

## Equality Impact Assessment

<b>Title of Policy</b>	The Town and Country Planning (Local Place Plans) (Scotland) Regulations 2021
<b>Summary of aims and desired outcomes of policy</b>	<p>The regulations are part of a programme to improve community engagement in planning, deriving from provisions contained within the Planning (Scotland) Act 2019 which amended the Town and Country Planning (Scotland) Act 1997.</p> <p>Local Place Plans offer the opportunity for a community led, but collaborative, approach to creating great local places.</p> <p>The regulations will provide the administrative framework for the preparation, submission and registration of Local Place Plans.</p>
<b>Directorate: Division: Team</b>	Communities: Local Government and Communities: Planning and Architecture

### Executive Summary

The public sector equality duty requires the Scottish Government to assess the impact of applying a proposed new or revised policy or practice. Equality legislation covers the protected characteristics of: age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, sex, sexual orientation, and religion and belief.

The Equality Act 2010 harmonised existing equality legislation and includes a public sector duty ('the Duty') which requires public authorities to pay due regard to the need to:

- Eliminate discrimination, harassment, victimisation or any other prohibited conduct;
- Advance equality of opportunity; and
- Foster good relations between different groups - by tackling prejudice and promoting understanding.

This Equality Impact Assessment (EQIA) has considered the potential impacts of introducing regulations on the preparation, submission and registration of Local Place Plans into the Scottish planning system on each of the protected characteristics. The provisions and how they may impact on people across the protected characteristics are set out under Key Findings.

In addition, the Scottish Government has undertaken an impact assessment considering issues relating to Child Rights and Wellbeing. The Child Rights and Wellbeing Impact Assessment (CRWIA) is used to identify, research, analyse and record the impact of a proposed law or policy on children's human rights and wellbeing. It should be used on all new legislation and policy which impacts children, not just children's services. This has been published separately.

The EQIA would suggest that there may be the potential for the LPP regulations and associated guidance to:

- Remove or minimise disadvantages suffered by people due to their protected characteristics.
- Meet the needs of people from protected groups where these are different from the needs of other people.
- Encourage people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Due to the attempt to maintain a light-touch regulatory regime, the use of guidance will be key in encouraging community bodies to ensure that participation and the proposals that they bring forward represent a wide range of the community.

## **Background**

Local Place Plans (LPPs) offer the opportunity for a community led, but collaborative, approach to creating great local places. LPPs can support community aspirations on the big challenges for a future Scotland such as responding to the global climate emergency and tackling inequalities. It is vital that local people have the opportunity to engage meaningfully and have a positive influence in the future planning of development in their areas. The aim of the provisions is to significantly enhance engagement in development planning, effectively empowering communities to play a proactive role in defining the future of their places.

LPPs will be community led plans setting out proposals for the development and use of land. Introduced by the Planning (Scotland) Act 2019, these plans will set out a community's aspirations for its future development. Once registered by the planning authority, they are to be taken into account in the preparation of the relevant local development plan (LDP).

Whilst the majority of provisions for LPPs are to be found within provisions in the Planning (Scotland) Act 2019 which amended the Town and Country Planning (Scotland) Act 1997<sup>1</sup> (the 1997 Act), this left a number of matters to subordinate legislation.

The 1997 Act provides that LPPs may be prepared by a community body. It should be recognised that the provisions are permissive and do not place a duty on community bodies to prepare an LPP. It is for communities themselves to consider whether the development of an LPP is appropriate for its local circumstances. These Regulations will be supported by guidance to planning authorities and communities.

## **The Scope of the EQIA**

In order to determine the potential equality impact of the proposals, the Scottish Government undertook an initial review of equality issues in its Equality Evidence Finder alongside evidence from the Planning Bill, with evidence updated where new information has become available. The Scottish Government undertook a public

---

<sup>1</sup> [Town and Country Planning \(Scotland\) Act 1997 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

consultation<sup>2</sup> between March and June 2021 which included a partial EQIA. Two questions asked for responses relating to the EQIA, and for views on whether additional information was available which would assist in its development.

