

CRWIA title: The Town and Country Planning (Local Place Plans) (Scotland) Regulations 2021 Date of publication: 7 October 2021	
Executive summary	<p>The introduction of Local Place Plans (LPPs) is part of a wider programme of improving community engagement in planning, deriving largely from provisions contained within the Planning (Scotland) Act 2019¹ (the 2019 Act) which amended the Town and Country Planning (Scotland) Act 1997 (the 1997 Act).</p> <p>In terms of policy, LPPs are linked to the outcomes of the National Performance Framework². Planning and Architecture’s role in delivering the 11 national outcomes has recently been published³. It sets out that:</p> <p style="padding-left: 40px;">‘Involvement of children and young people in planning is being strengthened through Scotland’s new Planning Act, along with clear commitments to open space and opportunities for play. The Place Standard tool, including enhanced participation tools, will further support children and young people to have an influence over the future of their places, helping to address issues such as child poverty, social isolation and wellbeing.’</p> <p style="padding-left: 40px;">Evidence gathered would indicate that children and young people are keen to be involved in the shaping of the places they stay. This is extended not only to contributing to the discussion on how places develop, but also to taking part in decision-making and having their voices heard.</p> <p>We consider that of the eight wellbeing indicators (Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, Included (known by the acronym SHANARRI)), the legislation relates to:</p> <ul style="list-style-type: none"> • Included: Having help to overcome social, educational, physical and economic inequalities and being accepted as part of the community in which they live and learn. • Respected: Given a voice and involved in the decisions that affect their wellbeing. • Responsible: Taking an active role in their schools and community. <p>We consider that Article 12 of the United Nation Convention on the Rights of the Child (UNCRC) is specifically relevant – where every child has a right to express their views and have them given due weight in accordance with their age and maturity. Children should be provided with the opportunity to be heard, either directly or through a representative or appropriate body.</p>

¹ <https://www.legislation.gov.uk/asp/2019/13/contents/enacted>

² <https://nationalperformance.gov.scot>

³ <https://www.gov.scot/publications/planning-and-architecture-contribution-to-national-outcomes/>

	<p>Other Articles of the UNCRC may indirectly be relevant such as: Article 3 - Every decision and action taken relating to a child must be in their best interests.</p> <p>The results of this assessment demonstrate that there are likely to be no potentially negative impacts of the Regulations. However, we will consider how the associated guidance can encourage community bodies to engage with children and young people when preparing their LPPs, including taking such views into account when developing the proposals within the LPP.</p>
Background	<p>The Child Rights and Wellbeing Impact Assessment (CRWIA) is used to identify, research, analyse and record the impact of proposed legislation on children's human rights and wellbeing. The impacts can be direct or indirect; short, medium or long-term; and positive, negative or neutral.</p> <p>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, including children and young people, have the opportunity to engage meaningfully and have a positive influence in the future planning of development in their areas.</p> <p>The Town and Country Planning (Local Place Plans) (Scotland) Regulations 2021 (the Regulations) provide for the administrative framework for the preparation, submission and registration of LPPs. Where a valid LPP is submitted, the planning authority is to take it into account when preparing its Local Development Plan (LDP).</p> <p>LPPs may be prepared by community bodies and provide for a community's proposals for the development and use of land in an area defined by the community itself.</p> <p>Children and Young People have particularly told us that they want to be involved in the decisions about the places they live. This includes when specifically asked about LPPs. They have also set out some of the areas that they feel local planning should prioritise.</p> <p>The Regulations aim to provide a light-touch legislative framework and do not contain a specific requirement on the community body to engage the wider community, including children and young people. Nor do they set out the types of policies that LPPs shall contain. It will be for communities themselves to define the proposals for the development and use of land. The Regulations do not set these out. However, provisions require that when submitting their LPP, the community body must submit a</p>

