

# **Open Space Strategies and Play Sufficiency Assessments Regulations**

## **Impact Assessments**

**December 2021**



**Scottish Government**  
Riaghaltas na h-Alba  
gov.scot

# Contents

	Pages
<b>Introduction</b>	
Open Space Strategies and Play Sufficiency Assessments – new duties	1
What is Integrated Impact Assessment and how is this being undertaken?	1
What are the impact assessments?	2 - 4
The assessment approach	4 - 5
<b>Impact Assessments</b>	
Equalities Impact Assessment (EQIA)	Appendix A 6 - 92
Child Rights and Wellbeing Impact Assessment (CRWIA)	Appendix B 93 - 112
Fairer Scotland Duty (FSD)	Appendix C 113
Island Communities Impact Assessment (ICIA)	Appendix D 114 - 130
Business and Regulatory Impact Assessment (BRIA)	Appendix E 131 - 150
Strategic Environmental Assessment (SEA)	Appendix F 151 - 155
<b>References</b>	Appendix G 156 - 162

## Introduction

### Open Space Strategies and Play Sufficiency Assessments – new duties

Open spaces, green infrastructure and other outdoor places to play are key components in successful placemaking, helping to create pleasant, liveable, healthy and resilient communities. Considering access to quality open space, green infrastructure and play opportunities as a key part of placemaking can help realise our ambitions for delivering 20 minute neighbourhoods.

The [Planning \(Scotland\) Act 2019](#) introduced new duties on planning authorities to prepare and publish an Open Space Strategy and also to assess the sufficiency of play opportunities in their area for children. It inserted new sections 3G 'Open Space Strategy' and 16C 'Play Sufficiency Assessment' into the [Town and Country Planning \(Scotland\) Act 1997](#)<sup>1</sup>.

The Act provides details about the purpose of Open Space Strategies (OSS) and Play Sufficiency Assessments (PSA), and gives Scottish Ministers powers to prepare regulations concerning a range of detailed aspects. The Scottish Government has published a Consultation Paper which discusses the proposed provisions for the secondary legislation relating to the new statutory duties. These are set out in the proposed draft Town and Country Planning (Open Space Strategies) (Scotland) Regulations 2022 and draft Town and Country Planning (Play Sufficiency Assessment) (Scotland) Regulations 2022 (the draft Regulations).

It is widely recognised there are clear links and many overlaps between planning for open spaces and play spaces. Therefore, whilst these are two distinct duties, a holistic and integrated approach has been adopted in preparing, and assessing the impacts of, the proposed provisions on OSS and PSA.

We hope this aligned approach will offer efficiency for authorities in terms of undertaking their audits and assessments of spaces and in fulfilling their responsibilities in terms of assessing spaces, consulting and publication, and vitally help to achieve wider benefits from taking a place-based approach when looking at the wider open space resource in an area.

### What is Integrated Impact Assessment and how is this being undertaken?

It is important to understand and take into account the impact of the secondary legislation provisions as they are developed. A range of Impact Assessments have informed the proposed provisions in the draft Regulations. We have also co-ordinated evidence gathering and assessment stages where relevant, sharing information and links between the different assessment topics and making connections.

Consideration of the evidence, in the Impact Assessments, has been a core part of the development of the draft Regulations, informing the draft provisions.

---

<sup>1</sup> [The Town and Country Planning \(Scotland\) Act 1997](#)

## **What are the impact assessments?**

### **What is an Equalities Impact Assessment (EQIA)?**

The public sector equality duty requires the Scottish Government to assess the impact of applying proposed new legislation. Equality legislation covers the characteristics of: age, disability, gender reassignment, sex including pregnancy and maternity, race, religion and belief, and sexual orientation.

An EQIA aims to consider how a policy (a policy can cover: activities, functions, strategies, programmes, and services or processes) may impact, either positively or negatively, on different sectors of the population in different ways.

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.

The EQIA has considered the potential impacts of the draft Regulations on the protected characteristics.

Whilst there is not currently a specific Human Rights Impact Assessment, human rights considerations should be embedded throughout the policy making process. These considerations are set out within the EQIA.

The EQIA can be found in Appendix A of this report.

### **What is the Child Rights and Wellbeing Impact Assessment (CRWIA)?**

The Child Rights and Wellbeing Impact Assessment (CRWIA) is used to identify, research, analyse and record the impact of a proposed policy on children's human rights and wellbeing. CRWIA helps the Scottish Government consider whether it is: advancing the rights of children in Scotland; and protecting and promoting the wellbeing of children and young people.

CRWIA is a Ministerial duty under the Children and Young People (Scotland) Act 2014 and in relation to the United Nations Convention on the Rights of the Child (UNCRC).

The CRWIA can be found in Appendix B of this report.

### **What is the Fairer Scotland Duty (FSD) assessment?**

The Fairer Scotland Duty is set out in legislation as Part 1 of the Equality Act 2010, and came into force in Scotland from April 2018.

The aim of the duty is to help the public sector to make better policy decisions and deliver fairer outcomes. The duty focuses on socio-economic inequality issues such as low income, low wealth, and area deprivation.

The Fairer Scotland Duty applies to 'decisions of a strategic nature' – these are the key, high-level choices or plans that the public sector makes. We have considered that the preparation of the secondary regulations themselves would not constitute a strategic decision under the definition in the Fairer Scotland Duty Interim Guidance, and therefore an assessment is not required.

However, consideration of potential impacts and benefits for people living on low income or in poverty is set out in the in the EQIA.

Further details and the Fairer Scotland Duty Not Required Declaration can be found in Appendix C of this report.

### **What is the Island Communities Impact Assessment (ICIA)?**

An Island Community Impact Assessment (ICIA) tests any new policy, strategy or service which is likely to have an effect on an island community which is significantly different from the effect on other communities. This became a legal duty in December 2020 under the Islands (Scotland) Act 2018.

The Islands Community Impact Assessment can be found in Appendix D of this report.

### **What is the Business and Regulatory Impact Assessment (BRIA)?**

A Business and Regulatory Impact Assessment (BRIA) looks at the likely costs, benefits and risks of any proposed primary or secondary legislation. It also covers voluntary regulation, codes of practice, guidance, or policy changes that may have an impact on the public, private or third sector.

The BRIA explains:

- the reason why the Scottish Government is proposing to intervene;
- options the Scottish Government is considering, and which one is preferred;
- how and to what extent new policies may impact on Scottish Government, business and on Scotland's competitiveness;
- the estimated costs and benefits of proposed measures.

The partial Business and Regulatory Impact Assessment can be found in Appendix E of this report.

### **What is Strategic Environmental Assessment (SEA)?**

Strategic Environmental Assessment (SEA) helps us to protect the environment by allowing decision makers to consider the likely significant environmental effects of plans, programmes and strategies.

The Environmental Assessment (Scotland) Act 2005 requires Scottish public bodies or those exercising functions of a public character (Responsible Authorities) to undertake a SEA when preparing plans, if it is likely to have significant environmental effects.

An exemption from the requirements of SEA can be gained for certain plans and programmes where the environmental effects can be shown as likely to be minimal.

We believe these Regulations fall within the scope of this exemption and the pre-screening documents have been prepared and can be found in Appendix F of this report.

### **The Assessment Approach**

The Scottish Government's Planning & Architecture Division is leading on the preparation of the draft Regulations, and adopted a collaborative approach in developing the proposals and carrying out the impact assessments.

The new duties on Open Space Strategies and Play Sufficiency Assessments have the potential to impact on everyone living in Scotland. So to inform the drafting, we have carried out engagement with a broad range of stakeholders around the detailed provisions for the secondary legislation prior to this formal consultation.

In developing the proposals, Scottish Government officials worked with a Joint OSSPSA Working Group with representatives from a range of external stakeholders, including representative interests from the open space and play sectors, agencies; and from local authorities officers representing their councils and Heads of Planning Scotland, and the Improvement Service. The OSSPSA Working Group has acted as a sounding board in preparing the proposals for both sets of draft Regulations.

The engagement with stakeholders included a screening of the ['Mountains for All'](#) EQIA video<sup>2</sup>, to highlight the need to consider equality issues when helping develop and commenting on the proposals.

We also looked at published evidence available and gathered so far under the protected characteristics as listed within the Equality Act 2010. This included evidence from existing large national and UK surveys: including the Scottish Household Survey, these were primarily in relation to health and access to open space. Data and qualitative information has also been gathered from evidence arising from stakeholder workshops, discussions and other research and publications. A summary of activities undertaken is provided within the EQIA (Appendix A).

---

<sup>2</sup> EQIA video: ['Mountains for All'](#)

This report presents partial or interim impact assessments. Due to the differing reporting requirements, we are presenting the outputs in separate appendices.

To ensure that there are no unintended consequences from the draft Regulations, during the public consultation period we intend to carry out targeted engagement with children and young people. A tailored questionnaire will be used to seek the views of children and young people from different age groups, backgrounds and parts of the country (urban / rural / island and more deprived / less deprived communities), including with groups for children and young people with additional support needs, and those from a BAME background, refugees / asylum seekers, LGBTQ, and young carers.

Questions have been included as part of the consultation to invite views on the draft provisions, plus the content of the partial impact assessments, and whether there are any additional sources of information or evidence that would assist in finalising the assessments.

Where gaps in evidence may be highlighted in the consultation responses, we will seek to identify evidence to fill these gaps, and may engage with relevant representative organisations. The final assessments will be further developed, building on the interim assessments, and will take into account the views of stakeholders through the feedback gathered from the public consultation.

The Scottish Government will produce full and final assessments to accompany the final Regulations.

## Interim Equality Impact Assessment Consultation on Draft Regulations on Open Space Strategies and Play Sufficiency Assessments

### Description of Policy

<b>Title of policy/ strategy/ legislation</b>	Consultation on Draft Regulations on Open Space Strategies and Play Sufficiency Assessments.	
<b>Minister</b>	Mr Tom Arthur, Minister for Public Finance, Planning and Community Wealth	
<b>Lead Official</b>	Ian Gilzean, Chief Architect Planning & Architecture Division	
<b>SG Officials involved in EQIA</b>	<b>Name</b>	<b>Team</b>
	Kristen Anderson	Planning & Architecture Division
	Kuan Loh	Planning & Architecture Division
<b>Directorate</b>	Local Government and Communities Directorate	
<b>New policy and/or legislation</b>	New secondary legislation, to provide more detailed provisions for planning authorities to support their new statutory duties on preparing Open Space Strategies and Play Sufficiency Assessments.	



## Screening

### Policy Aim

New statutory duties<sup>3</sup> on planning authorities<sup>4</sup> to prepare and publish an open space strategy, and to assess the sufficiency of play opportunities in their area for children, were introduced in [The Planning \(Scotland\) Act 2019](#)<sup>5</sup>.

The aim of the provisions is to provide direction to planning authorities to help them meet their legal duties. The provisions seek to ensure, in preparing Open Space Strategies (OSSs) and Play Sufficiency Assessments (PSAs), planning authorities cover certain minimum aspects, including around accessibility, quality and quantity of open spaces and play opportunities. They also aim to ensure appropriate and meaningful engagement is carried out to inform the assessment of play sufficiency and the assessments of current and future requirements in relation to open space, green infrastructure and green networks. The provisions seek to provide a robust framework of legislation, including in relation to consultation (setting out groups to be consulted) and publication, without imposing unnecessary financial and administrative burdens on planning authorities.

Both sets of provisions contribute to the following national outcomes contained in the [National Performance Framework](#):

- We grow up loved, safe and respected so that we realise our full potential
- We value, enjoy, protect and enhance our environment
- We live in communities that are inclusive, empowered, resilient, and safe
- We are healthy and active

The development of open space strategies can also help contribute to improving performance against the national indicator on access to green and blue space<sup>6</sup>. The new legislation on the preparation of OSSs and PSAs forms part of Scottish Government's wider ambitions for evidence-led planning and placemaking, to help shape greener, healthier, more inclusive and child-friendly environments.

The public consultation will seek views on the proposed draft Regulations with regards to the procedures and form and content relating to open space strategies and play sufficiency assessments, and their potential impact on people and children of different protected characteristics.

### Who will it affect?

We envisage the provisions in the draft Open Space Strategies Regulations have the potential to affect those who use and have an interest in open spaces, green networks and other play opportunities; while the provisions in the draft Play Sufficiency Assessment Regulations have the potential to affect anyone aged 0 -17

---

<sup>3</sup> The Planning (Scotland) Act 2019 inserted new sections, 3G Open space strategy, and 16C Play sufficiency assessment into the Town and Country Planning (Scotland) Act 1997<sup>3</sup> ("the Act").

<sup>4</sup> The duty to prepare a play sufficiency assessment applies to all planning authorities. However national park authorities do not have to prepare an Open Space Strategy (the Act notes at 3G(6) that for the purpose of the open space strategy section of the Act, a national park authority is not a planning authority).

<sup>5</sup> [The Planning \(Scotland\) Act 2019](#)

<sup>6</sup> [National Performance Framework - National Indicator Performance](#)

who plays outdoors, as well as parents and carers. As the PSA is to be carried out in preparing an Evidence Report, for local development plans (LDPs) they should therefore influence an area's spatial strategy, and local planning provision of play opportunities for children.

Equality legislation covers the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex (gender) and sexual orientation. The draft Regulations have the potential to affect everyone so the scope of this interim equality impact assessment (EQIA) is extended beyond the list of protected characteristics to include wider socio-economic considerations.

Across the two sets of draft Regulations there are specific requirements for planning authorities to consult children and young people, disabled people, parents and carers, older people, the public, community councils and any other person or community body which the planning authority considers to be appropriate.

A major benefit of the secondary legislation will be its potential to positively impact on access to open space and play opportunities, linked to other outcomes around improving health and wellbeing, creating successful sustainable places and improving equality and eliminating discrimination.

The link between green space and well-being is well established. Studies have shown that people experience less mental distress, less anxiety and depression, better well-being, and healthier cortisol levels (the hormone that controls mood) when living in urban areas with more green space compared to less. Green space use is associated with increased levels of social interaction and physical activity, and decreased levels of all-cause mortality, loneliness and stress. Additionally, there is evidence that contact with green space may disproportionately benefit disadvantaged populations, reducing health inequalities and weakening the effects of poverty<sup>7</sup>.

The impact on spending time in greenspace is particularly important for children as it provides opportunities and space to play and experience the natural world. The positive impacts of quality greenspace for children includes the ability to cope with life stresses, concentration, activity levels and social skills<sup>8,9</sup>. The Child Rights and Wellbeing Impact Assessment (CRWIA) provides further detail on the potential impact of the draft Regulations on children and children's right (Appendix B).

---

<sup>7</sup> [Burnett, H, Olsen JR, Nicholls N \*et al\*. Change in time spent visiting and experiences of green space following restrictions on movement during the COVID-19 pandemic: a nationally representative cross-sectional study of UK adults. BMJ Open 2021](#)

<sup>8</sup> [children-and-town-planning-2021-final.pdf \(rtpi.org.uk\)](#)

<sup>9</sup> [Greenspaces can help give our children the best start in life](#)

### **What might prevent the desired outcomes being achieved?**

We have not identified any insurmountable factors which might prevent the desired outcomes.

Planning authorities have raised some concerns about the resource implications for them of meeting their new statutory duties of preparing their OSS and PSA. Therefore, we have sought to develop the two sets of draft Regulations together, to help, as far as possible to ensure alignment and resource efficiency, giving potential for aligning activity to meet the requirements across the two duties (as covered in the BRIA).

Open space and play opportunities, can contribute to multiple benefits and outcomes; ensuring these are all achieved may require a joined-up, corporate approach across a council. Discussions with local authorities found they were generally content with the suggested outcomes approach, recognising it ties in with the holistic place-based approach and delivering cross-cutting benefits. There were also some comments about an outcomes based approach having potential benefits in securing corporate buy-in and resource from across the Council. We intend to cover this and other aspects of good practice in any future supporting guidance.