We envisage that these provisions have the potential to affect those who seek to engage in the planning system, particularly either as part of a community body, or through engagement with such bodies on the development of an LPP. As well as having the opportunity to engage in the development of an LPP, it will be key that the proposals brought forward reflect the wider community of geography, and of interests. Once registered LPPs will be taken into account in LDPs and will therefore influence how an area develops.

Parliamentary scrutiny through the passage of the 2019 Planning Act provides a clear steer that enhanced engagement of the public at large, and societal groups in particular, should be addressed in development planning. These regulations will supplement work on enhancing community engagement in the LDP.

We recognised that the impacts of the regulations may fall differentially on different groups in society. The evidence would suggest that people with disabilities, children and young people, women and Black and Minority Ethnic groups for example, experience a variety of challenges in engaging with the planning system. These may relate to physical mobility and access, the impact of additional caring responsibilities or language and communication issues. Further consideration of some of guides and tools available on community engagement would suggest that there are examples of where communities are encouraged to consider how to engage with communities of identity as well as interest.

Community councils will potentially play an important role in the development of LPPs. The Community Council Framework notes that community councils should represent a full cross-section of the community and encourage the involvement of people regardless of gender, race, age, disability, nationality or sexual orientation. In preparing this EQIA we were not able to ascertain information about the demographic make-up of community councils. However, we would wish to encourage such wide engagement in the development of LPPs by all groups constituting themselves as community bodies.

## **Key Findings**

It is clear from the engagement during and since the Independent Panel's review in 2016 that there is a need to improve public engagement measures. It is also clear that people wish to engage in shaping the places they stay and that such engagement can lead to better outcomes for people. But also, that different groups in society have different levels of engagement with the planning system.

Recently, *If not now, when?* - Social Renewal Advisory Board report<sup>3</sup> (2021) called on the public sector to give more control to people and communities over the decisions that affect their lives. In addition, *The Social Capital in Scotland: Report*<sup>4</sup>

---

<sup>2</sup> [Local place plans - proposals for regulations: consultation - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/local-place-plans-proposals-for-regulations-consultation/pages/consultation-2021-03-2021-06-30.aspx)

<sup>3</sup> [If not now, when? - Social Renewal Advisory Board report: January 2021 - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/if-not-now-when-social-renewal-advisory-board-report-january-2021/pages/if-not-now-when-social-renewal-advisory-board-report-january-2021.aspx)

<sup>4</sup> [Social capital in Scotland: report - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/social-capital-in-scotland-report/pages/social-capital-in-scotland-report.aspx)

(2020) also noted that levels of perceived influence over local decision making have been consistently low over recent years, and across all subgroups of the population.

Therefore, improving the opportunities for a more collaborative approach to planning has the opportunity to support people in their aspirations to engage in the planning system across all groups.

The analysis of responses<sup>5</sup> to the LPP consultation set out the key issues which were raised by respondents. In summary:

- there was support for recognition that disabled people are not always able to participate in planning processes.
- the intent to encourage inclusive engagement was welcomed although it was also suggested that the EQIA's statement that no factors have been identified which might prevent the desired outcomes may not be correct, unless support and access are made available for people with protected characteristics or who live in socio-economic disadvantage;
- no analysis is provided in relation to demographic information split by sex, and that no actions are outlined in response to the evidence that has been gathered.
- some respondents expressed a view that an EQIA should be undertaken for an LPP or commented on the need for the EQIA to be reflected in guidance for community groups, with suggestions that this should include:
  - a checklist of topics which groups should consider with respect to protected characteristics during the development of a plan.
  - highlight techniques and good practice in engagement with different equalities groups and provide contacts for groups who represent them.
  - barriers to participation beyond physical ones - for example if communities lack either an understanding of planning issues in their local area or confidence to get involved.
  - consideration of how women use space differently to men.

Other suggestions on the content of the EQIA included that it would be helpful to include data on the make-up and diversity of the community groups and councils that are likely to develop LPPs. We have not been able to ascertain such information, but where evidence in relation to councillors is available, it has been included. We have also noted that there are moves within the planning profession with Equality, Diversity and Inclusivity being one of four integrated Pillars in the Royal Town Planning Institute's Corporate Strategy 2020-2030<sup>6</sup>.

