



# TAYplan

The Strategic Development Planning Authority  
for Dundee, Perth, Angus and North Fife



## TAYplan Proposed Strategic Development Plan

# Equalities and Human Rights Impact Assessment



October 2011



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## Introduction

- 1.1 The purpose of an Equalities and Human Rights Impact Assessment (EqHRIA) is to help ensure that we do not discriminate and that where possible we utilise opportunities to promote equality, as well as all other human rights and good relations between groups.
- 1.2 An EqHRIA involves thinking through the potential consequences of policies and functions on both the identified equality target groups and society at large, making sure that as far as possible, any negative impacts are minimised or eliminated and that opportunities for promoting equality and respect for all other human rights are maximised. Whilst it is not a requirement for TAYplan to carry out a Human Rights Impact Assessment, human rights issues have been considered alongside equalities as the objectives of both are often complimentary.

## TAYplan Strategic Development Plan

- 1.3 The Strategic Development Plan considers the big changes that will shape the next 20 years in Angus, Dundee City, Perth & Kinross and North Fife. It focuses on the key land use issues which cannot easily be dealt with at local level alone and are best considered at regional level where they are cross boundary.
- 1.4 A Main Issues Report published in April 2010 presented options for the scale of growth and for where development should and should not be, and sought views on these and other issues. Consultation on the Main Issues Report has informed preparation of a Proposed Plan for the TAYplan area. This assessment accompanies the submission of the Proposed Plan to the Scottish Ministers.

## Assessment Process

- 1.5 The process of undertaking the EqHRIA of the TAYplan Strategic Development Plan consists of three stages:

|  |  |
|--|--|
| <b>Stage One<br/>(February<br/>2010)</b> | <ul style="list-style-type: none"><li>• Essential information is identified;</li><li>• The aims of the Main Issues Report are outlined;</li><li>• Information gathering takes place;</li><li>• Assessment of impacts on equality;</li><li>• Compliance assurance testing;</li><li>• Monitoring and review; and,</li><li>• Public reporting of the results.</li></ul> |
| <b>Stage Two<br/>(May 2010)</b>          | <ul style="list-style-type: none"><li>• Consulting people who are likely to be affected by the policies.</li></ul>   |
| <b>Stage Three<br/>(Late 2010)</b>       | <ul style="list-style-type: none"><li>• Reviewing and where appropriate revising the policies, in light of the consultations and assessments undertaken.</li></ul>   |

- 1.6 The initial (Stage One) assessment was prepared for the Main Issues Report both of which were published for consultation from 12 April 2010 to 2 July 2010. This marked Stage Two of the process.
- 1.7 Since TAYplan carried out Stage 1 of the EqHRIA the Equality Act 2010 has been published, introducing a new duty for public sector bodies to consider socio-economic factors. TAYplan have taken the opportunity to update the assessment of

- 1.8 Stage Three of the assessment was carried out in the latter half of 2010 as the proposed plan was being prepared and also in 2011 following the formal period of representations.
- 1.9 The Proposed Plan is scheduled to be submitted to Scottish Ministers by January 2012 for approval. Scottish Ministers have the right to make modifications to the Plan prior to approval. The impact on this assessment of any modifications to the Proposed Plan will be for Scottish Ministers to determine.

## Stage One (Carried out for Main Issues Report)

### Step 1: Identify Essential Information

|   |   |
|---|---|
| <b>Name of function or policy:</b>  | TAYplan Strategic Development Plan  |
| <b>Lead Officer for function/policy:</b>                                      | Pamela Ewen, Manager  |
| <b>Lead Service involved in the delivery of this function/policy:</b>         | TAYplan Strategic Development Planning Authority                          |
| <b>Lead Service taking primary responsibility for this impact assessment:</b> | City Development, Dundee City Council                                     |
| <b>Names of Officers carrying out Stage One:</b>                              | Pamela Ewen   |
| <b>Officer Designation(s):</b>  | TAYplan SDPA Manager  |
| <b>Name of Officer carrying out Stage Two and Three:</b>                      | Pamela Ewen   |
| <b>Officer Designation(s):</b>  | TAYplan SDPA Manager  |
| <b>Is this function or policy:</b>  | <input checked="" type="checkbox"/> New <input type="checkbox"/> Reviewed |
| <b>Date of Impact Assessment:</b>   | February 2010 (updated October 2010)                                      |

#### Others involved in the delivery of this function or policy:

1.9 Planning and Transport (Angus Council), Environmental and Protective Services (Fife Council), City Development (Dundee City Council) and the Environment Service (Perth & Kinross Council).

