



# 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
Louise MacSween	Planner	Planning and Sustainable Development	Communities, Housing 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

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.**

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 Development Plan (2012).

The purpose of the publication of the Proposed Aberdeen Local Development Plan is to enable interested individuals and groups to make representations on the spatial strategy and policy issues affecting the future of the City.

People interested or involved in the preparation of the Aberdeen Local Development Plan – residents, businesses in Aberdeen, stakeholders, key agencies, the development industry and other Council services will benefit most from the Proposed Plan.

There will be no likely negative impacts on any people with protected characteristics.

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?

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 Development Plan (2012). The existing Local Development Plan makes provision for new development up to 2026 and will show indicatively where development may take place up to 2035. While many of its aims and policies remain sound, it now needs to be updated. The reviewed Local Development Plan will deal in detail with development in the period up to 2035.

The Proposed Plan also sets out our vision for the future development of Aberdeen to

2035 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 Strategic Development Plan which was approved in March 2014.

12. Who will benefit most from the proposal?

People interested or involved in the preparation of the Aberdeen Local Development Plan – residents, businesses in Aberdeen, stakeholders, key agencies, the development industry and other Council services.

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.

There will be no likely negative impacts on people with protected characteristics. Community engagement on the document will help foster good relations with communities and will give everyone an equal opportunity to have their say.

**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.

Evidence	Details
Consultation	<p><b>Public Drop-in Events</b></p> <p>The Local Development Plan team organised nine drop-in events across the City inviting members of the public to put their views across on the Main Issues Report. These have helped draft the Proposed Plan.</p> <p>Workshops were all held in public buildings which were accessible to all such as libraries, sports facilities, shopping centres and community centres.</p> <p>Community Councils, Key Agencies and those who had previously been involved in the Aberdeen Local Development Plan process were invited to the events.</p> <p>We advertised the events to the public in a number of ways including newspaper articles before the events, a statutory newspaper advert, a radio advert, posters in the local libraries, supermarkets, NHS facilities, community centres and Sport Aberdeen facilities across the city, information on the Council website and the City Centre Pillars.</p>

	<p>Posters were also sent to Community Councils to distribute around their community.</p> <p>Some meetings were better attended than others, however many interesting comments and issues were raised by the public regarding the Main Issues Report.</p> <p><b>Retail in the City Centre Workshop</b></p> <p>A workshop focussing on retail in the City Centre was held in Marischal College with Councillors, members of the City Centre business community and City Centre community groups invited. The session consisted of a presentation outlining the Aberdeen Local Development Plan - Main Issues Report by a member of the Local Development Plan team and then a presentation by Keith Hargest on the Aberdeen City and Aberdeenshire Retail Study (2013) and its implications for Aberdeen City Centre. The presentations were then followed by facilitated workshops. The meeting note can be found at <a href="http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_2016_main_issues_report.asp">http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_2016_main_issues_report.asp</a></p> <p><b>Youth Engagement</b></p> <p>The aim of our Youth Engagement Programme has been to promote the important role young people can play in looking into the future of places and expressing how they think they should be designed and planned. We wrote to every secondary school in the city to invite them to take part in our Youth Engagement Programme. This was very successful with seven schools signing up. This can be found at <a href="http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_2016_main_issues_report.asp">http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_2016_main_issues_report.asp</a> along with an officer report.</p> <p><b>Questionnaires / Representations</b></p> <p>The Local Development Plan team also designed a questionnaire that was made available on the web and in paper that gave the opportunity to comment on the main planning issues the city faces. Paper copies were sent round the local libraries and were made available in Marischal College and at the consultation workshops we held. We received 341 representations, nine which were new development bids, and these can be found at <a href="http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_2016_mir_responses_atoz.asp">http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_2016_mir_responses_atoz.asp</a></p> <p>Please see Appendix 5 for the Development Options Assessment Report and Appendix 3 for the Publicity and Consultation Statement.</p> <p>The Proposed Local Development Plan will be subject to statutory consultation periods. We will also carry out neighbour notification for certain proposals.</p>
<p>Research</p>	<p>A Strategic Environmental Assessment has been carried out to identify any significant environmental effects arising from the settlement strategy and on all policies and proposals in the Proposed</p>

	<p>Local Development Plan (please see Appendix 6).</p> <p>Housing Need and Demand Assessment is now complete which covers special needs groups such as the elderly and gypsy travellers.</p> <p>The Proposed Local Development Plan will need to support other Council strategies which will themselves impact on equality target groups.</p>
Officer knowledge and experience (including feedback from frontline staff)	A Local Development Plan working group (with officers from several Council services) has been set up and consulted during the preparation of the Proposed Local Development Plan. A number of other staff were consulted on specific issues both individually and through group meetings. Key Agencies and the Future Infrastructure Requirements for Services (FIRS) group were also involved in the preparation of the plan, offering specialist knowledge and experience.
User feedback (including complaints)	The Proposed Local Development Plan will be subject to statutory consultation periods during which we will run engagement exercises to encourage wider participation.
Other	

#### 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	+	Disability	+	Gender Reassignment*	0
Older					
Marriage or Civil Partnership	0	Pregnancy and Maternity	0	Race**	+
Religion or Belief	+	Sex (gender)***	0	Sexual orientation****	0
Others e.g. poverty					

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>The publication of the Proposed Aberdeen Local Development 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 developments contain local facilities and services wherever possible and are not car dependent, but prioritise walking, cycling and public transport.</p>	<p>No negative impacts.</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
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punishment

- 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?**

### **Legality**

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

### **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?

### **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)

Monitoring is undertaken throughout the Development Plan Process.

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

The purpose of the publication of the Proposed Aberdeen Local Development 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.

## 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
Louise MacSween	19 August 2014	

Quality check: document has been checked by

Name	Date	Signature
Andrew Brownrigg	1 September 2014	

Head of Service (Sign-off)

Name	Date	Signature
Margaret Bochel	22 September 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  
Broad Street  
Aberdeen  
AB10 1AB

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