

Aberdeenshire
COUNCIL



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**Equality and Diversity
Impact Assessment
Toolkit**

**Form
Guidance Notes**

2007

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Section One: Policy Details*

1.1

Name of Policy	The Aberdeenshire Council (Layby at B9199, near Garlogie) (Vehicle Restriction) Order 2007
Policy Officer (Name / Position)	David Cooper Environmental Health Specialist Officer
Review Team (Names / Positions)	

*Policy could be formal or informal and may include strategy, project or practice: see guidance below.

1.2 Why is this being assessed?

To consider the impact of the proposed Order on Gypsy/Travellers. The Policy & Resources Committee of 11th January, 2007 agreed to the installation of height and other restrictions at the layby. The subsequent public consultation led to one objection.

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<p>1.3 What are the main aims of the policy?</p>	<ol style="list-style-type: none">1. To protect the layby and local community from the detrimental impacts arising from unauthorized encampments of Gypsy/Travellers.2. The Order is intended to restrict access to the aforementioned layby by, and its use for, unauthorised encampment by Gypsy/Travellers.
<p>1.4 Who are the main target groups/beneficiaries?</p>	<p>Gypsy/Travellers, local community, landowner, passing motorists.</p>
<p>1.5 What are the intended outcomes of the policy?</p>	<p>To restore the layby to its intended use as a layby and picnic area.</p>

Section 2: What are the likely impacts of the policy?

Considering the following themes, what likely impacts or issues does the policy have for the group?
List any likely positive or negative impacts.

2.1

		Further information required?	
		Yes (✓)	No (✓)
Race Equality: issues relating to ethnicity, nationality, language, skin colour, etc, including Gypsy Travellers and migrant workers.	Impact: It will prevent Gypsy/Travellers using the layby for the purposes of an unauthorised encampment. It will reduce the number of locations that Gypsy/Travellers can use thereby leading to encampments elsewhere. The restrictions will prevent further damage to the area from the effects of unauthorised encampments and allow other legitimate users access to the layby at all times.		✓
	Evidence: Restrictions will be so designed that access by vehicles other than cars will not be possible and therefore transit vans and caravans will not be able to gain entry.		✓

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	<p>Consultation (please state who was consulted, when and how):</p> <ol style="list-style-type: none"> 1. Policy & Resources Committees (8/6/06, 14/9/06, 11/1/07) 2. Aberdeenshire Council Gypsy/Travellers Working Group (17/5/06, 30/8/06) <p><i>Minutes of these meetings are attached as Appendices.</i></p>		✓
Gender Equality: issues relating to women, men, girls, boys or transgender people	Impact: None known		✓
	Evidence:		
	Consultation (please state who was consulted, when and how :		
Disability Equality: Issues relating to people with disabilities including visible and non visible disabilities	Impact: Not known		✓
	Evidence:		

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	Consultation / Involvement (please state who was consulted / involved, when and how :		
Age Equality: issues relating to older people or children and young people	Impact: None known		✓
	Evidence:		
	Consultation (please state who was consulted, when and how:		
Religion & Belief	Impact: None known		✓
	Evidence:		
	Consultation (please state who was consulted, when and how:		

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Sexual Orientation: lesbian, gay, bisexual, etc.	Impact:		
	Evidence:		
	Consultation (please state who was consulted, when and how:		
Other groups (please specify)	Impact:		
	Evidence:		
	Consultation (please state who was consulted, when and how:		

Section 3: Making the necessary changes

3.1 What remedial action needs to be taken to eliminate negative impacts identified?

It is recognised that alternative accommodation needs to be provided for Gypsy/Travellers in the North East of Scotland. Aberdeenshire, Aberdeen City and Moray Councils are working together to identify land suitable to be used as transit sites, but to date no suitable locations have been identified. The provision of such accommodation would then negate the need for Gypsy/Travellers to establish unauthorised encampments.

Other options regarding the layby near Garlogie include:-

- Leave the layby fully open, with no restrictions
- Restrict access to half the layby as agreed by the Policy & Resources Committee of 14th September, 2006 whilst ensuring more effective management of unauthorised encampments, to reduce the impact on the local environment and community.

3.2 Has the remedial action been taken? Yes / No
(if Yes go to 3.3, if No go to 3.4)

3.3 If Yes, describe the action taken or planned, when and by whom?

Action taken/planned	When	By Whom

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3.4 If No, when will it be done, and by whom?

When	By Whom
<p>Efforts are ongoing to identify land that may be suitable to form transit sites.</p>	<p>Planning & Environmental Services</p>
<p>The Policy & Resources Committee of 19th April, 2007 is to be asked to agree a revised draft policy regarding management of unauthorised encampments, to be issued for public consultation.</p>	<p>Planning & Environmental Services</p>

Section 4: Performance monitoring and reporting

4.1 Detail any adverse impact or indirect discrimination that cannot be resolved, and justify the recommendation to continue with the policy.

Detail	Justification
<p>Height and other restrictions to be installed at the layby on the B9119, near Garlogie</p>	<p>It is proposed to continue with the Traffic Order process and that a report be considered by the Garioch Area Committee on 17th April 2007 which will recommend that restriction be installed in accordance with the decision of the Policy & Resources Committee of 11th January, 2007.</p> <p>Justification for this recommendation are:-</p> <p>The Policy & Resources Committee of 14/9/06 considered a report from the Director of Planning & Environmental Services, which included a minute of a meeting held on 20th July, 2006 at which relevant parties discussed this matter. The Committee, having considered all the anticipated impacts, agreed that restrictions be installed to half the layby (these works were not carried out). The Committee recognised that the layby may still be occupied by Gypsy/Travellers but that the smaller numbers that the layby could accommodate would facilitate better management and reduce the impact of the encampment.</p> <p>Shortly after the Committee made its decision the layby was again occupied by Gypsy/Travellers. The Council had contemplated taking enforcement action against the encampment but recognised that in terms of its policy, facilities such as a refuse skip and portaloo should be provided and the site monitored before any enforcement action could be considered. These facilities were indeed provided but problems subsequently arose from flytipping and lighting of fires by some of the Gypsy/Travellers.</p> <p>The view was formed by Councillors and Senior Officers that there were difficulties in managing the encampment. A report was presented to the Policy & Resources Committee on 11th January, 2007 to ascertain whether the Members wished to review their decision reached on 14th September 2006. The</p>

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	<p>Policy & Resources Committee duly considered the report and concluded that the problems could not be resolved other than by installation of restrictions to the whole layby.</p> <p>Aberdeenshire Council consulted relevant parties during 2006 and is aware of the views of GTEIP, Gypsy/Travellers, Echt & Skene Community Council and landowner.</p> <p>The Council recognises the lack of accommodation for Gypsy/Travellers but the problems witnessed at Garlogie are such that restrictions cannot wait until alternative accommodation is provided.</p>
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4.2 Please explain how monitoring will be undertaken, when it will take place and who is responsible for undertaking it, making reference to any equalities action plans / service plans.

<p>Environmental Health will:-</p> <ul style="list-style-type: none"> ➤ Monitor the use of the layby; ➤ Monitor the location of unauthorised encampments in Aberdeenshire and also the number of caravans and length of stay; and ➤ The above will be done on an ongoing basis. <p>The Head of Environmental Health & Waste Management will be responsible for monitoring.</p>

4.3 Signatories

1. Head of Service or Service Representative

Signed:Name:Date:

2. Equalities Officer or Similar

Signed:Name:Date:

Please send to (.....) for publication.