

Caithness and Sutherland Local Development Plan Equalities Impact Assessment

Plana Leasachaidh Ionadail Ghallaibh agus Chataibh Measadh Buaidh Cho-ionannachdan

January 2016

Equalities Screening for:

Caithness and Sutherland Local Development Plan – Proposed Plan

Service	Person Responsible
Development and Infrastructure	David Cowie
Created	Last Review
Thursday 22 nd October, 2015	Thursday 22 nd October, 2015
Status	Next Review
Screened	Saturday 22 nd October, 2016

Screening Data

1. Please give the title/description of the policy. The word "policy" will be used throughout as shorthand for policy, service, function or proposal.

Caithness and Sutherland Local Development Plan – Proposed Plan

The Caithness and Sutherland Local Development Plan (CaSPlan) will be the second of our three new area Local Development Plans that, along with the Highland-wide Local Development Plan and Supplementary Guidance, will form the Highland Council's 'Development Plan' and guide all future development. Following on from firstly the 'Call for Sites and Ideas' and other early-stage activities and secondly the subsequent 'Main Issues Report' and additional sites and issues stage, the Proposed Plan is the third main stage in the plan preparation process. Whilst the Main Issues Report (MIR) was the principal opportunity for the public to get involved and influence the Plan, the Proposed Plan whilst representing the settled view of the Council is nevertheless a consultation document. The Proposed Plan and its consultation is a statutory process and is informed by The Town and Country Planning (Scotland) Act 1997 as amended by The Planning etc. (Scotland) Act 2006, associated Regulations and Planning Circular 6/2013: Development Planning. The MIR was subject of Equalities Screening on 18th September, 2014. Feedback received on the MIR has been considered in preparing the Proposed Plan. Once CaSPlan has been finally adopted it will replace the two Local Plans for Caithness and Sutherland.

The Proposed Plan will be published online through our consultation portal and a paper copy will be available to view in each public library in the Plan

area. The consultation will be publicised, through both media and direct mailing. We intend to provide further information through attendance at Ward Forums and we will provide contacts for enquiries to be directed to the Council's Service Centre and passed, where necessary, to the Development Plans Team. The process of consultation will encourage respondents to submit comments online via the consultation portal, with guidance on how to do so being made available. A press release that explains the process to the public will be issued to media and placed on the Council's website.

2. Name of the person carrying out the screening

David Cowie

3. Date of screening

22-10-2015

4. What are the aims and objectives of the policy?

The CaSPlan will be a land use plan providing location and type of development and used to give certainty to where development should and should not occur over the next 10-20years. The Proposed Plan was drawn up following consideration of the many comments received from the public and other interested parties and organisations on the Main Issues Report published in 2014. Significant changes to the proposals have been made following the consideration of the comments received and additional information has been added for all of the sites included in the Proposed Plan to provide certainty to both the community and the development industry.

The statutory planning system works in two ways: preparation of a development plan for an area and consideration of planning applications. The development plan sets a vision for a wide area and shows through a spatial strategy and linked planning policies which types of development are acceptable where. A planning permission may be required before carrying out a new development. The planning application is considered carefully and compared to the development plan before a decision is made on it. Given the importance of the development plan in decision-making on new development, a very wide range of individuals and groups could have an interest in and wish to express an opinion on what the plan should include.

The adopted Highland-wide Local Development Plan (2012) – and to some extent the review of that Plan which has commenced – sets the framework for the preparation of CaSPlan. The Proposed Plan presents proposed outcomes that the plan should deliver in terms of Growing Communities, Employment, Connectivity & Transport and Environment & Heritage, which

form a vision for the area. It sets out a spatial strategy, a limited number of policies and numerous settlement and site specific proposals, with people able to submit comments (representations), on each of those.

It is intended that the Proposed Plan document itself, the publicity and consultation arrangements and online consultation portal for comments will allow a variety of contributions from a wide range of the population local to the region as well as those further afield who have an interest in the area. To make sure that all equality groups are encouraged to take part we will be where possible contacting these groups directly to actively encourage them to become involved in the process. The publication of the Proposed Plan allows anyone to make a representation and the issues raised in representations will be considered by the Council and if necessary by an independent Reporter before the Plan is finalised. Use of the online consultation portal has the benefit of automating much of the consultation process and maintaining contact with those interested parties who sign up to it.

5. Which parts of the public sector duty is the policy relevant to?

- Eliminate unlawful discrimination
- Advance equality of opportunity
- Foster good relations

6. Is the policy relevant to equality groups? That is if there is potential for this policy to affect any of these groups differently. The effect could be positive or negative.

