

Social Impact Assessments as a tool for decision making in spatial planning

1 Social Impact Assessment in spatial planning

According to the International Association for Impact Assessment, Social Impact Assessment (SIA) includes the processes of analysing, monitoring and managing the intended and unintended social consequences, both positive and negative, of planned projects and any social change processes invoked by those interventions. Its primary purpose is to bring about a more sustainable and equitable biophysical and human environment so that the surrounding population is not adversely affected by the planned projects.

The Development Planning Act, 2016 lays down the principle that a comprehensive sustainable land use planning system aimed at preserving, using and developing land and sea for current and future generations is to have full regard to environmental, social and economic needs. In relation to plans and policies, in view of the scale and potential impact of high rise development, The Planning Guide on the Use and Applicability of the Floor Area Ratio (FAR) introduced the need for a Social Impact Assessment as one of the requirements through which the developer is to make the case for a tall building. In determining development applications, the Planning Authority can ask for additional supplementary information, in accordance with LN 162 of 2016. An SIA may be considered as additional supplementary information.

There is no other legal or policy instrument specifically calling for Social Impact Assessments in Malta, and the studies that were undertaken for projects and policies were on a case by case basis.

2 Scope of this document

With the practice of SIA in Malta still in its infancy, the Planning Authority is seeking to introduce a standard procedure for their use within the planning system. This document presents the procedure to be followed and the standard Terms of Reference to guide the preparation of SIAs.

This document is subject to a **6 week** public consultation period, where the general public, practitioners and the private sector are invited to provide their comments. Feedback is to reach the Planning Authority by 28th June 2019 and is to be sent to the following addresses:

Postal: SIA Procedures Consultation, Strategic and Policy Making Division, Planning Authority, St. Francis Ravelin, Floriana, FRN 1230

e-mail: sia@pa.org.mt

3 Procedure

Plan and policy formulation

For instances related to plan and policy making, the Executive Council will decide on a case by case basis, guided by the type, scale and geographical context of the proposed plan or policy, and the outcome of the SEA screening on potential significant impacts. Where the SEA screening process identifies the need for an SEA, this will automatically trigger the need for an SIA. When a decision to carry out an SIA is taken, the Planning Authority will undertake an SIA in accordance with the standard Terms of Reference (in Annex 1).

SIA reports prepared as part of the plan and policy making process shall be published for consultation as part of the public consultation of the draft plan or policy.

Processing of development proposals

Where an SIA is required for development proposals by a plan or policy, the Planning Authority will forward the standard Terms of Reference (in Annex 1) to the applicant.

SIA reports submitted as part of the development application process shall be published for public consultation.

ANNEX 1

1 Terms of Reference

(a) Description of the proposed project.

Provide an overview of the project indicating the type, scale, location and timing for proposed development, interventions for the public realm, and proposals to safeguard natural and cultural assets. Identify the main changes that are likely to result in the area as a result of this project during both the construction and operational phases.

(b) Legislative framework

Review of the relevant national legislation, regulations and policies pertinent to the proposed development particularly those enabling public participation and on basic human rights and protection of vulnerable groups.

(c) Develop a baseline of the current situation.

(i) Provide a Community Profile with the engagement of stakeholders including residents, rights-holders, employees and other users, which includes:

- a thorough stakeholder analysis;
- a discussion of the socio-cultural setting;
- an assessment of the differing needs, interests, values and aspirations of the various subgroups of the affected communities including gender ;
- an assessment of their impact history, i.e. their experience of past projects and other historical events;
- a discussion of trends happening in those communities;
- a discussion of the assets, strengths and weaknesses of the communities.

(ii) Description of socio-cultural role the site plays within the local and national context outlining existing trends and issues associated with the site and area.

(d) Identification and analysis of likely impacts

Identify and describe the components that are likely to cause impacts and the affected stakeholders. Determine the significance of potential impacts during both the construction and operational phases and their impact on the social fabric in the impacted area and how the different stakeholders are likely to respond.

(e) Recommendations to avoid, reduce and mitigate identified impacts

Provide appropriate actions for the project and where possible suggest specific implementation mechanisms that can be adopted to address relevant social issues and potential impacts identified. It is to be structured in a manner that will enable the provision of inputs to the project design, especially in the early stages, including those in relation to design alternatives.

(f) Monitoring plan

Develop a framework for monitoring and evaluation of the project outcome in relation to the social issues and potential impacts identified. The monitoring plan should be based on consultation with key stakeholders, especially beneficiaries and affected people.

2 Methodology

The SIA process is expected to be carried out in accordance with best practice and to take due account of the most recent guidance of the International Association for Impact Assessment (IAIA)¹. The SIA Report is expected to describe the design and research methodology adopted for the social analysis, giving due justification to the methods adopted. Conclusions and recommendations proposed are to be substantiated with clear justification based on the information collated and its analysis. An executive summary in Maltese and English is to be included in the report. Both the executive summary and the full report will be made available to the public.

3 Qualified SIA Consultant

The SIA is to be carried out by a qualified consultant with a post graduate degree and experience relevant to the field of Social Impact Assessments.

¹ IAIA (2015) Social Impact Assessment: Guidance for assessing and managing the social impacts of projects https://www.iaia.org/uploads/pdf/SIA_Guidance_Document_IAIA.pdf