The consultation paper noted that from examples of community led plans, it is apparent that community bodies have taken engagement seriously, taking positive steps to engage with their communities to ensure that they have evidence of the aspirations and views. In response to comments made in the consultation, we have undertaken some additional analysis of the range of national tools and guides which are highlighted in the draft 'How to' Guide from an equalities perspective to support this EQIA.

---

<sup>5</sup> [Proposals for Regulations on Local Place Plans: Consultation Analysis - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/proposals-for-regulations-on-local-place-plans-consultation-analysis/pages/10.aspx)

<sup>6</sup> [RTPI - Corporate Strategy](https://www.rtpi.org.uk/~/media/RTPI/Corporate-Strategy-2020-2030.pdf)

The draft 'How to' Guide<sup>7</sup> itself recognises the role that all sectors in society can have in supporting the development of an LPP, and that the evidence base for preparing the LPP should reflect the area's demographics. It recognises the role that individuals plus representative organisations and groups can play.

Through the Inclusion Standard, the National Standard for Community Engagement<sup>8</sup> encourages the identification and involvement of people and groups who are affected by the focus of the engagement, and are involved at the earliest opportunity. Measures should be taken to involve groups with protected characteristics and people who are excluded from participating due to disadvantage relating to social or economic factors.

Tools and guides highlighted include The Place Standard tool<sup>9</sup>. It provides a simple framework for local people to assess the quality of a place and to help structure conversations about future improvement. It allows people to think about the physical elements of a place (for example its buildings, spaces, and transport links) as well as the social aspects (for example whether people feel they have a say in decision making).

Of the 14 questions in the Place Standard tool, 6 of the questions (Natural Space, Facilities and Amenities, Work and Local Economy, Identity and Belonging, Feeling Safe, Influence and Sense of Control) directly ask people to consider age, mobility, disability, sex, ethnic group, religious belief or sexuality when coming to a response. In addition, a number of the other questions ask people to consider their responses with a perspective which has an equalities angle.

Architecture & Design Scotland<sup>10</sup> has produced a series of case studies which show the use of the Place Standard at a range of geographical levels and show engagement with a range of societal groups.

Examples of engaging with both younger and older people through the Place Standard tool can be found in both Dundee and Leith.

Case studies based on survey inputs from: Dundee City Council and Leith Creative show how the Place Standard tool can be adapted to engage with particular population groups. In both Leith and Dundee this has helped to engage with BAME groups.

The flexibility and adaptability of the Place Standard saw the tool used in drop-in sessions and on-street, and also translated into Urdu (East Pollokshields), and working with Southside Mosque (City of Edinburgh).

The use of the Place Standard tool has also been tested with a number of Gypsy / Traveller communities<sup>11</sup> across Scotland.

---

<sup>7</sup> [draft-how-to-guide-pdf-format.pdf \(transformingplanning.scot\)](#)

<sup>8</sup> [National Standards for Community Engagement | SCDC - We believe communities matter](#)

<sup>9</sup> [place-standard.pdf \(placestandard.scot\)](#)

<sup>10</sup> [The Place Standard Case Studies – A&DS \(ads.org.uk\)](#)

<sup>11</sup> [PAS-NHS-Health-Scotland-Gypsy-Traveller-Place-Standard-Report.pdf](#)

In addition, PAS's SP=EED<sup>12</sup> Inclusiveness criteria suggests that seldom heard and potentially under-represented groups such as young people, BAME groups, Gypsy/Travellers, women with young children, people with disabilities and elderly people should be targeted. At Level 3 (partnership), engagement is reinforced through the suggestion that assistance and advice will be made available to seldom heard groups to enable them to become partners in the process.

## Age

Planning is concerned with the creation of better places. This requires development that can accommodate future changes of use, taking into account how people use places differently, for example depending on age and degree of personal mobility.

Scottish Councillors 2017-22<sup>13</sup> (2018) shows the age breakdown of councillors who responded to the Improvement Service survey. The majority (60.1%) were aged between 50 and 69 years old, whereas only 17% were aged below 40. The average age of councillors who responded to the survey was 53 years old.