1.10 Most Council services in the four Local Authorities would be involved.

#### How have others (listed above) been involved in the Equalities and Human Rights Impact Assessment process?

1.11 This draft assessment will be considered and approved by the TAYplan Joint Committee and be published with the Main Issues Report, forming part of the suite of consultation documents.

### Step 2: Outline aims of the function or policy

#### What are the main aims of the function or policy?

- 1.12 The main aims of the Main Issues Report are to:
- Take forward commitments in the Single Outcome Agreements and existing approved Structure Plans;
  - Consider the big changes that will shape the next 20 years of our lives;
  - Consider the strategic changes that are best dealt with at regional level;
  - Provide options for the scale of growth and for where development should and should not be and ask for views on these and other issues; and,
  - Consider where new strategic housing and employment land should be, beyond that already identified in approved Structure Plans.

### **Who are the main beneficiaries of the function or policy?**

- 1.13 The citizens of Angus, Dundee City, North Fife and Perth and Kinross, and those with an interest in growing the economy of the region.

### **What are the intended outcomes of the function or policy?**

- 1.14 The draft vision of the Main Issues Report is:

“Our vision is of TAYplan as a sustainable region which is beautiful, vibrant, clean and green where the regeneration and growth of Dundee city region has made it a great place for people to live, work, invest and visit that does not create an unacceptable burden on the planet.”

- 1.15 The objectives contained in the Main Issues Report are listed below:
- a. Protecting and enhancing the character and quality of these places as economic drivers;
  - b. Protect and enhance the quality of the area’s natural environment, biodiversity and natural resources;
  - c. Establish sound development principles that support well serviced and efficient urban and rural areas;
  - d. Ensure that development leads to improvements in the quality and availability of infrastructure, services and amenities;
  - e. Ensure equality of access to homes, jobs, services and facilities in good quality places and thereby reducing inequalities;
  - f. Ensure that development contributes to reducing the need to consume resources to travel, live and do business;
  - g. Ensure that the location, design and layout of development reduces risk of flooding;
  - h. Ensure land use promotes sustainable food security;
  - i. Provide for new or improved infrastructure capable of supporting a low/zero carbon economy and zero waste;
  - j. Promoting strategic transport linkages and network improvements;
  - k. Locating development in places which are well served by transport infrastructure and services (particularly public transport);
  - l. Provide for good quality, mixed housing type, size and tenure throughout the TAYplan area;
  - m. Design homes and neighbourhoods around the people who will use them; and,
  - n. Provide for a stronger economy with more jobs by supporting and promoting the sustainable development of major economic drivers and emerging growth sectors.

### **Why is this function or policy being assessed?**

- 1.16 This assessment will help TAYplan ensure that the Main Issues Report does not discriminate, and enables the four Local Authorities to promote equalities, as well as other human rights and good relations between groups.

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

- Yes
- No

**Give details**

- 1.17 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. This legislation came into force in early 2009.
- 1.18 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.’

**Step 3: Gather and Consider Evidence**

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

| <b>Evidence</b>                         | <b>Details</b>   |
|---|--|
| <b>Consultation</b>                     | <p>Workshop held for Project Board to identify key issues and outcomes (June 2009).</p> <p>Workshop held for the 13 Key Stakeholders to discuss key issues and outcomes (September 2009).</p> <p>Regular meetings with the 13 Key Stakeholders to ensure full participation in the drafting of the Main Issues Report.</p> <p>Awareness Raising Initial Consultation held (August 2009).</p> <p>Information Events will be held for the general public, community groups and the public/private sector when the Main Issues Report is published (April 2010).</p> <p>The EqHRIA will be published and made available for comment alongside other consultation documents.</p> <p>Full details of the Participation Statement are set out in the Main Issues Report Communications Plan (February 2010).</p> |
| <b>Research</b>                         | Housing Needs and Demand Assessment, National Planning Framework, Demographic forecasts and projections (GROS), Retail Study and a range of landuse and environmental research to inform the Main Issues Report.   |
| <b>Officer knowledge and experience</b> | Professional expertise of Council officers.  |
| <b>User feedback</b>                    | Gathered through the Awareness Raising Initial Consultation and Information Events.  |
| <b>Other</b>                            |  |

## Step 4: Assess Likely Impacts on Equality Strands

Which, if any, Equality Target Groups and others could be affected by this function or policy?

