

REPORT TO ABERDEENSHIRE COUNCIL – 18 JANUARY 2018

PLANNING ENFORCEMENT GYPSY/TRAVELLER SITE AT NORTH ESK, ST CYRUS – ACTION PLAN

1. Recommendations

Full Council is recommended to:

- 1.1 **Instruct Officers to continue to liaise closely with the planning agent and residents of North Esk and to implement the Action Plan to ensure compliance with the Planning Enforcement Notice as required by the Ministers' decision.**
- 1.2 **Note and endorse the Process Map and Action Plan (Appendices 1 and 2) including the risks and financial implications identified.**
- 1.3 **Approve the Communication Strategy (Appendix 3).**
- 1.4 **Instruct Officers to provide update reports to Infrastructure Services Committee and Kincardine and Mearns Area Committee.**

2. Background/Discussion

- 2.1 At its meeting on 23 November 2017 Council received a report on the Scottish Ministers' decision in relation to the retrospective planning application and enforcement appeals for a gypsy traveller site at North Esk, St Cyrus. Council noted the Planning and Environmental Appeals Division Report to Scottish Ministers and the three related decision documents and instructed Officers to report back to the next Full Council meeting with a detailed Action Plan for complying with Ministers' decisions. Council also agreed that there should be a communication strategy to ensure that the residents are kept fully informed and engaged in the process.
- 2.2 The onus to comply with the planning enforcement notice sits with the applicant who has verbally indicated that they do not intend to move from the site. Scenarios set out in the Process Map (**Appendix 1**) show the steps that have to be taken in order to ensure compliance. This will require direct action by the Council. As the applicant has until 31 July 2018 to comply then any direct action by the Council would follow thereafter although preparatory work will be required before that date. Should the residents decide to comply then various stages in the process still apply. The various stages of the Process Map have been translated into an Action Plan (**Appendix 2**) which also sets out risks, mitigations and potential costs.

- 2.3 The Process Map and Action Plan have been produced by a cross-service group of Council Officers with input from Planning and Building Standards, Housing, Legal and Governance, Property and Facilities Management, Roads and Landscape Services, Education, Customer Communication and Improvement, Police Scotland and Officers of the Integrated Joint Board have also been brought in to the discussions. The group is chaired by the Kincardine and Mearns Area Manager.
- 2.4 A Communication Strategy has been prepared and forms **Appendix 3** to this report. It is important that residents of the site and the local community are kept well informed and engaged as matters progress. As this is a planning enforcement matter under normal circumstances the communication between the Council as a planning authority and the applicant would be between the appropriate Planning Officer and the applicant's agent. This is clearly a much more complex case and this is reflected in the communication strategy. Clearly at some stage in the process there may be a need for formal legal action to be taken and under normal circumstances these would be matters that would be considered exempt in terms of the Local Government (Scotland) Act 1973.
- 2.5 There will be close liaison with residents of North Esk Park and other residents, also with agencies involved and progress reports will be submitted to Infrastructure Services Committee and the Kincardine and Mearns Area Committee.

3. Scheme of Governance

- 3.1 The Council is able to consider this item since it relates to a decision of Full Council taken in terms of paragraph A17 of the previous Scheme of Delegation (now Part 2A of the Scheme of Governance Section 11.1 and Part 2C List of Planning Delegations Section 3.1(a)). The Head of Planning and Building Standards has delegated power to take action, including direct action, in pursuance of enforcement against unauthorised developments, in terms Part 2B List of Officer Powers Section F4.8

4. Implications and Risk

- 4.1 An equality impact assessment has been carried out and is attached as Appendix 4 to this report. There are significant implications which are addressed through the Action Plan.
- 4.2 As reported on 23 November, should the enforcement notice not be complied with by 31 July 2018 then the Council could incur significant costs in implementing the Action Plan. These are set out in the Action Plan and potentially could be recoverable through the Courts.

