

Equalities and Human Rights Impact Assessment of the Draft Aberdeen City and Shire Structure Plan

STEP 1: Identify Essential Information

1. **Name of function or policy:** The Aberdeen City and Shire Structure Plan
2. **Lead Officer for function/policy:** David Jennings
3. **Lead Service involved in the delivery of this function or policy:** Aberdeen City and Shire Strategic Development Plan Team
4. **Lead Service taking primary responsibility for this impact assessment:** Aberdeen City and Shire Strategic Development Plan Team
5. **Names of Officers carrying out this impact assessment:** Toby Coke; Kathryn Hossack
6. **Officer Designation(s):** Planner; Trainee Planner
7. **Is this function or policy:** New Reviewed
8. **Date of Impact Assessment:** 29 April 2008

9. Others involved in the delivery of this function or policy:

Planning and Infrastructure, Strategic Leadership (Aberdeen City Council)

Planning Policy and Environment, Planning and Environmental Services (Aberdeenshire Council)

Most Council services in Aberdeen City and Shire would be involved. Partnerships, private sector, communities and voluntary groups could all be involved in delivery.

10. How have the others (listed in question 9) been involved in the Equality and Human Rights Impact Assessment process?

This draft assessment will be published with the draft structure plan and form part of the suite of consultation documents. Responses will be used to finalise the assessment when the finalised plan is prepared.

STEP 2: Outline aims of the function or policy

10. What are the main aims of the function or policy? Please list

The main aims of the plan are to:

- provide a strong framework for investment decisions which help to grow and diversify the regional economy, supported by promoting the need to use resources more efficiently and effectively;
- take on the urgent challenges of sustainable development and climate change.

To support these main aims, the plan also aims to:

- make sure the area has enough people, homes and jobs to support the level of services and facilities needed to maintain and improve the quality of life;
- protect and improve our valued assets and resources, including the built and natural environment and our cultural heritage;
- help create sustainable mixed communities, and the associated infrastructure, which meet the highest standards of urban and rural design and cater for the needs of the whole population; and
- make the most efficient use of the transport network, reducing the need for people to travel and making sure that walking, cycling and public transport are attractive choices.

11. Who are the main beneficiaries of the function or policy? Please list

The citizens of Aberdeen City and Shire.

12. What are the intended outcomes of the policy?

The vision of the draft structure plan is that – “By 2030, Aberdeen City and Shire will be an even more exciting, modern and sustainable European city region and an excellent place to live, visit and do business.

We will be recognised for:

- our enterprise and inventiveness, particularly in the knowledge economy and in high-value markets;
- the unique qualities of our environment; and
- our high quality of life.

We will have acted confidently and taken the courageous decisions necessary to further develop a robust and resilient economy and to lead the way towards development being sustainable, including dealing with climate change and our society being more inclusive.”

The targets contained in the plan against which actions and monitoring

arrangements are identified are listed below:

- For at least 75% of all homes built, and employment land developed, to be in the SGAs by 2030.
- For at least 50% of all homes built to be in Aberdeen City by 2030.
- For all strategic developments meeting the needs of the city region to be in SGAs.
- To make sure there is at least 60 hectares of land available to businesses at all times in a range of places within Aberdeen City.
- To make sure there is at least 60 hectares of land available to businesses at all times in a range of places within SGAs in Aberdeenshire.
- For at least 20 hectares of land available to businesses in the SGAs to be of a standard which will attract high-quality businesses or be suitable for company headquarters.
- For Aberdeen to be one of the top-25 retail areas in the UK by 2030.
- For all new development in SGAs to use modern, up-to-date high-speed telecommunications networks (such as fibre optics).
- For all new buildings to be carbon neutral by 2016.
- For the city region's electricity needs to be met from renewable sources by 2020.
- To avoid having to increase the amount of water Scottish Water are licensed to take from the River Dee, as a result of the new developments proposed in the plan.
- For all new developments to use water-saving technology.
- To avoid developments on land which is at risk from coastal or river flooding (as identified by the Scottish Environment Protection Agency), except in exceptional circumstances.
- By 2020, for no more than 54,000 tonnes a year of BMW to be sent to landfill.
- To increase the population of the city region by 9% to 480,000 by 2030.
- To increase the population of people who are of working age (16 to 65) by 15% by 2030.
- To build at least 2,500 new homes each year by 2014 through the development plan.
- To build at least 3,000 new homes each year by 2020.
- To make sure that development improves and does not lead to the loss of, or damage to, built, natural or cultural heritage assets.
- For all water courses in the structure plan area to achieve 'good ecological status' under the Water Framework Directive by 2015.

