

# Planning Committee

2.00pm, Wednesday, 31 August 2022

## Edinburgh Urban Design Panel – Annual Review - Update

<b>Executive/routine Wards Council Commitments</b>	Routine All
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### 1. Recommendations

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- 1.1 The Planning Committee is asked to:
  - 1.1.1 Agree the revised Remit, Function, Roles and Procedures of the Panel as set out in Appendix 2; and
  - 1.1.2 Note the proposed operational improvements.

**Paul Lawrence**

Executive Director of Place

Contact: David Givan, Chief Planning Officer and Head of Building Standards

E-mail: [David.givan@edinburgh.gov.uk](mailto:David.givan@edinburgh.gov.uk) | Tel: 0131 529 3679

## Edinburgh Urban Design Panel – Annual Review - Update

### 2. Executive Summary

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- 2.1 This Committee considered and approved the Edinburgh Urban Design Panel - Annual Review Report on [23 February 2022](#). In addition, Committee requested that it is relayed to the Panel that issues of inclusivity and women's safety are embedded in the work of the panel. It also agreed that an update on the Panel's remit and membership would be brought forward to the Committee.
- 2.2 This report recommends an update to the Panel's remit to ensure that equality is clearly included as a factor which the Panel will consider when providing advice on new developments.

### 3. Background

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- 3.1 The Edinburgh Urban Design Panel was set up by the Planning Committee as one of the recommendations from the then City Design Initiative. Its main aim is to provide constructive urban design advice and promote sustainable development at an early stage in the preparation of development proposals or planning strategy. The Panel's discussion with a developer's design team is summarised in a written report which is then used by both the planning authority and the applicant to guide the finalisation of proposals for submission as a planning application. Advice on planning strategy is used to inform the drafting of policies and guidance.
- 3.2 The Panel is made up of voluntary representatives from a range of member organisations, as agreed by Committee. Membership is reviewed on a regular basis and is reported to Committee as part of the Panel's annual review. Appendix 1 provides a list of current member organisations.
- 3.3 The wide range of skills and experience of the Panel members brings significant benefits in terms of the insight that can be offered on major and complex projects where a range of design issues will be raised.
- 3.4 The discussion at Panel meetings benefits from cross-disciplinary contributions and often provokes a developer's design team to reconsider aspects of their early proposals in a broader context. The presentation of proposals at the pre-application

stage offers the greatest opportunity to influence design quality and to highlight issues likely to be raised by consultees on future planning applications.

- 3.5 Committee established the Panel as an independent source of advice but wanted the process to be embedded within the development management process in order to have greatest impact. For that reason, the Panel's meetings have always been chaired by a senior planning manager, acting in a facilitating role, and serviced by planning officers with design skills.
- 3.6 The Panel first met in March 2009 and has reviewed more than 230 development proposals over the past 13 years. There is a requirement that an annual review of effectiveness is reported to Committee annually. This was done via a report to Committee on 23 February 2022.
- 3.7 In considering the annual review of the Panel, Committee sought that issues of inclusivity and women's safety are embedded in the work of the panel. It also agreed that an update on the Panel's remit and membership would be brought forward to the Committee.

## **4. Main report**

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- 4.1 To address the actions noted by Committee on 23 February 2022, the following was discussed and agreed with the Panel.
- 4.2 The Panel's Remit, Function, Roles and Procedures was discussed.
- 4.3 The Panel considered the issue of inclusivity and women's safety. It agreed that women's safety is an important matter. It also recognised that there are also other people, with protected characteristics, who would benefit from similar consideration in the Panel's advice to developers, their agents and to the Council. The Panel therefore thought its remit should be expanded to make reference to and include a focus on issues surrounding equality. This will enable the Panel to consider inclusivity and women's safety as part of a broader consideration of equality.
- 4.4 In relation to this, the Equality Act 2010 helps ensure equality for people with protected characteristics. These characteristics are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. As sex is a protected characteristic, women and girls are protected from discrimination, because of their sex, by the Equality Act.

The inclusion of consideration of equality within the Panel's remit will address the issue of women's safety and also have the advantage of ensuring that those with other protected characteristics are also considered by the Panel. Proposed amendments are presented in Appendix 2.