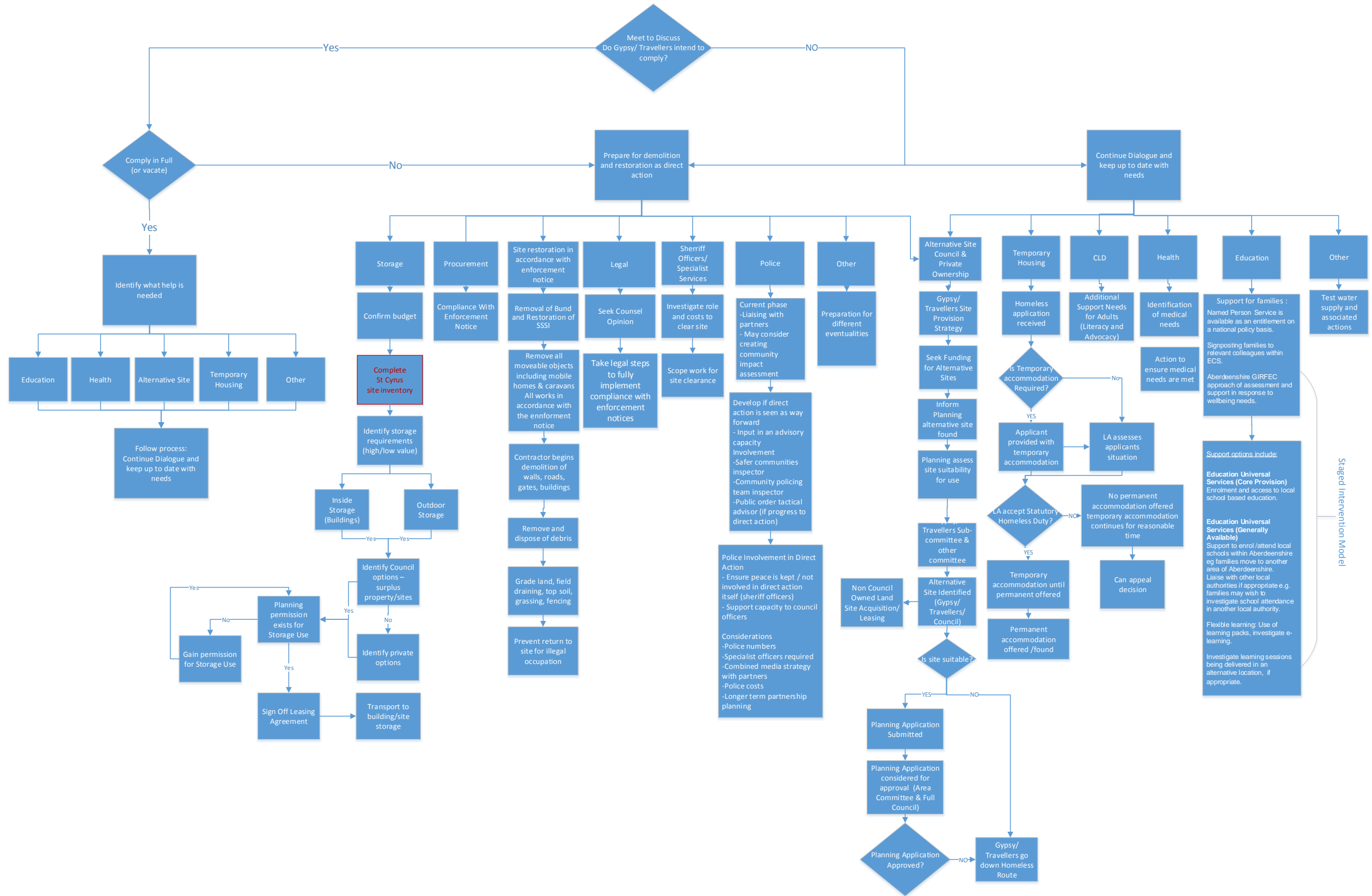


- 4.3 The following risks have been identified as relevant to this matter on a Corporate Level: ACORP006 Reputation Management and ACORP007 Social Risk (*Corporate Risk Register*); and at a Strategic Level: ECSSR004 Support Inclusive, Vibrant and Healthy Communities (*Directorate Risk Registers*). Risks will continue to be identified and monitored in the Action Plan.
- 4.4 A Town Centre Assessment is not required because there will be no significant impact as a result of this Report on Town Centres.