- To carry out a green-belt boundary and policy review by 2010.
- To increase the range and quality of housing and the residential environment in the 'community regeneration areas'.
- For 40% of all new housing in Aberdeen City to be on brownfield sites.
- For all housing development of over one hectare in SGAs to be in line with approved supplementary guidance and generally have no less than 30 dwellings per hectare.
- For the quality and design of new developments in the city region to be nationally recognised (including developments recognised under the Scottish Sustainable Communities Initiative – Framework Document to be published by the Scottish Government in summer 2008).
- For new housing to meet the needs of the whole community by providing at least 25% of affordable housing (see the note below) and an appropriate mix of types and sizes of houses, in line with local development plans and approved supplementary guidance.
- For all developments to meet the accessibility standards set out in the local transport strategies by 2013.
- For major employment and service developments in strategic growth areas to show that they are easy to access by walking, cycling or using public transport. The travel plans produced for these developments should reduce the need for people to use cars.
- To reduce the percentage of journeys which are made by car.

13. Why is this function or policy being assessed?

This assessment will help Aberdeen City Council and Aberdeenshire Council ensure that this joint policy document does not discriminate, and enables both Councils to promote equalities, as well as other human rights and good relations between groups.

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

Yes No

Give details

The Planning etc. (Scotland) Act 2006 places an obligation on Scottish Ministers and planning authorities to perform their functions under the Act in a manner which encourages equal opportunities and observe current equal opportunity requirements. The Scotland Act 1998 defines equal opportunities as: 'the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.'

One element of the vision of the plan is for our society to be more inclusive. The spatial strategy of the plan identifies regeneration priority areas in the North-East (including the city's community regeneration areas and many coastal communities in Aberdeenshire) as requiring concerted action on a range of fronts to address sometimes deep-seated inequality.

STEP 3: Gather and Consider Evidence

16. What evidence will you use to identify any potential positive or negative impacts?

(Evidence could include: consultations, surveys, focus groups, interviews, pilot projects, user feed back (including complaints made), officer knowledge and experience, equalities monitoring data, academic publications, consultants' reports, Citizens' Panel etc)

Evidence	Details
Consultation	<p>Workshop held for Communities of Interest Forum to identify 'Main Issues' – 7th Nov 2006</p> <p>Additional Workshops held to identify 'Main Issues' with Key Stakeholder Reference Group and communities.</p> <p>Issues report (which achieved the Crystal Mark from the Plain English Campaign) sent to Community Groups, private/public sector and made available to general public (see Appendix 3-6 of Development Plan Scheme) for comment.</p> <p>Workshops will be held for the general public, community groups and the public/private sector when the draft plan has been published.</p> <p>The Communities of Interest Forum will be engaged again, with this assessment as part of that engagement exercise. The EqHRIA will be published and made available for comment alongside the other consultation documents.</p>
Research	National Planning Framework, Demographic forecasts and projections (GROS & Aberdeen City and Shire Strategic Forecasts)
Officer knowledge and experience (including feedback from frontline staff)	Professional expertise of Council officers
Equalities monitoring data	Regeneration Strategy, Community Plans
User feedback (including complaints)	Gathered through workshops.
Other	

STEP 4: Assess Likely Impacts on Equality Strands

17. Which, if any, Equality Target Groups and others could be affected by this function or policy? Place the symbol in the relevant box. Consider also the relationship between belonging to an Equality Target Group and the effect of wider cross-cutting issues, for example, a gay homeless person.

