



# 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. Name of proposal. Community Gardens Policy on Council owned land

2. Officers completing this form.

Name	Designation	Service	Directorate
Jan Falconer	Strategist Sustainable Development	Sustainable Development	Enterprise Planning and Infrastructure

3. Date of Impact Assessment. 11 January 2010

4. When is the proposal next due for review? 30 April 2011

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

Housing and Environment Directorate- Environmental Services is the lead service. Assistance in lease pricing will come from Asset Management Services and any spatial planning issues will align with the Council's Local Plan.

6. 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.**

This policy will benefit local communities in Aberdeen and enhance their opportunities to enjoy a healthy, satisfying and sustainable lifestyle.

7. 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**

8. What are the main aims of the proposal?

The purpose of this community gardens policy is to:

- a) make available public open space for gardening as a form of community recreation;
- b) provide opportunities of outdoor community education about gardening;
- c) provide opportunities to foster social wellbeing through community interaction;
- d) establish opportunities for local pride in public open spaces; and
- e) provide options for those members of the community who lack sufficient private open space to have their own vegetable or fruit gardens.

9. Who will benefit most from the proposal?

Interested Community Groups

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

Groups have the opportunity to make proposals to develop identified Council land in their own area. This policy acts as to facilitate many of the aspirations held across the city to positively impact the local environment by providing those who lack sufficient private open space to have their own vegetable and or fruit gardens.

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

Two of the policy's aims are to foster local pride and social well-being through community interaction for a common purpose, thus the aim is for a more cohesive community.

**STEP 3: Gather and consider evidence**

12. 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 Council has a limited amount of Allotment sites. With the recent budget pressures it has emerged that there is a large waiting list for Allotments. An Allotment association has emerged but there is difficulty for such groups to garner funding. The Council continues to work with this Association and has found that one of the challenges is that most funding is given to those gardens that are publicly accessible.

There are a number of private Community Gardens but there is no policy for Community Gardens on Council owned land.

From the Federation of Community Farms and Garden research 'The True Value of Community Farms and Gardens May 2008' the following was found that such projects:-

- help teach participants where food comes from;
- give access to affordable food;
- help participants integrate into a community;
- provide a place to make friends;
- provide activities for young people;
- help to develop an understanding of the environment and biodiversity;
- assist participants in connecting to nature;
- offer access to natural therapy through understanding the therapeutic properties in plants ; and demonstrate that
- Community Gardening in itself is a good form of exercise and relaxation.

The Portland Memory Project (2002) lends an extensive list of benefits for Mental Health as follows.

#### Physical Benefits

- Exercises the eyes through visual scanning, and seeing near and far.
- Exercises hands and fingers, arms and upper body.
- Motivates the person to walk, stoop, bend, reach and maintain balance.
- Gives enormous pleasure through the senses:- seeing, smelling, feeling, and hearing.
- Gives mild to moderate exercise in co-ordination, strength, stamina and physical activity and frequently nothing else will.

#### Cognitive Benefits

- Enhances orientation
- Exercises the attention span
- Gives practice in following simple directions

#### Social Benefits

- Promotes interaction by encouraging discussion about common interest.
- Lends it self to many social activities; clubs, garden socials.

#### Psychological benefits

- Provides a safe nurturing and familiar environment.
- Provides opportunities to relieve tension, frustration and aggression.
- Provides a place to gather friends and family for emotional support.
- Serves as a personal sanctuary.

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

13. 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*	+	Disability	+	Gender**	
LGB***	0	Belief	0	Younger	+
Older	+	Others e.g. poverty	+		

\* Race includes Gypsies/Travellers

\*\* Gender includes women, men, Transgender

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

14. 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)
<p>Race- opportunity for immigrants to meet others. Learn new skills and share traditions</p> <p>Older- opportunity to meet new people, share their experiences improve sensory function</p> <p>Disability- opportunity to meet new people, share experiences, provide a new outlet and improve health function</p> <p>Others (poverty)- access to affordable food, learn new skills, meet different people, give structure, gain confidence and improve health function</p> <p>Younger;- learn new skills, understand where food comes from, meet different people, give structure and improve health function</p>	<p>None</p>

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

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.**

**NO**  Article 3 – Right not to be subjected to torture, inhumane or degrading treatment or punishment

**NO**  Article 6 – Right to a fair and public hearing

**NO**  Article 8 – Right to respect for private and family life, home and correspondence

**NO**  Article 10 – freedom of expression

**NO**  Other article not listed above

### Legality

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

Not applicable

### 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?

Not applicable

### 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?

Not applicable.

### STEP 6: Monitor and review

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

This will be monitored through annual reporting to the Housing and Environment Committee.

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

The results will be used to align the Policy to the requirements.

**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
Jan Falconer	11 January 2010	

Quality check: document has been checked by

Name	Date	Signature
Norrie Steed	11 January 2010	

Head of Service (Sign-off)

Name	Date	Signature
Margaret Bochel	11 March 2010	

**Now –**

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

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