A Fairer Scotland for Older People: framework for action<sup>14</sup> (2019) tells us that older people want action to ensure they have access to opportunities to remain actively engaged with, and involved in, their communities.

The Scottish Household Survey: Annual Report 2019<sup>15</sup> (2020) notes that nearly 9 in 10 adults (88 per cent) in Scotland use the internet either for work or personal use, a steady increase over time from 65 per cent in 2007. Notably, there has been a significant increase in internet use amongst older adults aged 60+ (from 29 per cent to 66 per cent). There are lower rates of internet use among older adults than among younger adults. In 2019, almost all (99 per cent) adults aged 16-24 reported using the internet compared to 43 per cent of those aged 75+.

The equivalent report<sup>16</sup> published in 2019 noted that almost nine in 10 adults (87 per cent) aged 75 and above said they felt a very strong or fairly strong sense of belonging to their community, compared to just over seven in ten (73 per cent) of those aged between 16 and 24.

Evidence and conclusions relating to Children and Young People are contained in a separate Child Rights and Wellbeing Impact Assessment. Evidence relating to the age characteristic relates primarily to older people's aspirations to remain active in their communities. There is additionally evidence around older people's disproportionate use of the internet.

The evidence would suggest that consideration is made of putting provisions in place which encourage engagement with older people and that their aspirations relating to the development and use of land are expressed through the proposals that are contained in the LPP. It should be recognised that there should be a range of

---

<sup>12</sup> [SP=EED - PAS](#)

<sup>13</sup> [Scotland's Councillors 2017-2022 \(improvementservice.org.uk\)](#)

<sup>14</sup> [A Fairer Scotland for Older People: framework for action - gov.scot \(www.gov.scot\)](#)

<sup>15</sup> [Scottish household survey 2019: annual report - gov.scot \(www.gov.scot\)](#)

<sup>16</sup> [Scottish household survey 2018: annual report - gov.scot \(www.gov.scot\)](#)

engagement practices which reflect older people's disproportionate use of the internet.

## Disability

As with the age characteristic, planning is concerned with creation of better places. This requires development that can accommodate future changes of use, taking into account how people use places differently, for example depending on the degree of personal mobility and how places can affect people's health and wellbeing.

Census<sup>17</sup> data from 2011 reports that the proportion of people in Scotland with a long-term activity-limiting health problem or disability was 20%. A higher proportion of women than men were limited in their day-to-day activities by a long-term health problem or disability.

The 2018 Improvement Service Survey<sup>13</sup> noted that the proportion of councillors who had a physical or mental health condition or illness lasting or expected to last 12 months or more was comparable with the Scottish population.

A Fairer Scotland for Disabled People: delivery plan<sup>18</sup> (2016) sets out active participation as one of its five ambitions - disabled people can participate as active citizens in all aspects of daily and public life in Scotland.

Disabled people are keen to be involved in shaping the places that they stay, but that there can be barriers to that engagement. Supercharged: A human catastrophe<sup>19</sup> (2020) prepared by the Glasgow Disability Alliance calls for the lived experience of disabled people to be embedded in redesign of public spaces and town planning. It goes on to state that through inclusive digital and offline engagement and capacity building, disabled people's aspirations should be raised, providing opportunities to fulfil their potential, and strengthen participation and democracy.

As reported in the National Performance Framework - disability perspective: analysis<sup>20</sup> (2021) disabled people were slightly less likely than non-disabled people to agree with the statement 'I can influence decisions affecting my local area'

With regard to the priorities for disabled people, the particular issue of accessible housing supply has been raised, including through calls for the needs of groups such as older and disabled people to be explicitly considered at every stage of the development of National Planning Framework 4 and the other policies and strategies that will sit alongside it.