Stephen Archer
Director of Infrastructure Services

Report prepared by William Munro, Area Manager Kincardine and Mearns
22 December 2017

APPENDIX 1



Enforcement Notice - St Cyrus Gypsy/Traveller Site				Timeframe						Owner
Ref	Action	Associated Risks	Associated Costs	Oct-Dec	Jan-Mar	Apr-Jun	By 31 st July	Aug - Sep	Oct-Dec	
	Establish Project									
	Clarify current situation Confirm number of adults and children on site Identify needs		Officer time	*						Area Manager
	Establish project governance and process - Confirm board/team structure - Risks - Project plan - Comms Strategy & Plan - Media releases prepared for key events/dates - Coms guidance for officers appropriate language and terminology - Equality Impact Assessment	Failing to implement comms plan Proactive management of coms Breakdown in relationships between GT/Officers	Officer time	*						Area Manager Team Manager Customer, Communication and Improvement Service Manager Customer, Communication and Improvement Area Manager
	Undertake research eg: - Lessons learned – Dales Park, Basildon District Council - Lessons learned – Aikey Brae, Aberdeenshire		Officer time	*	*					Team Manager Planning and Building Standards Team Manager Planning and Building Standards
	Risk Assessments - Risk assessments need to be completed at all decision making stages	Failing to complete these could result in risks not being identified, monitored, mitigated	Officer time	*	*	*	*	*	*	Process owners
	Key Process: Full Compliance/Continuing Dialogue if preparing for Direct Action									
	Alternative Site									
	Identify alternative site (Gypsy/ Travellers/Council Officers) working in collaboration	Unable to identify site.	Officers time Estimate based on Aikey Brae		*	*				Lead Officer to be confirmed
	Inform Planning that alternative site found		Officer time		*	*				Team Leader Affordable Housing
	Confirm site suitability		Officer time		*	*				Planning Service Manager Planning and Building Standards
	Site confirmed as suitable		Officer time		*	*				Team Leader Affordable Housing
	Report to Gypsy Traveller Sub Committee		Officer Time			*				Head of Housing Housing

Enforcement Notice - St Cyrus Gypsy/Traveller Site				Timeframe						Owner
Ref	Action	Associated Risks	Associated Costs	Oct-Dec	Jan-Mar	Apr-Jun	By 31 st July	Aug - Sep	Oct-Dec	
	Planning Application Submitted (NB: If alternative site identified and planning process underway potential to extend Enforcement Notice in certain circumstances)		Officer time			*	*			To be confirmed depending on who is promoting it
	Planning Application goes for approval to Area Committee and Full Council	Planning application refused	Officer time			*	*	*	*	Team Manager (Development Management) Planning and Building Standards
	Planning Application Approved Sub action tbc		Officer time			*	*	*	*	
	Planning Application Refused Sub action tbc		Officer time			*	*	*	*	
	Site confirmed as not suitable		Officer time			*	*	*	*	Planning Service Manager Planning and Building Standards
	Site Refused					*	*	*	*	
	Continually assess housing needs of residents and continually review how we could accommodate	Not enough suitable accommodation available	Officer time		*	*	*	*	*	Team Leader Options and Homelessness
	Gypsy/Travellers to decide to declare themselves Homeless (NB – Gypsy/Traveller application must be submitted 56 days prior to becoming homeless or homeless as a result of legal process to remove from site)	Gypsy/ Travellers decide not to declare themselves homeless. Gypsy/ Travellers use an unauthorised encampment				*				Team Leader Options and Homelessness
	Temporary Housing (Homelessness Process)									
	Homeless Application received	These can only be received 2 months prior to 31/07/2018				*				Team Leader Options and Homelessness
	Is temporary accommodation required?					*				Team Leader Options and Homelessness
	If yes - temporary accommodation is offered If no – continue to assess application					*				Team Leader Options and Homelessness
	Local Authority assesses the applicants situation	Risk identification and mitigation ongoing				*				Team Leader Options and Homelessness
	Does the Local Authority accept Statutory Homeless Duty?					*				Team Leader Options and Homelessness