## Stage 1: Framing

### Results of framing exercise

The Scottish Government's Planning & Architecture Division is leading on the preparation of the draft Regulations, which adopted a collaborative approach in developing the proposals.

The new duties on Open Space Strategies and Play Sufficiency Assessments have the potential to impact on everyone living in Scotland. So to inform the drafting, we have carried out engagement with a broad range of stakeholders around the detailed provisions for the secondary legislation prior to this formal consultation.

#### Human Rights

As noted in the [Equality and Fairer Scotland Budget Statement \(2021-22\)](#)<sup>10</sup> the norms and standards contained in international human rights conventions include not only the civil and political rights found in the European Convention of Human Rights – but also economic, social and cultural rights. Key rights, relevant to the draft Regulations include the right to the highest attainable standard of physical and mental health; to education; the right to take part in cultural life; and, freedom of assembly. UN treaties also provide specific rights and protections against discrimination in the enjoyment of a wide-range of human rights for women, children, disabled people, and ethnic, religious and other minorities.

Obligations set out in international human rights treaties are legally binding as a matter of public international law and (unless specific exceptions are made) they apply to the UK as a whole. Public authorities in Scotland, as in other parts of the UK, should therefore act in a way that gives proper effect to these rights, in accordance with the undertakings entered into by the UK when it ratified the relevant treaties.

Whilst there is not currently a specific Human Rights Impact Assessment, Human Rights issues are considered as part of this EQIA.

Scotland's National Performance Framework includes the human rights outcome – 'We respect, protect and fulfil human rights and live free from discrimination'. The outcome includes three indicators, one of which is measured as the percentage of respondents who agree with the statement "I can influence decisions affecting my local area", as measured by the Scottish Household Survey. In 2019<sup>1</sup>, only one in five adults (18%) agreed that they can influence decisions affecting their local area, while 30% said they would like to be more involved in the decisions their council makes, a decrease from 38% in 2007. Generally, older adults were more likely than younger adults to say they are satisfied with local government performance and less likely to want to be more involved in making decisions.

Both sets of draft Regulations include requirements to consult; such engagement opportunities should support the national indicator for people to influence decisions which affect them.

---

<sup>10</sup> [Scottish Budget 2021-2022: Equality and Fairer Scotland Budget statement - gov.scot \(www.gov.scot\)](https://www.gov.scot/budget/2021-22/equality-and-fairer-scotland-budget-statement)

### Children’s Rights

A number of The United Nations Convention on the Rights of the Child (UNCRC) articles are directly relevant to the draft Regulations, in particular, Article 31 (leisure, play and culture) which relates to every child having the right to relax and play; Article 15 (freedom of association) under which, every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights; and Article 12 (respect for the view of the child) every child has a right to express their views and to have them considered and taken seriously.

Further, in ensuring equality of opportunities and acting in the best interest of the child, Article 3 (best interest of the child); Article 23 (children with a disability), under which a child with disability is supported to live a full and decent life; and Article 24 (health and health services) where a child has the right to the best possible health are also relevant to the draft Regulations.

The [United Nations Convention on the Rights of the Child \(Incorporation\) \(Scotland\) Bill](#) (the Bill) was unanimously passed by the Parliament in March 2021. This landmark legislation was meant to deliver a fundamental shift in the way children’s rights are respected, protected and fulfilled.

However, the Supreme Court’s judgement on the Bill on 6 October 2021 found each of the provisions referred by the UK Law Officers to be outwith the legislative competence of the Scottish Parliament and to this end, the Bill could not receive Royal Assent in its current form. The Scottish Government is clearly disappointed by, but respects, the Court’s judgment.

Despite this, the Scottish Government remains committed to the incorporation of the United Nations Convention of the Rights of the Child to the maximum extent possible and are considering the implications of the judgement and how best to take things forward. At the time of preparing this report, the majority of work in relation to implementation of the UNCRC is continuing.

### Engagement

In developing the proposals, Scottish Government officials have been working with a Joint OSSPSA Working Group with representatives from a range of external stakeholders. The OSSPSA Working Group has acted as a sounding board in preparing the proposals for both sets of draft Regulations. The OSSPSA Working Group includes representative interests from both the open space and play sectors from; Greenspace Scotland, Play Scotland, Green Action Trust, A Place In Childhood, Learning Through Landscape, Inspiring Scotland; plus agencies; Architecture & Design Scotland, Nature Scot, Public Health Scotland, SEPA, SportScotland, Scottish Forestry; and from local authorities officers representing their councils and Heads of Planning Scotland, and the Improvement Service. We have also engaged across Government: with statisticians; officials at National Records of Scotland and officials from Children and Families; Early Learning and Childcare and Natural Resources teams.

Under the guidance of the Working Group's Core Group, the team has undertaken a range of research and engagement activities. This has included holding workshops and group discussions with various stakeholders, and inviting views on focused issues.

As much of the engagement took place during the period under the restrictions due to the pandemic, apart from the engagements pre-pandemic, most of these were held digitally and via online platforms.

A summary of activities is as follows:

- **Working Group Meetings:** including national organisations and groups representing a variety of equality issues and interests to discuss and contribute to the design of the draft Regulations. These included workshops and presentations. Presentations highlighted existing inequalities in access to green space, particularly among ethnic minorities and those from more deprived backgrounds.
- **Focussed Workshops:** these were similar to the wider Working Group sessions but focussed in on specific issues. This included a screening of the ['Mountains for All'](#) EQIA video<sup>11</sup>, to highlight the need to consider equality issues when helping develop and commenting on the proposals.
- **Presentation to Heads of Planning Scotland:** the Heads of Planning Scotland network represent senior officers in planning authorities, whose teams will be required to implement the new duties.
- **Written paper and feedback:** proposals were shared with officers from local authorities along with a workshop session including a presentation and discussions to inform the preparation of the proposals. Subsequent written feedback was received from planning authorities;
- **Data gathering:** a range of evidence and sources were used to populate this framing exercise regarding people potentially affected by open space strategies and play sufficiency assessments (see references at the end of this document (Appendix G));
- **Evidence from existing large national and UK surveys:** including the Scottish Household Survey, these were primarily in relation to health and access to open space.

---

<sup>11</sup> EQIA Video: ['Mountains for All'](#)

## Initial Summary Reflection

As this is an interim equality impact assessment, it is not intended to be a definitive statement or a full assessment of impacts. It does however present preliminary and indicative impacts that will require further consideration by the Scottish Government to inform the decision-making process on the secondary legislation on open space strategies and play sufficiency assessments after the public consultation has taken place, prior to finalising the Regulations to lay in Parliament.

In this interim EQIA we look at published evidence available and gathered so far under the protected characteristics as listed within the Equality Act 2010: Age, Disability, Sex, Pregnancy and Maternity, Gender Reassignment, Sexual Orientation, Race and Religion or Belief. In addition, as the draft Regulations have the potential to affect everyone, and there is evidence around inequality due to poverty and socio-economic circumstances, the scope of this interim EQIA is extended beyond the list of protected characteristics to include wider socio-economic considerations and considers people living in poverty and/or in low income households, and relevant human rights. Data and qualitative information has also been gathered from evidence arising from stakeholder workshops, discussions and other research and publications.

It is important to note that the protected characteristics listed along with the other socio-economic considerations are not independent of each other, and some people may have to deal with complex, multiple and interconnected issues related to disadvantages at any one time.

Initial reflections from the evidence gathering and engagement to date indicate that the design of the provisions may potentially have an impact on some people and/or communities, directly or indirectly, and in different ways. This includes people with protected characteristics and other socio-economic challenges and the reflection has identified a broad range of potential impacts.

The initial indications of the main issues primarily are:

### **Protected Characteristic: Age**

The evidence shows that children frequently want ‘lots of green spaces’ and ‘more places to play’. The evidence shows that children play differently in play spaces and open spaces depending on their age, and stage of development. So they may have different needs and/or preferences of the type of play space / open space for play, relaxation or hanging around depending on their age.

Older children and teenagers are often the forgotten users in parks and play spaces. In some new developments, their needs may be neglected, perhaps due to a focus on those families with young children who tend to be the target market. Teens also experience a greater degree of hostility to their presence in public space both from others in the community and from the neighbouring public and commercial agencies.<sup>12</sup>

---

<sup>12</sup> Gill, T, 2021, Urban Playground – How Child-friendly Planning and Design Can Save Cities, RIBA Publishing



The primary concern for older people is with regard to accessibility of open spaces. The accessibility of spaces may affect older people especially those with disabilities, less mobility, dementia, and/or other long-term health conditions.

The evidence suggests that the majority of young people feel they should be involved in planning in their local area. Being able to meaningfully participate in the processes around planning and assessments is highlighted to be crucial, to ensure everyone is given the fair opportunity to be involved and heard.

The indications are that using internet and social media to communicate and engage with young people, will be essential but that this is perhaps not the most effective communication medium for older age groups. Other non-internet based communication methodologies should also be considered to take into account the levels of digital literacy across different age groups.

### **Protected Characteristic: Disability**

Evidence from national surveys and research suggests that a high percentage of households in Scotland have someone with a disability or who has a long-term health condition. Data shows that fewer people with a limiting long-term health condition responded that they live within 5 minutes' walk of their nearest green or blue space, compared to those without such a health condition. Evidence also reveals barriers to disabled people's use and enjoyment of parks and greenspaces and how these can be addressed.

The 'accessibility' of open spaces and play opportunities is vital in terms of advancing equality of opportunity for children and other people with disabilities and health issues affecting mobility and/or other physical impairment. We propose to ensure both sets of draft Regulations require that this aspect is considered in carrying out PSAs and preparing OSSs. Future shared good practice and guidance will reflect more details on a broad range of disabilities and health issues exist and that some people may have complex and interconnected needs. Consideration should be given to ensuring accessibility, and maximising inclusion where appropriate.

### **Protected Characteristic: Sex/Gender**

The evidence suggests women are likely to have greater concerns about their personal safety travelling to/from and within parks and green spaces. Evidence shows that women are under-represented in their use of green space, proportionate to their numbers in society, and that women's use of urban green space may be influenced by the quality of the green space to a greater degree than men's. [Make Space for Girls](#)<sup>13</sup> also highlighted how girls are crowded out of parks and equipment, and how their needs are mostly ignored and that parks, play equipment and public spaces for older children and teenagers are currently designed for the default male. Provision is almost entirely in terms of skate parks, BMX tracks, football pitches and multi-use games areas (MUGAs), which are used almost entirely by boys.

---

<sup>13</sup> [Make Space for Girls Summary of Research Findings December 2020](#)



There are clear differences in the ways that boys and girls use and experience urban neighbourhoods and spaces. Boys enjoy greater freedom of mobility and are more populous and visible in playgrounds, parks and public spaces than girls and tend to dominate informal public sports areas such as ball courts, skate parks and the like. It is landscape-led design principles that hold the key to creating more gender equal spaces. Gender-sensitive engagement initiatives, and measures to improve female representation in planning and design professions are also vital in improving access and design for girls and young women.<sup>14</sup>

As safety and the quality of spaces is particularly important to girls and women, the draft OSS Regulations require open space audits to include statements on the ‘accessibility’ and ‘quality’ of the open spaces and green networks in respect of each locality within their area, and for the totality of their area. Future shared good practice and guidance will provide more detail on the types of considerations that contribute to quality, and is likely to link to the six qualities of successful places set out in [Draft National Planning Framework 4](#), including being ‘safe and pleasant’, which is currently covered in [Scottish Planning Policy](#).

### **Protected Characteristic: Race**

There is a marked difference by ethnicity in terms of living within a 5-minute walk of the nearest greenspace, with just 45% of ethnic minorities reporting living within a 5-minute walk, compared to 66% of those from the white ethnic group. The draft OSS Regulations include outcomes around ‘advancing equality and eliminating discrimination’ and ‘improving access to green infrastructure, open space and green networks’. These are intended to work together to ensure good access for people from all backgrounds.

Natural England’s [‘People and Nature Survey \(children\)’](#)<sup>15</sup>, published in October 2020, has revealed clear inequalities for children engaging with nature, with 71% of children from ethnic minority backgrounds reporting spending less time outside since coronavirus compared with 57% of white children.

### **Protected Characteristic: Religion / Belief**

The data reveals that Christians or those having no religion were significantly more likely to live within 5 minutes of a greenspace compared to those belonging to another religion ( 63.61% of Christians, compared to 48.09% of those from other religions). The draft OSS Regulations include outcomes around ‘advancing equality and eliminating discrimination’ and ‘improving access to green infrastructure, open space and green networks’. These outcomes are intended to work together to ensure good access for people from all backgrounds.

### **Socio-economic Aspect: Low Income Households**

People living in the most deprived areas are less likely than people in less deprived areas, to live within a 5 minute walk of their nearest greenspace. Access to outdoor space at home varies by tenure, with homeowners being more likely to have access to private gardens. In terms of quality, respondents living in the 15% most deprived

---

<sup>14</sup> Gill, T, 2021, Urban Playground – How Child-friendly Planning and Design Can Save Cities, RIBA Publishing

<sup>15</sup> [The People and Nature Survey for England: Children’s survey](#)

areas of Scotland were more likely to agree or agree strongly that the quality of their local greenspace has reduced in the past 5 years.

Almost one in four of Scotland's children live in poverty, and the evidence shows this can impact on their opportunity to play, and how they play.

Evidence also indicates that internet access and confidence in using it varies by tenure and household income.

### **Positive Impacts**

Through the preparing of the proposed draft Regulations we have sought to address issues around equalities to help ensure equity of access to open spaces, green networks and play opportunities, and to ensure people have the chance to be involved in decisions affecting them around open space and play opportunities. The intention is that the draft Regulations will help create the conditions for a number of positive impacts including in relation to:

- advancing equality and eliminating discrimination and improving access to green infrastructure, open space and green networks;
- sufficient suitable, accessible quality opportunities for children of all ages to play;
- improving access to play opportunities that are suitable for children with disabilities and other protected characteristics;
- the quality of open space and play opportunities;
- supporting wider outcomes including; improving health and well-being; climate change mitigation and adaptation; securing positive effects for biodiversity, placemaking - creating successful and sustainable places;
- providing opportunities for people of different ages and backgrounds to be consulted, to ensure they have their views heard in relation to play sufficiency and open spaces in their communities.

## **Iteration**

The EQIA will be further developed, building on this interim EQIA, and will take into account the views of a wide range of stakeholders through the feedback gathered from the public consultation. The consultation includes specific material that highlights aspects of the draft Regulations that may impact on and/or benefit equality of opportunity.

These responses will be taken into account together with any additional evidence gathered during the consultation.

The full and final EQIA will consider how, through the regulations, future shared good practice and guidance, we can: address any unintended or consequential impacts on people; enhance actions to reduce inequality; and where necessary, take action to avoid discrimination. Where gaps in evidence highlighted in the consultation responses, we will seek to identify evidence to fill these gaps, and may engage with relevant representative organisations.

## Interaction with Other Policies (Draft or Existing)

### Scottish Planning Policy

Scottish Planning Policy<sup>16</sup> (SPP) (2014) provides Scottish Government policy on nationally important land use planning matters, and is a material consideration to be taken into account in planning decisions. SPP sets out that development plans should be informed by relevant, up-to-date audits, strategies and action plans covering green infrastructure's multiple functions, including open space, playing fields and pitches. SPP states plans should promote consistency with audits and strategies and reflect their priorities and spatial implications. SPP states that, development of land allocated as green infrastructure for an unrelated purpose should have a strong justification. This should be based on evidence from relevant audits and strategies that the proposal will not result in a deficit of that type of provision within the local area and that alternative sites have been considered.