Housing and other issues were raised in Inclusion Scotland's Disabled People's Views of the Fairer Scotland For Disabled People Delivery Plan (2020). It set out that almost half (43%) of people said the accessibility of places had stayed the same, around a third (31%) said they had got worse, 16% said they had got better and 10% said they were not sure. The issues for disabled people were

---

<sup>17</sup> <http://www.scotlandscensus.gov.uk/census-results>

<sup>18</sup> [A Fairer Scotland for Disabled People: delivery plan - gov.scot \(www.gov.scot\)](http://www.gov.scot)

<sup>19</sup> [Supercharged: A Human Catastrophe • Glasgow Disability Alliance \(gda.scot\)](http://gda.scot)

<sup>20</sup> [National Performance Framework - disability perspective: analysis - gov.scot \(www.gov.scot\)](http://www.gov.scot)

1. There is not enough accessible housing and disabled people are still living in unsuitable accommodation which does not meet their needs.
2. Transport is inaccessible and unreliable. Disabled people are still unable to use public transport in a consistent way.
3. The built environment is often inaccessible and initiatives like 'shared spaces' and others which promote active travel have had particular detrimental impacts on disabled people.

The Scottish Household Survey: Annual Report 2019<sup>15</sup> (2020) noted that seventy-one per cent of adults who have some form of limiting long-term physical or mental health condition or illness reported using the internet, lower than for those who have some form of non-limiting condition or illness (90 per cent) and those who have none (94 per cent).

The Royal Town Planning Institute's practice advice: Mental Health and Planning<sup>21</sup> (2020) notes four key themes for places: Green, Active, Pro-social and Safe.

The Coronavirus (COVID-19): health and social impact assessment<sup>22</sup> (2020) noted that digital exclusion is also an issue for people with learning disabilities as they may not have access to or be able to effectively access online support and services and connect with friends and family.

The evidence would suggest that consideration is made of putting provisions in place which encourage engagement with disabled people and that their aspirations relating to the development and use of land are expressed through the proposals that are contained in the LPP. It should be recognised that there should be a range of engagement practices which reflect disabled people's disproportionate use of the internet.

## Sex

The Scottish Government's Equality Evidence Finder<sup>23</sup> notes that Scotland had a relatively even split between sexes, with 51% females and 49% males, although this varied amongst age groups. Planning is concerned with creation of better places. This requires development that can accommodate future changes of use, taking into account how people use places differently, for example depending on their sex.

The responses to the Improvement Service survey<sup>13</sup> of councillors (2018) indicated a gender imbalance among councillors, with 65.7% describing themselves as male, compared with 32.6% female, and 1% 'In another way'.

Research from 2004<sup>24</sup> would suggest that women were slightly more likely than men to become involved in the planning process. This was focussed on development management.

---

<sup>21</sup> [RTPI | Mental health and town planning](#)

<sup>22</sup> [Coronavirus \(COVID-19\): health and social impact assessment - gov.scot \(www.gov.scot\)](#)

<sup>23</sup> [www.equalityevidence.scot](#)

<sup>24</sup> [Planning and Community Involvement in Scotland - Research Findings \(webarchive.org.uk\)](#)



The Scottish household survey: Key Findings report<sup>25</sup> from 2020 outlined that over three-quarters (78 per cent) of adults felt a very or fairly strong sense of belonging to their neighbourhood. It also noted that older people and women were more likely to report a strong sense of belonging to their neighbourhood.

The First Minister's National Advisory Council on Women and Girls 2019 Report and Recommendations<sup>26</sup> (2020) noted that:

- Women have better cultural participation and sense of community belonging. Women are somewhat more likely than men to say that they have a very strong feeling of belonging to their community (38% vs 34%).
- More women (28%) than men (25%) volunteer for groups or organisations.
- Women are much less likely to feel safe walking alone in their neighbourhood after dark (66% vs 89% of men).

There are examples of where women's stories are used to illustrate how people use their neighbourhoods. For example, Margaret's Journey in Glasgow City Council's Liveable Neighbourhoods<sup>27</sup> document (2021).

The Royal Town Planning Institute's Women in Planning (Part II)<sup>28</sup> (2021) provides a narrative around the impact of the planning profession on the day-to-day lives of women. Many of the study respondents appeared to agree that inequalities associated with women's movement through, and enjoyment of, the built environment stem from society's car dependency. With the design of cities principally focused around creating and improving road infrastructure for the private motor vehicle, this not only presents problems for the walkability and safety of neighbourhoods, but also for women's access to employment and educational opportunities with implications on career advancement. Study respondents also reported safety concerns with respect to public transport, lack of public surveillance in town centres, and inadequate street lighting that make the built environment awkward for women. In addition to safety concerns, lack of locally accessible employment opportunities, childcare facilities, public transport services, public toilet facilities, as well as inadequate pedestrian infrastructure were frequently cited by study respondents as significant barriers to women's access to equal opportunities in the built environment. This was particularly the case for those with caring responsibilities.

