

# Integrated Impact Assessment

The purpose of Aberdeen City Council is to protect the people and the place of Aberdeen from harm, enabling them to prosper and supporting them in the event of harm happening.

The purpose of an Integrated Impact Assessment is to evidence that Aberdeen City Council are making decisions in an informed way, and that the impact of decisions made is understood and accepted. The legislation that is considered within this assessment are:

- Section 2 [Equality Act 2010 protected characteristics](#)
- Section 3 [Socio-Economic](#)
- Section 4 [Human Rights](#)
- Section 5 [Children and Young People’s Rights](#)

The term ‘policy’ is used throughout this document and applies to policies, proposals, strategies, provision, criteria, functions, practice, budget savings and activities that includes delivery of our services.

## 1. About the Policy

<b>1.1 Title</b>
Close down Winter Gardens.
<b>1.2 What does this policy seek to achieve?</b>
Non statutory service. Close down David Welch Winter Gardens. Staff resources would reduce and need to be redeployed / made redundant. There would be significant reputational damage for the council and city. There will be significant complaints. Unique and valuable plant collections would be lost. The gardens are one of the top free visitor attractions in Scotland and this would be lost. The closure would have an impact across all visitor attractions in Aberdeen as tourists may not come. Saving does not include rates.
<b>1.3 Is this a new or existing policy?</b>
New
<b>1.4 Is this report going to a committee?</b>
Will be considered as part of the 2024/25 budget proposals
<b>1.5 Committee name and date:</b>
Council, 6 March 2024
<b>1.6 Report no and / or Budget proposal number and / or Business Case reference number:</b>
OSSES-17

## Impacts

This section demonstrates the considerations that have been made in relation to the policy - and that the impact of proposals made is understood and accepted.

### 2: Equality Act 2010 - Protected Characteristics

Aberdeen City Council wants to ensure everyone is treated fairly. This section identifies the [protected characteristics](#) that the policy potentially affects and records the impact and mitigating steps.

2.1 What impact could this policy have on any of the below groups?

Protected Characteristic	What is the impact?				
	Negative			Neutral	Positive
	High	Medium	Low		
<a href="#">Age</a>		X			
<a href="#">Disability</a>		X			
<a href="#">Gender Reassignment</a>				X	
<a href="#">Marriage and Civil Partnership</a>			X		
<a href="#">Pregnancy and Maternity</a>		X			
<a href="#">Race</a>				X	
<a href="#">Religion or Belief</a>				X	
<a href="#">Sex</a>				X	
<a href="#">Sexual Orientation</a>				X	

2.2 In what way will the policy impact people with these protected characteristics?

The Winter Gardens is an important, award-winning city asset for visitors and residents alike and is seen as an essential attraction for people to enjoy nature, exercise, socialize, and escape from everyday problems. This is particularly the case for older people, people with a disability and families with young children.

The gardens are becoming increasingly popular for wedding and other events. It is a unique event space.

The gardens are used daily by people from all walks of life both local and visitors to Aberdeen.

2.3 What considerations have been made in reaching the above assessment?

#### What internal or external data has been considered? What does this data tell us?

Service data and budget information.

The Winter Gardens / Duthie Park is one of the top 3 free visitor attractions in Scotland with over 1.7 million visitors in 2023.

Data from the phase 2 budget consultation process has been reviewed and the option is clearly unpopular with the citizens of Aberdeen. A large majority (81%) of people opposed the idea of closing the Winter Gardens, arguing that they are important attractions for visitors and residents alike.

There were no additional concerns for impacts on people with protected characteristics.

#### What consultation and engagement has been undertaken with officers and partner organisations?

Chief Officers from all other services have had sight of all budget options being put forward.

**What consultation and engagement and has been undertaken with people who may be impacted by this policy (e.g. citizens, community groups, or other people/groups)?**

Aberdeen City Council launched a three-part public consultation around the 2024/25 Budget and future spending plans from July 2023 to January 2024. In part 1, which ran throughout July 2023, people were asked to award points across different service areas to indicate where they thought the council’s spending priorities should be. In part 2, the public could either increase, decrease or not change the level of expenditure in areas listed. In part 3, which took place throughout January 2024, there were two face to face sessions for the public to attend and an online consultation. There were 3,179 responses to part 1, 2,564 responses to part 2 and 285 responses to part 3. Included in all parts of the consultation was a specific question regarding the closing of the Winter Gardens.

81% of the respondents were against the closure of the Winter Gardens. A large majority of people opposed the idea of closing the Winter Gardens, arguing that they are important attractions for visitors and residents alike. Some proposed alternative ways to generate income, such as charging a small entry fee, hosting events, or seeking sponsorship.