	<p>statement as to its 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 in respect of the proposed LPP.</p> <p>Tools such as The Place Standard will be available to community bodies and support children and young people to have an influence over the future of their places.</p>
<p>Scope of the CRWIA, identifying the children and young people affected by the policy, and summarising the evidence base</p>	<p>The likely effects of the Government’s proposals were informed by a range of evidence, including public consultation and stakeholder engagement. Scottish Government officials also reviewed and examined evidence from a range of studies, reports and surveys, including:</p> <p>Beyond4Walls⁴ (2016) Planning Places Survey Report⁵ (2017) Hard to Reach, Easy to Ignore⁶ (2017) Young Gypsy/Travellers Discuss the United Nations Convention on the Rights of the Child - Children and Young People’s Evidence Bank⁷ (2018) Girls in Scotland 2018⁸ (2018) Young People and the Highlands and Islands: Maximising Opportunities⁹ (2018) Poverty in Scotland¹⁰ (2019) Scottish Household Survey: Annual Report 2018¹¹ (2019) National Transport Strategy Review Young Scot¹² (2019) Children and parents: media use and attitudes report¹³ (2019) Young people’s participation in decision making: attitudes and perceptions¹⁴ (2020) Population Projections for Scottish Areas 2018-based¹⁵ (2020)</p>

⁴ Available to download from [Children & Young People’s Evidence Bank](#)

⁵ <https://www.gov.scot/binaries/content/documents/govscot/publications/factsheet/2017/06/planning-review-young-scot-survey-results-june-2017/documents/planning-review-young-scot-survey-results-pdf/planning-review-young-scot-survey-results-pdf/govscot:document/Planning%20Review%20Young%20Scot%20survey%20results.pdf>

⁶ <http://whatworksscotland.ac.uk/publications/hard-to-reach-or-easy-to-ignore-promoting-equality-in-community-engagement-evidence-review/>

⁷ [Young Gypsy/Travellers Discuss the United Nations Convention on the Rights of the Child - Children and Young People’s Evidence Bank](#)

⁸ <https://www.girlguidingscotland.org.uk/wp-content/uploads/2020/08/Girls-in-Scotland-survey-2018.pdf>

⁹ <https://www.hie.co.uk/research-and-reports/our-reports/2018/may/31/yp-research/>

¹⁰ <https://www.jrf.org.uk/report/poverty-scotland-2019>

¹¹ <https://www.gov.scot/publications/scotlands-people-annual-report-results-2018-scottish-household-survey/>

¹² <https://youngscot.net/ysobservatory/national-transport-review/>

¹³ [Children and parents: media use and attitudes report 2019 - Ofcom](#)

¹⁴ [Young people’s participation in decision making: attitudes and perceptions - gov.scot \(www.gov.scot\)](#)

¹⁵ <https://www.nrscotland.gov.uk/files//statistics/population-projections/sub-national-pp-18/pop-proj-principal-2018->

	<p>Health Inequalities: Peer research into the role of communities¹⁶ (2020)</p> <p>Democracy Matters to Children¹⁷ (2020)</p> <p>Travel and Transport in Scotland 2019¹⁸ (2020)</p> <p>Social Attitudes Survey 2019: Attitudes to Young People¹⁹ (2020)</p> <p>NPF4 Call for ideas: Analysis of responses²⁰ (2020)</p> <p>If not now, when? - Social Renewal Advisory Board report²¹ (2021)</p> <p>Progress Review of Scotland's Play Strategy²² (2021)</p> <p>The National Islands Plan Survey Final Report²³ (2021)</p> <p>National Performance Framework: disability perspective analysis (2021)²⁴</p> <p>NPF4: Position Statement: Youth Engagement Report²⁵ (2021)</p> <p>NPF4: Position Statement: Responses²⁶ (2021)</p> <p>Analysis of Responses²⁷ (2021)</p> <p>The use of LPPs has the potential to have a positive impact on the rights of all children across Scotland. We envisage that they will potentially provide an additional opportunity for children and young people to become more actively engaged in the planning system. Ultimately, the provisions in the Regulations and associated guidance will provide a framework which will support compliance with UNCRC requirements.</p>
<p>Children and young people's views and experiences</p>	<p>The Planning Places Survey Report⁵ concluded that the majority of young people felt they should be involved in planning in their local area and that their local councils should look at ways to support children and young people to do this. A specific question was asked about whether LPPs would be a good thing. 104 young people answered this question with 88% of young people saying yes, that 'LPPs' would be a good thing.</p> <p>When asked what the most important things that LPPs should cover, responses were education, housing, transport and improving local services/accessibility. Other comments included</p>

