

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE - 12 MARCH 2003

REPORT ON THE ADOPTION OF THE COUNCIL'S RACE EQUALITY SCHEME

Report by the Director of Development Services

1. PURPOSE OF REPORT

- 1.1 To advise the Committee of the impact on the Department of the adoption of the Council's Race Equality Scheme.

2. BACKGROUND

- 2.1 At the full Council meeting on the 24 October 2002 it was agreed to adopt a Council Race Equality Scheme in accordance with the Race Relations (Amendment) Act 2000.
- 2.2 Each Service Department is now required to review their services in relation to the impact that the Race Equality Scheme will have on their operation(s) and report back to the relevant service committee.
- 2.3 The Department of Development Services has undertaken a review of all functions and related policies and procedures in line with guidance provided by the Commission for Racial Equality in Scotland.
- 2.4 The findings of this review are presented in Appendix 1 of this report.

3. LEGAL IMPLICATIONS

- 3.1 The Race Relations (Amendment) Act 2000 is now law, with the Commission for Race Equality responsible for auditing the process.
- 3.2 Failure to comply with the specific duties of the Act will lead to legal action against the Council.

4. POLICY IMPLICATIONS

- 4.1 All current and new Departmental policies, procedures and functions must be developed and monitored in line with the specific and general duties of the Act.
- 4.2 The Department of Development Services will meet the requirements of the Council's Race Equality Scheme.

5. FINANCIAL IMPLICATIONS

- 5.1 It is currently not clear what the financial implications will be for the adoption of the Council's Race Equality Scheme. It is anticipated that there may be training costs attached to the roll out of the scheme.

6. RECOMMENDATIONS

6.1 It is recommended the Committee:

- (a) note the contents of the Departmental assessment of the impact of the Race Relations (Amendment) Act 2000 in Appendix 1;
- (b) approve the 3 year plan/timetable to meet the general duty of the Act set out in Appendix 1; and
- (c) note that the Personnel section of Corporate Resources is considering corporate training in race equality issues to raise awareness of staff in all departments.

Stephen Chorley
Director of Development Services

JF/KM
19/2/03

BACKGROUND PAPERS

- 1. East Ayrshire Council's Race Equality Scheme**
- 2. Full Council Committee 24 October 2002 – Race Relations (Amendment) Act 2000 report (pages 12-21)**
- 3. The duty to promote race equality – A Guide for Scottish Public Authorities, (Commission for Race Equality in Scotland)**

For further information on the contents of this report contact Jim Farrell, Economic Policy officer. Telephone 57(6144).

Implementation Officer – Stephen Chorley

APPENDIX 1: DEPARTMENT OF DEVELOPMENT SERVICES
Assessment of functions and policies for relevance to the General Duty and Prioritisation / Action Plan (2002-2005)

Section (note 2 below)	Functions & Policies		Relevance to general duty			Degree of relevance to particular functions / policies		Prioritisation
	Existing / proposed functions	Existing / proposed policies related to function	Part of general duty which is related to function policy	Eliminating Discrimination	Promoting Equal Opportunities	Promoting Good Race Relations	Amount of evidence / reason to believe that racial groups are / could be adversely affected (Note 1)	Level of public concern that functions / policies are operated in a discriminatory manner
PDP	Planning applications	Statute / Development Promotion Charter		v	v	Possible	None	2003/04
PDP	Enforcement	Statute / Development Promotion Charter		v	v	Possible	None	2004/05
PPP	Structure & Local Plan preparation	Statute	v	v	v	Possible	None	2003/04
PPP	Policy and projects	Service Action Plan/Planning Regulations		v	v	Possible	None	2003/04
BC	Building warrant applications	Statute / Building Regulations		v	v	Possible	None	2004/05
BC	Dangerous buildings	Statute / Building Regulations		v		None	None	2004/05
RNM	Operational management of the roads network	Statute / Code of Practice		v	v	None	None	2004/05
RNM	Provision of street lighting	Statute / Contract / Documents		v	v	None	None	2005/06
RNM	Issue of permits	Statute		v	v	None	None	2005/06
RNM	Co-ordination and monitoring of roadworks by public utilities	Statute / Code of Practice		v	v	None	None	2005/06
RNM	Routine maintenance - (note 3 below)	Statute / Code of Practice / Contract Documents		v		None	None	2005/06
RNM	Flood prevention	Statute / Contract Documents		v		None	None	2005/06
RNM	Winter maintenance services - client	Statute / Code of Practice / Council Policy		v	v	None	None	2004/05
RNM	Development control (see note 4 below)	Statute / Development Control Guidelines		v	v	None	None	2005/06
RNM	Road Safety	Council Policy / Local Transport Strategy		v	v	None	None	2005/06
RNM	Operational management of car parks	Statute / Council Policy / Contract Documents / Service Level Agreement		v	v	Possible	None	2003/04
RTD	Roads design	Statute / Mandatory Code of Practice / Regulations		v		None	None	2005/06
RTD	Bridge design, inspection, maintenance, assessment and strengthening	Statute / Mandatory Code of Practice		v		None	None	2004/05
RTD	Bus Station - facilities	Local Transport Strategy		v	v	None	None	2004/05

Note 1 – "Possible" is entered in this column where there is some possibility that the activity might adversely affect some racial groups. In some cases this assessment reflects reports of experiences elsewhere in the UK. It does not imply that there is any evidence that any groups are in fact adversely affected at present.

Note 2 - Section Abbreviations: PDP = Planning Development and Promotion, PPP = Planning Policy and Projects, BC = Building Control; RNM = Roads Network Management, RTD = Roads Transportation and Design

Note 3 - Services include: Road, footway and street lighting planned structural maintenance. Ad-hoc repairs to safety fences, lighting columns, road drainage. Routine operations such as gully emptying, grass cutting, weed killing, white lining, patching and pothole repairs.

Note 4 - Services include: Checking road safety and construction standards of new -development roads prior to issuing Construction Consent. Monitoring construction and final inclusion on the "List of Public Roads".

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RTD	School crossing patrols	Statute / Regulations / Code of Practice / Local Transport Strategy		v	v	Possible	None	2003/04
RTD	Preparation of Local Transport Strategy	Statute / Council Policy	v	v	v	Possible	None	2003/04
RCS	Routine Road Maintenance - contractor	Statute / Council Policy / Contract Documents		v	v	None	None	2004/05
RTS	Fleet management, servicing and repair	Service Level Agreement		v		None	None	2005/06
RTS	MOT Testing	Transport Statutes / Service Level Agreement		v		None	None	2005/06
ER	Economic Development Programmes	AEF Strategy / Service Plan	v	v	v	Possible	None	2003/04
ER	Property Functions	RICS Code of Practice / Service Plan / Disposals Procedures		v	v	None	None	2004/05
PR	Support to Local Regeneration Strategies	AEF Strategy / SIP Strategy / Service Plan	v	v	v	Possible	None	2003/04
ER	East Ayrshire Woodlands	EAW Business Plan		v	v	Possible	None	2003/04
ER	CONDUIT	CONDUIT Business Plan		v	v	Possible	None	2004/05

Note 1 - Section Abbreviations RTD = Roads Transportation and Design, RCS = Roads Contract Services, RTS = Roads Transport Services, ER = Enterprise and Regeneration, PR = Property and Regeneration