1.19 This assessment will be based on the draft vision and preferred spatial strategy of the Main Issues Report.

| 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

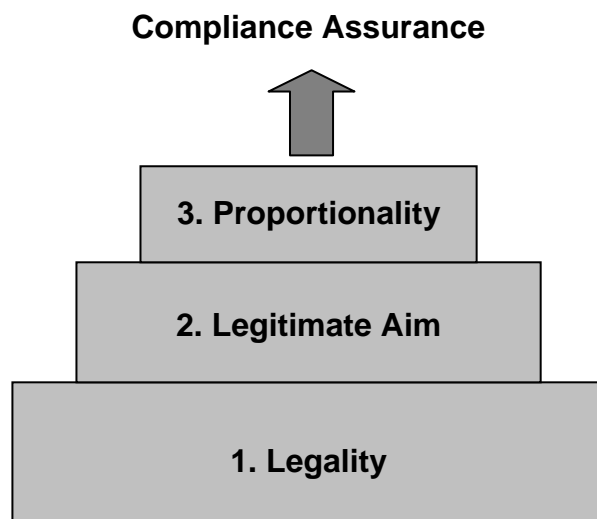
\*\*\* LGB: Lesbian, Gay and Bisexual

From the Groups you have highlighted above, what positive and negative impacts do you think the function or policy might have?

| Positive Impacts  | Negative Impacts |
|---|------------------|
| <b>Disability</b> – Increased accessibility to new developments by non-car modes of transport including buses.  | n/a              |
| <b>Younger People</b> – Economic growth will increase employment opportunities. Providing a supply 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. Improving quality of place. | n/a              |
| <b>Older People</b> – 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. Improving quality of place.   | n/a              |
| <b>Other</b> – Economic growth will increase employment opportunities especially in regeneration areas. Improving quality of place.   | n/a              |

## Step 5: Apply the Three Key Assessment Tests for Compliance

1.20 Step 5 draws together all the steps of the Equalities and Human Rights Impact Assessment tool in ensuring that the application of a Council policy is non-discriminating and human rights compliant.



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

1.21 Not Applicable

**Legality – Where there is a negative impact is there a legal basis in the relevant domestic law?**

1.22 Not Applicable

**Legitimate Aim – 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?**

1.23 Not Applicable

**Proportionality – Is the impact of the policy proportionate to the legitimate aim being pursued? Is it the minimum necessary interference to achieve the legitimate aim?**

1.24 Not Applicable

## Step 6: Monitoring and Review

**How will the implementation of the function or policy be monitored?**

1.25 The Main Issues Report is not a draft Plan, and therefore does not include any policies or targets that require to be implemented.

## **How will the results of the monitoring be used to develop the function or policy?**

- 1.26 The results of all monitoring will inform the Proposed and finalised Strategic Development Plan as well as the Local Development Plans of the four Local Authorities.

## **When is the function or policy due to be reviewed?**

- 1.27 The Main Issues Report is due to be published in April 2010 and representations received will inform the subsequent Proposed Plan.
- 1.28 Work on the second Strategic Development Plan will commence in 2013, which will include the production of a second Main Issues Report, and will replace the first Plan by approximately 2017.

## **Step 7: Public Reporting of Results**

**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.**

- 1.29 An Awareness Raising Initial Consultation undertaken in August 2009 provided early engagement with interested parties which has helped to identify any potential issues with consultation practice.

### **Positive Impacts**

- 1.30 There will be positive impacts for some of the quality target groups in the following ways:
- 1.31 Disability – Increased accessibility to new developments by non-car modes of transport including buses.
- 1.32 Younger People – Economic growth will increase employment opportunities. Providing a supply 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. Improving quality of place.
- 1.33 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. Improving quality of place.
- 1.34 Other – Economic growth will increase employment opportunities especially in regeneration areas. Improving quality of place.

## Stage Two

- 2.1 Consultation on Stage One of the EqHRIA took place alongside consultation on the Main Issues Report. The consultation process was carried out in line with TAYplan's Participation Statement. Full details of the consultation are outlined in TAYplan's Publicity and Consultation Statement.
- 2.2 Community engagement methods provided in the Planning Advice Note (PAN) 81 were considered in developing a proportionate Communication Strategy for TAYplan. The Communication Strategy was issued to all Community Councils, the TAYplan Key Stakeholders, neighbouring Authorities and other statutory bodies. In carrying out consultation TAYplan sought to ensure that:
- Arrangements for participation were as inclusive, open and transparent as possible;
  - Information was provided early and in a format that allowed full consideration; and,
  - Communication was provided in a range of formats and locations, making use of electronic means including the TAYplan's website.
- 2.3 The participation exercise sought to involve a wide range of parties including:
- Groups representing equality target groups, including the Equality & Human Rights Commission, religious/faith groups, youth organisations, Age Concern, Capability Scotland and rural partnerships;
  - Public sector groups (including key government departments and agencies);
  - Private sector groups (including business, retail and housing interests);
  - Established community groups (including community councils);
  - Voluntary and environmental organisations;
  - Community Planning Partnerships; and,
  - Youth groups and Secondary Schools.
- 2.4 Consultation methods included the following:
- Local radio advertisements;
  - Press notices;
  - Letters to community councils, councillors, MPs, MSPs and MEPs;
  - Letters to statutory consultees;
  - Letters to other relevant bodies;
  - Leaflets and posters;
  - Internet via TAYplan and local authority websites;
  - Wrote to schools to inform teachers and pupils.
- 2.5 Nine responses were received during the Main Issues Report consultation on the EqHRIA. Two of these stated that they had no comments. The comments and TAYplan's responses are set out in Appendix 1.

