

Equality and Human Right Impact Assessment: The Form



EHRIA

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. Throughout the form, **the word “proposal” refers to policy, strategy, plan, procedure, report or business case.** This then, embraces a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Please also refer to the “Completion Terminology” at the end of the form.

1: Equality and Human Rights Impact Assessment- Essential Information

Name of Proposal: Station Gateway: Development Brief	Date of Assessment: 23.11.15, updated 14.12.15
Service: Planning and Sustainable Development	Directorate: Communities Housing and Infrastructure
Committee Name or delegated power reference (Where appropriate): Communities Housing and Infrastructure CHI/15/327	Date of Committee (Where appropriate): 20 January 2016
Who does this proposal affect? Please Tick ✓	Employees <input type="checkbox"/> Job Applicants <input type="checkbox"/> Service Users <input type="checkbox"/> Members of the Public <input type="checkbox"/> Other (List below) <input type="checkbox"/>

2: Equality and Human Rights Impact Assessment- Pre-screening	
Is an impact assessment required?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If No, what is the evidence to support this decision? (Once this section is completed, please complete section 8 of the form).	

3: Equality and Human Rights Impact Assessment

a- What are the aims and intended effects of this proposal?

Aims

To set out the planning, urban design and development principles for Station Gateway, identified as project IE5 in the approved Aberdeen City Centre Masterplan. The brief considers how these principles can be adopted so that the Station can continue to complement and support Aberdeen's economic and cultural growth. The brief provides guidance to ensure that the objective for a greater mix of uses in the area can be delivered complementary to one another. The development brief area is included in the City Centre Masterplan, Aberdeen Local Development Plan and is covered by City Centre Business Zone (C2), Land for Transport (T1) and Mixed Use Area (H2) designations.

Effects

- Better connecting the residents of Aberdeen with the Station, and also seeking to improve connections to and from the rest of the city centre through improved public realm and way finding.
- Potential project work has been identified through community and stakeholder engagement on the City Centre Masterplan.
- Responds to the aims and aspirations of the Aberdeen City Centre Masterplan.

	<ul style="list-style-type: none"> • The Development Brief will help guide the future provision and deliverability of proposals in the area avoiding piecemeal development. • The Development Brief also offers opportunities for better connections to non-motorised forms of transport. This offers transport choices for citizens and is of particular benefit to those who do not have access to a car. • As part of the modernisation of the planning system in Scotland, public engagement plays a vital role in the preparation of plans. This allows for people's involvement throughout the design and development process, and makes a real difference to the content of the final document.
<p>b- What equality data is available in relation to this proposal?</p> <p>(Please see guidance notes)</p>	<p>There is no equality data available in relation to this proposal. During the consultation process for the City Centre Masterplan consultation participants were not asked any personal information.</p>
<p>c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g.</p>	<p>Consultation</p> <p>The need for a development brief for the Station Gateway has been consulted upon widely through the City Centre Masterplan consultation process.</p>

with employees, service users, Unions or members of the public that has taken place in relation to the proposal.

Three engagement periods including sessions/workshops have already been completed with the community, relevant stakeholders and statutory agencies, in September 2014, February and May 2015, where participants were invited to view plans, comment on draft proposals and suggest changes. Further comments will be possible once planning applications for bringing forward any of the individual projects specified in the Development Brief have been submitted. The consultation events were open to all.

Feedback

The comments received from the local community and interested stakeholders throughout the consultation process have been used to inform the Aberdeen City Centre Masterplan, of which this is a key project (Intervention Area 5). A summary of the key issues of concern are contained in the Stakeholder Consultation Report: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=65368&slD=26695>

General issues raised include:

- Wayfinding
- Accessibility
- Architecture and Urban Design
- Public realm

These are specifically addressed in the approved Masterplan and, in turn, the development brief.

There were no specific outcomes from the consultation in relation to equalities and/or human rights.