[report.pdf#:~:text=The%20population%20of%20Scotland%20is%20projected%20to%20increase,than%20that%20seen%20in%20the%20last%2010%20years/](#)

¹⁶ [Health-Inequalities-Report-Chris-Ross.pdf \(childreninscotland.org.uk\)](#)

¹⁷ [Democracy Matters Consultation - Children's Parliament \(childrensparliament.org.uk\)](#)

¹⁸ <https://www.transport.gov.scot/publication/transport-and-travel-in-scotland-2019-results-from-the-scottish-household-survey/>

¹⁹ <https://www.gov.scot/publications/scottish-social-attitudes-2019-attitudes-young-people/pages/2/>

²⁰ <https://www.gov.scot/publications/npf4-analysis-reponses-call-ideas/>

²¹ [If not now, when? - Social Renewal Advisory Board report: January 2021 - gov.scot \(www.gov.scot\)](#)

²² [Play-Scotland-Play-Strategy-Review-Play-in-Covid-2021.pdf \(playscotland.org\)](#)

²³ <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2021/07/national-islands-plan-survey-final-report/documents/national-islands-plan-survey-final-report/national-islands-plan-survey-final-report/govscot%3Adocument/national-islands-plan-survey-final-report.pdf>

²⁴ [National Performance Framework - disability perspective: analysis - gov.scot \(www.gov.scot\)](#)

²⁵ <https://www.transformingplanning.scot/national-planning-framework/position-statement>

²⁶ https://consult.gov.scot/planning-architecture/national-planning-framework-position-statement/consultation/published_select_respondent

²⁷ [Local Place Plans - proposals for regulations: consultation analysis - gov.scot \(www.gov.scot\)](#)

health, sport, culture and infrastructure. When asked what would help you get involved in preparing one of these plans, there were 76 answers to this question. Many of the responses mentioned that if there were local community meetings where they were provided with lots of information this would help them to get involved. Also, if they knew that their opinions would be taken seriously and listened to and not just used to 'tick a box.' Many also felt that if the opportunity to get involved was linked into their time at school, this would help.

Whilst prepared for the development of NPF4, the results of the NPF4: Position Statement: Youth Engagement²⁵ report provided an insight into key issues as identified by young people. The most frequently mentioned issue was housing and the community provision linked with it (doctors, schools, community and leisure centres) but also affordability. Young people also wanted more encouragement for communities on smaller projects (gardening, art, social activities) which could possibly lead to a stronger sense of belonging to an area.

Young Gypsy/Travellers Discuss the United Nations Convention on the Rights of the Child - Children and Young People's Evidence Bank⁷ included recommendations that there should be more opportunities for young Gypsy/Travellers to take part in decision-making and having their voices heard.

This is also reflected in Health Inequalities: Peer research into the role of communities¹⁶ which noted that children and young people want to be involved in decisions about the places they live.

Democracy Matters to Children¹⁷ also noted that 'children's paths to meaningful involvement in decision-making are currently limited and many children have limited or no experience of participation in democratic processes'. It identified a number of local issues as ones which children wanted to have a say in – including planning and the built environment.

Responses to the NPF4 Position Statement²⁶ called for action to address inequality of opportunity to participate, with specific calls for a greater voice for children and young people and groups such as Gypsy/Travellers.

The National Islands Plan Survey Final Report²³ noted that island residents generally perceive that they have little influence over decisions made by local and national organisations, and more influence over community organisations and community councils, particularly in the Outer Isles of Orkney and Shetland, where around half of residents feel they can influence decisions made by their community council. 42% of younger people (aged 18 to 35) compared to 30% of older people (aged 66 and over) report that