- 4.5 Operational improvements to respond to the revised Remit, Function, Roles and Procedures will include:
- 4.5.1 Panel member organisations will be given two to three weeks' notice of cases coming forward for review to enable consultation with their wider membership as appropriate;
  - 4.5.2 Presenters will be required to demonstrate how their proposals address equality issues as part of their presentation to the Panel; and
  - 4.5.3 The presentation pro forma that is sent to developers and their agents has been updated to include a slide on equality (Appendix 3). This seeks information on how the design is addressing equality. It sets out that there are protected characteristics and that explanation should be provided on how the design is addressing those. It highlights that women's safety is a key issue in respect of equality in urban design.
- 4.6 The Panel considered whether there would be benefit in expanding its membership to bring in an organisation which has expertise in equality (including women's safety and inclusivity). It concluded that a change to its remit, along with the changes highlighted in 4.3 above, would be sufficient to ensure equality is addressed.
- 4.7 Notwithstanding the above, it was agreed to review the improvements at the Panel's annual review meeting in December 2022. In the event that the changes are not effective, further measures would be considered including, if necessary, expansion of membership.
- 4.8 An additional change is also proposed whereby reference to Architecture Design Scotland's Design Forum service will be removed from the Panel's Remit, Function, Roles and Procedures as this service no longer operates.

## **5. Next Steps**

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- 5.1 The operational improvements and revised Remit, Function, Roles and Procedures of the Panel will be implemented, subject to Committee approval.

## **6. Financial impact**

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- 6.1 There is no financial impact arising from this report.

## **7. Stakeholder/Community Impact**

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- 7.1 In the preparation of this report, Panel members were consulted.

## **8. Background reading/external references**

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8.1 None.

## **9. Appendices**

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9.1 Appendix 1 – List of Edinburgh Urban Design Panel Organisations (2021).

9.2 Appendix 2 - The Edinburgh Urban Design Panel, Remit, Function, Roles and Procedures.

9.3 Appendix 3 – Presentation pro forma.

## **Appendix 1 - List of Edinburgh Urban Design Panel Organisations (2021)**

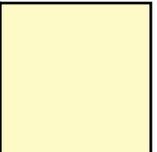
### **Core membership:**

Cockburn Association;  
Edinburgh Architectural Association;  
Edinburgh School of Architecture and Landscape Architecture, University of Edinburgh;  
Historic Environment Scotland;  
Landscape Institute Scotland;  
NatureScot;  
Police Scotland;  
Royal Town Planning Institute Scotland;  
School of Energy, Geoscience, Infrastructure and Society, Heriot Watt University; and  
Transport Research Institute, Edinburgh Napier University.

### **As required (for development proposals in or significantly impacting on the Old and New Towns of Edinburgh World Heritage Site):**

Edinburgh World Heritage.

**The Edinburgh Urban Design Panel**  
Remit, Functions, Roles and Procedures



# About the Edinburgh Urban Design Panel

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The Edinburgh Urban Design Panel was conceived as part of the City of Edinburgh Council's Design Initiative. It is one of a range of measures which are aimed at raising the quality of the built environment in Edinburgh and prioritising sustainable development in their independent design advice. It is an important ingredient in the pre-application process for major development proposals in the city.

## Why have design reviews?

A high quality of urban design is a key objective for the Planning process. Design review also recognises design is a complex matter which can benefit from informed advice at an early stage.

## What are the aims of Edinburgh's Panel?

To contribute constructive advice which can be used by design teams, planners and developers to develop proposals in a positive way, to impart advice on relevant Council policy and guidance and to provide a focus for projects significant to the city.

## Who are the Panel members?

The members are drawn from a range of organisations with particular expertise to offer to the design review process. See the stakeholders and contacts page for full details.

