



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** should be understood broadly to include the full range of our activities and could refer to a decision, policy, strategy, plan, procedure, report or business case, embracing a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Essentially everything we do!

STEP 1: Identify essential information

1. Committee Report No.

2. Name of proposal.

3. Officer(s) completing this form.

Name	Designation	Service	Directorate
Claire McArthur	Senior Planner	Planning and Sustainable Development	Enterprise, Planning and 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 delivering this proposal (for example other Council services or partner agencies).

Planning and Sustainable Development
Scotland's Rural College SRUC – Landowners
The University of Aberdeen – Landowners
Aberdeen City Council – Landowners
CALA Management Ltd – Development Partner
Bon Accord Land Promotion Ltd – Development Partner
Optimised Environments Let (OPEN) – Masterplanners
Ryden – Planning Consultants
Ironsides Farrar – Environmental Consultants
Fairhurst Ltd – Transport and engineering Consultants

9. Please summarise this Equality and Human Rights Impact Assessment (EHRIA). This must include any practical actions you intend to take or have taken to reduce, justify or remove any adverse negative impacts. This must also include a summary of how this proposal complies with the public sector equality duty for people with protected characteristics - see Step 2. **Please return to this question after completing the EHRIA.**

Race – the proposals include the provision of a Gypsy Traveller site to improve access to facilities.

Younger – the proposals include the provision of education facilities and recreational Play Spaces for children. In addition there will be opportunities for nursery development.

Other

Housing – greater provision of housing to meet the housing demand, affordable housing to meeting housing needs, and a range of housing types to suit differing needs and as a result of demographic change.

Health – improved access to useable open spaces for leisure pursuits and opportunities for walking/cycling/exercise. The proposals also include provision for a health centre, dental surgery and community pharmacies within the mixed use areas.

10. Where will you publish the results of the Equality and Human Rights Impact Assessment? Tick which applies.

- Para 9 of EHRIA will be published in committee report in Section 6 “Impact”
- Full EHRIA will be attached to the committee report as an appendix
- Copied to Equalities Team to publish on the Council website

STEP 2: Outline the aims of the proposal

11. What are the main aims of the proposal?

Aberdeen City Council
Potential new residents of the Newhills development
Existing residents of adjacent neighbourhoods (through access to new facilities)

The purpose of the Newhill Expansion Area Development Framework is to guide and inform development within the sites identified as Opportunity Sites OP29 (Craibstone South), OP30 (Rowett South) and OP31 (Greenferns Landward) in the Aberdeen Local Development Plan 2012. This ensures that Aberdeen City Council can control the quality of development coming forward.

The Development Framework details the vision for Newhills as a distinctive and sustainable new extension to Aberdeen which will offer a choice of neighbourhoods within easy reach of significant employment areas. This vision is underpinned by five core principles:

1. Highly connected place
2. Distinctive neighbourhoods shaped by existing landscape features
3. Local services to address the needs of residents
4. Access to adjacent employment and leisure
5. A defined countryside edge

The Development Framework provides the context within which future planning applications will be developed and assessed.

12. Who will benefit most from the proposal?

Aberdeen City Council
Potential new residents of the Newhills development
Existing residents of adjacent neighbourhoods (through access to new facilities)

13. You should assess the impact of your proposal on equality groups and tell us how implementing this proposal will impact on the needs of the public sector equality duty to: eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations.

- The proposal includes delivery of open space, recreational resources, community facilities, local retail, employment opportunities and a range of housing types to suit differing needs. Such measures will be of benefit and offer choice to the surrounding community, and especially residents to the newly created community at Newhills.
- The Development Framework will help inform the future provision and deliverability of affordable and family homes in Aberdeen, enabling the retention of families within the City. The Framework includes proposals for a range of housing types and sizes, this increases opportunity for a range of potential homeowners and helps to deal with demographic and socio-economic changes in society. The Framework also includes an allocated Gypsy Traveller site which improves the user group's access to facilities.

- The Framework details the provision of a new road and street network which offers improved access for non-motorised forms of transport and transport choices for local residents, which is of particular benefit to those residents who do not have access to a car. This is coupled with increased permeability of the site and the promotion of walkable neighbourhoods.
- As part of the modernisation of the planning system in Scotland, public engagement plays a vital role in the preparation of plans and planning documents. This allows for people's involvement throughout the design and development process, and can make a real difference to the content of the final document. Throughout the masterplanning process the project team have worked with the local authority, Community Councils and wider community to inform the finalised Framework.
- The preparation of the Newhills Expansion Area Development Framework is based on Aberdeen City Council's Masterplanning Process, which advocates community and stakeholder engagement in the planning process at the earliest opportunity and seeks to maintain this involvement throughout its preparation. The document invites people to participate through the arranged consultation methods and events, regardless of who they are, or where they live.
- The input from the existing community has shaped the proposals ensuring that they meet the aspirations for the site. Detailed information about the consultation events held can be found in the Development Framework document.
- In addition, public participation is encouraged throughout the pre-application and detailed planning stages of any future planning applications.

STEP 3: Gather and consider evidence

15. What **evidence** is there to identify any potential positive or negative impacts in terms of involvement, consultation, research, officer knowledge and experience, equality monitoring data, user feedback and other? You must consider relevant evidence, including evidence from equality groups.

Consultation

The site allocations for the Newhills Expansion Area have been consulted upon widely through the Aberdeen Local Development Plan consultation process.