2.6 The representations to the Main Issues Report consultation raised the following issues:

- EqHRIA should provide targets for reducing air pollution hotspots in Cupar, Dundee and Perth;
- Over-emphasis on equality with little reference to other forms of human rights;
- Vision could be improved with reference to health in relation to housing, amenities, pollution etc.;
- Objectives would benefit from being measured against the qualities of healthy cities as defined by the WHO;
- Human rights issues relating to volunteers; and,
- Lifetime Homes should be part of strategy for new housing in Tayside.

## Equality Act 2010

2.7 Since TAYplan carried out Stage 1 of the EqHRIA in early 2010 the Equality Act 2010 has been published. The Act introduces a new duty for public sector bodies to consider, in all the strategic decisions they make, how they will tackle the disadvantage some people face because of socio-economic disadvantage.

2.8 In view of this, it is considered appropriate to re-assess Step 4 of the EqHRIA process to include additional Equality Target Groups: People with mental health illness; people in religious/faith groups; people with low income; homeless people; people involved in the criminal justice system; staff (of Dundee City Council, Perth & Kinross Council, Fife Council, and Angus Council) and people living in rural areas.

**Which, if any, Equality Target Groups and others could be affected by this function or policy?**

2.9 The assessment below is based on the vision and strategy of the Main Issues Report:

| Equality Target Group          | Positive Impact (+) | Neutral Impact (0) | Negative Impact (-) |
|--------------------------------|---------------------|--------------------|---------------------|
| <b>Mental health illness</b>   |                     | 0                  |                     |
| <b>Religious/faith groups</b>  |                     | 0                  |                     |
| <b>Low income</b>              | +                   |                    |                     |
| <b>Homeless</b>                | +                   |                    |                     |
| <b>Criminal justice system</b> |                     | 0                  |                     |
| <b>Staff</b>                   |                     | 0                  |                     |
| <b>Rural areas</b>             | +                   |                    |                     |

**From the Groups you have highlighted above, what positive and negative impacts do you think the function or policy might have?**

| <b>Positive Impacts</b>  | <b>Negative Impacts</b> |
|--|-------------------------|
| <b>Low income</b> – Economic growth will increase employment opportunities. Providing a supply of affordable 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. | None identified         |
| <b>Homeless</b> – Providing a supply of affordable housing.  | None identified         |
| <b>Rural areas</b> – Increased accessibility to jobs, services and facilities.   | None identified         |

## **Stage Three**

3.1 This stage is concerned with reviewing and revising policies in the light of the assessment and public consultation, and determining whether any of the changes made through the Proposed Plan would substantially affect the results of the assessment.

### **Response to draft EqHRIA consultation, April- June 2010 (Published alongside Main Issues Report)**

3.2 A summary of the issues raised in response to Stage 1 of the EqHRIA is included in Stage 2 at paragraph 2.6. The responses to the comments received are set out in Appendix 1.

3.3 It was requested by one respondent that the concept of Lifetime Homes be recognised in the Plan. TAYplan agrees that homes that provide the flexibility to meet the needs of those resident in them through their lives should be supported. This is likely to require a better mix of dwelling type, size and tenure than at present, particularly in Dundee City where over half of homes are flats. This may require more family suitable homes and more which can be adapted to support an ageing population. The Proposed Plan contains policy to ensure that the mix of housing type, size and tenure meets the needs and aspirations of a range of different households throughout their lives.

3.4 An amendment to the EqHRIA has also been made to provide more explanation about human rights issues in relation to Strategic Development Plan. The assessment of human rights was considered by some respondents to be something that could be improved upon. The amendment is at paragraph **3.15**.

3.5 The issues raised in relation to localised air quality is a more local issue and outwith the scope of the Strategic Development Plan. The Environmental Report did however consider air quality at a strategic level.