### National Planning Framework 4 (Draft)

National Planning Framework 4, will set out a long term vision for Scotland's spatial planning and development. NPF4 will incorporate SPP, so for the first time, spatial and thematic planning policies will be addressed in one place.

To provide an overview of our policy thinking, in November 2020 the Scottish Government published a [Position Statement](#)<sup>17</sup> setting out our thoughts on what the likely policy changes might be in the draft NPF4. The [Draft NPF4](#)<sup>18</sup> was laid in Parliament on 10 November 2021, and it sets out the policy framework on blue and green infrastructure, play and sport, which will underpin the implementation of these two new duties.

Draft NPF4 recognises networks of blue and green infrastructure are an integral part of successful places and that blue and green infrastructure can offer a wide range of benefits. It notes accessible, high quality natural and civic spaces can be used by communities for many activities: exercise and recreation, play, sport and connecting with nature.

Draft NPF4 also highlights outdoor spaces for play, sport and recreation can make a significant contribution towards creating more liveable and healthier places. It notes children experience a range of health, wellbeing and educational benefits from outdoor play, and learning in, and connecting with nature. Providing quality opportunities for children of all ages to play will benefit their physical and cognitive development, and uphold their right to engage in play and recreational activities.

Draft NPF4 says the planning system should support development that expands opportunities for play in the public realm and in a range of different types of open and green spaces, and which addresses unequal access to play spaces and facilities.

Specifically, it provides a policy framework (at policy 12a) which sets out that local development plans should identify and protect blue and green infrastructure - open space audits may inform the areas protected.

---

<sup>16</sup> [Scottish Planning Policy - gov.scot \(www.gov.scot\)](http://www.gov.scot)

<sup>17</sup> [Fourth National Planning Framework: Position Statement, Scottish Government \(2020\)](#)

<sup>18</sup> [Draft Fourth National Planning Framework \(NPF4\)](#)

Also in terms of protection (at policy 12c) it states ‘Development proposals that result in fragmentation or net loss of existing blue and green infrastructure should not be supported unless it can be demonstrated that the overall integrity of the network of blue and green infrastructure will be maintained.’ Additionally (at 12f) it sets out development proposals that result in the quantitative and/or qualitative loss of children’s outdoor play provision should not be supported, unless it can be demonstrated that there is no ongoing or future demand or such provision is replaced by a newly created, better quality or more appropriate provision.

Draft policy 12a also requires plans to identify opportunities to enhance and expand provision and access to blue and green infrastructure (at strategic and local scales) - planning authorities may use the policies and proposals in their Open Space Strategy to inform this.

It also says (at policy 12b) local development plans should identify new, enhanced provision or improved access to play opportunities for children as part of enhancing and expanding blue and green infrastructure. Blue and green infrastructure should provide opportunities for play and recognise the need for, and provide publicly accessible, outdoor opportunities for formal, informal and incidental play. These facilities should be good quality, accessible and suitable for different ages and abilities, to satisfy current and likely future needs and demand in the community.

Draft NPF4 sets out (at policy 12h) that development proposals should incorporate and enhance blue and green infrastructure wherever possible. They should be designed to be multifunctional and consistent with the six qualities of successful places. This links to the draft Regulations’ requirement to consider aspects around quality. It also includes a new policy that major development proposals for new homes, and other major development likely to be used by children and young people, should incorporate well-designed, good quality provision for play, recreation and relaxation.

It also sets out (at 12j) that proposals that include new streets and public realm should incorporate the principles of Designing Streets and inclusive design to enable children and young people to play and move around safely and independently; maximising the opportunities for informal and incidental play in the neighbourhood. Although, the draft PSA Regulations do not require planning authorities to identify these informal and incidental play opportunities in neighbourhoods, but we encourage planning authorities to consider these as a way to maximise opportunities for doorstep play and ‘play along the way’.

It also sets out (at policy 12k) the policy expectations of what new, replacement or improved play provision should be like, including being: inclusive; suitable for different ages of children and young people; and easily and safely accessible by children and young people independently, including those with a disability.

An extensive public consultation on Draft NPF4 is currently running and will allow further opportunities to comment on the emerging planning policies. We anticipate a final version of NPF4 being approved and adopted in summer 2022. More details about NPF4 are available online at our website: [Transforming Planning](#).

### **Play Strategy**

The Scottish Government commissioned Play Scotland to produce a progress report on Scotland's Play Strategy (2013). The [Progress Report](#)<sup>19</sup> was published in March 2021 and included a consultation with children and young people on the effects of Covid-19 on their play experiences. The progress report contained recommendations for Scottish Government on the future of play policy, including:

- refresh the Play Strategy and ensure national and local leadership support the child's right to play;
- renew and develop the national and local commitment to outdoor play;
- listen to children and young people and act on what they say;
- ensure inclusion of all children and young people;
- ensure cross sectoral and inter-professional approaches to play are in place.

### **Summer of Play**

In March 2021, to support recovery from the impact of Covid restrictions, funding of £20 million was provided to local authorities and partner organisations including SportsScotland, Creative Scotland, Play Scotland, Education Scotland and others. This funding was to deliver a range of activities for children and young people and their families over the summer, ensuring they were provided with opportunities to socialise, play and reconnect within their local communities and environment. In particular support was provided for those children and young people who may otherwise struggle to access such experiences during the holidays.

The funding supported existing community-based services while also widening access to other local facilities, such as school estates and local sports facilities.

### **Commitment to renew play parks**

[Programme for Government 2021](#)<sup>20</sup> includes a commitment to “invest £60 million to renew play parks in Scotland, so children have access to high-quality outdoor play in their own communities”.

The Scottish Government have agreed the first allocation of funding to local authorities, in the amount of £5m for refurbishment of play parks, to commence in the first 100 days of the new parliament, with the remaining to be provided over the five years of the current parliamentary term. Ministers expect that the whole play estate will be considered, and that there will be engagement with children and young people before the local priorities are identified for this funding. It is also expected that all play parks that have been identified for refurbishment, in line with nationally agreed principles and influenced by local plans and investment priorities, will be refurbished.

### **Designing Streets**

[Designing Streets](#)<sup>21</sup> is the first policy statement in Scotland for street design and marked a change in the emphasis of guidance on street design towards place-making, and away from a system focused upon the dominance of motor vehicles. It covers policy on streets as social spaces and highlights that ‘A significant amount of

---

<sup>19</sup> [Play-Scotland-Play-Strategy-Review-Play-in-Covid-2021.pdf \(playscotland.org\)](#)

<sup>20</sup> [A Fairer, Greener Scotland: Programme for Government 2021-22 \(www.gov.scot\)](#)

<sup>21</sup> [Designing Streets – A Policy Statement for Scotland Scottish Government \(2010\)](#)

interaction within a community takes place in the external environment, and street design should encourage this by creating inclusive social spaces where children can play, people can stop to chat, and other appropriate activities can take place safely.’ It highlights the introduction of small, informal squares in a residential area can support navigation, provide social areas for people to gather and children to play, slow traffic speed and create positive character.

### **Place Standard Tool and Place Standard Children and Young People Versions**

The [Place Standard](#) is a tool that is used to assess the quality of a place. It can assess places that are well established, undergoing change, or still being planned. The tool can also help people to identify their priorities for a particular place.

The tool is simple and free to use. It consists of 14 questions which cover both the physical and social elements of a place. The questions relate to themes and the tool provides prompts for discussions, allowing considerations to be given to all the elements of a place in a methodical way. A number of the themes are relevant to considering open spaces and play spaces when thinking about a place.

The tool is currently used by local authorities, communities and developers to help engagement and to hold conversations about a place or development.

Scottish Government and the Place Standard partners are developing versions of the tool that are suitable for children and young people, which can help future engagement with younger citizens on matters to do with their built and natural environment.

### Extent/Level of EQIA required

The evidence captured in the next section entitled '**Data and evidence gathering, involvement and consultation**' has been drawn from a broad range of sources. Primarily evidence has been gathered from existing large national and UK surveys relating to use of access to green space and play spaces. Health data from Public Health Scotland has also been included, including recent research considering the impact of the pandemic on use of greenspace and inequalities, as well as the Scottish Health Survey (2020). Statistics have mainly been gathered from the Scottish Household Survey (2017, 2018 and 2019 Reports) the 2011 Census and the Office of National Statistics. Previous research studies, and other equality impact assessments and survey data have also been used to provide evidence.

A full list of references is provided at Appendix G.



**Stage 2: Data and evidence gathering, involvement and consultation**

This section includes the results of the evidence gathering (including the framing exercise), including qualitative and quantitative data and the source of that information, whether national statistics, surveys or consultations with relevant equality groups.

Characteristic: Age	Source (full reference details in Appendix G)	Data gaps identified and action taken
<b>Evidence gathered and Strength/quality of evidence</b>		
<p><b>Demographic Information</b> Scotland's population is ageing. In mid-2019, 19% of the population were aged 65 and over compared with 17% a decade earlier in mid-2009. Over the same period, the population aged 65 and over increased in all council areas.</p>	<p><a href="#">Mid-2019 Population Estimates Scotland (2020)</a><sup>22</sup></p>	
<p>NRS' mid-2020 Population Estimates note that while Scotland's population has been increasing since 2000, growth is not consistent across all ages. The 2011 Census reports people aged 65 and over outnumbered under 15s for the first time, In the last two decades, the number of people aged 0 to 15 years (children) has decreased by 68,000 people (-7%).</p>	<p><a href="#">Mid-2020 Population Estimates Scotland</a><sup>23</sup>.</p>	
<p><b>Locational Differences</b> Older and Younger people are not distributed evenly across Scotland. While the median age for Scotland as a whole was 42 years, the median age of data zones ranged from 19 years in 'Newington and Dalkeith Road – 03' and 'Ruchill – 04', which contain student accommodation for the University of Edinburgh and University of Glasgow respectively to 72 years in 'Falkirk - Town Centre and Callendar Park – 02' which contains a high number of elderly residents.</p>	<p><a href="#">Mid-2018 Population Estimates Scotland (2019)</a><sup>24</sup></p>	
<p><b>Use of / Value of Open / Green Space</b> In Democracy Matters for Children, it notes that 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', 'more trees', 'more bins' and provisions in place around personal safety. On leisure and socialising, children were keen</p>	<p><a href="#">Democracy Matters for Children</a>, Children's Parliament Consultation on</p>	

<sup>22</sup> [Mid-2019 Population Estimates Scotland](#)

<sup>23</sup> [Mid-2020 Population Estimates Scotland](#)

<sup>24</sup> [Mid-2018 Population Estimates Scotland](#)

Characteristic: Age	Source (full reference details in Appendix G)	Data gaps identified and action taken
<b>Evidence gathered and Strength/quality of evidence</b>		
for spaces for people to spend time socialising and the children valued places to be physically active both in- and outdoors.	'Democracy Matters' August 2019 <sup>25</sup> .	
Eight in ten (80%) adults had taken part in physical activity and sport in the previous four weeks. The percentage of adults taking part in physical activity and sport remained stable from 2018 (80% in 2018).  Participation in physical activity and sport (including recreational walking) declined with age.	<a href="#">Scottish Household Survey (2019)</a> <sup>26</sup>	
In the survey of women and non-binary people in Glasgow of the respondents who had children, “63% indicated they would not be comfortable for children to visit this park unaccompanied by an adult. Even respondents with older children seemed disinclined to leave them unaccompanied.”	<a href="#">Young Women Lead 2021 Report</a> - YWCA Scotland   The Young Women's Movement <sup>27</sup>	
'For many years, even up to the 1970s and beyond, the street was a popular and significant place to play for most children. It is still a key play space for many. A 2001 survey of 800 children in Easter playschemes found that the street was the most common outdoor space for play, with 27% saying it was where they played most often. (Children's Play Council 2001). A 2003 Home Office survey showed that two-thirds of 8 - 10 year olds felt safe walking or playing in their street or block (Farmer 2005). Although hard data is not available, it is almost certain that fewer children play in the street today, and that they do so for a shorter time and in more limited ways, than in previous generations.'	<a href="#">'Can I play out...?'</a> Tim Gill (2007) <sup>28</sup>	
<b>Accessibility - Access to greenspace</b> In 2019, those in the 75+ age group were less likely to live within a 5 minute walk of the nearest greenspace compared to younger age groups.	<a href="#">National Indicator Access to Green and Blue Space Performance</a> (data from	

<sup>25</sup> [Democracy-Matters-Magazine-Final.pdf \(childrensparliament.org.uk\)](#)

<sup>26</sup> [Scottish Household Survey: Annual Report \(2019\)](#)

<sup>27</sup> [Young Women Lead 2021 YWCA Scotland](#)

<sup>28</sup> [Gill, T, 2007, Can I play out...? London Play](#)

Characteristic: Age	Source (full reference details in Appendix G)	Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence	Scottish Household Survey) <sup>29</sup>	
The Scottish Household Survey 2016 reveals around nine in ten households (92%) with young children have access to some form of play areas within their neighbourhood. Around two thirds (65%) have access to a park, whilst over half have access to either a playground (56%) or field or other open space (53%). Children in rural areas have more access to fields, natural environments and woods, whereas those in urban areas have more access to parks.	<a href="#">2016 Scottish Household Survey</a> <sup>30</sup>	
Travel - Older people were less likely to have travelled the previous day. Only 51% of those aged 80 and over had travelled the previous day and 65% of those aged 70 to 79.	<a href="#">Travel and Transport in Scotland 2018</a> (2019) <sup>31</sup>	
Children's independent mobility, or "roaming range" (the extent of the neighbourhood where children can play outside without adult supervision), has shrunk by more than 90% in 40 years and independent travel is increasingly restricted to older children.	Parks and Play, <a href="#">Play Builds Children</a> , Fields In Trust <sup>32</sup>	
Streets close to home are natural meeting places, and generally places where most children feel - and are - safe from harm (assuming traffic poses no threat). The home street is also the starting point for all the journeys and trips that children make: a springboard for travelling around their 'home territory' - the area they are allowed to move around on their own. Children's mobility is much more limited today. Statistics suggest that in a single generation, for eight-year-olds it has shrunk to just one ninth of its previous size (Hillman, Adams and Whitelegg 1990; Wheway and Millward 1997).	' <a href="#">Can I play out...?</a> , Tim Gill (2007) <sup>33</sup>	

<sup>29</sup> [National Indicator Performance | National Performance Framework](#)

<sup>30</sup> [2016 Scottish Household Survey](#)

<sup>31</sup> [Travel and Transport in Scotland 2018](#)

<sup>32</sup> [Play Builds Children \(fieldsintrust.org\)](#)

<sup>33</sup> [Gill, T. 2007, Can I play out...? London Play](#)

Characteristic: Age	Source (full reference details in Appendix G)	Data gaps identified and action taken
<p><b>Evidence gathered and Strength/quality of evidence</b></p> <p>Research carried out by Children In Scotland with young peer researchers from schools in Dundee and Glasgow, found that children and young people might not want to go to certain areas, including local parks and green spaces because they did not feel safe. They expressed particular concerns about drunken behaviour by adults in open spaces, and the presence of litter particularly where there’s evidence of items used for taking drugs having been left.</p>	<p><a href="#">Health Inequalities: Peer research into the role of communities, Young peer researchers</a> <sup>34</sup></p>	
<p><b>Use - Older people’s use of greenspaces / parks</b></p> <p>An article on What Seniors Need in Parks highlights “Parks are too often created for children or able-bodied adults. But they can be designed with a set of aging principles. Through a set of 8 focus groups conducted with elderly about their park use in Los Angeles, Marshall found that they all share "an enjoyment of natural beauty, with an appreciation for tranquillity, plants, and fresh air."</p> <p>“Being in a park encouraged social interactions, which led to more physical activity.”                      "Group activities — like Tai Chi in the park — lead to friendships and more exercise."</p> <p>“Walking is their most common physical activity, so "distance to the park affects use."</p> <p>“But the elderly polled were also fearful, with their greatest fear being falling. "Breaking a hip can mean losing their homes and moving into a retirement facility." For them, other primary threats were "disrespect by younger generation, robbery, drugs, and crime." Environmental threats include: "uneven ground surfaces, trash caused by the homeless, a lack of visibility with walking paths, a lack of shade, and excess heat or cold." Those with canes, walkers, and wheelchairs feel even more vulnerable outdoors.”</p>	<p><a href="#">What do Seniors Need in Parks</a> <sup>35</sup></p>	

