



City of Edinburgh Council

Record of Equality and Rights Impact Assessment

Part 1: Background and Information

(a) Background Details

Please list ERIA background details:

ERIA Title and Summary Description:

Expanding Community Engagement in the Planning System

The purpose of this report is to provide an overview of the existing processes for engagement in planning, set out current issues and the next steps for improving engagement.

Service Area	Division	Head of Service	Service Area Reference No.
PLACE	Place Development	Michael Thain - Head of Place Development	2017P105

(b) What is being impact assessed?

Describe the different policies or services (i.e. decisions, projects, programmes, policies, services, reviews, plans, functions or practices that relate to the Corporate ERIA Title):

Policies and Services	Date ERIA commenced
1. The delivery of engagement in the Edinburgh planning system and other Council services.	21/08/17

(c) ERIA Team

Please list all ERIA Team Members:

Name	Organisation / Service Area
David Leslie	Planning and Transport
Damian McAfee	Planning and Transport

Part 2: Evidence and Impact Assessment

(a) Evidence Base

Please record the evidence used to support the ERIA. Any identified evidence gaps can be recorded at [part 3a](#). Please allocate an abbreviation for each piece of evidence.

Evidence	Abbreviation
1. Officer knowledge	
2. Ongoing review of the Scottish planning system	
3. Research commissioned by the Scottish Government as part of the review of the planning system	

(b) Rights Impact Assessment – Summary

Please describe all the identified enhancements and infringements of rights against the following ten areas of rights. Please also consider issues of poverty and health inequality within each area of rights:

- Life
- Health
- Physical security
- Legal security
- Education and learning
- Standard of living
- Productive and valued activities
- Individual, family and social life
- Identity, expression and respect
- Participation, influence and voice

Please indicate alongside each identified enhancement or infringement the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

Summary of Enhancements of Rights
The review of the Scottish planning system has to date, highlighted the need to improve engagement in the planning process to the benefit of all stakeholders. The review has in particular focussed on the need to involve children and young people in the planning process with changes due to be brought forward, by Government, later this year.
Summary of Infringement of Rights
Can these infringements be justified? Are they proportional?
There are no infringements of rights under these proposals.

(c) Equality Impact Assessment – Summary

Please consider all the protected characteristics when answering questions 1, 2 and 3 below. Please also consider the issues of poverty and health inequality within each protected characteristic:

- Age
- Disability
- Gender identity
- Marriage / civil partnership
- Pregnancy / maternity

- Race
- Religion / belief
- Sex
- Sexual orientation

1. Please describe all the positive and negative impacts on the duty to eliminate unlawful discrimination, harassment or victimisation. Please indicate alongside each identified impact the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

Positive Impacts
The review of the Scottish planning system is providing an opportunity to involve more people and interest groups in the planning process and changes to the built environment which impact on them. The proposals as set out in the review documents aim to deliver positive changes such as building more homes, improving how infrastructure (schools, roads/streets, health and community facilities) are provided. The review actively seeks to be increase inclusiveness regardless of the above characteristics. There are no identified positive impacts on the duty to eliminate unlawful discrimination, harassment or victimisation
Negative Impacts
There are no identified negative impacts on the duty to eliminate unlawful discrimination, harassment or victimisation.

2. Please describe all the positive and negative impacts on the duty to advance equality of opportunity (i.e. by removing or minimising disadvantage, meeting the needs of particular groups that are different from the needs of others and encouraging participation in public life)? Please indicate alongside each identified impact the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

Positive Impacts
The review of the Scottish planning system provides an opportunity for an enhanced planning process to the benefit of all those who engage in the system. The review is based on the delivery of more positive outcomes for people, delivering better places and homes for communities.
The proposal, for this Council, is to specifically deliver improvements to how we engage with children, young people and hard to reach groups. This is currently at a scoping stage and a report is expected back to Planning Committee on how this can be taken forward, both a service level and corporately. This will set out, in more detail, proposals for enhanced engagement in the planning process.
Negative Impacts
The review of planning is ongoing with a Planning Bill expected late 2017/early 2018. Consultation and engagement will continue on the proposed Bill with further details being made available. The has raised issues on the matter of equal rights of appeal. To date, the Government have stated they do not intend to pursue this aspect but refers to much earlier and more meaningful engagement to reduce conflict in the system. This Council's Planning Committee (17 Aug 2017) has agreed to write to Scottish Ministers to ask for a 'community right of apeal' to be introduced. There is no evidence of a direct negative impact on the duty to advance equality of opportunity.

3. Please describe all the positive and negative impacts on the duty to foster good relations (i.e. by tackling prejudice and promoting understanding)? Please indicate alongside each identified impact the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

Positive Impacts

The review of the Scottish planning system is an opportunity for an enhanced planning process to benefit all stakeholder groups and particularly children and young people. The position so far taken by the Scottish Government, retains a focus on 'people' and a number of more detailed proposals are expected which will provide greater involvement in the planning process and help to improve an understanding of the system.

Negative Impacts

There will be no negative impacts on the duty to foster good relations

Part 3: Evidence Gaps, Recommendations, Justifications and Sign Off

(a) Evidence Gaps

Please list all relevant evidence gaps and action to address identified gaps.

Evidence Gaps	Action to address gaps
None	None.

(b) Recommendations

Please record SMART recommendations to

- (i) eliminate unlawful practice or infringements of absolute rights;
- (ii) justify identified infringements of rights; or
- (iii) mitigate identified negative equality impacts.

Recommendation	Responsibility of (name)	Timescale
None		

(c) Sign Off

I, the undersigned, am content that:

- (i) the ERIA record represents a thorough and proportionate ERIA analysis based on a sound evidence base;
- (ii) the ERIA analysis gives no indication of unlawful practice or violation of absolute rights;
- (iii) the ERIA recommendations are proportionate and will be delivered;
- (iv) the results of the ERIA process have informed officer or member decision making;
- (v) that the record of ERIA has been published on the Council's website / intranet, or
- (vi) that the ERIA record has been reviewed and re-published.

Date	Sign Off (print name and position)	Reason for Sign Off (please indicate which reason/s from list (i) to (vi) above)
28/08/17	Damian McAfee (Senior Planning Officer)	(i, ii, iv)
14/9/17	Michael Thain, Head of Place Development (gillian.johnston@edinburgh.gov.uk)	(i, ii, iii)