## TAYplan Proposed Plan

- 3.5 The Vision remains broadly the same in TAYplan's Proposed Plan to that in the Main Issues Report which was the basis for the draft EqHRIA (April 2010). The revised Vision is:

*'By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work and visit, and where businesses choose to invest and create jobs'*

- 3.6 The objectives contained in the Proposed Plan are listed below:

- a. Promote and enhance places and landscapes as economic drivers and tourist destinations; and, support the region's town centres as accessible business and service locations;
- b. Strengthen the economic base to support the renewable energy sector, commercialisation of the higher education and research sector, the region's ports and for food research, forestry, life sciences, digital media and tourism;
- c. Plan for an effective supply of land for housing and employment;
- d. Provide for good quality, mixed housing type, size and tenure;
- e. Strengthen the critical mass of Dundee so that with Perth and other principal settlements they serve as major economic drivers supporting a more competitive, strong and stable economy for the region, to become more vibrant centres for commerce, learning, leisure and living;
- f. Support an advanced, thriving and diverse economy occupying a competitive position within European and World Markets;
- g. Facilitate appropriate development in rural communities where job and service needs exist;
- h. Ensure that regional inequalities in education, employment, health and environment are narrowed;
- i. Continue to protect the important landscape settings and historic cores of St. Andrews and Perth with Greenbelts;
- j. Design-in at the outset; high resource efficiency standards; a mix of uses and facilities; green space, watercourse and infrastructure networks; and, adaptation measures to future proof places;
- k. Locate most of the region's development in principal settlements to improve accessibility to jobs and services; reduce resource consumption and reduce the need to travel by car.
- l. Protect and enhance the quality of the TAYplan area's built and water environments, landscape, biodiversity and natural resources;
- m. Ensure that new development makes best use of existing networks of infrastructure, movement corridors and ecosystems;
- n. Enhance the condition and connectivity of the networks of green spaces and watercourses within and between the region's settlements to reduce flood risk, support cycling and walking, increase tree planting and carbon capture, support bio-diversity and provide habitats, leisure opportunities, and agricultural and economic potential;
- o. Promote transport linkages, infrastructure improvements and network improvements; and, support the delivery of infrastructure that promotes a shift towards non-car travel and transporting freight by rail and sea;

- p. Support the switch to a low carbon and zero waste economy by providing for appropriate infrastructure and improvements in our resilience to climate change and other potential risks; and,
- q. Support resource security by protecting finite resources such as minerals, soils and prime agricultural land.

3.7. It is considered that the Vision and Objectives of the Proposed Plan provide a continuation of those identified at the Main Issues Report stage and do not substantially alter the results of the assessment contained at paragraphs 1.19 and 2.9.

### **Response to EqHRIA consultation, June-August 2011 (Published alongside Proposed Plan)**

3.8 A summary of the issues raised in response to Stage 1 of the EqHRIA is set out in paragraph 3.10 below. The issues raised in the representations and TAYplan's responses are set out in Appendix 2.

3.9 Three responses were received as part of the Proposed Plan period for representations.

3.10 The representations to the Proposed Plan Stage raised the following Issues:

- Proposed Plan Action Programme falls short of clarity because of the frequency of jargon and abbreviated detail.
- Timescales for responding to the Proposed Plan were too short.
- The need for login details to the online consultation process was off-putting; and as such could reduce participation, conflicting with the equality agenda of the EqHRIA.
- Consultation process required dedication and familiarity with computer systems, affecting equality of opportunities.
- The balance of the transport section is geared too much towards major road building, rather than public transport.

3.11 An issue noted was that the Proposed Plan was geared too much towards major road building than providing other public transport options. Both the Proposed Plan and Proposed Action Programme address this by providing a large number of different public transport projects to provide a variety of transport options.

3.12 The use of jargon and the lack of clarity in the Proposed Action Programme was an issue raised by a consultee. The purpose of the Proposed Action Programme is to provide information to deliver the Proposed Plan. Further detail is to be added as the programme is monitored and updated, and when such information is available. An abbreviations and acronyms list is provided to help with understanding of jargon. However it is considered by TAYplan's key stakeholders that the level of information is appropriate. TAYplan's key stakeholders each reviewed the Proposed Action Programme for clarity and consistency as part of the process.

- 3.13 The process for representations was noted by all 3 respondees as being problematic, with elements of the process being off-putting, requiring familiarity and practice of computer systems. Whilst electronic and in particular online submissions were encouraged TAYplan publicised that hard copies could be submitted. Some 84% of representations were received electronically, with 16% by letter.
- 3.14 It is considered that in light of the comments received. There were no issues raised which required a change to the Equalities and Human Rights Impact Assessment.