*Introduction*

*This report relates to the development of the former Highgate Technology Site, East Lothian.*

*This is the first time that the proposals have been reviewed by the Panel.*

*No declarations of interest were made by any panel members in relation to the scheme.*

*This report should be read in conjunction with the pre-meeting papers which provide an overview, context, concept, plans, sections and 3D visualisations of the scheme.*

*Andrew Trigger provided an overview of the planning considerations as noted in the Planning Issues Paper.*

*Robert Evans and Jeremy Scott presented the proposal. Refer to the pre-meeting presentation papers.*

*A PAN notice has been lodged and two community consultation events have taken place. It is envisaged that a PPP Application will be lodged at the end of February 2011.*

*This report is the view of the Panel and is not attributable to any one individual. The Panel does not prejudice any of the organisations who are represented at the panel.*

*It does not prejudice any of the proposals at a later stage.*



### **How does the Panel operate?**

The Panel is chaired by a Senior Planning Manager of the Council, with a role to decide on projects to be presented and to facilitate discussion during meetings at the City Chambers or in the virtual format. After introduction from the relevant Planning Officer the developer's project team gives a short presentation of their proposals and then answers a series of questions from the Panel members who, with the project team present, then identify key issues for comment, the aim being to reach a group consensus. A design review report is drafted and circulated to Panel members for validation before being issued to the project team within two weeks of the meeting. The report and presentation material are not made public until a planning



application for the project is received. From May 2020 the Panel continued its business by meetings which were held through SKYPE and Microsoft Teams in response to the COVID-19 pandemic restrictions on meetings. A blended approach is proposed to continue post pandemic.

### **What impact will the Panel have?**

The Planning system has changed, placing greater emphasis on addressing issues earlier in the process. The Panel is a component of this change, contributing to improved transparency, inclusive engagement and shared exploration of design issues with key consultees.



### **How many reviews has the Panel carried out?**

The Panel reviews around 20 development proposals per year. Additionally, it contributes advice at an early stage in the formulation and review of planning policy and guidance.

### **How often does it meet?**

Meetings are held monthly usually on the last Wednesday of the month in the City Chambers or as a virtual meeting.

Timescales for individual reviews may vary depending on the scale and complexity of the proposals considered, however, typically 1 hour is allowed per review.

# Remit, Functions and Roles

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## Remit

The Edinburgh Urban Design Panel aims to promote sustainable development and raise the quality of the built environment within the City of Edinburgh Council area. In achieving this aim, the Panel will:

- 1 provide constructive and timely advice which can be used by design teams, planners and, or developers to develop their proposals in a positive way which is focused on promoting sustainable development **and equality**, and raising the quality of the built environment;
- 2 provide advice which is well reasoned and aims to be objective;
- 3 provide design advice on development proposals of a significant or complex nature and council policy and guidance with design significance;
- 4 provide design advice on projects which would set new standards;
- 5 provide design advice on building types which, if repeated, would have a cumulative impact;
- ~~6 usually, not review proposals that are to be engaged with via Architecture and Design Scotland's Design Forum service.~~

## Functions

The Edinburgh Urban Design Panel will:

- 7 be provided with formatted information in advance of any meeting of the Panel to allow a full understanding of the sustainability and design issues raised by their proposals;
- 8 at the Panel meeting, be presented with the sustainability strategy and design aspects of proposals in a concise and comprehensive manner possible;
- 9 seek to reach consensus on the advice to be provided and explain the rationale for this;
- 10 agree key priorities and provide written advice which summarises the discussion held at the Panel meeting;
- 11 allow advice to be viewed by the public once a planning application has been made.

## Roles

The Edinburgh Urban Design Panel members will:

- 12 provide advice which draws on their professional knowledge and / or experience;
- 13 advise their respective organisations of the Panel's views;
- 14 adhere to the principles of conduct for the Edinburgh Urban Design Panel;
- 15 expect honesty and openness from all presenters to the Panel;
- 16 expect an undertaking from presenters to consider, reflect and take into account the advice provided in the development of the design;
- 17 on a yearly basis, take part in a review of the effectiveness of the Panel and make any changes as necessary in light of this;
- 18 provide representation to the the yearly A+DS Local Authority Design Review Panel meetings.

