

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

1.1 Title

B999/Shielhill Road Junction Improvements – Compulsory Purchase Order

1.2 What does this policy seek to achieve?

This policy seeks to achieve visibility improvements at the B999/Shielhill road junction and forward visibility on Shielhill Road. During the application process for planning consent at the nearby Dubford/Denmore North housing development a Transport Assessment was undertaken. The Traffic Assessment recommended that due to the impact new development traffic would have on the surrounding network, mitigation measures in the form of junction and visibility improvements and the implementation of a speed restriction would address potential road safety concerns. As part of the detailed design process, it was identified that land owned by third parties, will be required to construct the project. Most of this land is agricultural, generally small narrow strips adjacent to the carriageway and of a low development potential. The Council needs to control all of this land to progress the project therefore it is considered necessary to acquire the land through Compulsory Purchase.

The report provides an update on the progress of the B999/Shielhill Road junction improvements project and highlights the programme milestones.

The report also recommends that Council resolves to make a Compulsory Purchase Order in respect of the land identified in the CPO Map and instructs the Chief Officer - Governance to implement the statutory procedures following on from the making of the Order and continue to pursue voluntary acquisition in parallel with the compulsory purchase process.

1.3 Is this a new or existing policy?

This policy is new.

1.4 Is this report going to a committee?

Yes, this report is intended for Council.

1.5 Committee name and date:
Council 21 August 2024
1.6 Report no and / or Budget proposal number and / or Business Case reference number:
CR&E/24/211
1.7 Function and cluster:
Service: Capital Directorate: City Regeneration and Environment Chief Officer: John Wilson Report Author: Suzanne Duncan

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		
Age				X	
Disability				X	
Gender Reassignment				X	
Marriage and Civil Partnership				X	
Pregnancy and Maternity				X	
Race				X	
Religion or Belief				X	
Sex				X	
Sexual Orientation				X	

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

The Compulsory Purchase Order (CPO) process is a statutory procedure that should be free from any form of discrimination. Statutory objectors are entitled to a public hearing, regardless of their identity or background. The acquisition of land and the planned changes as part of the project will be positive.

The proposed project aims to enhance road safety by improving the visibility for drivers and other users of the B999/Shielhill Road junction and reducing the speed limit on the B999 and Shielhill Road. This will be beneficial to all road users and give them a feeling of being safe on the road network.

There is no data to suggest how the Compulsory Purchase Order will impact people with the protected characteristics.

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?	
<p>The Compulsory Purchase Order (CPO) process is a statutory procedure to acquire land from owners. There should be no net detriment financially to the owner of the land acquired by CPO, they should not be worse off financially than they would have been if the CPO had not occurred. This means that compensation for the loss of land should reflect not only the market value of the land or property, but also any other losses or expenses that the owner may incur as a result of the CPO. The land owners' residential properties or other dwellings will not be impacted by this CPO and as a result there is no consequence in relation to their general wellbeing.</p> <p>The Council has a statutory duty under the "1988 Road Traffic Act – Section 39" to prepare and carry out a programme of measures designed to promote road safety, carry out studies into accidents arising out of the use of vehicles and in light of those studies take appropriate measures to prevent such accidents. This aim is towards achieving an overall reduction in the likelihood of injury in the event of an accident. This will in turn benefit all road users as there will be less of a social and economic impact.</p> <p>The proposed project is likely to lower accident rates due to the reduced potential for vehicular conflicts.</p>	
What consultation and engagement and has been undertaken with officers and partner organisations?	
<p>Some initial engagement has been undertaken with internal teams within the Council however the CPO report is seeking authority to make the CPO which will include further consultation and engagement</p>	
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)?	
<p>The proposed scheme entails the acquisition of land and property from those who will be impacted. While the acquisition process is intended to be voluntary, it may be necessary to invoke Compulsory Purchase powers to secure all the necessary land. Communication with the affected parties has commenced and will continue to be maintained throughout the acquisition process.</p> <p>Early communications with one of the main land owners was favourable. They seem supportive of the project, its aims and objectives and will enter into negotiations in relation to the land sale.</p>	

2.4 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?		
<p>Where land has been acquired through compulsory purchase landowners and others with an interest in the land will be appropriately compensated.</p>		
With mitigations in place, what is the new overall rating of the negative impact(s)?	High	
	Medium	
	Low	X
	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 \(www.gov.scot\)](http://www.gov.scot)

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 land plots identified are generally small, narrow strips of agricultural land adjacent to the carriageway and/or of a low development potential therefore it is considered unlikely that the loss of these areas will have any socio-economic impact. The making of the Compulsory Purchase Order will not have a detrimental socio-economic impact on these groups.