Enforcement Notice - St Cyrus Gypsy/Traveller Site				Timeframe						Owner
Ref	Action	Associated Risks	Associated Costs	Oct-Dec	Jan-Mar	Apr-Jun	By 31 st July	Aug - Sep	Oct-Dec	
	If yes - Statutory Homeless Duty is accepted temporary accommodation is continued until permanent accommodation is offered. - Permanent accommodation found/offered	Risk identification and mitigation ongoing				*				Team Leader Options and Homelessness
	If no - Statutory Homeless Duty is not accepted temporary accommodation can continue to be provided for a reasonable amount of time. - Can appeal decision.	Risk identification and mitigation ongoing				*				Team Leader Options and Homelessness
	Health									
	Some of Gypsy/Travellers have medical needs that will have to be considered	Risk identification and mitigation ongoing	Officer time		*	**	**	*	*	Location Manager, NHS
	Education									
	Support for families	Risk identification and mitigation ongoing	Officer time		*	**	**	*	*	Quality Improvement Manager (ASN),
	Named Person Service is available as an entitlement on a national policy basis. Signposting families to relevant colleagues within ECS. Aberdeenshire GIRFEC approach of assessment and support in response to wellbeing needs.	Risk identification and mitigation ongoing	Officer time		*	**	**	*	*	Quality Improvement Manager (ASN), Education & Learning
	<u>Support options include:</u> Education Universal Services (Core Provision) Enrolment and access to local school based education. Education Universal Services (Generally Available) Support to enrol /attend local schools within Aberdeenshire eg families move to another area of Aberdeenshire. Liaise with other local authorities if appropriate e.g. families may wish to investigate school attendance in another local authority. Flexible learning: Use of learning packs, investigate e-learning.	Risk identification and mitigation ongoing	Officer time		*	**	**	*	*	Quality Improvement Manager (ASN), Education & Learning

Enforcement Notice - St Cyrus Gypsy/Traveller Site				Timeframe						
Ref	Action	Associated Risks	Associated Costs	Oct-Dec	Jan-Mar	Apr-Jun	By 31 st July	Aug - Sep	Oct-Dec	Owner
	Investigate learning sessions being delivered in an alternative location, if appropriate.									
	CLD									
	Additional Support Needs for Adults (Literacy Support and Advocacy)	Risk identification and mitigation ongoing	Officer time		*	**	**	*	*	Team Leader, CLD Senior CLD worker, CLD
	Other									
	Test Water Supply	Unable to obtain a test	Officer time and associated costs		*					Environmental Health
Key Process: Non-compliance in full or part of Enforcement Notice Prepare for Demolition and Restoration as Direct Action										
	Storage									
	Confirm budget				*					Head of Finance
	Complete North Esk Site Inventory This is a key action which must be completed as soon as possible as many other actions depend on this	Unable to access site to obtain information as situation changes	Officer time Establish costs - storage		*					Hard FM, Property
	Identify Storage Requirements (High/Low Value, Inside/Outside storage)	Risk identification and mitigation ongoing	Officer time		*					Hard FM, Property
	Source Inside Storage 1. Council buildings (surplus) 2. Private sector buildings	Risk identification and mitigation ongoing	Officer time		*	*				Team Leader, Estates, Property & Facilities
	Source External Storage 1. Council sites (surplus) 2. Private sector site	Unable to locate suitable storage	Officer time		*	*				Team Leader, Estates, Property & Facilities
	Identify Council options – surplus property / sites				*	*				Team Leader, Estates, Property & Facilities
	If yes: Confirm identified buildings/sites have planning permission for Storage Use Gain permission for storage use Sign of Leasing Agreement	Risk identification and mitigation ongoing	Officer time Planning application fee		*	*				Team Manager, Planning and Building Standards
	If no: Identify private options		Officer time		*	*				Team Leader, Estates, Property & Facilities
	Inform FES (Hard FM Provider) of potential job required		Officer time		*					Hard FM, Property
	Identify transportation costs on completion of North Esk Site Inventory		Officer time		*					Hard FM, Property