	<p>they can influence decisions made by community organisations such as Development Trusts and community groups.</p> <p>Young People and the Highlands and Islands⁹ noted that levels of community participation varied by geography, with the highest levels reported by young people in Orkney (81%), Shetland (72%) and the Outer Hebrides (70%).</p>
<p>Key Findings, including an assessment of the impact on children's rights, and how the measure will contribute to children's wellbeing</p>	<p>The key findings are set out under two themes: participation and priorities.</p> <p>Participation</p> <p>Children and young people have been clear that they should be involved in the shaping of the places that they stay in. This view is supported by evidence provided by Young Gypsy/Travellers.</p> <p>Evidence deriving from the 2017 YoungScot survey would indicate that this also extends to LPPs.</p> <p>Responses to the NPF4 Position Statement called for action to address inequality of opportunity to participate, with specific calls for a greater voice for children and young people and groups such as Gypsy/Travellers.</p> <p>Reponses to the LPP consultation suggested that community bodies should be required to engage with children and young people, but also that, without support for engagement, children and young people are likely to struggle to engage in the development of LPPs.</p> <p>It should be noted that revisions arising from the Planning (Scotland) Act 2019 will enhance the opportunities for children and young people's voices to be heard at the local development plan stage.</p> <p>Evidence would also suggest that there may be barriers to children and young people's engagement.</p> <p>The 2019 Social Attitudes Survey: attitudes to young people highlighted that a majority of adults felt that young people aged 16 to 18 should have 'a great deal' or 'quite a lot' of say in decisions that affect their lives. The proportion believing this for those aged 11 to 15 was much smaller.</p> <p>And the 2021 National Performance Framework - disability perspective: analysis found that fewer disabled young people agreed that adults were good at taking their views into account than non-disabled young people in 2019 (54% vs 62%).</p>

	<p>Priorities</p> <p>When asked what the most important things that LPPs should cover, children and young people responded that they were: education, housing, transport and improving local services/accessibility. Other comments included health, sport, culture and infrastructure.</p> <p>The views of children and young people and associated evidence on a number of these issues are set out below.</p> <p>Housing</p> <p>Beyond4Walls (2016) reported that the need for good quality housing was regarded as essential, with many of the young people believing that housing must be affordably heated, have space for them to study, have wifi and be a place they feel safe. Young people also identified the importance of having a voice in their own community and good transport links.</p> <p>The PAS NPF4 Youth Engagement Report (2021) found that issues around housing are important, including its affordability and associated infrastructure.</p> <p>The NPF4 Position Statement analysis (2021) noted that the issue of affordable housing was highlighted in the context of rural supply where it was suggested that the lack of affordable housing is a major contributory factor in young people and families relocating away from rural areas, and that addressing this issue will be key to reversing rural depopulation.</p> <p>Spaces and places</p> <p>Children want a return to play, more play and better play. This was children and young people’s overwhelming response to a consultation on play undertaken by Play Scotland in early 2021. It went on to note that children wish to play in parks and natural environments such as the beach and woods, and participate in a wide range of physical activities such as football, swimming, dancing and cycling.</p> <p>Health Inequalities: Peer research into the role of communities (2020) reported that children wanted to:</p> <ul style="list-style-type: none"> - Improve the quality of green spaces; - Deal with vandalism and regenerate abandoned spaces; and - Use planning processes to get support for healthier shops and restaurants to set up in communities. <p>Democracy Matters for Children (2020) noted the following:</p>
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- one of the most prominent themes was the importance of the physical environment for children. Children frequently want 'lots of green spaces' and 'more places to play' 'protected wildlife' and provisions in place around personal safety;
- on leisure and socialising, children were keen for spaces for people to spend time socialising; and
- the children valued places to be physically active both in and outdoors.

The Girls in Scotland (2018) survey, undertaken by Girl Guides Scotland, showed that 23% of girls said their area had few, or no community facilities.

Responses to consultations on the development of NPF4 noted that planning should consider young people, including through providing youth clubs and other facilities for teenagers.

The NSPCC Report Challenges from the Frontline – Revisited (2020) noted that intensive family support should be community based: support must be explicitly connected to, or even housed in, locations that work for local families and the community, such as schools, health centres, village halls and sports centres. Communities must have a say in where support is located.

Transport and Connectivity

Engagement reported in 2019 by Young Scot to inform the National Transport Strategy revealed that key issues for young people include the availability and cost of public transport, particularly to further and higher education, and personal safety when using services.

This would appear to confirm the Girls in Scotland (2018) survey, which showed that 55% of girls said public transport could be better.