The evidence would suggest that consideration is made of putting provisions in place which encourage engagement and that people's aspirations relating to the development and use of land are expressed through the proposals that are contained in the LPP. It should be recognised that there should be a range of engagement practices which reflect particular barriers to engagement which are based on a person's sex.

---

<sup>25</sup> [Scottish household survey 2019: key findings - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/scottish-household-survey-2019-key-findings/pages/12.aspx)

<sup>26</sup> [National Advisory Council on Women and Girls \(NACWG\) 2019 - report and recommendations: SG response - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/nacwg-2019-report-and-recommendations/pages/1.aspx)

<sup>27</sup> [Liveable Neighbourhoods \(arcgis.com\)](https://www.arcgis.com/home/item.html?id=61484444444444444444444444444444)

<sup>28</sup> [RTPI | Women and Planning \(Part II\)](https://www.rtpi.org.uk/publications/women-and-planning-part-ii)

## Sexual Orientation

Data in Sexual Orientation in Scotland 2017: summary of evidence base<sup>29</sup> would suggest that there are in the region of 2% of people in Scotland who identify as LGBO (Lesbian, Gay, Bisexual, Other). Spatially, the above summary of evidence considered that access to the community may be one reason why a higher proportion of LGBO people live in urban areas.

Compared with the Scottish population the councillors who responded to the 2018 Improvement Service survey<sup>13</sup> had more diverse sexual orientations (Scotland's People Annual Report: Results from the 2016 Scottish Household Survey). 5.6% of councillors who responded identify as gay/lesbian and 1.5% identify as bi/bisexual, compared with 1.1% and 0.4% of the Scottish population.

As a whole, Consultation on the Modernisation of the Planning System with 'seldom heard' Groups<sup>30</sup> (2009) suggested that this group had no special needs or requirements when it came to planning with their views representative of the general population. However, more recent research and guidance including in the World Bank's Handbook for Gender-Inclusive Urban Planning and Design<sup>31</sup> (2020) suggests that our understanding of the needs of marginalised groups is developing.

The evidence would suggest that consideration is made of putting provisions in place which encourage engagement and that people's aspirations relating to the development and use of land are expressed through the proposals that are contained in the LPP.

## Race

Evidence below relating to the race characteristic relates primarily to people's aspirations to maintain active engagement in their communities. It also notes that there is a spatial dimension to where people live in Scotland.

Data from the 2011 Census<sup>32</sup> would suggest that around four per cent of people in Scotland were from minority ethnic groups - an increase of two percentage points since 2001. Council areas with large cities had the highest proportion of their population from a minority ethnic group: 12 per cent in Glasgow City, 8 per cent in City of Edinburgh and Aberdeen City and 6 per cent in Dundee City. In addition, 0.8% of the population in rural areas were from an ethnic minority background.

Census data also shows that, with regard to the Gypsy / Traveller community<sup>32</sup> there are spatial variations across Scotland. Just over 4,000 people in Scotland identified in the 2011 census that their ethnic group was 'White: Gypsy/Traveller' and this represented 0.1 per cent of the population. However, it has been suggested that this is likely to underestimate the Gypsy/Traveller population due to a range of issues such as reluctance of individuals to identify as Gypsy/Traveller and challenges

---

<sup>29</sup> [Sexual orientation in Scotland 2017: summary of evidence base - gov.scot \(www.gov.scot\)](http://www.gov.scot)

<sup>30</sup> [Consultation on the Modernisation of the Planning System with 'Seldom Heard' Groups \(webarchive.org.uk\)](http://webarchive.org.uk)

<sup>31</sup> [Handbook for Gender-Inclusive Urban Planning and Design \(worldbank.org\)](http://worldbank.org)

<sup>32</sup> [Analysis of Equality Results from the 2011 Census \(webarchive.org.uk\)](http://webarchive.org.uk)

accessing the population living on sites and by the roadside. The highest proportion of the community reside in the Perth and Kinross Council area.