<sup>34</sup> [Health Inequalities: Peer research into the role of communities, Young peer researchers with Chris Ross, Prof Niamh Shortt and Amy Woodhouse, Jan 2020](#)

<sup>35</sup> [What Do Seniors Need in Parks? | Smart Cities Dive](#)

Characteristic: Age	Source (full reference details in Appendix G)	Data gaps identified and action taken
<p><b>Evidence gathered and Strength/quality of evidence</b></p> <p>Expectations that greenspaces should be good places for people to meet others from the local community were higher amongst the oldest (65+) age group (59% agreed strongly) than the 25-34 age group (47%).</p>	<p><a href="#">Greenspace Use and Attitude Survey</a>, Greenspace Scotland<sup>36</sup></p>	
<p><b>Physical Activity</b></p> <p>During the fieldwork period, nearly half (46%) of all adults met the guidelines for moderate or vigorous physical activity (MVPA) of at least 75 minutes per week of vigorous activity or 150 minutes per week of moderate activity (or some combination of the two). Younger adults were more likely than older adults to meet the MVPA guidelines (50% of those aged 16-44 compared with 34% of those aged 75 and over).</p>	<p><a href="#">Scottish Health Survey (2020)</a><sup>37</sup></p>	
<p><b>Child - Overweight, obesity and physical activity</b></p> <p>Levels of child overweight and obesity increase with age. At age 6 (BC1), during 2010/11, 24% of children in Scotland were overweight or obese. By age 10, this had increased to 34%.<sup>1</sup> BMI at age 6 is closely associated with BMI at age 10. Amongst children who were a healthy weight at age 6, 79% remained a healthy weight at age 10 whilst 20% became overweight or obese. Similarly, 79% of children who were obese at age 6 remained obese at age 10 whilst 13% became overweight and 8% were a healthy weight.</p> <p>At age 6 and age 10, children living in more disadvantaged circumstances were more likely to be overweight or obese than those in less disadvantaged circumstances. The difference in levels of overweight/obesity between children in these different circumstances increased with age. For example, at age 6, 24% of children living in the 20% most deprived areas of Scotland were overweight or obese compared with 22% of those living in the 20% least deprived areas. At age 10, 39% of children living in the most</p>	<p><a href="#">Growing Up In Scotland – Key findings</a><sup>38</sup></p>	

<sup>36</sup> [Greenspace Use and Attitudes Survey 2017](#)

<sup>37</sup> [Scottish Health Survey – telephone survey – August/September 2020: main report - gov.scot \(www.gov.scot\)](#)

<sup>38</sup> [Key findings \(growingupinScotland.org.uk\)](#)

Characteristic: Age	Source (full reference details in Appendix G)	Data gaps identified and action taken
<b>Evidence gathered and Strength/quality of evidence</b>		
deprived areas were overweight or obese compared with 25% of children in the least deprived areas.		
<p><b>Benefits of greenspace to children</b></p> <p>The impact on spending time in greenspace is particularly important for children as it provides opportunities and space to play and experience the natural world. The positive impacts of quality greenspace for children includes the ability to cope with life stresses, concentration, activity levels and social skills.</p>	<p><a href="#">Greenspaces can help give our children the best start in life</a>, Greenspace Scotland<sup>39</sup></p>	
<p>Stakeholders from the play sector have indicated in discussions that without access to quality greenspaces or play areas, and as some parents did not themselves have experience playing out when they were younger, that children may spend more time on other activities rather than playing outside.</p> <p>Research undertaken by the Royal College of Paediatrics and Child Health (RCPCH) found that children and young people said that in a typical day they spend an average of; 2.5 hours on a computer/laptop/tablet, 3 hours on their phone, 2 hours watching tv 41% of children said screen time have a negative impact on their play / fun time.</p>	<p><a href="#">The Health Impacts of Screen Time: A Guide for Clinicians and parents</a> Royal College of Paediatrics and Child Health<sup>40</sup>.</p> <p><a href="#">What do children and young people think about screen time</a><sup>41</sup></p>	
<p><b>Covid-19 effects on play and use of greenspace</b></p> <p>Public Health Scotland’s Report ‘How did COVID-19 affect children in Scotland? Report 2 Play and learning, outdoors and social interactions’ provides evidence based on a survey they carried out looking at the impact of Covid and lockdown on early years resilience impacts.</p>	<p><a href="#">‘How did COVID-19 affect children in Scotland? Report 2 Play and learning, outdoors and social interactions’</a> Public</p>	

<sup>39</sup> [Children | Greenspace Scotland](#)

<sup>40</sup> [The health impacts of screen time - a guide for clinicians and parents | RCPCH](#)

<sup>41</sup> [What do children and young people think about screen time? The Royal College of Paediatrics and Child Health, 2018](#)

Characteristic: Age	Source (full reference details in Appendix G)	Data gaps identified and action taken
<p><b>Evidence gathered and Strength/quality of evidence</b></p> <p>For over a quarter (26%) of children, parents and carers rated amount of time spent outdoors as the same as that before lockdown and for 29% they rated it as worse. However, for 45% of the children, amount of time spent outdoors was rated as better than that before lockdown. This did not differ greatly by child's age.</p> <p>81% of children had played outside on at least four out of the last seven days. This was slightly higher in the younger age group (2 to 4 years) (84%), compared to the older age group (5 to 7 years) (78%). 63% of children had been for a walk, cycle or scoot in the local area on at least four out of the last seven days; this was similar for both age groups. 32% of children had been to a park or other local greenspace on at least four out of the last seven days, while 27% had not been to a greenspace at all in the last week.</p> <p>As well as use of outdoor spaces, the survey asked about children's access to different types of outdoor spaces, including at home (for example, a garden or communal space), in the local area. For 91% of children, parents and carers reported that they had access to private outside space at home, whereas 2% had no access to outside space at home. Further, 13% had access to communal outdoor spaces, 8% had a private patio area and 2% had access to a balcony (percentages add up to more than 100 as respondents could select all that apply).</p> <p>In addition, 94% of children had access to good-quality greenspace in the local area, while 6% did not. The high proportion of children reported as having access to private outside space at home, and good-quality greenspace in the local area, is potentially influenced by the bias in the sample, with a greater proportion of participants coming from high-income households than is nationally representative.</p>	<p>Health Scotland's Report<sup>42</sup></p>	

<sup>42</sup> [Report 2 – Play and learning, outdoors and social interactions in children in Scotland during COVID-19. \(publichealthscotland.scot\)](https://publichealthscotland.scot/reports/2020/2020-report-2-play-and-learning-outdoors-and-social-interactions-in-children-in-scotland-during-covid-19/)



Characteristic: Age	Source (full reference details in Appendix G)	Data gaps identified and action taken
<b>Evidence gathered and Strength/quality of evidence</b>		
<p>For 41% of the children, parents and carers rated their imaginative play as the same since lockdown as it had been before, for 12% it was rated as worse. However, for 46% of the children, parents and carers rated their imaginative play since lockdown as better than before lockdown. The percentage of children with improved imaginative play was higher in the younger age group, with just over half (54%) of the children in this age group rated as having improved imaginative play compared to 38% of older children.</p>		
<p>A COVID-19 Survey (2020) reported that young people (aged 10 to 16 years) participating in a small number of workshops in Scotland identified lack of access to the outdoors as one of the main challenges they experienced during lockdown. These young people felt that the restriction on parks and limited opportunities to access the outdoors had affected their health and wellbeing.</p>	<p><a href="#">COVID-19 Survey (2020)</a><sup>43</sup></p>	
<p><b>Slower cognitive decline</b> Research suggests contact with greenspace may play a positive role against cognitive decline in the elderly. In particular, the research shows that the loss in cognitive functions expected as part of the aging process is slightly slower in people who live in greener neighbourhoods.</p>	<p><a href="#">Residential Surrounding Greenness and Cognitive Decline: A 10-Year Follow-up of the Whitehall II Cohort. Environmental Health Perspectives, 2018 IS Global</a><sup>44</sup></p>	
<p><b>Sense of belonging to their community</b> The Scottish Household Survey reveals almost nine in 10 adults (87%) 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%) of those aged between 16 and 24.</p>	<p><a href="#">Scottish Household Survey (2019)</a><sup>45</sup></p>	

<sup>43</sup> [Briefing note COVID-19 survey: home schooling' Understanding Society – The UK Household Longitudinal Study, \(June 2020\)](#)

<sup>44</sup> [NdP greenspace cognitive decline eng \(isglobal.org\)](#)

<sup>45</sup> Scottish Household Survey: Annual Report (2019) [Scottish household survey 2019: annual report - gov.scot \(www.gov.scot\)](#)



Characteristic: Age	Source (full reference details in Appendix G)	Data gaps identified and action taken
<p><b>Evidence gathered and Strength/quality of evidence</b></p> <p>Provisions that help improve the quality of places and neighbourhoods, including quality open spaces and play opportunities, could reasonably be predicted to have a positive impact on people’s sense of neighbourhood generally, and particularly for young people.</p>		
<p><b>Engagement in Planning / Place</b></p> <p>The majority of young people feel 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.</p>	<p><a href="#">YoungScot survey (2017)</a><sup>46</sup></p>	
<p>RTPI’s ‘review of ‘Child-Friendly Planning in the UK ’ concluded, the UK planning systems currently contain relatively little policy and guidance specific to children and young people.”</p>	<p><a href="#">Children and Town Planning (RTPI)</a><sup>47</sup></p>	
<p>The UN Committee on the Rights of the Child Concluding Observations (2016) notes that in the UK that children’s views are not systematically heard on issues that affect them. It recommended that ‘structures should be established for the active and meaningful participation of children and give due weight to their views in designing laws, policies, programmes and services at the local and national levels...’ It went on to note that ‘Particular attention should be paid to involving younger children and children in vulnerable situations, such as children with disabilities’ and to ‘Ensure that children are not only heard but also listened to and their views given due weight by all professionals working with children.’</p>	<p><a href="#">The UN Committee on the Rights of the Child Concluding Observations (2016)</a><sup>48</sup></p>	

<sup>46</sup> [Young Scot survey results \(2017\)](#)

<sup>47</sup> [children-and-town-planning-2021-final.pdf \(rtpi.org.uk\)](#)

<sup>48</sup> [The UN Committee on the Rights of the Child Concluding Observations \(2016\)](#)

Characteristic: Age	Source (full reference details in Appendix G)	Data gaps identified and action taken
<b>Evidence gathered and Strength/quality of evidence</b>		
<p><b>Decision making</b></p> <p>Around six in ten of young people surveyed (58 per cent) agreed that adults were good at taking their views into account when making decisions that affect them. This was an increase from 2017, when 53 per cent agreed.</p> <ul style="list-style-type: none"> <li>Boys were more positive on both questions.</li> <li>Older children, for example pupils in S6, were more negative.</li> <li>Respondents with a mental or physical health condition were less positive.</li> </ul>	<p><a href="#">Young people's participation in decision making: attitudes and perceptions (2020)</a><sup>49</sup></p>	
<p><b>Use of Digital Communication Related to Age</b></p> <p>Nearly 9 in 10 adults (88%) in Scotland use the internet either for work or personal use, a steady increase over time from 65% in 2007.</p> <p>In 2019, almost all (99%) adults aged 16-24 reported using the internet, however the figure was much lower (43%) among those aged 75+.</p> <p>There is a clear relationship between age and internet use, with lower usage rates among older people.</p> <p>Although older adults were less likely to use the internet, the gap in internet use between adults aged 16-24 and adults aged 60 and above has fallen over time from 57 percentage points in 2007 to 35 percentage points in 2018. This result has mainly been driven by an increase in internet use amongst adults aged 60+ (from 29% to 65 %).</p> <p>The evidence suggests that using internet and social media are a good way of targeting young people but other ways of reaching and engaging older people may be more effective.</p>	<p><a href="#">Scottish Household Survey: Annual Report 2019 (2020)</a><sup>50</sup></p>	

<sup>49</sup> [Young people's participation in decision making: attitudes and perceptions 2020](#)

<sup>50</sup> [Scottish household survey 2019: annual report](#)

Characteristic : Disability	Source (full reference details in Appendix G)	Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence		
<p><b>Demographic Information</b> Around one fifth of Scotland’s population – approx. one million people – define themselves as disabled.</p>	<p><a href="#">One Scotland</a><sup>51</sup></p>	<p>National surveys and the census tells us about broad patterns of disability, but do not consider the implications of different types of disability in different contexts.</p>
<p>In 2011, the proportion of people in Scotland with a long- term activity-limiting health problem or disability was 20 per cent (1,040,000 people), the same proportion as reported in 2001 (1,027,872 people).</p>	<p><a href="#">2011 Census</a><sup>52</sup></p>	
<p>In 2012, 28 per cent of men and 35 per cent of women in Scotland reported a limiting long-term condition or disability.</p>	<p><a href="#">Scottish Health Survey 2012</a><sup>53</sup></p>	
<p>For working-age adults, the percentage reporting a disability has not changed from 2018 to 2019 to 2019 to 2020, having remained at 19%. The percentage of children reporting a disability also remained stable at eight per cent over that two-year period.</p>	<p><a href="#">Family Resources Financial Survey 2019-2020</a><sup>54</sup></p>	
<p>The evidence gathered (above) from national surveys and similar suggests that a high percentage of households in Scotland have someone who is disabled or has a long-term health condition.</p>		
<p><b>Outdoor Recreation</b> A quarter of adults in Scotland (1.1 million people) state that their ability to participate in outdoor recreation is limited by a long-term illness, health problem or disability.</p>	<p><a href="#">Scottish Recreation Survey (2014)</a><sup>55</sup></p>	
<p><b>Challenges faced by blind or visually impaired park users</b> London Borough of Richmond Council’s Parks Team carried out a consultation to understand how blind people or those with visual impairments and their families / carers currently use their parks.</p>	<p><a href="#">‘Friendly Parks for All’ consultation Challenges faced by blind or visually impaired park users.</a> Consultation key findings</p>	

<sup>51</sup> [Disability | One Scotland](#)

<sup>52</sup> [Home | Scotland's Census \(scotlandscensus.gov.uk\)](#)

<sup>53</sup> [Scottish Health Survey 2012 - volume 1: main report - gov.scot \(www.gov.scot\)](#)

<sup>54</sup> [Family Resources Financial Survey 2019 – 2020](#)

<sup>55</sup> [Scottish Recreation Survey \(2014\)](#)

Characteristic : Disability		Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence	Source (full reference details in Appendix G)	
<p>It identified barriers to Visiting Parks Problems with parks infrastructure (e.g. paths, steps) was mentioned by 38% of respondents. Other things that were identified as hazards for blind and visually impaired park users were:</p> <ul style="list-style-type: none"> <li>○ Badly maintained, slippery and dangerous paths that are not swept.</li> <li>○ Potholes and foxholes.</li> <li>○ Uncleared dangerous rubbish.</li> <li>○ Broken glass and cans.</li> </ul> <p>Other barriers identified by respondents included:</p> <ul style="list-style-type: none"> <li>○ Getting to the park (31%).</li> <li>○ Lack of parking near the park (23%).</li> <li>○ Nothing to do (23%).</li> <li>○ Inappropriate equipment (23%).</li> <li>○ Fear for family safety. (This was mentioned by 2 people but there were no comments made to elaborate on this issue.)</li> <li>○ Lack of disabled toilets in parks.</li> </ul> <p>Views were also sought on how accessibility could be improved for people who are blind or visually impaired</p> <ul style="list-style-type: none"> <li>○ Most respondents (85%) would like to have level footpaths that were firm or slip resistant.</li> <li>○ Information about the parks and facilities were important to 46% of respondents.</li> <li>○ 15% mentioned tactile paving.</li> <li>○ 2 respondents thought that braille signs were important.</li> <li>○ 2 respondents mentioned additional seating.</li> <li>○ Restrictions of use to cyclists and dogs.</li> </ul>	<p>March 2020, London Borough of Richmond Upon Thames<sup>56</sup></p>	