### **Human Rights Impact Assessment**

- 3.15 Comments to the Main Issues Report consultation on Stage 1 of the EqHRIA stated that there should be more of a focus on the assessment of impacts on Human Rights. Whilst it is not a requirement for TAYplan to carry out a Human Rights Impact Assessment, human rights issues have been considered alongside equalities as the objectives of both are often complimentary.
- 3.16 Human rights include: Right to life, Freedom from torture and inhuman or degrading treatment, Right to liberty and security, Freedom from slavery and forced labour, Right to a fair trial, No punishment without law, Respect for your private and family life, home and correspondence, Freedom of thought, belief and religion, Freedom of expression, Freedom of assembly and association, Right to marry and start a family, Protection from discrimination in respect of these these rights and freedoms, Right to peaceful enjoyment of your property, Right to education, Right to participate in free elections.
- 3.17 Many of these rights cannot be influenced through the development plan process. The right to the peaceful enjoyment of your property, however, could be influenced through planning policies and proposals. There are no proposals arising from the Plan that are known to require compulsory purchase of property. Any project involving the compulsory purchase of land would need to prove that it would be in the public interest and in such instances anyone that would have land acquired would generally be entitled to compensation. This process would be carried out separate to the development plan process.
- 3.18 Throughout the consultation process TAYplan will ensure that personal information is will be kept securely and not shared without permission, except in certain circumstances. In responding to the period of representations on The Proposed Plan and related documents, this information will be in the public domain. At a minimum signature, e-mail addresses and phone numbers will be deleted from any Information published.

## **4.0 Conclusion**

- 4.1 The EqHRIA forms a vital component of an ongoing process of assessing planning policy documents to ensure they do not disadvantage any equality target group.
- 4.2 The assessment undertaken (Stage 1) highlighted the impacts on the range of target groups identified. None of these showed a negative impact, with positive and neutral impacts expected. The positive impacts on older, younger and disabled groups are welcomed and neutral impacts, where appropriate should be developed into positive impacts where possible.
- 4.3 The key issues raised by those who responded related to human rights issues and the consultation process both of these issues have been addressed during the EqHRIA process.

## Appendix 1

### Comments Received and Responses at Main Issues Report consultation stage (April- June 2010)

|   |     |
|---|-----|
| <b>Anonymous 3</b>  |     |
| <b>EqHRIA Q1 - Do you have any comments on this draft Equalities and Human Rights Impact Assessment?</b>  | Yes |
| <p><b>Comment</b><br/>It is considered acceptable.</p> <p><b>Response</b><br/>Comment noted.</p>  |     |
| <b>Cook, Mrs Lesley</b>   |     |
| <b>EqHRIA Q1 - Do you have any comments on this draft Equalities and Human Rights Impact Assessment?</b>  | Yes |
| <p><b>Comment</b><br/>The Strategic Environmental Assessment acknowledges that there are several air pollution hot spots including Cupar, Dundee and Perth. The Equalities and Human Rights Impact Assessment should provide targets for eliminating these discrepancies.</p> <p><b>Response</b><br/>The areas noted as having air pollution in Cupar, Dundee and Perth have been designated as Air Quality Management Areas. Air Quality Action Plans will set out measures for improving air quality in these locations. The Strategic Development Plan aims to reduce the need to travel, and to reduce energy use which may have a positive impact on air pollution levels in these locations.</p> <p>It is considered that it would not be appropriate for the EqHRIA to include targets as acceptable air pollution levels are set at a national level and the measures to achieve these will be defined through each Air Quality Action Plan.</p>  |     |
| <b>Gallagher, Mr Michael</b>  |     |
| <b>EqHRIA Q1 - Do you have any comments on this draft Equalities and Human Rights Impact Assessment?</b>  | Yes |
| <p><b>Comment</b><br/>There is an over-emphasis on equality, with little reference to other aspects of human rights as defined in the European Convention of Human Rights. This must be corrected is it is to truly reflect the concerns of Human Rights as defined in international law.</p> <p>The Strategic Environmental Assessment acknowledges that there is a serious discrepancy in life expectancy between Dundee and the rest of the TAYplan area. It also recognises that there are several air pollution hot spots including Cupar, Dundee and Perth. The Equalities and Human Rights Impact Assessment must provide actual targets for eliminating these discrepancies, not just provide methods for measuring them.</p> <p><b>Response</b><br/>Whilst it is not a requirement for TAYplan to carry out a Human Rights Impact Assessment, human rights issues have been considered alongside equalities as the objectives of both are often complimentary. The revised EqHRIA contains more explanation about human rights issues in relation to Strategic Development Plan.</p> |     |

The revised EqHRIA assesses the Strategic Development Plan against a broader range of objectives to address groups who may be disadvantaged socio-economically.

