

# Equality and Human Rights Impact Assessment - the Form

Eight steps to an equality and human rights impact assessment



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.

**STEP 1: Identify essential information** (To complete this section please use the notes on page 8 of the guide to the Equality and Human Rights Impact Assessment.)

1. Name of function, policy or procedure

Aberdeen Local Development Plan – Proposed Plan

2. Is this function, policy or procedure  New  Reviewed

3. Officers completing this form

Name	Designation	Service	Directorate
Louise MacSween	Planning Trainee	Planning and Sustainable Development	Enterprise Planning and Infrastructure

4. Date of Impact Assessment

5. Lead council service(s) involved in the delivery of this function, policy, procedure

Planning and Sustainable Development

6. Who else is involved in the delivery of this function, policy or procedure? (for example other Council services or partner agencies)  
**(if none go to question 8)**

7. How have they been involved in the equality and human rights impact assessment process?

**STEP 2: Outline the aims of the function, policy or procedure** (To complete this section please use the notes on pages 9 -10 of the guide to the Equality and Human Rights Impact Assessment.)

8. What are the main aims of the function, policy or procedure? Please list

The Proposed Plan is a major step in the preparation of the Aberdeen Local Development Plan which, once adopted, will replace the current Aberdeen Local Plan (2008). The existing Local Plan makes provision for new development over a short time period and while many of its aims and policies remain sound, it now needs to be updated. The Local Development Plan will deal with the period up to 2023 and with some of the larger land allocations up to 2030.

The Proposed Plan also sets out our vision for the future development of Aberdeen to 2023 and the planning policies and proposals which will help us achieve our aims. In doing this we have looked at Aberdeen's role within a Scottish context, as set out in the Scottish Government's National Planning Framework, and we have addressed the city's contribution to the future development needs of the north east as required by the Aberdeen City and Shire Structure Plan which was approved in August 2009.

9. Who are the main beneficiaries of the function, policy or procedure? Please list

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 and other Council services.

10. Is the function, policy or procedure intended to increase equality of opportunity by permitting positive action or action to redress disadvantage?

Yes

No

Give details

The document provides people with the opportunity to contribute to the preparation of a plan that will reshape and further develop Aberdeen (including priority regeneration areas) to address the needs and demands of its citizens, taking account of accessibility to services. 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.

The publication of the Proposed Plan presents policy and zoning decisions that have been proposed following thorough public consultation. This will demonstrate to people that their participation was valuable to the process, and reinforces that people have a right to be involved in the planning process.

11. What impact will the function, policy or procedure have on promoting good relations and wider community cohesion?

The document invites people to participate by submitting representations, regardless of who they are, or where they live. It also presents ways to meet the diverse needs of all communities.

**STEP 3: Gather and consider evidence** (To complete this section please use the notes on pages 11 - 12 of the guide to the equality and human rights impact assessment)

12. What evidence is there to identify any potential positive or negative impacts?

Evidence	Details
Consultation	<p>The Local Development Plan team has consulted widely on the Local Development Plan. At the first stage, known as the Development Options, the team organised 5 events across the City inviting developers to display details of their Development Options sites to the public in an open informal format.</p> <p>A similar series of events were held across the City for the next stage of consultation known as the Main Issues Report, where the Local Development Plan Team set out their preferred options and some reasonable alternatives for the land use strategy and policies issues affecting the City. As well as this the Local Development Plan team made a presentation to those in attendance to provide more details on the Local Development Plan preparation process and focus groups were formed and facilitated by officers from the Local Development Plan team.</p> <p>These events were advertised the events to the public in a number of ways including Press and Journal articles before the events, posters in the local libraries, information on the Council website and displayed in City Centre advertising pillars. Community Councils and Key Agencies were invited to the events by letter. We also consulted the Community Councils before these meetings to discuss the consultation strategy and ask for any other suggestions regarding consultation.</p> <p>All meetings were very successful with many interesting comments and issues raised by the public regarding the Development Options, preferred and alternative policy options and the open evening process. A report was prepared for each stage of consultation and these can be found at <a href="http://www.aberdeencity.gov.uk/localdevelopmentplan">www.aberdeencity.gov.uk/localdevelopmentplan</a>.</p> <p>This report includes all the comments that we received from all the open events.</p> <p>This is a summary of the most relevant comments received.</p>

- Need for affordable housing
- Free school bus transport to help ease traffic
- Schools need to be fit for purpose
- Adequate provision for Gypsies/Travellers
- Promote regeneration and brownfield development
- Pressures on school capacities
- Current lack of community facilities
- Sources of future employment

As well as the meetings organised with members of the public the Local Development Plan team attended a number of other meetings such as the:

- Youth Council
- Civic Forum
- Land Use Forum
- Equalities Action Network

This is a summary of the most relevant comments received.