<p>d- Financial Assessment</p> <p>If applicable, state any relevant cost implications or savings expected from the proposal.</p>	<p>Costs (£)</p> <p>Implementation cost £ N/A</p> <p>Projected Savings £ N/A</p>
<p>e- How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?</p>	
<p>The preparation of the Development Brief 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. This has already taken place in the Masterplan from which this Brief arises.</p>	
<p>f- How does this proposal link to the Council's Equality Outcomes?</p>	

The Council's Equality Outcomes relevant to the Development Brief are:

11. Pavements and footpaths that are safer and easier to use for pedestrians.

12. People who feel safe in their homes and in a city that is family friendly by night.

17. The city environment and green spaces are cleaner, better maintained and more family friendly, taking account of physical accessibility and the needs of older people.

4: Equality Impact Assessment - Test

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a '<i>Genuine Determining Reason</i>'* exists *(see completion terminology)
Age (People of all ages)		✓		The development brief will set out principles that create a better urban environment with improved pedestrian access to the Station and Guild Street area for all ages.
Disability (Mental, Physical, Sensory and Carers of Disabled people)		✓		The development brief will set out principles that create a better urban environment for all, including those with disabilities, in the Station/Guild Street area.
Gender Reassignment	✓			
Marital Status (Marriage and Civil Partnerships)	✓			
Pregnancy and Maternity	✓			

Equality Impact Assessment Test:

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *(see completion terminology)
Race (All Racial Groups including Gypsy/Travellers)	✓			
Religion or Belief or Non-belief	✓			
Sex (Women and men)	✓			
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)	✓			
Other (e.g: Poverty)	✓			

5: Human Rights Impact Assessment Test

Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and , if applicable, justification where the impact is proportionate

Article 2 of protocol 1: Right to education

Yes No

Evidence:

Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment

Yes No

Evidence:

<p>Article 6: Right to a fair and public hearing</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
<p>Article 8: Right to respect for private and family life, home and correspondence</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
<p>Article 10: Freedom of expression</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
<p>Article 14: Right not to be subject to discrimination</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>

<p>Other article not listed above, please state:</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
<p align="center">6: Assessment Rating:</p>	
<p>Please rate the overall equality and human right assessment (Please see Completion terminology)</p>	<p> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Red Red Amber Green </p>
<p>Reason for that rating:</p>	<p>The proposal does not negatively impact overall equality and human rights.</p>

7: Action Planning

As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Identified Risk and to whom:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
No Risks Identified	N/A	N/A	N/A	N/A

8: Sign off

Completed by (Names and Services) :

Sandy Beattie
Team Leader (Masterplanning, Design & Conservation)
Planning and Sustainable Development
Communities, Housing & Infrastructure

Signed off by (Head of Service) :

Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report 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

9: Completion Terminology:

Assessment Pre-screening Rating:

This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the Council. Therefore, a full impact assessment is required, for example around sensitive issues such as marching, Gypsy/ Traveller issues, change to social care provision. It should also be completed to evidence why a full impact assessment was not required, example, there is no potential negative impact on people.

Assessment Rating:

After completing this document, rate the overall assessment as follows:

Red: As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise) against one or more of the nine groups of people who share *Protected Characteristics*. It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed.

Red Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share *Protected Characteristics*. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken.

Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the *Action Planning* section of this document.

Green: As a result of performing this proposal does not appear to have any adverse impacts on people who share *Protected Characteristics* and no further actions are recommended at this stage.

<p>Equality Data:</p>	<p>Equality data is internal or external information that may indicate how the proposal being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i> 4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i>
<p>Genuine Determining Reason</p>	<p>Certain discrimination may be capable of being justified on the grounds that:</p> <ol style="list-style-type: none"> (i) <i>A genuine determining reason exists</i> (ii) <i>The action is proportionate to the legitimate aims of the organisation</i> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p>
<p>Human Rights</p>	<p>The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.</p>
<p>Legal Status:</p>	<p>This document is designed to assist us in “<i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i>” as required by <i>The Equality Act Public Sector Duty 2011</i>. An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.</p>