The areas noted as having air pollution in Cupar, Dundee and Perth have been designated as Air Quality Management Areas. Air Quality Action Plans will set out measures for improving air quality in these locations. The Strategic Development Plan aims to reduce the need to travel, and to reduce energy use which may have a positive impact on air pollution levels in these locations.

It is considered that it would not be appropriate for the EqHRIA to include targets as acceptable air pollution levels are set at a national level and the measures to achieve these will be defined through each Air Quality Action Plan.

**Grandtully and Strathtay Conservation Trust**

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| <b>EqHRIA Q1 - Do you have any comments on this draft Equalities and Human Rights Impact Assessment?</b> | No |
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**Hawkins, Mrs Jackie**

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| <b>EqHRIA Q1 - Do you have any comments on this draft Equalities and Human Rights Impact Assessment?</b> | Yes |
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**Comment**

The draft vision covers many laudible aims and could be enhanced if they included some reference to health. Ill health arises from poorly planned/built housing, poor access to amenities, pollution etc and ill health affects employment, ability of individuals to access/benefit from amenities, educational achievement etc.

The objectives would benefit from being measured against the qualities of healthy cities as defined by WHO (ref [http://www.euro.who.int/healthy-cities/introducing/20050202\\_4](http://www.euro.who.int/healthy-cities/introducing/20050202_4)):

- a clean, safe physical environment of a high quality (including housing quality);
- an ecosystem that is stable now and sustainable in the long term;
- a strong mutually supportive and non-exploitative community;
- a high degree of participation in and control by the citizens over the decisions affecting their lives, health and well-being;
- the meeting of basic needs (food, water, shelter, income, safety and work) for all the city's people;
- access by the people to a wide variety of experiences and resources, with the chance for a wide variety of contact, interaction and communication;
- a diverse, vital and innovative economy;
- the encouragement of connectedness with the past, with the cultural and biological heritage of city dwellers and with other groups and individuals;
- a form that is compatible with and enhances the preceding characteristics;
- an optimum level of appropriate public health and sickness care services, accessible to all; and
- high health status (high levels of positive health and low levels of disease).

**Response**

Comments noted. One of the key objectives of the vision is to improve quality of life. Within this broad aim the objective aims to increase access to quality housing, access to services and facilities, and to create good quality places that reduce inequalities.

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| <b>McConville, Mr James</b>  |    |
| <b>EqHRIA Q1 - Do you have any comments on this draft Equalities and Human Rights Impact Assessment?</b> | No |

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| <b>Palmer, Lynne</b>   |     |
| <b>EqHRIA Q1 - Do you have any comments on this draft Equalities and Human Rights Impact Assessment?</b> | Yes |

**Comment**  
I haven't seen the draft Equalities and Human Rights Impact Assessment.

I'm a volunteer & members of the public are supposed to have more involvement e.g. National Strategy on Public Engagement. But volunteers have no legal rights; we can be mistreated & got rid of, asked or told to leave projects. I have done all the ground work & made no progress - even with people in the know. It's a Human Rights issue.

I have created a simple power point presentation at Perth College to describe the problem.

**Response**  
Comments noted. It would not be appropriate to deal with the issue referred to in relation to a Strategic Development Plan.

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| <b>Royal Burgh of Cupar and District Community Council</b>   |     |
| <b>EqHRIA Q1 - Do you have any comments on this draft Equalities and Human Rights Impact Assessment?</b> | Yes |

**Comment**  
We have no issue with draft equalities and Human Rights Impact Assessment. We have not identified any potential negative impact on target groups listed.

**Response**  
Comments noted.

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| <b>Wilson, Ms Dorothy</b>  |     |
| <b>EqHRIA Q1 - Do you have any comments on this draft Equalities and Human Rights Impact Assessment?</b> | Yes |

**If yes, please provide your comments.**  
See below case study off the Equality and Human Rights Website putting a strong case for Lifetime Homes, which should be part of any strategy for new housing in Tayside. <http://www.equalityhumanrights.com>:

Case study 2  
Training disabled people to comment on planning applications leads to incorporation of 'Lifetime Homes' standards in redevelopment plans

Regeneration work in Hull is funded by central and local government investment but overseen by the Council. Work is planned and delivered in partnership with public and private agencies. A review of the local authority's planning guidance was included as part of the equality impact assessment programme. This supported the Council's objective of creating an accessible city.

The Council established Hull Access Improvement Group (HAIG) a practitioners' group of disabled people who were trained in reading planning documents and able to provide training to other disabled people. Following the revised planning guidance, the

regeneration partnership undertook extensive public consultation (including with HAIG).

They then agreed to a significant change in policy: to incorporate 'Lifetime homes' standards into the planning requirements for the redevelopment. Concerns about resistance from developers have not materialised; they did not object to implementing these standards provided the requirement is built in at the design stage of any new project.