# Procedures for the Panel's membership organisations

## The panel members will:

- provide constructive advice which can be used by architects, planners and, or developers to develop their proposals in a positive way;
- provide advice which is well reasoned and which aims to be objective;
- provide advice which draws on their professional competence and / or experience
- seek to reach consensus on the advice to be provided and explain the rationale for this;
- ensure they are available to comment on or approve the design review report.
- allow advice to be viewed by the public once a planning application has been made;
- as Panel members advise their respective organisations of the Panel's views;
- adhere to the Principles of Conduct for the Edinburgh Urban Design Panel.

## Core members



## NatureScot will:

- ensure that 1 member of their professional staff can attend each Panel meeting;
- ensure their representative will provide advice which could reasonably be expected to be reflective of the views of NatureScot with respect to landscape context and the global 'climate emergency'.



## The Cockburn Association will:

- ensure that 1 member of their professional staff or board can attend each Panel meeting;
- ensure their representative will provide advice which could reasonably be expected to be reflective of the views of the Cockburn Association albeit without prejudice to any later view of the Cockburn Association.



## The Edinburgh Architectural Association will:

- establish a small pool of their members from which panel members can be drawn and ensure that 3 of their members can attend each Panel meeting;
- refresh approximately a third of this pool on a yearly basis to ensure that there is a degree of continuity which is balanced by new voices being brought to the panel;
- ensure that panel members are well respected within their profession, have a track record in achieving high quality design and are able to communicate effectively and objectively their view on design matters.

# ESALA

Edinburgh School of Architecture & Landscape Architecture

## The Edinburgh School of Architecture and Landscape Architecture will:

- ensure that 1 member of their academic staff can attend each Panel meeting;
- use academic experience and knowledge to contribute effectively on design matters;
- while ensuring confidentiality, use general findings of reviews in teaching.

Landscape Institute  
Scotland

## The Landscape Institute Scotland will:

- establish a small pool of their members from which panel members can be drawn and ensure that 1 of their members can attend each Panel meeting;
- refresh approximately a third of this pool on a yearly basis to ensure that there is a degree of continuity which is balanced by new voices being brought to the Panel;
- ensure that Panel members are well respected within their profession, have a track record in achieving high quality design and are able to communicate effectively and objectively their view on design matters.

## Historic Environment Scotland Àrainneachd Eachdraidheil Alba

### Historic Environment Scotland will:

- ensure that 1 member of their professional staff can attend each Panel meeting;
- ensure their representative will provide advice which could reasonably be expected to be reflective of the views of Historic Scotland albeit without prejudice to any later view of Historic Scotland;
- provide advice about any relevant matters relating to the historic environment affected by development.



### Police Scotland will:

- ensure that 1 member of their Police liaison service can attend each Panel meeting;
- ensure their representative will provide advice which could reasonably be expected to be reflective of the views of Police Scotland albeit without prejudice to any later view of Lothian and Borders Police;
- provide advice about any relevant matters relating to building security affected by the urban design of the development;



### The RTPI in Scotland will:

- establish a small pool of their members from which a Panel member can be drawn and ensure that 1 of their members can attend each Panel meeting;
- ensure that Panel members are well respected within their profession, have a track record in achieving high quality design and are able to communicate effectively and objectively their view on design matters.



### The School of Energy, Geoscience, Infrastructure and Society, Heriot Watt University will:

- ensure that 1 member of their academic staff can attend each Panel meeting;
- use academic experience and knowledge to contribute effectively on design matters;
- while ensuring confidentiality, use general findings of reviews in teaching.



### The Transport Research Institute at Napier University will:

- ensure that 1 member of their academic staff can attend each Panel meeting;
- use academic experience and knowledge to contribute effectively on design matters;
- while ensuring confidentiality, use general findings of reviews in teaching.

### Supplementary members:



### Edinburgh World Heritage will:

- attend meetings where projects to be reviewed are in the World Heritage Site or are likely to have a significant upon it
- ensure that 1 member of their professional staff can attend such Panel meetings;
- ensure their representative will provide advice which could reasonably be expected to be reflective of the views of Edinburgh World Heritage albeit without prejudice to any later view of Edinburgh World Heritage.