From part 3 of the consultation process, there were a number of specific comments on the proposed closure. These stated,

*“As a single mother, money is short as is, so being able to take my child somewhere that is free and stimulating such as a park is a necessity. It helps my child build relationships and gives him exercise that he needs”*

*“The winter gardens is a wonderful asset to aberdeen and is well used. it is one of the few places an elderly person can visit in the cold winter months. was there today and families with. very young children and elderly people all enjoying the facility. it would be tragic if this was taken away from us”*

*“Duthie Park Winter Gardens is of major importance to disabled and elderly people. Being able to take a wheelchair into a dry and beautiful public space is so important. Able bodied people can walk round a park and keep warm. Disabled people in wheelchairs cannot maintain their body temperatures so well and so can't be taken round the park in wet or cool/ cold conditions.”*

2.4 What mitigations can be put in place?

**What mitigations are there against any negative impacts (if applicable)?**

None.

**With mitigations in place, what is the new overall rating of the negative impact(s)?**

High	
Medium	X
Low	
Negative Impact Removed	

### 3: Socio-Economic Impacts

This section is used to consider the impact of the policy on people who might be **unemployed, single parents**, people with lower **education** or **literacy**, **looked after children**, those with **protected characteristics** as examples.

Use this guide to understand more on socio-economic inequalities: [The Fairer Scotland Duty: Guidance for Public Bodies \(www.gov.scot\)](https://www.gov.scot/publications/fairer-scotland-duty/guidance-for-public-bodies/)

#### 3.1 What impact could this policy have on any of the below groups?

Group	Negative			Neutral	Positive
	High	Medium	Low		
Low income / income poverty – those who cannot afford regular bills, food, clothing payments.		X			
Low and/or no wealth – those who can meet basic living costs but have no savings for unexpected spend or provision for the future		X			
Material deprivation – those who cannot access basic goods and services, unable to repair/replace broken electrical goods, heat their homes or access to leisure or hobbies			X		
Area deprivation – consider where people live and where they work (accessibility and cost of transport)			X		
Socio-economic background – social class, parents' education, employment, income.			X		

#### 3.2 In what way will the policy impact people in these groups?

The Winter Gardens is a free visitor attraction. It is popular, especially to older people younger children. The gardens are also available all year round as a 'warm place'.

#### 3.3 What considerations have been made in reaching the above assessment?

**What internal or external data has been considered? What does this data tell us?**

External surveys show how popular our parks, including the Winter Gardens are, and what they mean to people. The Winter Gardens is unique and the only attraction of its kind in Aberdeen. It is one of the top 3 free attractions in Scotland.

**What consultation and engagement and has been undertaken with officers and partner organisations?**

Chief Officers from all other services have had sight of all budget options being put forward.

**What consultation and engagement and has been undertaken with people who may be impacted by this policy? citizens, community groups, or other people/groups impacted by this policy?**

Aberdeen City Council launched a three-part public consultation around the 2024/25 Budget and future spending plans from July 2023 to January 2024. In part 1, which ran throughout July 2023, people were asked to award points across different service areas to indicate where they thought the council's spending priorities should be. In part 2, the public could either increase, decrease or not change the level of expenditure in areas listed. In part 3, which took place throughout January 2024, there were two face

to face sessions for the public to attend and an online consultation. There were 3,179 responses to part 1, 2,564 responses to part 2 and 285 responses to part 3. Included in all parts of the consultation was a specific question regarding the closing of the Winter Gardens.

### 3.4 What mitigations can be put in place?

#### What mitigations are there against any negative impacts (if applicable)?

None.

#### With mitigations in place, what is the new overall rating of the negative impact(s)?

High	
Medium	X
Low	
Negative Impact Removed	

## 4: Human Rights Impacts

The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. The Human Rights Act came into force in the UK in October 2000

The Act sets out our human rights in a series of 'Articles'. Each Article deals with a different right.

Use this guide to understand more about [Human Rights](#).

### 4.1 What impact could this policy have on Human Rights?

Human Rights Article	Negative	Neutral	Positive
<b>Article 6:</b> <a href="#">Right to a fair trial</a>		X	
<b>Article 7:</b> <a href="#">No punishment without law</a>		X	
<b>Article 8:</b> <a href="#">Right to respect for private and family life, home and correspondence</a>		X	
<b>Article 9:</b> <a href="#">Freedom of thought, belief and religion</a>		X	
<b>Article 10:</b> <a href="#">Freedom of expression</a>		X	
<b>Article 11:</b> <a href="#">Freedom of assembly and association</a>		X	
<b>Article 12:</b> <a href="#">Right to marry and start a family</a>		X	
<b>Article 14:</b> <a href="#">Protection from discrimination in respect of these rights and freedoms</a>		X	
<b>Article 1 of Protocol 1:</b> <a href="#">Right to peaceful enjoyment of your property</a>		X	
<b>Article 2 of Protocol 1:</b> <a href="#">Right to education</a>		X	
<b>Article 3 of Protocol 1:</b> <a href="#">Right to participate in free elections</a>		X	

### 4.2 In what way will the policy impact Human Rights?

N/A

### 4.3 What mitigations can be put in place?

#### What mitigations are there against any negative impacts (if applicable)?

N/A

#### If mitigations are in place, does this remove the negative impact?

No – negative impact remains	X
Yes – negative impact reduced	

Yes - negative impact removed

## 5: Children and Young People’s Rights Impacts

The United Nations Convention has 54 articles that cover all aspects of a child’s life and set out the civil, political, economic, social, and cultural rights that all children everywhere are entitled to. It also explains how adults and governments must work together to make sure all children can enjoy all their rights.

