

CONSULTATION RESPONSE

THE SOCIO-ECONOMIC DUTY – A CONSULTATION SEPTEMBER 2017

PAS (www.pas.org.uk) is an independent organisation that helps people in Scotland engage with the places around them. Engagement in planning and placemaking is a key aspect of enhancing local democracy and empowering communities to ensure that Scotland is a fairer and more equal place. PAS provides impartial advice, training, education programmes, facilitation, mediation and community visioning/charrettes all aimed at helping people in Scotland to have a voice in the future of the places where they live. A key aspect of our work is involving young people in placemaking and helping them to understand their potential role as active citizens. It is recognised that feeling a sense of influence over the future of the places we live in is a key factor in improving well-being and reducing inequality.

INTRODUCTION

PAS welcomes the opportunity to respond to this consultation. The Scottish planning system was founded on the principles of improving public health and reducing inequality. This ethos remains as a founding principle of the planning system and is expressed in National Planning Framework 3 in a vision for Scotland as a successful and sustainable place: *“Our living environments foster better health and we have reduced spatial inequalities in well-being. There is a fair distribution of opportunities in cities, towns and rural areas, reflecting the diversity and strengths of our unique people and places”*. **PAS welcomes introduction of a socio-economic duty in Scotland and, in particular, its application to Local Development Plans.** This measure has strong potential to reinforce the original aims of our planning system.

QUESTION 1 – The key terms defined in this section are:

- **Socio economic disadvantage**
- **Inequalities of outcome**
- **Decisions of a strategic nature**
- **Due regard**

Do you agree that the definitions of these are reasonable and should be included within the Scottish Government’s forthcoming guidance on the socio-economic duty?

Partly. PAS agrees that terms the first three terms are reasonable to include. They are all relevant, well-understood and used across public life in Scotland. The fourth terms “due regard” is more problematic as its meaning is open to interpretation. PAS notes that the Scottish Government has set out in detail its reasons for using this term but remains open to reviewing this at a later date. Given the importance of achieving the aims of the socio-economic duty, PAS would ask whether the terminology should be “must have due regard” or a similar stronger re-phrasing. Maintaining the use of the phrase “due regard” is likely to

mean that delivery of the socio-economic duty will require strong political commitment at local authority level, and leadership commitment elsewhere.

QUESTION 2A – Do you agree that the socio-economic duty should apply to the Scottish public authorities named here? If not, please specify which you do not think it should apply to and why?

Yes. PAS agrees with the inclusion of the authorities listed but would suggest the following are also added: Strategic Development Planning Authorities (and their successors under planning reform), Strategic Planning Authorities, and the two National Parks (which produce their own Local Development Plans). The Scottish Government's Programme for Government 2017-18 contains a commitment to bring forward a new planning bill. It would be useful to discuss if and how the socio-economic duty will be applied to a reformed planning system. For example, should Local Development Plans - and likewise Local Place Plans - have policies referencing and supporting the socio-economic duty?

QUESTION 2B – Do you think the duty should apply to any other public authorities, similar to those listed in the Equality Act 2010? If so, please name them and explain why you think the duty should apply.

PAS believes there could be potential for the scope of the duty to be widened on this basis.

QUESTION 3A – Do you have any comments on the steps set out in SECTION 3?

This section is a useful start to developing guidance and it is useful to know that is experientially based. This text could usefully be developed into the beginnings of a guidance note on implementation of the socio-economic duty. The [Place Standard](#) tool can play a key role in the process set out e.g. in identifying differing perspectives on place and the existence of inequality as experienced by different groups and could be referred to in this section.

QUESTION 3B - What other actions could public authorities take to demonstrate that they are meeting the duty?

In terms in local authority functions, a closer alignment of spatial planning and community planning (as recommended in the Scottish Governments [planning reform proposals](#)) will be a key factor in achieving the aims of reducing inequality. Effective community engagement at local level e.g. in preparation of Local Development Plans, Local Outcomes Improvement Plans and Locality Plans will be a key factor and engaging seldom heard groups, including young people, should be a central focus of engagement.

QUESTION 3C – Could you offer suggestions as to how public authorities could improve budgetary analysis and reporting so as to take better account of inequalities related to socio-economic disadvantage?

Audit Scotland may have a key role to play in assisting relevant organisations in this regard.

QUESTION 3D – Can you offer examples of how public authorities and others have made best use of the expertise of people with direct experience of poverty?

PAS has delivered a series of charrette projects in areas of deprivation as recognised in the SIMD index. Such processes can provide an opportunity for individuals from a wide range of background to be involved and encourage local empowerment.

QUESTION 3E - What kind of guidance and support on meeting the duty would be most useful for public authorities?

Guidance on effective engagement (including with seldom heard groups) in spatial planning and community planning is a key factor. PAS has produced a [toolkit for effective engagement](#) which is relevant in this regard.

QUESTION 3F – Do you have a view on whether public authorities should use existing monitoring frameworks to track whether the socio-economic duty is making a difference to outcomes over the long term?

In terms of monitoring planning authority performance, the socio-economic duty could become part of annual planning performance frameworks. Planning authorities could have to show how they have aimed to meet the duty through their development planning function and more widely. If monitoring is to be done via existing frameworks, there should be a dedicated person in each organisation responsible for monitoring the outcomes of the socio-economic duty. Again, Audit Scotland may have a role to play here.

QUESTION 4A - Once the socio-economic duty is introduced, the Scottish Government is keen for public authorities to look strategically across all planning processes in place to maximise their impact. What could public authorities and the Scottish Government do to make sure that the links between the different duties are managed effectively within organisations?

A key issue is to achieve a closer alignment between spatial planning and community planning. This should be based on a strong ethos of engagement with seldom heard groups and effective and inclusive engagement techniques.

QUESTION 4B – Can you offer examples of good practice in taking an integrated approach to issues such as poverty, equality, and human rights?

Details follow below of two PAS projects that we feel are relevant:

Gypsy-Travellers and the Scottish Planning System: PAS was commissioned by the Scottish Government to produce a series of guides on the subject-matter of Gypsy/Travellers and their engagement with the Scottish planning system. These were aimed at a range of audiences including Gypsy/Travellers themselves, Local Authorities and Elected Members. The project was based on research, plus engagement with Gypsy/Travellers and experts in this field. The guides seek to improve understanding of Gypsy/Traveller culture and the impact that land use planning has on their needs and life chances - lack of suitable and secure accommodation can adversely impact Gypsy/Travellers' health, educational attainment and employment prospects. The project's dual aims were to help Gypsy/Travellers better understand and engage with the planning system, and improve professional practice to secure better planning outcomes for Gypsy/Travellers, thereby tackling inequality.

Bridging the Gap – Galashiels

Article 12 of the UN convention on the Rights of the Child asks for stronger participation by young people in decisions that will affect them. However, due to a lack of awareness, very few people get actively involved in the planning system or have a voice in the future of the places they live in - and this is an equalities matter. This project will employ the

Place Standard tool to facilitate dialogue and debate around young people's needs and priorities for change. It will also promote inter-generational learning, bringing together the joint skills and knowledge of older and younger people with a focus on digital literacy. The project will generate new learning around the potential of place-based partnership working, and establish creative ways for all people to participate in tackling inequality.

CONTACTS

PAS would be pleased to respond to any queries with regard to this response.

Handwritten signature of Petra Biberbach in black ink.

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