# Procedures for Council Officials

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## **The chair will:**

- be a Senior Planning Manager from the Council.
- provide a facilitatory role to focus the Panel's discussion upon providing advice upon the proposals being reviewed;
- decide on the proposals to be reviewed;
- invite architects, planners and developers to present revised proposals if a subsequent review is considered likely to make a significant contribution to raising the quality of the proposals;
- advise presenters to ensure that they are providing relevant information for review;
- broadly set out the themes raised in the discussion and indicate the extent to which it is considered action is required;
- arrange external contacts with organisations, including the media;
- provide feedback on how projects have developed since being reviewed by the Panel.

## **The secretariat will:**

- be a staff member of the Council's Planning service;
- arrange the Panel's meeting places and times;
- liaise with architects, planners and developers to establish the type of information that should be provided prior to the panel meeting and for the panel meeting;

- request presenters to provide issues papers on their proposals 8 days in advance of the panel meeting to ensure that this information can be issued to Panel members one week in advance;
- ensure a short summary of the planning issues surrounding the proposals if necessary is provided;
- prepare and issue a draft Panel report 3 working days after the Panel meeting to ensure that agreement can be reached upon it within 2 weeks of the Panel's meeting;
- Include in the written advice any declarations of interest that have been made and any decisions relating to such declarations;
- amend the draft report to reflect any additional comments made by Panel members;
- advise the chair on matters of remit, functions, roles and procedures;
- on behalf of the Panel, issue the formal advice of the panel to the architects, developers and planners;
- ensure the Panel's website is kept up to date.
- liaise with A+DS service to agree projects that will be engaged with via the Design Forum service.

## **Planning officials should:**

- ensure architects, developers and consultant planners are made aware of the potential for their project to be reviewed;

- provide a pre meeting paper which sets out the planning context for the proposal being considered. This should highlight in particular any relevant design policies or issues, particularly where the proposal may be contrary to any policy;
- ensure that this is provided no later than 8 days in advance of the meeting;
- provide a concise presentation on the planning issues and note that this should normally last for no more than 5 minutes;
- remain for the duration of the Panel's discussion to hear the views expressed;
- encourage the design team to consider, reflect and take into account the advice provided in the development of the design;
- ensure that the Panel's report is added to the public record of the planning application;
- Set out how the Panel's comments have been addressed in any relevant planning report.

# Procedures for presenters

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**To ensure that Panel members have a full understanding of the sustainability strategy and design issues raised by their proposals, architects, consultant planners and developers should:**

- provide a concise presentation in a digital format which focuses on the rationale for the development, including its design concept and sustainability strategy. This should be set out in accordance with the pro forma and be around **10 minutes**;
  - provide a summary of the project information including, names of clients, consultants, key players and consultees, estimated project cost and procurement method, and size of site;
  - ensure that this visual and written information is provided no later than 8 days in advance of the meeting;
  - ensure / encourage their clients to attend Panel reviews;
  - remain for the duration of the Panel's discussion to hear the views expressed;
  - consider, reflect and take into account the advice provided in the development of the design;
- provide a statement with the planning application on how the advice provided by the Panel has been addressed.

# Virtual Meetings

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**When the Panel holds a virtual meeting, the following procedures will apply:**

## **Meetings**

Meetings will be held virtually through Microsoft TEAMS.

Meetings will be held monthly and generally the last Wednesday of each month.

The timescale for an individual review will be around 1 hour however one and a half hours will be allocated to each meeting to accommodate the virtual process.

## **Microsoft TEAMS Connection**

If a presenter's internet connection drops during the meeting, the review will continue without interruption. The Panel's report will be based on the information provided by all Panel members.

If a Panel member's connection drops during the meeting, the review will continue without interruption. The Panel member may email a brief summary of comments to the chair and secretariat, for including in the draft report. Comments must be supplied no later than 5.30 pm on the day of the meeting.

If the chair's connection drops, his/her role in facilitating the meeting will be performed by one

of the design officers. Similarly, if a planning case officer's connection drops, a design officer will fulfil his/her contribution to the meeting.

## **Report**

A draft report will be circulated to the Panel for comment within two days of the meeting. The final report will be issued to the presenting team two weeks after the meeting.