Enforcement Notice - St Cyrus Gypsy/Traveller Site				Timeframe						
Ref	Action	Associated Risks	Associated Costs	Oct-Dec	Jan-Mar	Apr-Jun	By 31 st July	Aug - Sep	Oct-Dec	Owner
			Establish costs - transportation							
	Arrange removal and transportation of inventory to identified sites	Risk identification and mitigation ongoing	Officer time Establish costs – removal and transportation once requirements established					*		Hard FM, Property
	Procurement									
	Appropriate procurement process to be identified and confirmed once scope of work fully investigated				*					CPS Officer
	Site Restoration									
	Resolve Bund and restoration – Liaise with SNH as Enforcement Notice out of time Need clarification on this can we do this without the enforcement notice?	Risk identification and mitigation ongoing	Officer time		*					<i>Team Manager, Planning and Building Standards</i>
	Remove all moveable objects including mobile homes and caravans	Risk identification and mitigation ongoing	Currently estimated at £317,000 on the basis of free and uninhibited access to the site and no interruptions					*	*	Hard FM Property
	Contractor begins demolition of walls, roads, gates and buildings	Risk identification and mitigation ongoing	Included above					*	*	Hard FM Property
	Remove and dispose of debris	Risk identification and mitigation ongoing	Included above					*	*	Hard FM Property
	Grade land, field drainage, top soil, grassing and fencing	Risk identification and mitigation ongoing	Included above					*	*	Hard FM Property
	Prevent return to site for illegal occupation	Gypsy/Travellers could potentially come back on to the land. This would be classed as unauthorised encampment on private land (Gypsy/Travellers own the land) which is something housing will not take action on	Officer time – detail of how this will be done to be established and may be further costs involved					*	*	Hard FM Property
	Legal									
	Obtained prior to full Council meeting November 2017 - Confirming legal requirements to enforce notices upheld by Scottish ministers			*						<i>Senior Solicitor Legal & Governance</i>

Enforcement Notice - St Cyrus Gypsy/Traveller Site				Timeframe						Owner
Ref	Action	Associated Risks	Associated Costs	Oct-Dec	Jan-Mar	Apr-Jun	By 31 st July	Aug - Sep	Oct-Dec	
	To be obtained following process mapping / action mapping 1. To explore implications / risks of enforcement 2. Legal process if we have to take direct action 3. Specialist Legal Advice as required	Risk identification and mitigation ongoing	£1600 Officer time							
	Report to Procurator Fiscal for non-compliance with enforcement notice		Officer time					*		<i>Principal Solicitor Legal & Governance</i>
	Where the occupiers refuse to move voluntarily, raise sheriff court interdict proceedings to prevent the occupiers (a) willfully obstructing the Council from exercising their power to take direct action to enforce the enforcement notices and (b) any further breach of planning control	Risk identification and mitigation ongoing	Officer time Direct cost being established by Legal and Governance					*	*	<i>Principal Solicitor Legal & Governance</i>
	Sherriff Officers / Specialist Services									
	Investigate role and costs to clear site	Risk identification and mitigation ongoing	Officer time and associated costs			*				<i>Senior Solicitor, Legal & Governance</i>
	Scope work for site clearance	Risk identification and mitigation ongoing	Officer time and associated costs			*				<i>Senior Solicitor, Legal & Governance</i>
	Police									
	Current phase - Liaising with partners - May consider creating community impact assessment				*	*	*			<i>Area Manager</i>
	Develop if direct action is seen as way forward Look to have input in an advisory capacity Involvement - Safer communities inspector - Community policing team inspector - Public order tactical advisor (if progress to direct action)				*	*	*			<i>Area Manager</i>
	Police Involvement in Direct Action To ensure that peace is kept / not involved in direct action itself (sheriff officers) Support capacity – to support council officers Considerations - Police numbers - Specialist officers required - Combined media strategy with partners - Police costs							*	*	<i>Area Manager</i>