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?

The Compulsory Purchase Order (CPO) process is a statutory procedure to acquire land from owners. There should be no net detriment financially to the owner of the land acquired by CPO, they should not be worse off financially than they would have been if the CPO had not occurred. This means that compensation for the loss of land should reflect not only the market value of the land or property, but also any other losses or expenses that the owner may incur as a result of the CPO.

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

Engagement has been undertaken with internal teams within the Council.

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?

We have actively initiated conversations with the affected properties as part of our acquisition process. Moving forward, we will continue to foster a constructive dialogue **with the aim to address** any concerns and try to mitigate any impacts in so far as reasonably possible.

3.4 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?			
Where land has been acquired through compulsory purchase landowners and others with an interest in the land will be appropriately compensated.			
With mitigations in place, what is the new overall rating of the negative impact(s)?	High		
	Medium		
	Low		
	Negative Impact Removed		X

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

4.2 In what way will the policy impact Human Rights?

The scheme will require the acquisition of land and property from affected parties. This is intended to be through voluntary acquisition, but Compulsory Purchase powers may be required to secure all of the necessary land. Communication with the affected parties has commenced and will continue to be maintained throughout the acquisition process.

4.3 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?			
One of the primary concerns that may arise is the utilisation of Compulsory Purchase. During this process, individuals who have legal objections will be given the opportunity to express their opinions. These objections will be in the form of written statements and will be directed to the Scottish Ministers for consideration. The Ministers will take these views into account before deciding whether to confirm the CPO. Depending on the nature of the objections, the Scottish Ministers may decide to conduct a Public Local Inquiry to hear the views of the objectors and the promoting authority (ACC). Affected parties			

(owners / occupiers) will be entitled to claim compensation under the statutory Compensation Code, subject to meeting any appropriate qualifying criteria.

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

No – negative impact remains

Yes – negative impact reduced

Yes - negative impact removed

X

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
Article 1: definition of the child		X	
Article 2: non-discrimination		X	
Article 3: best interests of the child		X	
Article 4: implementation of the convention		X	
Article 5: parental guidance and a child's evolving capacities		X	
Article 6: life, survival and development		X	
Article 7: birth registration, name, nationality, care		X	
Article 8: protection and preservation of identity		X	
Article 9: separation from parents		X	
Article 10: family reunification		X	
Article 11: abduction and non-return of children		X	
Article 12: respect for the views of the child		X	
Article 13: freedom of expression		X	
Article 14: freedom of thought, belief and religion		X	
Article 15: freedom of association		X	
Article 16: right to privacy		X	
Article 17: access to information from the media		X	
Article 18: parental responsibilities and state assistance		X	
Article 19: protection from violence, abuse and neglect		X	
Article 20: children unable to live with their family		X	
Article 21: adoption		X	
Article 22: refugee children		X	
Article 23: children with a disability		X	

Article 24: health and health services		X	
Article 25: review of treatment in care		X	
Article 26: social security		X	
Article 27: adequate standard of living		X	
Article 28: right to education		X	
Article 29: goals of education		X	
Article 30: children from minority or indigenous groups		X	
Article 31: leisure, play and culture		X	
Article 32: child labour		X	
Article 33: drug abuse		X	
Article 34: sexual exploitation		X	
Article 35: abduction, sale and trafficking		X	
Article 36: other forms of exploitation		X	
Article 37: inhumane treatment and detention		X	
Article 38: war and armed conflicts		X	
Article 39: recovery from trauma and reintegration		X	
Article 40: juvenile justice		X	
Article 41: respect for higher national standards		X	
Article 42: knowledge of rights		X	
Optional Protocol on a Communications Procedure			

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

No impacts anticipated at this stage.

5.3 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?	
Not applicable.	
If mitigations are in place, does this remove the negative impact?	No – negative impact remains
	Yes – negative impact reduced
	Yes - negative impact removed

6: Sign Off

Any further positive or negative impacts on individuals or groups that have been considered?	
Not applicable.	
Overall summary of changes made as a result of impact assessment.	
Not applicable.	
Outline of how impact of policy will be monitored.	
Our team remains committed to conducting ongoing assessments of potential risks in order to effectively manage their impact.	
If there are any remaining negative impacts after mitigation, what is the justification for why this policy should proceed.	
Not applicable.	
Assessment Author	Suzanne Duncan
Date	11 July 2024
Chief Officer	John Wilson
Date	31 July 2024