- Age
- Disability
- Race
- Religion or Belief
- Homelessness
- Socioeconomic

7. If you ticked any group in Question 6, is there any evidence of, or potential for, negative impact?

YES

Various Groups:

There is potential that the consultation could be of different degrees of accessibility to various different groups. For example, we may make efforts to engage with the old and the young, but there is potential to be less accessible to workers if our information meetings and contact methods were solely available during normal working hours.

There is the potential that the primary response method, namely online, could exclude certain groups. The consultation portal is a website which requires access to a web browser device and the internet. Those making online comments would need a basic level of 'computer' literacy and keyboard skills. Furthermore there is the potential that use of English language only may exclude non-English language participation. The Proposed Plan consultation document and associated consultation materials will be in the English language and input of comments will also be required to be in typed English.

There is the potential that development provided for in CaSPlan could fail to meet the requirements of the population, for example the housing and servicing requirements of an ageing population or access requirements of those with disability. However, the MIR has sought to develop approaches for the Plan that have taken into account these issues; likewise the review of the HwLDP is developing suitable general policy approaches for use in combination with CaSPlan.

8. Is there evidence that the policy contributes positively to the promotion of equality on any particular group?

YES

Age: Use of social media, information meetings, local press to publicise the process in an attempt to publicise and involve as many age groups as possible. Whilst we are encouraging the use of our consultation portal where that option is accessible to people, there will be a process by which comments can if necessary be submitted by different means and the opportunity to get assistance with submitting them. On request we can also produce the Proposed Plan in different formats (eg large print).

Disability: Use of social media, public information events (ensuring that we are readily approached with any questions), local press to widely publicise the process in an attempt to involve people of all abilities. There will be a process by which comments can if necessary be submitted by different means and the opportunity to get assistance with submitting them. On request we can also produce the Proposed Plan in different formats (eg large print).

Race: Colour, nationality ethnic or national origins. This would include Gypsies and Travellers. For those whose first language is not English, further assistance with the submission of comments and access to the translation service may be required. On request we can also produce the Proposed Plan in different formats or translated if necessary.

Religion or Belief: We will contact a wide range of services/organisations that represent these groups/interests to encourage participation in the process.

The publication of the Proposed Plan will be publicised locally. The Proposed Plan will be available online and in local libraries. The online consultation portal means that comments can be submitted at any time and any location with internet access. In addition to the process mentioned above the Council will be directly contacting groups that represent those with protected characteristics directly to make them aware of the Proposed Plan and how to comment on it. This process enables a wide variety of people to get involved without the need to attend information events.

The proposed outcomes for CaSPlan as set out in the Proposed Plan, and in particular the outcomes for Growing Communities and for Connectivity & Transport, can help to safeguard and promote through development proposals certain aspects of equality between groups.

In terms of the Proposed Plan's other content: the spatial strategy, policies and site allocations taken together help to promote a range and choice of development sites which can help to meet housing needs (including providing opportunities which would be suitable for specialist housing), promote employment opportunities and inclusive, sustainable communities with development well located for ease of access to services and facilities.

9. If there is evidence of, or the possibility of, negative impact, can immediate remedial or mitigating action be taken without the need for a full EQIA?

YES

The Proposed Plan will be made available for viewing at local libraries, in addition to online. Different formats of the Proposed Plan are available on request. In addition to the online consultation portal there is also the option to get in touch with the Council via email, telephone, post or at a service point to request alternative formats of the form (eg large print) and alternative arrangements for making a representation. This means that those that do not have access to a suitable web browser device with internet access or are not computer literate are able to take part. Assistance with submitting comments as well as assistance from the translation service will also be available. This is designed to assist people with physical or learning disabilities as well as those who do not have English as a first language. Groups will be directly contacted to make them aware of the Proposed Plan and consultation process. We will use a variety of means to publicise the consultation arrangements and to

disseminate information about the Proposed Plan, in order to enable people to be involved, including for example workers.

The Proposed CaSPlan includes greater detail of the requirements for development than were included in the MIR. In general terms CaSPlan does not differentiate between equality groups. Furthermore it may be noted that CaSPlan will be used alongside general policies already existing within the Highland-wide Local Development Plan plus Supplementary Guidance – this is not simply intent of the Council as to how it will operate, it is a legal requirement that the Council consider development proposals in the context of the Development Plan as a whole. The HwLDP was subject of EQIA Screening, as was recently the MIR for the review of that Plan.

With respect to Data Protection, those responding to the consultation will be made aware that the Proposed Plan process is a public process and their names may appear in some public documents. However the addresses and other personal details of all contributors will be redacted. This is in line with Highland Council's data protection policy and would also protect against any harassment of protected groups.