- Housing for the homeless
- Eligibility of housing for local people – perception that some housing is developed solely for asylum seekers.
- Improvements to streetscape for the interest of disability groups

Other priorities included:

- Better provision for Gypsy / Travellers
- More affordable family housing
- Planning for schools and hospitals
- Environmental issues such as heating

As well as the meetings, individuals, Community Councils, developers and agencies were encouraged to submit representations on the Main Issues Report to help inform preparation of the Proposed Aberdeen Local Development Plan. All representations can be found at

[www.aberdeencity.gov.uk/localdevelopmentplan](http://www.aberdeencity.gov.uk/localdevelopmentplan).

The Proposed Local Development Plan will be subject to a statutory consultation period extended to 12 weeks. We will also carry out neighbour notification for certain proposals.

Research

A SEA has been carried out to identify any significant environmental effects arising from the settlement strategy and planning policies. A summary of the findings is given below.

	<p><b>Strategy</b></p> <p>Significant impact on air and water quality arising from developments. Mixed impact on climatic factors as development has the potential to increase green house gas emission through increased housing and business provision and an increased demand for transport. However, new developments will be more efficient than existing buildings. There would be significant positive impacts on Material assets, Population and Human Health.</p> <p><b>Policy</b></p> <p>Generally policies will have a positive or neutral impact on air, water, soil, biodiversity, climatic factors, cultural heritage, landscape, material assets, population and human health. Some policies such as those related to waste and minerals will have a negative impact on soil, air and climatic factors.</p> <p>Analysis of socio-economic and demographic change and preparation of topic papers on a range of policy subjects such as: housing, retail, design and economic development.</p> <p>An Housing Need and Demand Assessment has been completed and shows the following results:</p> <ul style="list-style-type: none"> <li>▪ Need for more sheltered housing support</li> <li>▪ Need for specialist and adapted properties for people with physical disabilities</li> <li>▪ Need for more accommodation support for people with learning disabilities and people with mental health or substance misuse issues</li> <li>▪ Need for family housing in the city</li> <li>▪ Significant need for Gypsy/ Traveller sites</li> <li>▪ Significant need for student accommodation</li> <li>▪ Need for larger homeless units for lone parents</li> <li>▪ Need for emergency access accommodation for women</li> </ul> <p>The Local Development Plan will need to support other Council strategies which will themselves impact on equality target groups.</p>
<p>Officer knowledge and experience (including feedback from frontline staff)</p>	<p>A Local Development Plan working group (with officers from several Council services) has been set up and this group was consulted throughout the preparation of the Proposed Aberdeen Local Development Plan. A number of other staff were</p>

	consulted on specific issues both individually and through group meetings. Key Agencies were also involved in the preparation of the plan, offering specialist knowledge and experience.
Equality monitoring data	<p>We used an equalities monitoring form at the development options workshops. The results are presented here:</p> <p>Not everyone that attended the workshops filled out a monitoring form. Many just came to look at the proposals and none were under any obligation to fill out forms. Of those attendants who did submit forms, 33 were male and 21 were female. 4 people considered themselves disabled. In terms of Race / Ethnicity, 37 declared themselves Scottish, 8 British, 7 English and 2 Gypsy/ Travellers.</p>
User feedback (including complaints)	The Aberdeen Local Development Plan – Proposed Plan will be subject to statutory consultation periods during which we will run consultation events and publicise widely to encourage wider participation. Also see above on consultation.
Other	N/A



**STEP 4: Assess likely impacts on equality strands** (To complete this section please use the notes on pages 13 –14 of the guide to the Equality and Human Rights Impact Assessment)

13. Which, if any, equality target groups and others could be affected by this function policy or procedure? Place the symbol in the relevant box.

Equality Target Group	Positive Impact(+)	Neutral Impact (0)	Negative Impact(-)
Race*		√	
Disability	√		
Gender **		√	
LGB***		√	
Belief	√		
Younger	√		
Older	√		
Others		√	

\* Race include Gypsies/Travellers

\*\* Gender includes Transgender

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

14. From the groups you have highlighted above, what positive and negative impacts do you think the function, policy or procedure might have?

Detail the impacts and describe the groups affected.