<sup>56</sup> [Challenges faced by blind or visually impaired park users \(richmond.gov.uk\)](https://richmond.gov.uk/challenges-faced-by-blind-or-visually-impaired-park-users/)

Characteristic : Disability	Source (full reference details in Appendix G)	Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence		
<ul style="list-style-type: none"> <li>○ Specific area for exercise of dogs.</li> <li>○ Quieter areas specifically for those who are blind and visually impaired or other neurological diseases.</li> <li>○ Improved parks maintenance – filling in potholes including in grass area, clearing paths and picking up rubbish.</li> <li>○ Additional outdoor gyms and shared cycling schemes.</li> <li>○ Signs and maps modified to benefit visually impaired park users.</li> </ul>		
<p><b>Access to greenspace</b>                      When asked if they live within 5 minutes' walk of their nearest green or blue space 66.98% of those without a limiting long term health condition responded they did, compared to 61.1% of those with a limiting long term health condition.</p>	<p><a href="#">Scottish Government Equality Evidence Finder</a><sup>57</sup></p>	
<p>Nearly two thirds of respondents to a Scottish Youth Parliament survey with a disability or access requirement (aged 12-25) said they did not feel comfortable using public transport. This has an impact on their ability to access leisure and cultural activities outwith their immediate local area.</p>	<p><a href="#">All aboard: Young people's views and experiences of public transport in Scotland, (2019)</a><sup>58</sup></p>	
<p><b>Mobility and Accessibility - Inclusive Greenspace</b>                      The accessibility to and within open spaces and play spaces is a critical design factor with regard to people with disabilities and health issues affecting mobility.</p> <p>“In order to optimise use for people, greenspace must be both accessible and worth visiting. Good accessibility is fundamental although there has, in the past, been a tendency towards an exclusive focus on one or two forms of disability (for example wheelchair users) and the physical aspects of site design (ramps and paths). However, accessibility is also to do with other factors such as distance from home and sociocultural factors - do people want to go there and do they feel safe and comfortable</p>	<p><a href="#">Inclusive Greenspace, Sensory Trust</a><sup>59</sup></p>	

<sup>57</sup> [Scottish Government Equality Evidence Finder](#)

<sup>58</sup> [Scottish Youth Parliament \(2019\). All aboard: Young people's views and experiences of public transport in Scotland, p11.](#)

<sup>59</sup> [How to make greenspaces more inclusive and accessible \(sensorytrust.org.uk\)](#)

Characteristic : Disability		Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence	Source (full reference details in Appendix G)	
<p>there? Social factors are sometimes overlooked but are often very significant in making people with disabilities feel excluded from landscape.”</p> <p>The main barriers in using greenspace include:</p> <ul style="list-style-type: none"> <li>○ Physical e.g. steps, slopes, lack of toilet facilities, inaccessible private transport, lack of accessible car parking (some cities have developed car free zones in a bid to become more sustainable, but this overlooks those people who solely rely on their own transport to be able to get to places).</li> <li>○ Psychological e.g. lack of confidence, fear over personal safety, lack of motivation, unfamiliarity.</li> <li>○ Organisational e.g. lack of information and interpretation, guide dog facilities, site guides.</li> </ul> <p>Physical accessibility does not always equate with motivation to visit. The ‘if we build it, they will come’ method does not always succeed if the greenspace itself has previously been underused, or if the access works destroy the character of the place. Consulting with users and non-users of the space is key in finding out what people want to see there (engaging with stakeholders, the key people who may live or work near/around the park, local hospitals, schools, libraries, services, etc.) and is fundamental to be able to develop a sustainable solution. To make a space accessible it is vital that the policy adopted is one of integration not segregation. Sometimes well-intentioned spaces are designed or redesigned with the subtext of ‘design for disability’.</p> <p>Inclusive greenspace strategies are best planned with all people in mind, not to reinforce feelings of difference, but instead to ensure that as many people as possible can enjoy the space, regardless of ability.</p>		

Characteristic : Disability	Source (full reference details in Appendix G)	Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence		
<p><b>Feeling unsafe outside</b> Girls aged 7 to 21 who identify as having a disability are more worried about being outside alone (53%) compared to girls not identifying as having a disability (33%).</p>	<p><a href="#">Girls Attitudes Survey 2020</a><sup>60</sup></p>	
<p><b>Inclusive Play</b> The Report by the Scottish Alliance for Children’s Rights on the State of Children’s Rights in Scotland, highlights that children with disabilities are often excluded from leisure and play activities with their peers. This is often as a result of multiple barriers and intersections between poverty, disability, disadvantage, and inaccessible environments.</p>	<p><a href="#">Playing with quality and equality: a review of inclusive play in Scotland</a><sup>61</sup>.</p>	
<p><b>Autism and greenspace</b> Current evidence, though limited, suggests that engagement with the natural environment can be beneficial for children on the autistic spectrum. This reflects the fact that: (i) there is strong evidence that outdoor activities can benefit children in general; (ii) there is considerable evidence that outdoor learning is particularly helpful for children with Special Educational Needs (SEN) who often face more difficulties with classroom learning and greater barriers to accessing the outdoors.</p>	<p><a href="#">Engaging children on the autistic spectrum with the natural environment: Teacher insight study and evidence review</a> (NECR116), Natural England, 2013<sup>62</sup></p>	
<p>Another study found that outdoor activities provide seven main benefits to children with autism, including promoting communication, emotion, cognition, interaction, physical activity, and decreasing autistic sensitivity.</p>	<p>The Benefits of Outdoor Activities for Children with Autism, Chang, Yuan-Yu &amp; Chang, Chun-Yen. (2018)</p> <p>(Sourced from the Children’s Wood, below)</p>	

<sup>60</sup> [Girls Attitude Survey 2020](#), Girl Guiding UK

<sup>61</sup> [Playing with quality and equality: a review of inclusive play in Scotland.](#)

<sup>62</sup> [Engaging children on the autistic spectrum with the natural environment: Teacher insight study and evidence review - NECR116 \(naturalengland.org.uk\)](#)

Characteristic : Disability	Source (full reference details in Appendix G)	Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence		
<p>The Chang &amp; Chang study supports anecdotal observations of the impact of nature on children and young people with autism. This also fits with observations at the Children’s Wood where quite obvious positive changes in behaviour, stress levels, communication and sociability of children with autism were noticed.</p>	<p><a href="#">Benefits of Nature for Children with Autism, Children’s Wood</a><sup>63</sup></p>	
<p><b>Learning disabilities</b>            Together’s members have reported that bullying in public places is a significant barrier in accessing play for children with learning disabilities.</p>	<p><a href="#">Children’s Rights: Consultation on incorporating the UNCRC into our domestic law in Scotland</a>, The Scottish Commission for Learning Disability (2019)<sup>64</sup></p>	
<p><b>Loneliness levels amongst disabled people</b>            Disabled people were more than twice as likely to experience loneliness as non-disabled people.</p>	<p><a href="#">Scotland’s People Annual Report 2019</a><sup>65</sup></p>	
<p><b>Mental Health &amp; Greenspace</b>            The link between green space and well-being is well established. Studies have shown that people experience less mental distress, less anxiety and depression, greater well-being and healthier cortisol levels (the hormone that controls mood) when living in urban areas with more green space compared with less.</p>	<p><a href="#">Mental Health And Town Planning</a> (RTPI) Practice Note, 2020<sup>66</sup></p>	
<p>The benefits of green and open space to people’s mental health and wellbeing became very evident during the Covid-19 pandemic. Almost three-quarters (70%) of people surveyed felt spending time outdoors in nature in 2020 helped them to de-stress, relax and unwind, and 56% agreed that it improved their physical health.</p>	<p><a href="#">Nature Scot</a>.<sup>67</sup></p>	

<sup>63</sup> [Benefits of Nature for Children with Autism - The Childrens Wood](#)

<sup>64</sup> [Children’s Rights: Consultation on incorporating the United Nations Convention on the Rights of the Child into our domestic law in Scotland](#)

<sup>65</sup> [scotlands-people-annual-report-2019 \(1\).pdf](#)

<sup>66</sup> [mentalhealthtownplanning2020-final.pdf \(rtpi.org.uk\)](#)

<sup>67</sup> [Covid drives huge increase in use of urban greenspace | NatureScot](#)



Characteristic – Sex / Gender		Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence	Source (full reference details in Appendix G)	
<p><b>Demographic Information</b> Scotland had a relatively even split between genders in 2018, with 51% females and 49% males, although this varied amongst age groups. The youngest age groups had a higher male to female ratio as more male babies are born than female, whilst the oldest age groups had a lower male to female ratio as females have longer life expectancy in Scotland<sup>68</sup>.</p>	<p><a href="#">Mid-2018 Population Estimates</a> Scotland (2019)</p>	
<p>There is also a higher ratio of females to males in older ages, reflecting the longer life expectancy of females.</p>	<p><a href="#">Mid 2020 Population Estimates</a> (2021)<sup>69</sup></p>	
<p><b>Access to greenspace</b> In 2014 more men than women reported living within a 5-minute walk of their nearest green or blue space - 70.5% of men, compared to 66.7% of women. By 2019 this gender gap had narrowed with 65.2% of women and 65.9% of men living within a 5-minute walk.</p>	<p><a href="#">Scottish Government Equality Evidence Finder</a><sup>70</sup></p>	
<p>In a survey conducted by Young Women Lead 2021 of women and non-binary people, 56% of respondents indicated proximity as their main reason behind the choice of what park they attend on a regular basis. Respondents noted that the level of convenience was relative to the proximity of the park to their home, work, or amenities, including events spaces, bars, and coffee shops.</p>	<p><a href="#">Young Women Lead 2021</a><sup>71</sup></p>	
<p><b>Men’s Health and link to greenspace</b> Male cardiovascular disease and respiratory disease mortality rates decreased with increasing green space. Research has found that for men the risk of cardiovascular and respiratory disease mortality decreased with increasing green space coverage and was lowest for the</p>	<p><a href="#">Gender differences in relationships between urban green space and health in the United Kingdom</a>, The</p>	

<sup>68</sup> [Mid-2018 Population Estimates Scotland \(2019\)](#)

<sup>69</sup> [Mid-year Population Estimates, 2020: Report \(nrscotland.gov.uk\)](#)

<sup>70</sup> [Scottish Government Equality Evidence Finder](#)

<sup>71</sup> [Young Women Lead 2021](#), YWCA Scotland

Characteristic – Sex / Gender		Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence	Source (full reference details in Appendix G)	
<p>greenest. Thus, men living in the greenest urban wards in the UK had a 5% lower risk of cardiovascular disease mortality and 11% lower risk of respiratory disease mortality than men in the least green wards.</p>	<p>University of Edinburgh (Richardson, EA &amp; Mitchell, R 2010)<sup>72</sup></p>	
<p><b>Women’s use of Greenspace</b></p> <p>Women are under-represented in their use of green space, proportionate to their numbers in society. Women’s use of urban green space may be influenced by the quality of the green space to a greater degree than men’s.</p> <p>Women are less likely to engage in vigorous activity while there (Cohen, McKenzie, Sehgal et al, 2007). Certain social, physical and psychological barriers to access and participation have been identified for women, whether real or perceived (Ward Thompson, Bell, Satsangi et al., 2003). O’Brien (2005) reported that women have particularly acute concerns about their personal safety when visiting green spaces on their own.</p> <p>Foster, Hillsdon &amp; Thorogood (2004) found that women were significantly less likely to undertake any walking if they perceived their local environment to have a low level of personal safety, whereas men’s walking was not influenced by such concerns. Women report feeling safer in obviously managed areas, and have a significantly higher preference for visible management and law enforcement than males (Ho, Sasidharan, Elmendorf, Willits, Graefe, &amp; Godbey, 2005; O’Brien, 2005; Virden &amp; Walker, 1999). In contrast women feel more uncomfortable in neglected and abused areas, and have a significantly lower preference for remote natural settings than men (O’Brien, 2005; Virden &amp; Walker, 1999).</p>	<p><a href="#">Gender differences in relationships between urban green space and health in the United Kingdom</a>, (as above)</p>	

<sup>72</sup> [Gender differences in relationships between urban green space and health in the United Kingdom, The University of Edinburgh \( Richardson, EA & Mitchell, R 2010\)](#)

Characteristic – Sex / Gender		Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence	Source (full reference details in Appendix G)	
<p>Women And Planning II highlights “The health implications for women and girls associated with the gendered use of public space was examined in a study conducted by Perez-Tejera et al (2018) of park use in Barcelona. The study found that more males than females frequented public open space overall. Of the women who were observed using public open space, they were more frequently observed in groups with children and elders and utilising playground facilities. Conversely, more males occupied public parks either as individuals or with groups of people of the same age. Males were also observed engaging in a greater range of activities compared to females (such as a variety of sporting activities, relaxing, picnicking and chatting).”</p>	<p><a href="#">Women And Planning II</a><sup>73</sup> (RTPI) (2021)</p>	
<p><b>Girls use of parks</b> A survey undertaken by Girl Guides Scotland, showed that 18% of girls felt unsafe going to the park by themselves.</p>	<p><a href="#">Girls in Scotland 2018</a><sup>74</sup></p>	
<p>Girls in Scotland (2020) notes that 31% of girls said they sometimes feel unsafe when spending time outside, and they’re more likely to feel this way as they get older. Girls in Scotland (2020) reports ‘most girls in Scotland lead an active lifestyle. However ‘when it comes to sport and play, girls in Scotland feel constrained by gender stereotypes from a very young age’.</p>	<p><a href="#">Girls in Scotland 2020</a><sup>75</sup></p>	
<p>Make Space for Girls, who campaigns for facilities and public spaces for teenage girls, claims that “parks, play equipment and public spaces for older children and teenagers are currently designed for the default male.” They have found evidence how girls are crowded out of parks and equipment, and how their needs are mostly ignored. It notes for example that “Academic research is consistently clear that skate parks are highly male places” A survey found that survey skate park use suggested that 90% of those who used a park in Nottingham were male. The Report notes ‘Where the skate</p>	<p><a href="#">Make Space For Girls</a><sup>76</sup></p>	

<sup>73</sup> [RTPI | Women and Planning \(Part II\)](#)

<sup>74</sup> [Girls in Scotland 2018](#)

<sup>75</sup> [Girls In Scotland 2020](#)

<sup>76</sup> [Make Space for Girls – Summary of Research findings December 2020](#)