Children’s rights apply to every child/young person under the age of 18 and to adults still eligible to receive a “children’s service” (e.g. care leavers aged 18 – 25 years old).

The Conventions are also known as the “General Principles” and they help to interpret all the other articles and play a fundamental role in realising all the rights in the Convention for all children. They are:

1. Non-discrimination (Article 2)
2. Best interest of the child (Article 3)
3. Right to life survival and development (Article 6)
4. Right to be heard (Article 12)

You can [read the full UN Convention \(pdf\)](#), or [just a summary \(pdf\)](#), to find out more about the rights that are included.

### 5.1 What impact could this policy have on the rights of Children and Young People?

UNCRC and Optional Protocols	Negative	Neutral	Positive
<b>Article 1:</b> definition of the child		X	
<b>Article 2:</b> non-discrimination		X	
<b>Article 3:</b> best interests of the child	X		
<b>Article 4:</b> implementation of the convention		X	
<b>Article 5:</b> parental guidance and a child's evolving capacities	X		
<b>Article 6:</b> life, survival and development	X		
<b>Article 7:</b> birth registration, name, nationality, care		X	
<b>Article 8:</b> protection and preservation of identity		X	
<b>Article 9:</b> separation from parents		X	
<b>Article 10:</b> family reunification		X	
<b>Article 11:</b> abduction and non-return of children		X	
<b>Article 12:</b> respect for the views of the child		X	
<b>Article 13:</b> freedom of expression		X	
<b>Article 14:</b> freedom of thought, belief and religion		X	
<b>Article 15:</b> freedom of association		X	
<b>Article 16:</b> right to privacy		X	
<b>Article 17:</b> access to information from the media		X	
<b>Article 18:</b> parental responsibilities and state assistance		X	
<b>Article 19:</b> protection from violence, abuse and neglect		X	
<b>Article 20:</b> children unable to live with their family		X	
<b>Article 21:</b> adoption		X	
<b>Article 22:</b> refugee children		X	
<b>Article 23:</b> children with a disability	X		
<b>Article 24:</b> health and health services	X		
<b>Article 25:</b> review of treatment in care		X	
<b>Article 26:</b> social security		X	
<b>Article 27:</b> adequate standard of living		X	
<b>Article 28:</b> right to education		X	
<b>Article 29:</b> goals of education		X	
<b>Article 30:</b> children from minority or indigenous groups		X	

<b>Article 31:</b> leisure, play and culture	X		
<b>Article 32:</b> child labour		X	
<b>Article 33:</b> drug abuse		X	
<b>Article 34:</b> sexual exploitation		X	
<b>Article 35:</b> abduction, sale and trafficking		X	
<b>Article 36:</b> other forms of exploitation		X	
<b>Article 37:</b> inhumane treatment and detention		X	
<b>Article 38:</b> war and armed conflicts		X	
<b>Article 39:</b> recovery from trauma and reintegration		X	
<b>Article 40:</b> juvenile justice		X	
<b>Article 41:</b> respect for higher national standards		X	
<b>Article 42:</b> knowledge of rights		X	
<b>Optional</b> Protocol on a Communications Procedure			

5.2 In what way will the policy impact the rights of Children and Young People?

The Winter Gardens is much loved by Aberdeen’s public and a place where children play and learn. It is a place for fun and growing and developing relationships. It encourages family activities. The Winter Gardens is a special place, and the gardens will be a huge loss to many families.

5.3 What mitigations can be put in place?

**What mitigations are there against any negative impacts (if applicable)?**

None.

**If mitigations are in place, does this remove the negative impact?**

No – negative impact remains

X

Yes – negative impact reduced

Yes - negative impact removed



## 6: Sign Off

<b>Any further positive or negative impacts on individuals or groups that have been considered?</b>
No other impacts considered.
<b>Overall summary of changes made as a result of impact assessment.</b>
No changes.
<b>Outline of how impact of policy will be monitored.</b>
Through the public and visitors to the gardens, the team, Service Managers and Chief Officers.
<b>If there are any remaining negative impacts after mitigation, what is the justification for why this policy should proceed.</b>
<p>The Council has a legal obligation to deliver a balanced budget and this proposal assists with this requirement. This is a non statutory service.</p> <p>The proposal is purely financial but if taken, would have a significant negative impact on the Council's reputation for providing first class visitor attractions and places accessible to all.</p>

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<b>Date</b>	19/02/2024
<b>Chief Officer</b>	Mark Reilly
<b>Date</b>	19/02/2024