Positive impacts (describe groups affected)	Negative Impacts (describe groups affected)
<p>The publication of the Aberdeen Local Development Plan – Proposed Plan is an invitation for <b>all</b> groups to engage with planning issues within Aberdeen. Once we publish the Plan we will arrange consultation to ensure that the comments we receive are representative and to reach out to groups that are sometimes hard to reach, and those that have not yet been represented in our consultation events.</p> <p>Our assessment of sites and policy issues has been informed by research into established and predicted needs. Some of this research, such as the Housing Need and Demand Assessment which has provided the evidence base for setting the level of affordable housing expected in new developments. The Proposed Plan ensures that new</p>	

developments contain local facilities and services wherever possible and are not car dependent, but prioritise walking, cycling and public transport.	
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**STEP 5: Apply the three key assessment tests for compliance assurance** (To complete this section please use the notes on pages 15 – 17 of the guide to the Equality and Human Rights Impact Assessment.)

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.**

<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 <input type="checkbox"/> Article 8 – Right to respect for private and family life, home and correspondence <input type="checkbox"/> Article 10 – freedom of expression <input type="checkbox"/> Other article not listed above  How?
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**Legality**

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

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**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?

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**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?

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**STEP 6: Monitor and review** (To complete this section please use the notes on page 18 of the guide to the Equality and Human Rights Impact Assessment).

19. How will you monitor the implementation of the function, policy or procedure? (For example, customer satisfaction questionnaires)

After the Proposed Plan is agreed by Council the public will be invited to make representations on the plan.

20. How will the results be used to develop the function policy or procedure?

The purpose of the publication of the Aberdeen Local Development Plan Proposed Plan is to enable interested individuals and groups to make representations on the spatial strategy and policy issues affecting the future of the City. Any representations submitted to the Council will be summarised, and a Council response will be prepared. This will be sent on to Scottish Ministers who will appoint an independent person (often called a Reporter) to examine the Proposed Plan, in particular any unresolved representations. The Reporter will then ask the Council to supply him or her with the summary of unresolved issues, copies of unresolved representations and any other supporting documents or productions. The Reporter will decide whether a Public Examination will be required and what form it will take. Most issues are expected to be handled without the need for further information, but where additional evidence is requested, this will normally be in written form. Where a face-to-face meeting is required, this will normally take the form of a discussion with questions led by the Reporter (this is often called a hearing). Only in exceptional circumstances will a formal inquiry be necessary to test information through cross –examination.

21. When is the function, policy or procedure due for review?

The publication of the Aberdeen Local Development Plan – Proposed Plan is a key step in the preparation of the Local Development Plan, which is due for adoption in 2012. An EHRIA will be undertaken at other key steps in the preparation, such as the resubmission of the Development Plan Scheme in March 2011 and publication of the Aberdeen Local Development Plan in 2012.

**STEP 7: Report results and summary of EHRIA to the public** (To complete this section please use the notes on page 19 of the guide to the Equality and Human Rights Impact Assessment).

22. Where will you publish the results of the Equality and Human Rights Impact Assessment?

Please indicate as follows by ticking the appropriate box(es).

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

Other, please state where:

Full EHRIA will be available on the Council website along with the Proposed Plan.

23. Please summarise the results of the Equality and Human Rights Impact Assessment and give an overview of whether the policy, procedure or function will meet the Council’s responsibilities in relation to equality and human rights. This summary needs to include any practical actions you intend to take / have taken to reduce, justify or remove any adverse negative impacts.

The document provides people with the opportunity to contribute to the preparation of a plan that will reshape Aberdeen to address the needs and demands of its citizens. It has been informed by a thorough review of relevant legislation, policies and strategies.


There are likely to be positive impacts across a number of the equality target groups resulting from the Local Development Plan for example, access to services, affordable housing and higher quality of living.

We will aim to continue consultation with all equality groups in the next stages of the plan.


**STEP 8 SIGN OFF** (To complete this section please use the notes on page 20 of the guide to the Equality and Human Rights Impact Assessment)

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

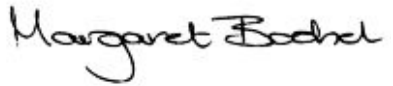
Person completing the impact assessment

Name	Date	Signature
Louise MacSween	05/07/2010	

Quality check: document has been checked by

Name	Date	Signature
Scott Dalgarno	16/07/2010	

Head of Service (Sign-off)

Name	Date	Signature
Margaret Bochel	16/07/2010	

**Now –**

Please send a copy of your completed EHRIA form together with the Policy/Strategy/Procedure to:

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