Characteristic – Sex / Gender		Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence	Source (full reference details in Appendix G)	
<p>park is part of a wider landscape of park and leisure equipment, it's possible that a skate park could actually make the environment worse for girls, by bringing in boys from outside the area. One thing that is clear from the consultations and reports is that boys, particularly older ones, are willing to travel some distance to use a skate park which is larger or better than their local facility. In which case the local girls will face an even more intimidating atmosphere in their local park". The research notes "Yet skate parks are commonly seen as 'good' provision for all young people, and being expensive to build, also take up a very considerable share of any overall budget".</p>		
<p><b>Use of playspaces by gender</b>  “Places for Girls’, White Arkitekter’s research project into inclusive public spaces was kick-started by some unsettling statistics from predominantly gender-equal Sweden: while use of play spaces may be equally split across genders in the younger age groups, in park space planned for teenagers a disturbing disparity begins to emerge, with use among young people reflecting an 80/20 boy-girl gender imbalance, and youth club spaces exhibiting a similar split of 70/30.”</p>	<p><a href="#">Why do girls use playgrounds less than boys?</a><sup>77</sup></p>	
<p><b>Facilities / toilets</b>  In the research report Glasgow : A Feminist City it notes that the data gathered highlighted failures in the provision of public services, particularly public toilets within parks, that have a consequence on the ease of day-to-day city living for women and non-binary people.</p> <p>This report noted that the lack of public toilets was a factor leading to women and non-binary people feeling uncomfortable in Glasgow Parks. 55.4% highlighted that there were no toilets in the park they most frequently visited, and 35.8% of participants indicated that the provision of more toilets would encourage them to visit parks more frequently and for longer periods of time.”</p>	<p>Glasgow: A Feminist City?  <a href="#">Young Women Lead Report 2021</a><sup>78</sup></p>	

<sup>77</sup> [Why do girls use playgrounds less than boys? — Open City \(open-city.org.uk\)](#)

<sup>78</sup> [Young Women Lead 2021 Report - YWCA Scotland | The Young Women's Movement](#)

Characteristic – Sex / Gender		Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence	Source (full reference details in Appendix G)	
<p>“When asked how an individual would improve public parks in general, 78% of respondents answered free public toilets.”</p> <p>“This highlights that although people want to enjoy public open spaces, they are unable to stay for as long as they might because they need the toilet. More public toilets would encourage people to spend more time outdoors, and make Glasgow parks more accessible in general.”</p>		
<p><b>Safety</b> Over a quarter (26%) of girls aged 7 to 10 feel unsafe when they go outside, increasing to two fifths (41%) for those aged 11 to 16, and almost half (49%) aged 17 to 21.</p> <p>Additionally, a third (34%) of girls aged 7 to 21 say they feel worried to do things outside on their own. Almost one in ten girls aged 7 to 10 say they are often stared at and receive unwanted attention when they’re outside, increasing to almost a quarter (22%) for those aged 11 to 16, and rising to 41% for young women aged 17 to 21.</p>	<p><a href="#">Girls Attitudes Survey 2020<sup>79</sup></a></p>	
<p>“Safety isn’t just something which teenage girls worry about; often adults see parks and public spaces as dangerous spaces for girls and so forbid them from going there or move them on. Girls, as one academic described it, are seen as being the ‘wrong’ gender in the ‘wrong’ space.”</p> <p>“Surveillance is also important in helping girls feels safe, and so the presence of play workers and park staff can also be a big factor in creating parks which are used by girls more equally, but this is an expensive solution and so not generally feasible”.</p>	<p><a href="#">Make Space for Girls</a></p>	

<sup>79</sup> [Girls Attitudes Survey 2020](#), Girl Guiding UK

Characteristic – Sex / Gender	Source (full reference details in Appendix G)	Data gaps identified and action taken
<b>Evidence gathered and Strength/quality of evidence</b>		
<p>Just over a fifth (22%) of all girls and young women say fear of harassment stops them taking part in activities they enjoy, like running or walking outside. This is particularly true for those aged 17 to 18 (38%) compared to girls aged 13 to 16 (13%), and for girls of colour (32% compared to 19% of white girls).</p>	<p><a href="#">Research briefing: It happens all the time Girls' and young women's experiences of sexual harassment</a>, GirlGuiding<sup>80</sup></p>	
<p>According to a survey of women and non-binary people in Glasgow only 20% of all 214 participants who provided a response to this question felt very comfortable in their chosen park. This highlights that while these spaces are invaluable to many and serve multiple purposes, safety is a major issue for the majority of visitors.</p> <p>There was a strong consensus for reasons behind why women and non-binary people feel uncomfortable, especially when visiting at night. The key factors that emerged were: inadequate lighting, increased use of alcohol and drugs by other people in the park and a heightened risk of assault, harassment, abduction or even murder.</p> <p>Many of the women and non-binary people surveyed indicated that they simply did not visit parks at night, beginning as early as dusk/sundown. Several shared stories of negative experiences of being there after dark, or stories and incidents that cautioned them against visiting parks at night.</p>	<p>Glasgow: A Feminist City? <a href="#">Young Women Lead Report 2021</a></p>	
<p><b>Design and Layout</b></p> <p>Make Space for Girls sets out some ways of dealing with inequality in access to spaces, that councils, planners and designers can consider. It notes that there are proven ways to improve the design of existing parks to make them more welcoming to girls, and to prevent boys from dominating the spaces, including:</p> <ul style="list-style-type: none"> <li>○ better lighting;</li> <li>○ pathways all around the perimeter of the area;</li> <li>○ more seating areas, preferably with seats which face each other;</li> </ul>	<p><a href="#">Make Space for Girls</a></p>	

<sup>80</sup> [girlguiding-research-briefing\\_girls-experiences-of-sexual-harassment\\_june2021.pdf](#)

Characteristic – Sex / Gender	Source (full reference details in Appendix G)	Data gaps identified and action taken
<b>Evidence gathered and Strength/quality of evidence</b>		
<ul style="list-style-type: none"> <li>○ more swings;</li> <li>○ wider entrances in and out of areas;</li> <li>○ breaking down play areas into smaller spaces;</li> <li>○ good, safe toilet provision.</li> </ul>		
<p>Women In Planning II notes “the design of many of our public spaces has failed to consider the different ways they are used by men and women. Design decisions such as the type of sporting facilities offered in public parks, the frequency of benches, the presence of playgrounds and the installation of appropriate lighting all play a role in the use of public spaces by women and girls.”</p>	<a href="#">Women And Planning II</a> <sup>81</sup> (RTPI) (2021)	
<p><b>Physical Activity &amp; Participation in Physical Activity &amp; Sport</b> A higher proportion of men met the MVPA (Moderate-to-Vigorous Physical Activity) guidelines than women (51% compared with 42% respectively).</p>	<a href="#">Scottish Health Survey</a> (2020) <sup>82</sup>	
<p>Participation rates in physical activity and sport were higher among men than women (82% and 78% respectively).</p>	<a href="#">Scotland’s People Annual Report 2019</a> <sup>83</sup>	
<p>Gender differences are more pronounced for particular types of physical activity and sport. This difference was larger when excluding walking (58 and 49 per cent respectively).</p> <p>The most common activity was recreational walking, with similar level of participation for both men and women participating at around the same level (69 and 71 per cent respectively).</p>	<p>Scotland's People Annual Report: Results from <a href="#">2017 Scottish Household Survey</a> (2018) (section 8.2.4)<sup>84</sup></p>	
<p><b>Lone parents</b> The large majority of lone parent households are headed by women and these households tend to experience high poverty rates: 34% were in poverty in 2014/15,</p>	<p>Sourced from the <a href="#">Equality Impact Assessment for the</a></p>	

<sup>81</sup> [RTPI | Women and Planning \(Part II\)](#)

<sup>82</sup> [Scottish Health Survey – telephone survey – August/September 2020: main report - gov.scot \(www.gov.scot\)](#)

<sup>83</sup> [scotlands-people-annual-report-2019 \(1\).pdf](#)

<sup>84</sup> Scotland's People Annual Report: Results from 2017 Scottish Household Survey (2018) [Scottish household survey 2017: annual report - gov.scot \(www.gov.scot\)](#)



Characteristic – Sex / Gender		Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence	Source (full reference details in Appendix G)	
<p>compared with 26% of single working age women without children. For comparison, 16% of couples with dependent children were in poverty in 2014/15. These statistics have implications for child poverty, as women tend to be the main carers of children.</p>	<p><a href="#">Child Poverty (Scotland) Bill</a><sup>85</sup></p>	
<p>Lone mothers make up a quarter of all families with children in the UK, about 2 million families with 3.2 million children (ONS, 2015; Klett-Davies, 2016).</p> <p>Lone parent households often suffer from demanding schedules, which have an impact on family time.</p> <p>For households who are particularly “time poor” the need to be able to access play opportunities in close proximity to homes may have increased importance.</p>	<p><a href="#">Work and Relationships Over Time in Lone-mother Families</a>, 2017, Joseph Rowntree Foundation<sup>86</sup></p>	
<p><b>Participation of women in engagement on the built environment</b></p> <p>Women can find it more difficult to engage in planning processes since they are more likely to provide unpaid care and the timing and places of consultation may not recognise caring responsibilities.</p> <p>Women from some minority ethnic groups may not wish to attend mixed gender consultation meetings.</p> <p>Studies by the Women’s Design Service show an under-representation of disabled women in consultation processes.</p>	<p><a href="#">Royal Town Planning Institute, Good Practice Note 7: Gender and Spatial Planning (2007)</a><sup>87</sup></p>	
<p>Women in Planning II argues for the incorporation of gender mainstreaming into all policy, legislative and decision-making practices.</p>	<p><a href="#">Women And Planning II</a><sup>88</sup> (RTPI) (2021)</p>	

<sup>85</sup> [Child Poverty \(Scotland\) Bill: equality impact assessment - gov.scot \(www.gov.scot\)](#)

<sup>86</sup> [Work and relationships over time in lone-mother families | JRF](#)

<sup>87</sup> [RTPI Good Practice Note 7: Gender and Spatial Planning](#)

<sup>88</sup> [RTPI | Women and Planning \(Part II\)](#)



Characteristic – Sex / Gender		Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence	Source (full reference details in Appendix G)	
<p><b>Engaging girls / young women on the type of facilities they want</b>            Make Space for Girls highlights the importance of asking girls what they want and provide facilities which they are interested in and will use. It says, “Only by doing this can councils, designers and planners find out what girls want from parks, and what the problems are with the current provision and girls do want to be involved.”</p>	<p><a href="#">Make Space for Girls</a></p>	
<p>The majority (82%) of girls and young women aged 7 to 21 think that children and young people should be more involved in designing playgrounds, parks and outdoor facilities in their local area, and almost half (48%) would like more to be done so that girls and young women can feel safe outside.</p>	<p><a href="#">Girls Attitudes Survey 2020</a>, GirlGuiding<sup>89</sup></p>	
<p><b>Internet use</b>            Overall there was no significant difference in use of internet between genders.</p>	<p><a href="#">Scottish Household Survey 2018</a>: annual report (2018)  <sup>90</sup></p>	

<sup>89</sup> [Girls Attitudes Survey 2020](#), Girl Guiding UK

<sup>90</sup> Scottish household survey 2018: annual report (2018) [Scottish household survey 2018: annual report - gov.scot \(www.gov.scot\)](http://www.gov.scot)

Characteristic :Pregnancy and Maternity	Source (full reference details in Appendix G)	Data gaps identified and action taken
<b>Evidence gathered and Strength/quality of evidence</b>		
<p><b>Numbers</b> In 2019 there were 49,863 live births recorded across Scotland, slightly fewer than in 2018.</p>	<p><a href="#">Scottish Public Health Observatory</a><sup>91</sup></p>	<p>We will consider any views expressed in the consultation responses about any effects on people because of pregnancy and maternity.</p>
<p><b>Greenspace and Improved pregnancy outcomes</b> “There is considerable evidence of beneficial effects of access to green space for the health of pregnant women. Specifically, studies in Europe showed positive associations between access to nearby green space and both reduced blood pressure and reduced depression in pregnant women, with a stronger effect for reduced depression in disadvantaged groups.”</p> <p>Research shows that access to green space in close proximity to the homes of pregnant women was positively associated with birth weight. Birth weight is a useful indicator of health in early life: low birth weight is one of the major predictors of neonatal and infant mortality, as well as long-term adverse effects in childhood and beyond. Recent studies also found a positive association between residential greenness measured and birth weight.</p> <p>A report by the World Health Organisation comments “The evidence shows that urban green space has health benefits, particularly for economically deprived communities, children, pregnant women and senior citizens. It is therefore essential that all populations have adequate access to green space, with particular priority placed on provision for disadvantaged communities. While details of urban green space design and management have to be sensitive to local geographical and cultural conditions, the need for green space and its value for health and well-being is universal.”</p>	<p><a href="#">Urban green spaces and health: A review of evidence, WHO</a><sup>92</sup></p>	

<sup>91</sup> [Key points - ScotPHO](#)

<sup>92</sup> [Urban green spaces and health: A review of evidence, WHO](#)

Characteristic :Pregnancy and Maternity	Source (full reference details in Appendix G)	Data gaps identified and action taken
<p><b>Evidence gathered and Strength/quality of evidence</b></p> <p><b>Link between green space and depressive symptoms in pregnant women</b>                      7547 women recruited to the 'Born in Bradford' cohort completed a questionnaire during pregnancy. A binary measure of depressive symptoms was calculated using a validated survey. Two green space measures were used: quintiles of residential greenness calculated using the normalised difference vegetation index for three neighbourhood sizes (100, 300 and 500 m buffer zones around participant addresses); access to major green spaces estimated as straight line distance between participant address and nearest green space (&gt;0.5 hectares).</p> <p>Pregnant women in the greener quintiles were 18-23% less likely to report depressive symptoms than those in the least green quintile (for within 100 m of green space buffer zone). The green space-depressive symptoms association was significant for women with lower education or who were active. Physical activity partially mediated the association of green space, but explained only a small portion of the direct effect.</p> <p>The research finds that 'Higher residential greenness was associated with a reduced likelihood of depressive symptoms. Associations may be stronger for more disadvantaged groups and for those who are already physically active. Improving green space is a promising intervention to reduce risk of depression in disadvantaged groups.'</p>	<p><a href="#">‘The association between green space and depressive symptoms in pregnant women: moderating roles of socioeconomic status and physical activity’</a>                      National Library of Medicine<sup>93</sup></p>	
<p><b>Need for Seating</b>                      Pregnant women may also find standing difficult and need facilities to sit down.</p>	<p><a href="#">Health Impact Scoping of Public Places Guidance (2020)</a><sup>94</sup></p>	

<sup>93</sup> [The association between green space and depressive symptoms in pregnant women: moderating roles of socioeconomic status and physical activity - PubMed \(nih.gov\)](#)

<sup>94</sup> [Health Impact Scoping of Public Places Guidance, 2020](#)

<b>Characteristic: Sexual Orientation</b>		<b>Data gaps identified and action taken</b>
<b>Evidence gathered and Strength/quality of evidence</b>	<b>Source (full reference details in Appendix G)</b>	
<p><b>Demographic Information</b> Evidence suggests that there are in the region of 2% of people in Scotland who identify as LGBO (Lesbian, Gay, Bisexual, Other).</p>	<p><a href="#">The Sexual Orientation in Scotland 2017: summary of evidence base</a><sup>95</sup></p>	<p>We will consider any views expressed in the consultation responses on whether the provisions are likely to have any disproportionate effects on people due to their sexual orientation.</p>
<p><b>Health</b> LGBO adults were less likely than heterosexual adults to report good general health. Only 71% of LGBO adults recorded good or very good health compared to 75% of heterosexual adults. And 10% of LGBO adults recorded bad or very bad health compared to 7% of heterosexual adults. In 2015, LGBO adults had lower mental wellbeing than the heterosexual group - a score of 23.5 compared with 24.4.</p>	<p><a href="#">The Sexual Orientation in Scotland 2017: summary of evidence base</a><sup>96</sup></p>	
<p><b>Planning</b> As a whole, this group had no special needs or requirements when it came to planning. Their views were representative of the general population.</p>	<p><a href="#">Consultation on the Modernisation of the Planning System with 'seldom heard' Groups (2009)</a><sup>97</sup></p>	
<p><b>Access and use of play and open spaces</b> LGBT children and young people may be significantly disadvantaged in accessing adequate play, leisure and culture opportunities.</p>	<p><a href="#">Report by the Scottish Alliance for Children's Rights</a><sup>98</sup></p>	
<p>In a survey of 684 LGBT children and young people (aged 13-25), less than half said there were enough places where they could safely socialise and be open about their sexual orientation and gender identity. This was a particular issue for transgender and non-binary people, of whom less than one third said there were enough places where they could socialise safely.</p>	<p><a href="#">Life in Scotland for LGBT Young People</a>, LGBT Youth (2018)<sup>99</sup></p>	