Much of the evidence around the aspirations of Gypsy/Travellers has related to the voices of Gypsy/Traveller children being engaged in decision-making.

We also know that many Gypsy/Travellers prefer to live on private sites, which can help support their independence, self-sufficiency and security. But they have often found it difficult to access the planning system and get the appropriate permission to develop their own sites. Making provision for the development of private sites can help Gypsy/Travellers to maintain their traditional lifestyle.

White councillors are over represented in the 2018 Improvement Service survey<sup>13</sup> (98%), compared with 96% in the Scottish population.

The evidence would suggest that consideration is made of putting provisions in place which encourage engagement and that people's aspirations relating to the development and use of land are expressed through the proposals that are contained in the LPP. It should be recognised that there should be a range of engagement practices which reflect particular barriers to engagement which are based on a person's race. The range of such practices will depend on local circumstances.

### Religion and Belief

Planning Advice Note 3/2010: Community Engagement<sup>33</sup> recognises that an understanding is needed about the support particular individuals or groups require to help them engage. It notes that the needs of minority groups should be accommodated where possible, including the opportunity to access information in alternative formats such as the provision of information in alternative languages.

Case studies<sup>9</sup> above from Architecture & Design Scotland provide an example of using an alternative language where appropriate to local circumstances.

The evidence would suggest that consideration is made of putting provisions in place which encourage engagement and that people's aspirations relating to the development and use of land are expressed through the proposals that are contained in the LPP.

### Other Protected Characteristics

We have not been able to gather any information regarding the other protected characteristics.

## **Recommendations and Conclusions**

This EQIA has supported the development of Scottish Government regulations on the preparation, submission and registration of Local Place Plans. The aim of the

---

<sup>33</sup> [Planning Advice Note 3/2010: community engagement - gov.scot \(www.gov.scot\)](http://www.gov.scot/PlanningAdviceNote3/2010:communityengagement)

regulations is to have increased community engagement for all sectors of society. The Scottish Government has considered how the regulations and associated guidance can:

- remove or minimise disadvantages suffered by people due to their protected characteristics.
- meet the needs of people from protected groups where these are different from the needs of other people.
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The EQIA has helped highlight the potential issues which may impact disproportionately on those with particular protected characteristics.

The Scottish Government has noted the potential for indirect discrimination in terms of those groups who would find it easier or who would be more likely to engage online than at physical events, for example younger age groups. There is evidence that other groups use online tools less often than others, e.g. older age groups and disabled people.

The Scottish Government will not be prescriptive about the use of either online or face-to-face engagement, with the method chosen to be appropriate to local circumstances. This acknowledges that older people, and disabled people, are less likely to use online technologies whereas an online approach may work better with younger people.

By promoting engagement in shaping the places people live, LPPs should have a positive impact across all protected characteristics, where we have identified evidence. Supporting engagement in the planning system should also provide opportunities to tackle discrimination and advance equality.

By encouraging people from protected groups to participate in public life, the LPP should promote good relations among and between people of different protected characteristics. It will also help to ensure that consideration of our places takes into account their different experiences of the built environment.

However, it is considered that these positive outcomes will come to fruition should the engagement and consultation provisions be framed such that the experiences of all sectors of society are captured and reflected in the LPP.

Rather than be prescriptive as to the communities of both geography and identity that should be engaged, the regulations set out that community body must prepare a statement providing the community body's view of the level and nature of support for the LPP, and the basis on which the community body has reached that view, including a description of any consultation by the community body in respect of the proposed local place plan.

The Scottish Government will build upon the practice that is set out in the Draft 'How to' Guide, providing a clear steer to community bodies as to the opportunities which exist for engagement across the wider community.

Provisions exist within the Planning (Scotland) Act 2019 for Ministers to review the operation of LPPs. The Scottish Ministers must, as soon as practicable after the end of the 7 year period from Royal Assent must carry out a review of LPPs, setting out the conclusions in a report laid before the Scottish Parliament. This will provide an opportunity for the potential revision of the provisions.

Scottish Government  
October 2021