Enforcement Notice - St Cyrus Gypsy/Traveller Site				Timeframe						Owner
Ref	Action	Associated Risks	Associated Costs	Oct-Dec	Jan-Mar	Apr-Jun	By 31 st July	Aug - Sep	Oct-Dec	
	- Longer term partnership planning (following any direct action being undertaken)									
	Other									
	Scenario Planning - in preparation for potential enforcement action. - Identify risks and explore implications of the Enforcement Options (No Action, Fixed Penalty, Direct Action)		Officer time		*	*	*			Area Manager



From mountain to sea

North Esk

Communication Principles

Commitment:

It is fundamental that we commit to certain principles throughout this process, to maintain trust and open lines of communication. Aberdeenshire Council will:

- Recognise the impact of any/all decisions on the residents of the North Esk site and be open with them throughout the process.
- Recognise and full implement the Scottish Government decision.
- Maintain requirements through the planning system to uphold standards and fairness.
- Communicate decisions and objectives with the wider St Cyrus community and our residents.
- Speak with each audience in a clear and understandable way, without jargon or acronyms.

We will treat everyone involved with honesty and fairness. It will be a priority to ensure that we are recognised as an inclusive organisation that treats everyone fairly whilst upholding the law as it applies to us.

Expectation:

We expect that the lines of communication outlined below will be two-way. We hope that all stakeholders will use the channels to ensure Aberdeenshire Council remains informed at every stage.

Audiences and mechanisms:

We recognise that there are a number of audiences with an interest, and this outlines the ways in which we will communicate with them.

<i>Residents of North Esk</i>	<i>The Community of St Cyrus/Community Council</i>
The residents of North Esk are the primary audience. It is important that we recognise	The wider community of St Cyrus, those that live both close to the site and further



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<p>their emotional and often financial investment in the decision-making process and the life-changing impact these could have. It is also fundamental that we take on board varied degrees of literacy amongst the community.</p> <p>In order to communicate openly, any message will be best provided verbally and through a trusted source. An agreed point of contact will be made with a suitable individual.</p>	<p>away, have very specific interests in the progress here. Their interests will be in how Aberdeenshire Council concludes this matter and what action, if any needs to be taken.</p> <p>We will ensure that links are made with the Community Council and can agree a community representative to relay updates. In order to improve communication with the community, the project group will ensure that local elected members are aware of their role as a conduit of discussion both back and forth.</p>
<p>Media</p>	<p>Wider population of Aberdeenshire</p>
<p>The media will monitor Aberdeenshire Council's management of the situation and will challenge where they feel it is required, or where prompted by criticism from a third party. It is therefore important that Aberdeenshire Council is proactive with its public communications, and responds quickly and authoritatively to any potential criticism.</p> <p>All media approaches will be handled by the communications team in conjunction with the project group.</p>	<p>There will be varying degrees of interest across Aberdeenshire in the outcomes here. Those with an investment in the planning process and outcomes, those in support of the travelling community, those in other travelling community spaces within Aberdeenshire.</p> <p>We will utilise the media, social media and our liaison colleagues to ensure that updates are communicated in a timely and trusted way.</p>
<p>Councillors</p>	<p>Aberdeenshire Council staff group</p>
<p>Councillors have a number of roles within this project: some as decision-makers, some as local members representing their community, and some as chairs/vice-chairs of reporting committees. It is essential that they receive regular briefings of project progress, and copies of any comms materials being shared.</p> <p>They will be updated through: The committee cycle, at an area and policy level as well as Full Council.</p>	<p>Council employees need to be informed at a high level of the project's progress to ensure understanding of the council's responsibilities, and to reduce the risk of misinformation being shared.</p> <p>Internal communications will be shared via Arcadia and a dedicated project page on this site can be considered.</p>