<sup>95</sup> [Sexual orientation in Scotland 2017: summary of evidence base - gov.scot \(www.gov.scot\)](#)

<sup>96</sup> [Sexual orientation in Scotland 2017: summary of evidence base - gov.scot \(www.gov.scot\)](#)

<sup>97</sup> [Consultation on the Modernisation of the Planning System with 'seldom heard' Groups](#)

<sup>98</sup> [State of Children's Rights in Scotland](#)

<sup>99</sup> [LGBT Youth \(2018\). Life in Scotland for LGBT Young People](#)

<b>Characteristic: Sexual Orientation</b>		<b>Data gaps identified and action taken</b>
<b>Evidence gathered and Strength/quality of evidence</b>	<b>Source (full reference details in Appendix G)</b>	
<p>“LGBTQ+ people ‘switch’ or hide their identities in order to feel safe in the majority of public spaces.”</p> <p>“Despite the emergence of queer enclaves in many cities across the world in recent decades, there is an urgent need today to rethink public spaces and create more inclusive, welcoming and hospitable environments for all members of our communities.”</p> <p>“Avoiding over-designing spaces was something of a theme both in the literature and in the comments of our respondents. Design should be on a human scale as one respondent put it, but not a scale which sees the default human as male, heterosexual, cisgendered, middle-class and white. Instead, examples of spaces regarded as queer-inclusive were ones which had a diverse feel to them. These were not uniform in terms of scale and mass of buildings, rooflines, colour or facades. They were not rectilinear and offered a range of sightlines through spaces which were punctuated by features. Their soundscapes were softened by greenery or bodies of water, rather than harshened by hard surfaces. Space was not open and intimidating but broken up and intimate.”</p>	<p><a href="#">Queering Public Space Exploring the relationship between queer communities and public spaces</a><sup>100</sup></p>	

<sup>100</sup> [Queering Public Space, University of Westminster, ARUP](#)

Characteristic : Gender Reassignment	Source (full reference details in Appendix G)	Data gaps identified and action taken
<b>Evidence gathered and Strength/quality of evidence</b>		
In a survey, less than one third of transgender and non-binary people said there were enough places where they could socialise safely.	<a href="#">Life in Scotland for LGBT Young People</a> LGBT Youth (2018). <sup>101</sup>	We will consider any views expressed in the consultation responses on whether the provisions are likely to have any disproportionate effects on people under the gender reassignment protected characteristic.
54% of trans respondents avoided being open about their gender identity in ‘the park’ for fear of a negative reaction from others.	<a href="#">National LGBT Survey Research Report</a> (Government Equalities Office) 2018 <sup>102</sup>	
<b>Accessibility &amp; convenience</b> In a survey conducted by Young Women Lead 2021 of women and non-binary, 56% of respondents indicated proximity as their main reason behind the choice of what park they attend on a regular basis. Respondents noted that the level of convenience was relative to the proximity of the park to their home, work, or amenities, including events spaces, bars, and coffee shops.	Glasgow: A Feminist City? <a href="#">Young Women Lead Report 2021</a> <sup>103</sup>	
<b>Facilities / toilets</b> In the research report Glasgow : A Feminist City, it notes that the data gathered highlighted failures in the provision of public services, particularly public toilets within parks, that have a consequence on the ease of day-to-day city living for women and non-binary people.”  This report noted that the lack of public toilets was a factor leading to women and non-binary people feeling uncomfortable in Glasgow Parks. 55.4% highlighted that there were no toilets in the park they most frequently visited, and 35.8% of participants indicated that the provision of more toilets would encourage them to visit parks more frequently and for longer periods of time.”	Glasgow: A Feminist City? <a href="#">Young Women Lead Report 2021</a> <sup>104</sup>	

<sup>101</sup> [LGBT Youth \(2018\). Life in Scotland for LGBT Young People](#)

<sup>102</sup> [National LGBT survey: research report \(publishing.service.gov.uk\)](#)

<sup>103</sup> [Young Women Lead 2021](#), YWCA Scotland

<sup>104</sup> [Young Women Lead 2021 Report - YWCA Scotland | The Young Women's Movement](#)

Characteristic : Gender Reassignment	Source (full reference details in Appendix G)	Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence		
<p>“When asked how an individual would improve public parks in general, 78% of respondents answered free public toilets.”</p> <p>“This highlights that although people want to enjoy public open spaces, they are unable to stay for as long as they might because they need the toilet. More public toilets would encourage people to spend more time outdoors, and make Glasgow parks more accessible in general.”</p>		
<p><b>Feeling safe</b> According to a survey of women and non-binary people in Glasgow only 20% of all 214 participants who provided a response to this question felt very comfortable in their chosen park. This highlights that while these spaces are invaluable to many and serve multiple purposes, safety is a major issue for the majority of visitors.</p> <p>There was a strong consensus for reasons behind why women and non-binary people feel uncomfortable, especially when visiting at night. The key factors that emerged were: inadequate lighting, increased use of alcohol and drugs by other people in the park and a heightened risk of assault, harassment, abduction or even murder.</p> <p>Many of the women and non-binary people surveyed indicated that they simply did not visit parks at night, beginning as early as dusk/sundown. Several shared stories of negative experiences of being there after dark, or stories and incidents that cautioned them against visiting parks at night.</p>	<p>Glasgow: A Feminist City? <a href="#">Young Women Lead Report 2021</a><sup>105</sup></p>	
<p>A higher percentage of girls and young women who identify as having a disability or identify as LGBTQ feel unsafe when they go outside. Significantly, girls and young women aged 11 to 21 who identify as LGBTQ are more likely to receive unwanted attention (46%) compared to those who don't identify this way (29%).</p>	<p><a href="#">Girls Attitudes Survey 2020</a>, GirlGuiding</p>	

<sup>105</sup> [Young Women Lead 2021 Report - YWCA Scotland | The Young Women's Movement](#)

Appendix A – EQIA - Data + Evidence – Marriage & Civil Partnership

Characteristic : Marriage and Civil Partnership	Source (full reference details in appendix)	Data gaps identified and action taken
<b>Evidence gathered and Strength/quality of evidence</b>		
The Scottish Government does not require assessment against this protected characteristic unless the policy or practice relates to work, for example HR policies and practices. This policy does not relate to work therefore we have not considered it for this interim EQIA.		N/A



Characteristic: Race		Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence	Source (full reference details in Appendix G)	
<p><b>Demographic Information</b></p> <p>In 2011 Scotland's population was 96.0% white, a decrease of 2.0% from 2001.</p> <p>2.7% of Scotland's population (about 141,000 people) identified as Asian, Asian Scottish or Asian British.</p> <p>Just over 1% of Scotland's population (more than 36,000 people) identified as African, Caribbean or Black.</p> <p>In 2011, there were approximately 200,000 Black, Asian and Minority Ethnic (BME) people in Scotland, making up just over 4% of the population.</p> <p>BME communities are largely concentrated in urban locations.</p>	<p><a href="#">Census 2011</a><sup>106</sup></p>	<p>During the consultation period, we will seek views from representative organisations for on whether the proposals are likely to have any disproportionate effects on people due to their race.</p>
<p><b>Access to green or blue space</b></p> <p>In terms of living within a 5-minute walk of the nearest greenspace, there is a marked difference by ethnicity;</p> <ul style="list-style-type: none"> <li>○ 66% of those from the white ethnic group reporting living within a 5-minute walk of the nearest greenspace</li> <li>○ compared to 46% of those from ethnic minorities.</li> </ul>	<p><a href="#">National Indicator Performance</a> (data from Scottish Household Survey)<sup>107</sup></p>	
<p><b>Use of natural spaces</b></p> <p>“A health disparity is created by BME people's lower presence in nature and open countryside. A 2017 report from Natural England shows black and Asian people are less likely to regularly visit natural settings. There is wide recognition within the environmental field that participation within nature-based activities is largely white. This low presence matters because BME people miss out on the pleasure, health benefits and conservation of natural spaces.”</p>	<p><a href="#">The Race Factor In Access To Green Space</a><sup>108</sup></p>	

<sup>106</sup> [Home | Scotland's Census \(scotlandscensus.gov.uk\)](#)

<sup>107</sup> [National Indicator Performance | National Performance Framework](#)

<sup>108</sup> [Runnymede Trust / The race factor in access to green space](#)

Characteristic: Race		Data gaps identified and action taken
Evidence gathered and Strength/quality of evidence	Source (full reference details in Appendix G)	
<p><b>Barriers to engagement</b> Language barriers, lack of confidence and dominant characters can discriminate against some people during community engagement in minority ethnic groups, were noted as particularly experiencing these issues along with several other protected characteristic groups.</p>	<p><a href="#">Hard to reach, easy to ignore</a> (2017)<sup>109</sup></p>	<p>Evidence would suggest that people wish to engage in planning though they are not always able to do so.</p>
<p>Some people from specific communities of interest and identity described finding it difficult to get involved in decisions, or having no experience of involvement at all. For example, some asylum seekers, EU citizens, foreign language groups, and some people from different ethnic minority groups described experiences of being detached from the wider community and formal decision-making organisations and forums. They did not know about local groups or understand whether and how they could get involved.</p>	<p><a href="#">Local Governance Review: analysis of responses to Democracy Matters</a> (2019)<sup>110</sup></p>	
<p>In particular women from some minority ethnic groups may not wish to attend mixed gender consultation meetings.</p>	<p><a href="#">Royal Town Planning Institute, Good Practice Note 7: Gender and Spatial Planning</a> (2007)<sup>111</sup>.</p>	
<p>Language barriers, lack of confidence and dominant characters can discriminate against some people during community engagement specifically women, minority ethnic groups, young and old people and people with disabilities.</p>	<p><a href="#">Hard to reach, easy to ignore</a> (2017)</p>	

<sup>109</sup> [‘Hard to reach’ or ‘easy to ignore’? Promoting equality in community engagement – Evidence review | What Works Scotland](#)

<sup>110</sup> Local Governance Review: analysis of responses to Democracy Matters (2019) [Local Governance Review: analysis of responses to Democracy Matters - gov.scot \(www.gov.scot\)](#)

<sup>111</sup> Royal Town Planning Institute, Good Practice Note 7: Gender and Spatial Planning (2007) [Gender and Spatial Planning: RTPI good practice note 7 - Oxfam Policy & Practice](#)

<b>Characteristic: Race Gypsy / Travellers</b>		<b>Data gaps identified and action taken</b>		
<b>Evidence gathered and Strength/quality of evidence</b>	<b>Source (full reference details in Appendix G)</b>			
<p><b>Demographic Information</b> Just over 4,000 people in Scotland identified in the census that their ethnic group was 'White: Gypsy/Traveller' and this represented 0.1 per cent of the population. Some organisations working with Gypsy/Travellers in Scotland estimate that the population figure is much higher. Census data provides some indication of the spatial distribution of the community. The council areas with the most Gypsy/Travellers resident on census day were Perth &amp; Kinross, Glasgow City and the City of Edinburgh. The lowest numbers were resident in the island councils and in Inverclyde.</p>	<p><a href="#">Gypsy/Travellers in Scotland - A Comprehensive Analysis of the 2011 Census</a> (2015)<sup>112</sup></p>	<p>We will actively seek views from representative organisations on whether the proposals are likely to have any disproportionate effects.</p>		
<p><b>Health</b> In 2011 Gypsy/Travellers in Scotland, compared to the population as a whole, were more likely to report a long-term health problem or disability and were more likely to report bad or very bad general health.</p>				
<p><b>Homes</b> Gypsy/Travellers in Scotland, compared to the population as a whole, were:</p> <ul style="list-style-type: none"> <li>- less likely to own their home;</li> <li>- more likely to live in a caravan;</li> <li>- more likely to live in overcrowded accommodation.</li> </ul>			<p><a href="#">Civil Society Report to inform the UN Committee on the Rights of the Child's List of Issues Prior to Reporting By Together</a> (Scottish Alliance for Children's rights)<sup>113</sup></p>	<p>Scottish Government is developing Site Design Guidance for Gypsy Traveller Sites, which will be published in due course.</p>
<p><b>Play</b> Gypsy/Traveller children have reported a range of problems about residential sites, including unsafe playparks.</p>				

<sup>112</sup> [Gypsy/Travellers in Scotland - A Comprehensive Analysis of the 2011 Census - gov.scot \(www.gov.scot\)](http://www.gov.scot)

<sup>113</sup> [together-lojpr\\_final.pdf \(togetherscotland.org.uk\)](http://togetherscotland.org.uk)

Characteristic : Religion or Belief	Source (full reference details in Appendix G)	Data gaps identified and action taken
<p><b>Evidence gathered and Strength/quality of evidence</b></p>		
<p><b>Demographic Information</b>                      Christian denominations represented the majority of the Scottish population (54%). 37% of the population stated they had no religion in 2011, an increase of over half a million people from 2001. The second largest religion was 'Muslim' which represented 1.4%, and the other religions combined (including 'Hindu', 'Buddhist', 'Sikh' and 'Jewish') represented a further 1%.                      7% of people did not state their religion.</p>	<p><a href="#">Analysis of Equality Results from the 2011 Census (2014)</a><sup>114</sup></p>	<p>As part of the consultation, we will seek views on whether the provisions are likely to have any disproportionate effects on people of religion or belief.</p>
<p><b>Access to green or blue space</b>                      Those responding as having no religion or as Christian were more likely to live within 5 minutes of a greenspace compared to those belonging to another religion.                       63.61% of Christians, compared to 48.09% of those from other religions indicated they lived within 5 minutes' walk of their nearest green or blue space.</p>	<p><a href="#">National Indicator Performance</a> (data from Scottish Household Survey)<sup>115</sup>   <a href="#">Scottish Government Equality Evidence Finder</a><sup>116</sup></p>	

<sup>114</sup> Analysis of Equality Results from the 2011 Census (2014) [Census 2011 equality results: analysis, part two - gov.scot \(www.gov.scot\)](http://www.gov.scot/Census2011equalityresults/analysis/parttwo)

<sup>115</sup> [National Indicator Performance | National Performance Framework](#)

<sup>116</sup> [Scottish Government Equality Evidence Finder](#)

Characteristic: Low Income / Poverty	Source (full reference details in Appendix G)	Data gaps identified and action taken
<b>Evidence gathered and Strength/quality of evidence</b>		
<p><b>Demographic Information</b></p> <ul style="list-style-type: none"> <li>○ Approx 1 in 4 children in Scotland (24%) are living in poverty</li> <li>○ Approx 1 in 5 working age people (19%) in Scotland are living in poverty</li> <li>○ 15% of pensioners in Scotland are living in poverty</li> <li>○ 60% of working age adults in poverty and 65% of children in poverty live in a household where someone is in employment.</li> </ul>	<p><a href="#">Poverty And Inequality Commission – Key Facts</a><sup>117</sup></p>	<p>As part of the consultation, we will seek views on whether the proposals are likely to have any</p>
<p><b>Child Poverty</b></p> <p>Poverty impacts all areas of a child’s life, including nutrition, standard of living, relationships, social and emotional wellbeing, play and education.</p>	<p><a href="#">Civil society report to inform the UN Committee on the Rights of the Child’s List of Issues Prior to Reporting By Together</a> (Scottish Alliance for Children’s rights)<sup>118</sup></p>	<p>disproportionate effects on people living on low income and/or living in poverty.</p>
<p><b>Health Inequalities</b></p> <p>The gaps between those with the best and worst health and wellbeing still persist, some are widening, and too many Scots still die prematurely. This is illustrated by the Glasgow train line map - Life expectancy in men goes down by two years for every station on the trainline travelling from Jordanhill (in the west end) to Bridgeton (in the east end). On average, a man born in Bridgeton can expect to live 14.3 years less than his counterpart in Jordanhill, and a woman 11.7 years less.</p> <p>NHS health Scotland recommended a number of key actions to prevent environmental factors causing health inequalities, to ensure equity including to ensure local service availability and high quality green and open spaces, including space for play.</p>	<p><a href="#">Health inequalities: What are they ? How do we reduce them?</a> NHS Health Scotland<sup>119</sup></p>	

