

## **Hilperton Neighbourhood Plan (NDP)**

### **European Convention on Human Rights (ECHR) and Equalities Act 2010 Assessment**

#### **1.0 Introduction**

Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 sets out the 'Basic Conditions' which an NDP must comply with. These include:

*f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.*

The Plan has been subject to SEA and HRA Screening and the decision notices are included in the Consultation Statement provided separately with the NDP. It is not subject to EIA. This statement considers other relevant obligations;

European Convention on Human Rights (Human Rights Act 1998) and the Equalities Act 2010.

#### **2.0 European Convention on Human Rights (ECHR)**

2.0 The Human Rights Act contains a number of articles which are potentially relevant to neighbourhood planning such as:

- the right to respect for private and family life
- freedom of expression
- prohibition of discrimination.

2.1 In relation to the Hilperton NDP therefore, all sections of the community should be given the opportunity to get involved in preparing the plan and express their views on it.

2.2 Hilperton Parish Council confirm that the non statutory and statutory consultations have been carried out in such a way that all sections of the local community have been given the opportunity to express their views. The Steering Group were constantly mindful of the need to engage all sections of the local community and applied different consultation techniques accordingly. Details of this are given in the accompanying Consultation Statement (CS).

2.3 Hilperton Parish Council also wish to confirm that the neighbourhood plan has been prepared to represent the views of the whole community, with everyone having a chance to express their views and, crucially, these views being reflected in eventual policy.

2.4 It is therefore believed that the Hilperton Neighbourhood Development Plan has had appropriate regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.

### **3.0 Equalities Act 2010**

#### 3.0 Background

The Hilperton Neighbourhood Development Plan (NDP) will be in general conformity with the Wiltshire Core Strategy (CS). An Equality Impact Assessment (EIA) for the Wiltshire CS Submission Document was published on January 2012 and regard has been had to this. The preparation of the neighbourhood plan has had due regard to the provisions of Section 149(1) of the Equalities Act 2010 and the Parish Council is not aware of any discrimination, harassment, victimisation or any other conduct that is prohibited by or under this Act.

#### 3.1 The aspirations of the Hilperton NDP are positive for all sections of the community:

- Balancing development with environmental protection
- Maintenance of village identity and a landscape setting for the village
- Ensuring adequate infrastructure for all sections of the community
- To improve sustainable transport
- Ensuring good design and protection of the conservation area
- Delivering sustainable development through facilitating housing delivery while encouraging the local economy

#### 3.2 These aims are entirely consistent with the overall aim of the Parish Council which is to serve the needs of all of the local community regardless of race, colour or creed. The NDP will provide for a diverse society and will help reduce housing inequality. Ongoing monitoring will ensure that housing sites continue to be found to meet local needs, especially for affordable housing.

#### 3.3 The plan will have a significant positive overall impact on the community. It will:

- help improve access for all to a decent and affordable home
- encourage local employment opportunities
- protect and enhance the best of the build heritage and natural environments
- protect sport and recreational facilities for all
- encourage sustainable transport.

#### 3.4 The policies of the NDP reflect the wishes of the community balanced with the needs of policy, including the delivery of strategic housing for Trowbridge. In this respect for example the desire of the community to protect all of the Hilperton Gap was balanced against the need to avoid conflict with and thereby enable delivery of strategic housing West of Elizabeth Way through the Housing Site Allocations Plan.

#### 3.5 The aspirations of the community are at the heart of the Neighbourhood Plan and great efforts have been made to ensure that all have had an opportunity to participate throughout the plan-making process. This meaningful input from the community has continually shaped the plan and the objectives within it. The Consultation Statement shows how input from different sources led to policies.

### 3.6 Reaching all Groups

Hilperton is a relatively homogenous village. However efforts were made to engage the following groups.

- Young people Children were contacted through a meeting of the primary school's 'School Council' and each Council representative from the school's year groups/classes were asked to discuss 'hopes and wishes for the future of Hilperton' with the children in their group. Their views were reported back to the Council and summarised by the teacher/coordinator and endorsed by the head teacher.
- Older people Hilperton whist players, bingo members, ladies' skittles team, over 60's group and bridge players all hold their meetings at Hilperton Village Hall. They were asked to contribute their ideas under the heading. 'ideas for a better future in Hilperton'. These were collected by using Post-Its and collated for the Steering Group. This work was carried out over a 3-week period in October 2016 with a view to capture all the groups at least one of their sessions. Approximately 50 adults contributed.
- Businesses. A letter was sent to more than 50 local businesses inviting comment and participation in the Neighbourhood Plan.
- General Public events were well advertised and held in various venues at different times during the project. This gave everyone in the community the option of attending regardless of age, gender, disability, race, religion or sexual orientation.

### 3.7 Independent, objective research

Decisions regarding plan policies were based on factual evidence as well as expressed community views. This ensures elimination of any prejudice and concentration on the facts. For example, a Landscape Report was produced to underpin the Landscape Policy and a Housing Needs Survey analysed housing need by contacting every household in the plan area. The HNS considered the needs young families and older residents and these factors are reflected in Policy 2.

### 3.8 Community Backing

Consultations have demonstrated that the community are, in the majority, supportive of the objectives in the plan. This support will be confirmed at the referendum stage of the Neighbourhood Planning process.

### 3.9 Community Cohesion

The plan process itself creates an opportunity for people to meet and exchange views, forming a basis for a shared identity. Further than this however, the informal community actions contained within the plan are likely to have a long-term and positive effect on community cohesion by providing a means by which local people can come together to tackle issue of importance to the community as a whole.

#### 4.0 **Assessment**

- 4.0 The Hilperton NDP is consistent with the aims of the ECHR and Equalities Act 2010. No discrimination or disadvantage is likely to occur as a result of the plan, which all sections of the community have had the opportunity of creating. Indeed it is likely that the impacts of the plan on human rights and equalities is will be positive. Built-in mechanisms of on-going monitoring and community action projects will enable alterations to the plan and present opportunities for widespread participation going forward.

Prepared on behalf of the Qualifying Body, Hilperton Parish Council. April 2018.