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

* Race includes Gypsies/Travellers

** Gender includes Transgender

*** LGB: Lesbian, Gay and Bisexual

18. From the Groups you have highlighted above, what positive and negative impacts, do you think the function or policy might have? Detail the impacts and describe the groups affected.

Positive impacts	Negative Impacts
<p>Older People - Increased accessibility to new developments by non-car modes of transport including buses. Targets to reduce demand for energy from new developments will reduce living costs and fuel poverty.</p> <p>Disability - Increased accessibility to new developments by non-car modes of transport including buses.</p> <p>Young People – Economic growth will increase employment opportunities. Increased affordability of housing. Increased accessibility to new developments by non-car modes of transport. Targets to reduce demand for energy from new developments will reduce living costs.</p> <p>Other - Affordable housing for low-income groups/young people/people with families/single people. Economic growth will increase employment opportunities especially in regeneration priority areas.</p>	
<p>If you have NOT identified any potential negative impacts go to question 23 and detail your monitoring, reviewing and publishing arrangements.</p>	

STEP 5: Apply the Three Key Assessment Tests for Compliance Assurance

Step 5 draws together all the steps of the impact Assessment tool in ensuring that the applications of a Council policy is non-discriminating and human rights compliant.



Q19: Which human rights or equality rights may be directly or indirectly affected as identified in Steps 3 and 4?

Not Applicable

Legality

Q20: Where there is a negative impact is there a legal basis in the relevant domestic law?

Not Applicable

Legitimate Aim

Q21: 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?

Not Applicable

Proportionality

Q22: 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: Monitoring and Review

23. How will the implementation of the function or policy be monitored? (for example, customer satisfaction questionnaires)

The draft plan includes an integrated monitoring framework directly related to the targets of the plan.

24. How will the results of the monitoring be used to develop the function or policy?

They will inform the next Aberdeen City and Aberdeenshire Local Development Plans and feed back into the new Strategic Development Plan.

25. When is the function or policy due to be reviewed?

The structure plan is due to be finalised and submitted to Scottish Ministers by the end of 2008. Following an 'examination' and possible modification it is likely to be approved by Scottish Ministers in the second half of 2009.

The structure plan is likely to be replaced by a strategic development plan by 2013.

STEP 7: Public Reporting of Results

26. Summarise the results of the Equalities and Human Rights Impact Assessment. Include any action which has been taken as a result of the Equalities and Human Rights Impact Assessment. You must note if you have modified or consulted on the function or policy.

The EqHRIA on the Structure Plan highlighted the extensive consultation and research which has taken place in developing this plan. Early engagement with the Communities of Interest Forum (before the formal work on the plan began) helped to identify the type of issues likely to be identified.

Care has been taken to ensure that the wording of the draft plan is inclusive, for example using the term 'homes' rather than 'houses'. It also has a 'crystal mark' for plain English and text identifying its availability in different formats and languages if required.

Positive Impacts:

There will be positive impacts for some of the equality target groups in the following ways:

Older People - Increased accessibility to new developments by non-car modes of transport including buses. Targets to reduce demand for energy from new developments will reduce living costs and fuel poverty.

Disability - Increased accessibility to new developments by non-car modes of transport including buses.

Young People – Economic growth will increase employment opportunities. Increased affordability of housing. Increased accessibility to new developments by non-car modes of transport. Targets to reduce demand for energy from new developments will reduce living costs.

Other - Affordable housing for low-income groups/young people/people with families/single people. Economic growth will increase employment opportunities especially in regeneration priority areas. Targets to reduce demand for energy from new developments will reduce living costs and fuel poverty.

This assessment will be published with the draft structure plan for consultation and will be available online, at libraries and Council Offices and on request from the Strategic Development Plan Team. The responses to the assessment will be reported to committee and used to inform the preparation of a finalised plan for submission to Scottish Ministers.