## **The Chair**

The meetings will be chaired by a senior planning manager of the council. The chair's role will be to facilitate and focus Panel discussion on providing advice on proposals under review.

## **Panel members**

Organisations are asked to confirm attendees in advance, ideally no later than 10 days before the Panel meeting.

Presentation material will be emailed to attendees 8 days before the meeting. It is noted that given the current emergency Panel members will not be available to visit a site before a meeting.

To minimise potential shortcomings of the virtual meeting Panel members are asked to:

- Familiarise themselves thoroughly with presentation material in advance;

- Ensure that during the meeting, questions addressed to presenters are targeted and concise.

Panel members are asked to comment within a week of receiving the draft report to allow it to be finalised and issued to the presenters.

## **The secretariat**

A council planning officer will prepare and circulate a draft Panel report within two working days of the meeting to ensure that agreement can be reached on the final version within two weeks.

## **Planning officials:**

A council planning officer will provide a pre-meeting paper which sets out the planning context for the proposal being considered. This should highlight in particular any relevant design policies or issues, particularly where the proposal may be contrary to any policy. The paper should be provided no later than 8 days in advance of the Panel meeting.

At the meeting, the council planning case officer will provide a concise presentation on the planning issues, noting this should normally last no more than 5 minutes.

### **Procedure for presenters**

The number of presenters at the Microsoft TEAMS meeting should be limited to a maximum of three.

To minimise potential shortcomings of the virtual meeting, presenters are asked to:

- Limit presentation time to five minutes, focused on communicating the rationale for the design concept and sustainability strategy (bearing in mind that the Panel will already be familiar with the presentation material).
- Respond concisely to Panel members' questions and comments.

To ensure that Panel members have a full understanding of the design issues raised by their proposals, architects, consultant planners and developers should:

- Provide a concise presentation in a digital format which focuses on the rationale for the design including its concept and sustainability strategy and be set out in accordance with the pro forma. Ensure that this visual and written information is provided no later than 8 days in advance of the meeting;

- Ensure / encourage their clients to take part in the Microsoft TEAMS meeting;
- Remain for the duration of the Panel's discussion to hear the views expressed.

# Definitions

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**Locally Significant Development (A+DS category):** This is development that would significantly change the character of large area of the city through its scale or because of the sensitivity of the environment upon which the change is proposed. Examples of this type of development would be for master plans for more than 500 dwellings and major developments within areas of great landscape value.

Locally Significant Development will not be reviewed by the Edinburgh Urban Design Panel but instead will be referred to Architecture and Design Scotland and their Design Forum service.

**Significant Development:** This is considered to be development which is significant because of its scale or location. For example a tenement infill in the city centre or on an arterial route may be considered major because of its prominence whereas a development of a similar scale in an industrial area may not. Significant development may also be that which involves a significant departure from the development plan / finalised plan or that which raises issues not adequately covered by the development plan / finalised plan. If the degree of public interest in a proposal is likely to be substantial, this would indicate that the proposal would be significant. Discretion will be used by the secretariat in selecting such proposals for review.

**Complex Development:** This is considered to be development which has complex issues surrounding it such sensitivity due to location or a complex programme of functional requirements, for example a school. Discretion will be used by the secretariat in selecting such proposals for review.

**Projects which set new standards:** These are considered to include projects which create a new typology of building or architecture or one which is unusual to the Edinburgh context. Discretion will be used by the secretariat in selecting such proposals for review.

**Building types which, if repeated, would have a cumulative impact:** These are considered to include projects which, individually may not have a significant impact on the quality of the built environment, however if large numbers of them are built could have a significant impact.

<b>PROJECT Description</b>	<b>EQUALITY</b>
<p>EXPLAIN (AS APPLICABLE) HOW THE PROJECT TAKES INTO ACCOUNT PROTECTED CHARACTERISTICS* COVERED BY THE EQUALITY ACT 2010, GIVING SPECIFIC CONSIDERATION TO SAFETY OF WOMEN AND CHILDREN</p>	
<p>*Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, and Sexual Orientation</p>	