines in Aberdeen. 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 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.

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

The supplementary guidance is intended to form a part of the Aberdeen Local Development Plan on its eventual adoption. The Proposed Plan and its accompanying documents set out Aberdeen City Council’s vision for the growth and development of the city. The opportunity to make representations on that vision 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.

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?

Information from external sources indicates that proposal for wind farms prove contentious. There have been no planning applications for wind farms within Aberdeen City. Previous planning applications for single turbines within Aberdeen City have either drawn no objections or a low number of objections.

**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	
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\* 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.

<p>Positive impacts</p> <p>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.</p>	<p>Negative Impacts (describe groups affected)</p>
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**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.**

<p><input type="checkbox"/> Article 3 – Right not to be subjected to torture, inhumane or degrading treatment or punishment</p> <p><input type="checkbox"/> Article 6 – Right to a fair and public hearing</p> <p><input type="checkbox"/> Article 8 – Right to respect for private and family life, home and correspondence</p> <p><input type="checkbox"/> Article 10 – freedom of expression</p> <p><input type="checkbox"/> Other article not listed above</p> <p><b>How?</b></p>
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**Legality**

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

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**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)

The impact of the supplementary guidance will be monitored through the planning application process

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

Where necessary, the Supplementary Guidance will be updated to take into account feedback from monitoring.

### 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
Daniel Harrington	4 October 2012	Daniel Harrington

Quality check: document has been checked by

Name	Date	Signature
Andrew Brownrigg	4 October 2012	

Head of Service (Sign-off)

Name	Date	Signature
Maggie Bochel	4 October 2011	Maggie Bochel

#### Now –

Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal to:

Equalities Team  
Customer Service and Performance  
Corporate Governance  
Aberdeen City Council  
**Business Hub 13**  
Second Floor North  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

Telephone 01224 523039 Email [sandrab@aberdeencity.gov.uk](mailto:sandrab@aberdeencity.gov.uk)