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Copies of any written communication issued Briefings and verbal updates from the project group.	
<i>Scottish Government and statutory partners</i>	National politicians
<p>It is fundamental that ministers and officers within the Scottish Government are always abreast of progress and decisions. There will also be a requirement to keep lines of communication open with partners including SEPA.</p> <p>They will be informed by an agreed point of contact within the project group and agreed intervals of communication established.</p>	<p>In a similar way to local elected members, there will be a range of politicians with an interest in any actions being taken and in the approach.</p> <p>A database of known contacts will be maintained with interest level noted.</p>

Messages:

The work at North Esk is still in its infancy and ever-evolving with the potential for timescales to change throughout.

We will ensure that the audiences are always aware of relevant timescales and headline messages from committee reports as well as any action being taken.

We also propose that a column is added to the agreed action plan, which highlights points in the plan which require communication and identifies the relevant audience from the list above.

Current messages

The below list will be added to over time

- A message to issue to residents advising that there will be no more news before Christmas.
- A New Year message advising of the report going to Full Council.
- A message prepared after Full Council to explain the discussion and next steps.



From mountain to sea

Measurement:

We will monitor the success of any communications over the lifetime of the work at North Esk.

- Record the engagement rates of any social media posts.
- Maintain a log of feedback given verbally to any officer during any face to face verbal updates.
- Monitor media coverage of the situation.
- Monitor social media conversations and respond where appropriate.



EQUALITY IMPACT ASSESSMENT

Stage 1: Title and aims of the activity (“activity” is an umbrella term covering policies, procedures, guidance and decisions).	
Service	Infrastructure Services
Section	Area Manager
Title of the activity etc.	Planning Enforcement
Aims of the activity	To seek compliance with Ministerial Decision
Author(s) & Title(s)	W Munro Area Manager (K&M)
Stage 2: List the evidence that has been used in this assessment.	
Internal data (customer satisfaction surveys; equality monitoring data; customer complaints).	Previous reports to Area Committee and Council on retrospective planning applications, enforcement notices issued, information from education and Gypsy/Traveller Liaison Officer
Internal consultation with staff and other services affected.	Multi Service Group with representation from Planning and Building Standards, Roads and Landscape Services, Housing, Legal and Governance, Education, Customer Communications and Improvement, Area Manager
External consultation (partner organisations, community groups, and councils).	Police Scotland, NHS Grampian
External data (census, available statistics).	Ministers Decision
Other (general information as appropriate).	

Stage 3: Evidence Gaps.	
Are there any gaps in the information you currently hold?	We need to keep up to date with details of residents and their particular needs

Stage 4: Measures to fill the evidence gaps.		
What measures will be taken to fill the information gaps before the activity is implemented? These should be included in the action plan at the back of this form.	Measures:	Timescale:

Stage 5: Are there potential impacts on protected groups? Please complete for each protected group by inserting "yes" in the applicable box/boxes below.				
	Positive	Negative	Neutral	Unknown
Age – Younger	Yes	Yes		
Age – Older	Yes	Yes		
Disability	Yes	Yes		
Race – (includes Gypsy Travellers)	Yes	Yes		
Religion or Belief			Yes	
Gender – male/female			Yes	
Pregnancy and maternity	Yes	Yes		
Sexual orientation – (includes Lesbian/ Gay/Bisexual)			Yes	
Gender reassignment – (includes Transgender)			Yes	
Marriage and Civil Partnership				Yes