Public Health Scotland. The impact of COVID-19 on children and young people in Scotland: 10 to 17-years-olds (2021) suggests that for some young people, limited access to digital resources, digital connection – both hardware and software (e.g. broadband access) was a barrier to social engagement and to their educational development, potentially exacerbating existing inequalities.

The Understanding Society COVID-19 (2020) study noted that across all age groups (primary, secondary and post-secondary), 9% of students whose parents/carers were unemployed did not have access to an electronic device, compared with 3% of students whose parents/carers were employed or employed and furloughed.

Inequalities

Every Child, Every Chance (2018) recognises that to tackle poverty overall it is necessary to focus on 'priority families' at high risk of poverty: lone parents, families with a disabled adult or child, young mothers, minority ethnic families, families with a child under 1, and larger families (with three or more children).

The Joseph Rowntree Foundation report Poverty in Scotland (2019) noted that the largest falls in poverty rates seen in the past 20 years have been among pensioners and children. But despite improvements over time, children remain the most at-risk group in terms of poverty, with rates far above average, followed by working-age adults with children.

However, it is estimated that 24% of children (240,000 children each year) were living in relative poverty after housing costs in 2017-20. Before housing costs, it is estimated that 21% of children (210,000 children each year) were in relative poverty.

After a long fall between the late nineties and 2010-13, which slowed briefly just before the recession, child poverty rates have been gradually rising again.

The drivers of child poverty include: income from employment, costs of living and income from social security and benefits in kind. Planning has a particular role to play in the provision of:

- good quality work
- housing (including energy and food) costs are minimised
- accessible childcare
- accessible and affordable public transport
- access to the internet

Health and Wellbeing

In 2019, the proportion of children (aged 2–15) who met the recommended physical activity level over the last seven days, was the lowest in the time series.

- 71% in 2008
- 76% in 2016
- 69% in 2019

Increasing active travel can subsequently increase the level of physical activity in both children and adults. It could mean less use of the car, which would reduce air and noise pollution and the number of incidents and accidents involving cars. Vulnerable people in the population such as children can be the most affected by poorer air quality.

Wellbeing Indicators

We consider that of the eight wellbeing indicators (Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, Included (known by the acronym SHANARRI)), the policy relates to:

- Included: Having help to overcome social, educational, physical and economic inequalities and being accepted as part of the community in which they live and learn.
- Respected: Given a voice and involved in the decisions that affect their wellbeing.
- Responsible: Taking an active role in their schools and community.

Articles of the UNCRC

We consider that Article 12 of the UNCRC is specifically relevant – where every child has a right to express their views and have them given due weight in accordance with their age and maturity. Children should be provided with the opportunity to be heard, either directly or through a representative or appropriate body.

Another Article of the UNCRC may indirectly be relevant: Article 3 - Every decision and action taken relating to a child must be in their best interest.

The Regulations do not contain a specific requirement on the community body to engage the community, including children and young people. However, provisions require that when submitting their LPP the community body must submit a statement as to its 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 in respect of the proposed LPP.

Tools such as The Place Standard will be available to community bodies and support children and young people to have an influence over the future of their places.

Also, it will be for communities themselves to define the proposals for the development and use of land rather than being directed by the Scottish Government.

The Scottish Government has found that the proposed regulations do not impinge negatively upon articles of the UNCRC or the indicators of wellbeing (SHANARRI).

However, we recognise in the need for supportive guidance which provides the scope for community bodies to seek the views of children and young people and reflect these views in their proposals on the development and use of land.

Monitoring and review	<p>Section 15B of the 1997 Act provides for a review of LPPs. Scottish Ministers are to prepare a report on the review and lay it in Parliament.</p> <p>The report to the Scottish Parliament will include a summary of the participation of people in preparing and submitting LPPs, either through a community body or through consultation, plus an assessment of the impact and effectiveness of LPPs across Scotland.</p> <p>The provisions require Scottish Ministers to undertake the review as soon as practicable 7 years after Royal Assent, namely July 2026. This review would provide an opportunity to consider any changes to these provisions.</p>	
CRWIA Declaration		
Authorisation		
Policy lead Graham Robinson Policy Manager	Date 21/09/2021	
Deputy Director or equivalent Fiona Simpson Chief Planner	Date 21/09/2021	