

# Highland-wide Local Development Plan Equalities Impact Assessment

## Plana Leasachaidh Ionadail Thar-Ghàidhealtachd Measadh Buaidh Cho-ionannachdan

Draft for Committee Approval

August 2015

# Highland-wide Local Development Plan - Main Issues Report #2

**Service**

Development and Infrastructure

**Person Responsible**

Brian Mackenzie

**Created**

Tuesday 28th July, 2015

**Last Review**

Tuesday 28th July, 2015

**Status**

Mapped

**Next Review**

Thursday 28th July, 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.

The Highland-wide Local Development Plan Main Issue Report forms the first formal stage in the preparation of the replacement plan to the existing HwLDP(adopted 2012) The new HwLDP will sit alongside three area Local Development Plans (all in various stages of preparation) that collectively along with statutory Supplementary Guidance, will form the Highland Council's 'Development Plan' and guide all future development. The new HwLDP will be a policy only document, with the 3 area plans containing site specific allocations for development or safeguarding. The 'Main Issues Report' (MIR), following significant research and analysis of the existing HwLDP, is the first main stage in this plans wider preparation process and is a consultation document. The MIR and its consultation is a statutory process and is informed by The Planning etc. (Scotland) Act 2006, associated Regulations and Planning Circular 6/2013: Development Planning. Feedback received on the MIR will be considered in preparing a Proposed HwLDP. Once the final HwLDP has been prepared it will, when adopted, replace the existing HwLDP and elements of policy as contained within the IMFLDP and CaSPlan.

The MIR will be published online and in paper form and the consultation publicised, through both media and direct mailing. Information events will be held and contacts provided 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 the majority of respondents to complete online comments form through the Objective consultation software. There will be a guide for filling in the form online and there will also be guidance for other formats of submission available. Additionally 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

Brian MacKenzie

3. Date of screening

28-07-2015

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

The development plan sets a vision for a wide area and shows through a spatial strategy and linked planning policies which guide which types of development are acceptable where.

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 Main Issues Report (MIR) marks the first formal stage in the preparation of the new HwLDP and is the principal opportunity for the public to get involved and influence the Plan. The adopted Highland-wide Local Development Plan (2012) and this replacement plan sets the policy content and the framework for the preparation of the 3 Area Local Development Plans.

The MIR reflects an outcome based approach that shows how the new Plan could help deliver the Highland Single Outcome Agreement. It presents a vision based on four thematic outcomes - Guiding Development; Placemaking, Design & Travel; Resource Management; and Delivering Development &dash; along with options for updating our policy framework to address these outcomes.

The MIR will be published online and in paper form and the consultation publicised, through both media and direct mailing. Information events will be held and contacts provided for enquiries to be directed to the Council's Service Centre and passed, where necessary, to the Development Plans Team.

We will encourage the majority of respondents to make comments on the MIR electronically and this consultation will be the first of our LDP consultations to use Objective software which is designed to make it easy for people to read and comment on the document.

There will be an online guide for the use of the software to submit comments online and there will also be guidance for other formats of submission available. Use of the objective software has the benefit of automating much of the consultation process and maintaining contact with clients. Additionally a press release that explains the process to the public will be issued to media and placed on the Council's website.

5. Which parts of the public sector duty is the policy relevant to? Refer to guidance if necessary.

- Eliminate unlawful discrimination, Harassment and victimisation
- Advance equality of opportunity
- Foster good relations

6. Is the policy relevant to equality groups? The protected characteristics in the Equality Act 2010 are listed below. Socio-economic status, homelessness and Human Rights are also included. Please tick 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

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 events were solely held during normal working hours.

There is the potential that the primary response method, namely online, could exclude certain groups. The form is an online form which requires access to a computer and the internet. Those filling in the form 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 form will be in the English language and input to the form will also be required to be in typed English. The MIR and Guidance for filling in the form will also be in English.

There is the potential that development provided under the policies contained within the HwLDP 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 seeks to develop policy approaches to ensure that development needs to consider the

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

YES

Age: Use of social media, public events, local press to widely publicise the process in an attempt to publicise and involve as many age groups as possible. Whilst we are encouraging the use of Objective where that option is accessible to people, there is also the option of submitting comments in different formats and the opportunity to get assistance. On request we can also produce the MIR in different formats (eg large print).

Disability: Use of social media, public events (with an emphasis on round-table and workshop format rather than formal public meeting), local press to widely publicise the process in an attempt to involve people of all abilities. There is the option of submitting the online form in different formats and the opportunity to get assistance with filling in the form. On request we can also produce the MIR 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 filling in comments in Objective form and access to the translation service may be required. On request we can also produce the MIR 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 MIR will be publicised across the Highland area. The Proposed Plan will be available online and in local libraries and Council service points. The online submission of comments is through the Objective software and means that it can be filled in 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 MIR and how to comment on it. This process enables a wide variety of people to get involved without the need to attend formal events.

The proposed outcomes for HwLDP as set out in the MIR, and in particular the outcomes for Where we Guide Development and for Placemaking, Design & Travel, can help to safeguard and promote certain aspects of equality between groups through development proposals.

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 MIR will be made available for viewing at local libraries and at Council service points, in addition to online. Different formats of the MIR are available on request. In addition to the online representation form 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 (eg on a postal form). This means that those that do not have access to a computer with internet access or are not computer literate are able to take part. Assistance with filling in the form 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 MIR and consultation process. We will use a variety of means to publicise the consultation arrangements and to disseminate information about the issues being consulted upon in the MIR, in order to enable people to be involved, including for example workers.

The Proposed HwLDP which comes later in the process will include more detail of policy content and wording including identifying the range of criteria and requirements for development and which will be subject of further EQIA Screening. In general terms HwLDP itself will not differentiate between equality groups. Furthermore it may be noted that HwLDP will evolve 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.

With respect to Data Protection, those responding to the consultation will be made aware that the MIR 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.