Stage 6: What are the positive and negative impacts?		
Impacts.	Positive (describe the impact for each of the protected characteristics affected)	Negative (describe the impact for each of the protected characteristics affected)
Please detail the potential positive and/or negative impacts on those with protected characteristics you have highlighted above. Detail the impacts and describe those affected.	Residents will no longer live in a place where they exposed to serious risk to life and property due to flooding.	Loss of settled home / community and breaking up of households
		Potential homelessness
		Disruption to education
		Potential for lack of continuity in health care
		Potential financial loss

Stage 7: Have any of the affected groups been consulted?	
If yes, please give details of how this was done and what the results were. If no, how have you ensured that you can make an informed decision about mitigating steps?	Discussions have been held with the original applicant/owner and planning agent. The site has been visited and residents met by senior officers. GTLO visits site regularly and provides support to residents and liaison with Council and other services to try to ensure needs are met. A communications strategy has been drawn up and once approved will be provided to residents through a nominated spokesperson.

Stage 8: What mitigating steps will be taken to remove or reduce negative impacts?		
	Mitigating Steps	Timescale
These should be included in any action plan at the back of this form.	Regular liaison to ensure needs are fully understood	Started and ongoing until conclusion
	Housing needs will be identified and addressed	In run up to residents leaving
	Education continuity	As residents leave
	Health continuity	As residents leave
	Action plan will identify risks and mitigations	Ongoing

Stage 9: What steps can be taken to promote good relations between various groups?

These should be included in the action plan.

Communications Strategy and GTLO

Stage 10: How does the policy/activity create opportunities for advancing equality of opportunity?

The case is so complex and so many officers across services are involved that it will provide a learning opportunity for many in terms of the Gypsy/Traveller way of life and their needs. This learning will be taking into other aspects of officers' work.

Stage 11: What equality monitoring arrangements will be put in place?

These should be included in any action plan (for example customer satisfaction questionnaires).

The multiagency action planning group will meet regularly with this as a standing item on the agenda.

Stage 12: What is the outcome of the Assessment?

Please complete the appropriate box/boxes	1	No negative impacts have been identified –please explain.
	2	Negative Impacts have been identified, these can be mitigated - please explain. * Please fill in Stage 13 if this option is chosen.
	By continual engagement, identification, assessment and understanding of needs, all the impact risks except one can be mitigated.	
	3	The activity will have negative impacts which cannot be mitigated fully – please explain. * Please fill in Stage 13 if this option is chosen
The breaking up of a community and households will be mitigated as far as possible by ensuring that needs are identified and assessed and met as far as possible.		

* Stage 13: Set out the justification that the activity can and should go ahead despite the negative impact.

The Ministerial Decision is at the highest level of authority in terms of Town and Country Planning and must be complied with. Failure to take planning enforcement action will undermine the whole planning process and damage public confidence in the system and the council. The decision refers to serious risk to life and property which in itself cannot be ignored.

Stage 14: Sign off and authorisation.

Sign off and authorisation.	1) Service and Team	Infrastructure Services (Area Manager)		
	2) Title of Policy/Activity	Compliance with Planning Enforcement (if appropriate)		
	3) Authors: I/We have completed the equality impact assessment for this policy/activity.	Name: William Munro Position: Area Manager Date: 05/12/17 Signature:	Name: Position: Date: Signature:	
		Name: Position: Date: Signature:	Name: Position: Date: Signature:	
	4) Consultation with Service Manager	Name: N/A Date:		
	5) Authorisation by Director or Head of Service	Name: Stephen Archer Position: Director Date:	Name: Position: Date:	
	6) If the EIA relates to a matter that has to go before a Committee, Committee report author sends the Committee Report and this form, and any supporting assessment documents, to the Officers responsible for monitoring and the Committee Officer of the relevant Committee. e.g. Social Work and Housing Committee.	Date:		
7) EIA author sends a copy of the finalised form to: equalities@aberdeenshire.gov.uk	Date:			
(Equalities team to complete) Has the completed form been published on the website? YES/NO			Date:	