**Response**

Comments noted. TAYplan supports the concept of homes that provide the flexibility to meet the needs of those resident in them through their lives. New housing to meet a range of needs and aspirations is critical. This is likely to require a better mix of dwelling type, size and tenure than at present, particularly in Dundee City where over half of homes are flats. This may require more family suitable homes and more which can be adapted to support an ageing population. The Proposed Plan contains policy to ensure that the mix of housing type, size and tenure meets the needs and aspirations of a range of different households throughout their lives.

## Appendix 2

### Representations Received and Responses at Proposed Plan Representation Stage (June- August 2011)

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| <b>Stewart, Mr Garry</b>   |  |
| <b>Q1 What is it you wish to say and why do you think this? Please indicate the page number(s) and the name of the section you are commenting on. This helps us to distinguish between the different points you are making.</b>  |  |
| <b>Comment</b><br>This is okay.<br><br>In Equalities and Human Rights 1A Doc. Stage 2 Para 2.2 2 <sup>nd</sup> bullet it says information (in PAN81) was provided early and in a format that allowed full consideration. This should apply to all docs. We feel that the Proposed Plan Action Programme Doc falls short on clarity and transparency because of the frequency of jargon and abbreviated detail.   |  |
| <b>Response</b><br>Comments noted. TAYplan made available all documents which representations were sought on in both online and hard copy formats. From 1 <sup>st</sup> June onwards hard copies were also available from local libraries. TAYplan provided an 8 week period for representations which was 2 weeks additional to the statutory minimum to provide an appropriate amount of time for consideration of the Proposed Plan before the submission period opened. The Proposed Plan Action Programme has the support of TAYplan's key stakeholders who each reviewed the Action Programme for clarity and consistency. The purpose of the Action Programme is to provide the information required to deliver the Proposed Plan. Further detail will be added as the programme is monitored and updated, and when such information is available. It is considered that the level of information is appropriate together with the detail in Proposed Strategic Development Plan. |  |

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| <b>Barker, Mr Ralph</b>  |  |
| <b>Q1 What is it you wish to say and why do you think this? Please indicate the page number(s) and the name of the section you are commenting on. This helps us to distinguish between the different points you are making.</b>  |  |
| <b>Comment</b><br><br><ol style="list-style-type: none"><li>1. While TAYplan transport section talks about public transport and transport access other than by motorcar the balance in the plan is very much towards major road building</li><li>2. The "Limehouse Portal" requires familiarity and practice with computer systems. It also seems to make my system crash. I feel my right to equal opportunities are denied.</li></ol>  |  |
| <b>Response</b><br>Comments noted. TAYplan within the transport section of the Proposed Plan supports encouraging a modal shift away from the motorcar to more public transport options. TAYplan provides a large number of achievable and beneficial projects in the Proposed Action Programme, To help achieve this aim. Although, TAYplan did encourage people to submit via the online portal. There was provision for consultees to respond via other means. 16% of all respondees submitted via letter and 9% by email. Hard copies of the |  |

online form were available on request from TAYplan and a help guide was produced which was available online, was available at our information events and on request to the TAYplan offices. As such it was considered TAYplan provided means for all to respond to the proposed plan. Throughout the entire process we noticed only few minor issues with the system. All of which were solved quickly and with minimal disturbance to the majority of users.

### **Dundee Green Party**

**Q1 What is it you wish to say and why do you think this? Please indicate the page number(s) and the name of the section you are commenting on. This helps us to distinguish between the different points you are making.**

#### **Comment**

We support the general ethos of the EqHRIA but wish to point out that the whole Strategic Development Plan consultation document as laid out requires considerable dedication, particularly for those from voluntary organisations. The need to login with a password in off- putting and along with the layout for responding could reduce the wider participation which this crucial document requires, thus conflicting with the stated equality agenda. The timescale for responding is not long, especially again for voluntary organisations who often have reduced meetings over the summer period.

#### **Response**

Comments noted. Legislation requires for any consultee of the Proposed Plan to provide contact details in case further clarification regarding the responses is needed. TAYplan ensures that at a minimum signature, email-addresses and phone numbers will be deleted from any information published. To assist new users of our online portal TAYplan created a help guide. This was available in both an online format available on our website and hard copy formats. These were made available at the information events and could be obtained by contacting the TAYplan offices. TAYplan provided an 8 week period for representations which was 2 weeks additional to the statutory minimum to provide an appropriate amount of time for submission. On top of this TAYplan released the documents up for consideration in February. To provide a lengthy time period for examination of the Proposed Plan before the submission period opened.