Further community consultation was undertaken by the site owners.

Community and stakeholder events that took place during the masterplanning process for the Newhills Expansion Area include:

- Local Development Plan: Development Options Consultation Event – June 2009
- Local Development Plan: Main Issues Report Consultation Event – November 2009
- Development Framework Consultation Event: 20 August 2013
- Development Framework Consultation Event: 28 October 2013

Further comments will be possible once the planning application has been submitted. Research such as Planning Advice Note 81: Community Engagement – Planning with

People and in Scottish Planning=Effective and Delivery by Planning Aid for Scotland (October 2008) have evidenced and advocated the positive impacts of community involvement and consultation. The consultation carried out for Newhills also followed the Aberdeen City Council Guidelines for Community Engagement.

Research

A Strategic Environmental Assessment of the Newhills Expansion Area has been carried out as part of the Aberdeen Local Development Plan process to identify any significant environmental effects arising from the settlement strategy and planning policies which development at Newhills needs to comply with.

As part of the Aberdeen Local Development Plan process, and therefore for the allocation of sites including Newhills, an analysis of socio-economic and demographic change was completed to inform the proposed plan. In addition, a Housing Need and Demand Assessment was completed which confirmed the need for more family housing in Aberdeen – therefore the Newhills Development Framework has positive benefits in terms of helping to support and deliver more housing in a manner consistent with the Aberdeen Local Development Plan 2012.

Officer Knowledge

Professional expertise of Council officers was used during the consultation process of the development framework document. Comments were fed back into the process and helped to evolve and finalise the design proposals for Newhills.

STEP 4: Assess likely impacts on people with Protected Characteristics

16. Which, if any, people with protected characteristics and others could be affected positively or negatively by this proposal? Place the symbol in the relevant box. Be aware of cross-cutting issues, such as older women with a disability experiencing poverty and isolation.

(Positive +, neutral 0, - negative)

Protected Characteristics					
Age - Younger Older	+	Disability	0	Gender Reassignment*	0
Marriage or Civil Partnership	0	Pregnancy and Maternity	0	Race**	+
Religion or Belief	0	Sex (gender)***	0	Sexual orientation****	0
Others e.g. poverty	+ health/ housing				

Notes:

* Gender Reassignment includes Transsexual

** Race includes Gypsy/Travellers

*** Sex (gender) i.e. men, women

**** Sexual orientation includes LGB: Lesbian, Gay and Bisexual

17. Please detail the potential positive and/or negative impacts on those with protected characteristics you have highlighted above.

In making the assessment you must consider relevant evidence, including evidence received from individuals and equality groups. Having considered all of these elements, you must take account of the results of such assessments. This requires you to consider taking action to address any issues identified, such as removing or mitigating any negative impacts, where possible, and exploiting any potential for positive impact. If any adverse impact amounts to **unlawful discrimination**, the policy must be amended to avert this. Detail the impacts and describe those affected.

Positive impacts (describe protected characteristics affected)	Negative Impacts (describe protected characteristics affected)
<p>Race – the proposals include the provision of a Gypsy Traveller site to improve access to facilities.</p> <p>Younger – the proposals include the provision of education facilities and recreational Play Spaces for children. In addition there will be opportunities for nursery development within the proposed mixed-use centres.</p> <p>Other Housing – greater provision of housing to meet the housing demand, affordable housing to meeting housing needs, and a range of housing types to suit differing needs and as a result of demographic change.</p> <p>Health – improved access to useable open spaces for leisure pursuits and opportunities for walking/cycling/exercise.</p>	

STEP 5: Human Rights - Apply the three key assessment tests for compliance assurance

18. Does this proposal/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 saying how. **If you answer “no”, go straight to question 22.**

- | |
|---|
| <input type="checkbox"/> Article 3 – Right not to be subjected to torture, inhumane or degrading treatment or punishment
<input type="checkbox"/> 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?

No

Legality

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

n/a

Legitimate aim

20. Is the aim of the policy identified in Steps 1 and 2 a legitimate aim being served in terms of the relevant equality legislation or the Human Rights Act?

n/a

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?

n/a

STEP 6: Monitor and review

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

Planning Applications: Continuous monitoring of future developments will be followed through the statutory planning application process, and any resultant purification of matters specified in conditions.

Neighbour Notification: The Council must serve a neighbour notification notice on certain neighbouring property owners and occupiers as part of the planning application process.

The planning authority must carry out appropriate consultation as identified by planning statutes as part of the statutory planning application process. In addition, the developer is required to carry out public engagement a minimum of 12 weeks in advance of submitting a major planning application, in order to allow community views to be fed into the detailed design process and application assessment.

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

The result of this impact assessment will be used to inform the assessment and preparation of future development frameworks and masterplans in accordance with the Aberdeen Masterplanning Process.

As this Development Framework will form site-specific Supplementary Guidance, it will only inform future phased masterplans and planning applications within the site. Therefore no further development of the Framework is necessary. Any review of the Opportunity Site allocation with specific reference to deliverability is subject to a review of the Local Development Plan.

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
Claire McArthur	22 November 2013	

Quality check: document has been checked by

Name	Date	Signature
Laura Robertson	11 December 2013	

Head of Service (Sign-off)

Name	Date	Signature
Dr Margaret Bochel	07 February 2014	

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

Equality and Human Rights Impact Assessment – the Form.
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Aberdeen
AB10 1AB

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