<sup>117</sup> [Poverty in Scotland - Poverty & Inequality Commission \(povertyinequality.scot\)](#)

<sup>118</sup> [together-lojpr\\_final.pdf \(togetherscotland.org.uk\)](#)

<sup>119</sup> [Health inequalities: What are they? How do we reduce them? Health inequalities: What are they? How do we reduce them? \(healthscotland.scot\)](#)

Characteristic: Low Income / Poverty	Source (full reference details in Appendix G)	Data gaps identified and action taken
<b>Evidence gathered and Strength/quality of evidence</b>		
<p><b>Child obesity</b> Children living in the most deprived areas were more than twice as likely to be obese than those living in the least deprived areas.</p>	<p><a href="#">Children and Town Planning (RTPI)</a><sup>120</sup></p>	
<p><b>Access to greenspace at home – by tenure</b> In relation to access to greenspace at home Public Health Scotland recent analysis was quoted as showing that there is quite a differentiation between space (private outdoor space at home e.g. gardens or balconies) depending on the tenure. Hansard reported that only 3% of homeowners do not have access to open space in the house, whereas for private sector tenants it is 23% and for local authority tenants it is 19%.</p>	<p><a href="#">Public Health Scotland, data quoted at House of Lords, Covid-19 Committee</a><sup>121</sup></p>	
<p><b>Access to play areas and greenspace</b> People living in the most deprived areas are less likely to live within a 5 minute walk of their nearest greenspace than people in less deprived areas. This observation has been consistent over the time series the data has been collected.</p> <p>In 2019 for those in ‘20% most deprived’ category, 62.11% reported living within a 5-minute walk of the nearest greenspace; this figure increased to 67.08% of those in the ‘20% least deprived’ group.</p>	<p><a href="#">National Indicator Performance</a> (data from Scottish Household Survey)<sup>122</sup></p> <p><a href="#">Scottish Government Equality Evidence Finder</a><sup>123</sup></p>	
<p>Data published by ONS states “Parks are most accessible in the poorest areas, with people in the most deprived neighbourhoods of England around twice as likely as those in the least deprived to be within five minutes’ walk of a public park (34% compared with 18%). Including playing fields, this rises to 57% compared with 42%.</p>	<p><a href="#">ONS</a><sup>124</sup></p>	

<sup>120</sup> [children-and-town-planning-2021-final.pdf \(rtpi.org.uk\)](#)

<sup>121</sup> [Public Health Scotland, data quoted at House of Lords, Covid-19 Committee](#)

<sup>122</sup> [National Indicator Performance | National Performance Framework](#)

<sup>123</sup> [Scottish Government Equality Evidence Finder](#)

<sup>124</sup> [Office for National Statistics ONS](#)

<b>Characteristic: Low Income / Poverty</b>	<b>Source (full reference details in Appendix G)</b>	<b>Data gaps identified and action taken</b>
<b>Evidence gathered and Strength/quality of evidence</b>		
We see similar trends in Wales and Scotland, with greater access among those living in more deprived areas.”		
<p>The 2016 Scottish Household Survey showed that most children had access to play areas in their neighbourhood, but that availability differed according to levels of deprivation within urban areas. Households within the 20% of most deprived urban areas said they had less access to a natural environment or wooded area in their neighbourhood, compared to the rest of urban areas.</p> <p>Parents living in the 20% most deprived urban areas were also much less likely to think that it was safe for children to travel alone to most play areas.</p>	<a href="#">2016 Scottish Household Survey</a> <sup>125</sup>	
<p><b>Quality of local greenspace</b> More deprived areas often have more greenspace in terms of quantity, but it may be of poorer quality, not accessible or aesthetically poor.</p>	<a href="#">Greenspace, urbanity and health</a> , Journal of Epidemiology and Community Health. <sup>126</sup>	
Respondents living in the 15% most deprived areas of Scotland were more likely to agree or agree strongly that the quality of their local greenspace has reduced in the past 5 years (50% strongly agree/agree, compared to 40% of urban Scots) or if just use ‘strongly agree’ 26% compared to 18%.	<a href="#">Greenspace Use and Attitudes Survey 2017</a> greenspace scotland (2017) <sup>127</sup>	
Previous research found that the quality of play areas was poorer in more deprived neighbourhoods, as compared to those in the least deprived areas.	<a href="#">2016 Scottish Household Survey</a>	

<sup>125</sup> At the start of 2009, a series of questions on the opportunities for children to play in their neighbourhood were added to the Scottish Household Survey. From 2012, the set of questions were only asked if there was a child aged 6 to 12 years in the household. Data from this set of questions were collected every two years and were last presented in the Scottish household survey 2016: Annual report. Scottish Government (2017). [Scottish Household Survey 2016: Annual Report](#).

<sup>126</sup> Mitchell R, Popham F (2007) Greenspace, urbanity and health. Journal of Epidemiology and Community Health. [Greenspace, urbanity and health: relationships in England \(nih.gov\)](#)

<sup>127</sup> [Greenspace Use and Attitudes Survey 2017](#), Greenspace Scotland (2017)

Characteristic: Low Income / Poverty	Source (full reference details in Appendix G)	Data gaps identified and action taken
<p><b>Evidence gathered and Strength/quality of evidence</b></p> <p><b>Covid - visits to greenspace</b>  “Green space positively influences health and well-being; however, inequalities in use of green space are prevalent. Movement restrictions enforced due to the COVID-19 pandemic could have exacerbated existing inequalities regarding who visits green space.”  “Lower social grade respondents reported little or no change in visitation to green space, with time spent visiting green space remaining low both before and after movement restrictions were enforced. This is supported by previous studies exploring the association between socio-economic position (SEP) and green space use. One possible explanation is a lack of interest in visiting green space reported by lower SEP individuals.”</p>	<p><a href="#">Change in time spent visiting and experiences of green space following restrictions on movement during the COVID-19 pandemic</a>, BMJ<sup>128</sup></p>	
<p><b>Use of green and open space</b>  Research published by Public Health Scotland finds that ‘Socio-economic inequalities in use of green and open spaces existed before lockdown. Lockdown did not reduce these and may have made them worse.’ It also notes that users reported that green and open space benefited their mental health during lockdown. Individuals of higher social grade were more likely to report increases in use, and also greater benefits to their mental health.</p>	<p><a href="#">‘Change in use of green and open space following COVID-19 lockdown ‘stay at home’ phase and initial easing of lockdown’</a> Public Health Scotland<sup>129</sup></p>	
<p><b>Child Poverty – impact on play</b>  Children living in poverty are more likely to be solitary, play alone and be bullied frequently.</p>	<p><a href="#">Civil society report to inform the UN Committee on the Rights of the Child’s List of Issues Prior to Reporting By Together</a></p>	

<sup>128</sup> [Burnett, H, Olsen, JR, Nicholls, N, et al. Change in time spent visiting and experiences of green space following restrictions on movement during the COVID-19 pandemic: a nationally representative cross-sectional study of UK adults, BMJ Open 2021](#)

<sup>129</sup> [University of Glasgow - Research Institutes - Institute of Health & Wellbeing - News - Change in use of green and open space during lockdown](#)



Characteristic: Low Income / Poverty	Source (full reference details in Appendix G)	Data gaps identified and action taken
<b>Evidence gathered and Strength/quality of evidence</b>		
	(Scottish Alliance for Children’s rights) <sup>130</sup>	
<p><b>Participation in physical activity and sport (including recreational walking)</b> was lower for those living in the most deprived areas (70%) compared to the least deprived areas (90%). Participation in walking (for at least 30 minutes) was also lower for those living in the most deprived areas (57%) compared to those living in the least deprived areas (78%).</p>	<p><a href="#">Scottish household Survey 2019 Annual Report</a><sup>131</sup></p>	
<p>‘sedentary time tends to be higher in deprived areas’ ‘physical activity levels tend to be lower in deprived areas’</p>	<p><a href="#">Scottish Health Survey (2020)</a><sup>132</sup></p>	
<p><b>Internet Use and Income Level</b> Gaps in internet access and use remain amongst certain groups including those in deprived areas, those in social housing and those on low incomes. 23 per cent of adults living in the 20 per cent most deprived areas in Scotland reported not using the internet compared with 15 per cent in the rest of the country.</p> <p>Home internet access varies with household income, although the gap is lessening over time. In 2016, 63 per cent of households with incomes of £15,000 or less had home internet access, increasing to 98 per cent of households with incomes over £40,000. Among those that have internet access, a lower proportion of adults in social housing were confident in their ability to use the internet than those in private rented housing and those who own their own homes. Those aged over 45 and those on incomes between £6,000 - £20,000 consistently reported being less confident than average.</p> <p>The evidence indicates that internet access and confidence in using it varies by tenure and household income.</p>	<p><a href="#">Scottish Household Survey 2016.</a></p>	

<sup>130</sup> [together-loipr\\_final.pdf \(togetherscotland.org.uk\)](#)

<sup>131</sup> [Scottish household survey 2019: annual report - gov.scot \(www.gov.scot\)](#)

<sup>132</sup> [Scottish Health Survey – telephone survey – August/September 2020: main report - gov.scot \(www.gov.scot\)](#)

### Stage 3: Assessing the quality of the impacts and identifying opportunities to promote equality

At this stage of the interim equality impact assessment, the qualitative scoring of the potential impacts (negative, positive and neutral) have been considered for each of the protected characteristics and the other specified characteristics already listed in this interim EQIA. This qualitative scoring has been undertaken using the data and evidence available and gathered to date. This is a preliminary and indicative assessment of the potential impacts at this interim stage of the EQIA and will be subject to further review and revision after the consultation has taken place and during the finalisation of the Regulations and any future guidance.

#### Do you think that the policy impacts on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
<b>Eliminating unlawful discrimination, harassment and victimisation</b>	<b>X</b>			<p>The draft Regulations should, after consultation, be designed in such a way that they will not create unlawful discrimination related to age.</p> <p>The draft OSS Regulations require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to a series of outcomes including</p> <ul style="list-style-type: none"> <li>○ advancing equality and eliminating discrimination,</li> </ul> <p>the policy aim behind this is to ensure good access to greenspace for all.</p> <p>The aim is to provide opportunities for engagement for all sectors of society, with requirements to consult children, and the wider public (which should cover older age groups).</p>
<b>Advancing equality of opportunity</b>	<b>X</b>			<p>The Planning (Scotland) Act 2019 sets out PSAs are to consider whether there are sufficient opportunities for children to play. The draft Regulations go on to require planning authorities to identify play opportunities for all ages of children.</p> <p>We encourage planning authorities to consider if they may wish to refer to demographic data on the children in their areas, including data on the number of children in different prescribed age groups to ensure their assessments take account of the needs of different ages of children. Data is available from NRS.</p>

Age	Positive	Negative	None	Reasons for your decision
				<p>Evidence shows levels of overweight/obesity between children increased with age. So it is important that older children have good opportunities to play and be physically active. Shared good practice and guidance will provide more detail on the different types of play opportunities which may be enjoyed by different ages of children. Plus, the expectation is that by consulting with children in the preparation of the PSA, that this will help identify the needs of different ages of children, locally, through hearing directly from children of different ages the types of play spaces and opportunities they enjoy.</p> <p>The evidence shows that children frequently want ‘lots of green spaces’ and ‘more places to play’. Both sets of draft regulations require planning authorities to consider the ‘quantity’ of open space, and play opportunities, respectively, on a locality basis, this will help inform local authorities on the amount of open space and places to play within local neighbourhoods.</p> <p>We understand that both young children and older people may have difficulties walking or travelling longer distances. ‘Accessibility’ has been included in both sets of draft Regulations as an aspect that planning authorities would be required to provide information on. By ensuring planning authorities consider how accessible open spaces and play opportunities are should help people on both ends of the age spectrum.</p> <p>The degree to which people said they felt a very strong or fairly strong sense of belonging to their community varied by age, it reveals 87% for those aged 75 and above compared to 73% of those aged between 16 and 24. Provisions that help improve the quality of places and neighbourhoods, including quality open spaces and play opportunities, could reasonably be predicted to have a positive impact on people’s sense of neighbourhood generally, and particularly for young people. Quality is an aspect that both sets of draft Regulations require planning authorities to consider and provide information on.</p>

Age	Positive	Negative	None	Reasons for your decision
				<p>The evidence suggests that the majority of young people feel 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. The draft PSA Regulations provide opportunities for different ages to engage in the assessment. They require planning authorities to consult, amongst others; children, parents and carers, community councils and the public when preparing the PSA. The draft OSS Regulations also require specifically planning authorities to consult children and young people, and older people, as well as community councils and the public generally, to help ensure that the views of all ages are sought.</p> <p>In addition, to help ensure equality of opportunity for younger age groups in terms of engagement, we suggest that planning authorities may wish to publish alongside the main documents (PSA and OSS respectively), a child friendly version.</p> <p>The evidence shows that there is a clear relationship between age and internet use, with lower usage rates and accessibility among older people and higher use among younger people. This suggests that using internet and social media are a good way of targeting young people but other ways of reaching and engaging older people may be more effective. In response the draft OSS Regulations contain a provision requiring planning authorities to publicise the consultation on their draft OSS using adverts in the local press, to help ensure more older people have the opportunity to offer their views on the draft open space strategy.</p>
<b>Promoting good relations among and between different age groups</b>	<b>X</b>			<p>Play expert Tim Gill notes ‘the presence of children playing in the street can be seen as a litmus test of the level of community cohesiveness in a neighbourhood: if significant numbers of parents feel it is safe enough to let children of different ages play out, that is a good sign that the street and the neighbourhood as a whole is a place where children will be watched over and cared for, and where residents feel a sense of belonging. This is not to say that</p>

Age	Positive	Negative	None	Reasons for your decision
				<p>everyone is unconditionally positive about children playing in the street, or that problems will never arise. Indeed low-level conflict between children and adult residents is quite likely to occur, just as it has in the past.”</p> <p>Both sets of draft Regulations require planning authorities to consult children and the public, the draft PSA regulations also require them to consult parents and carers - this will ensure all ages can be involved. This should ensure planning authorities will be informed of the specific needs of local children and help encourage children to participate in public life where their participation is currently disproportionately low.</p> <p>The draft PSA Regulations require planning authorities to assess play opportunities for children of all ages, this should promote good relations amongst different age groups of children, ensuring all children are able to access play opportunities and prevent exclusion for certain age groups.</p> <p>Open space strategies and play sufficiency assessments could potentially promote good relations between different age groups by helping to ensure there are enough different types of quality open spaces and places to play in communities. This could help ensure that young people have enough things to do and places to go, rather than potentially be drawn into more anti-social activities, which could disturb older people. This could also help in terms of the wider ‘prevention’ agenda.</p> <p>By including ‘quality’ in the draft Regulations as key components of Open Space Strategies and Play Sufficiency Assessments, it is hoped this will help drive action to improve the quality of open spaces and play opportunities within communities. People from all age groups could, as a whole community, collectively view and take pride in their neighbourhood from a more positive perspective.</p>

## Do you think that the policy impacts people with disabilities?

People With Disabilities	Positive	Negative	None	Reasons for your decision
<b>Eliminating unlawful discrimination, harassment and victimisation</b>	<b>X</b>			<p>The draft Regulations should, after consultation, be designed in such a way that they do not create unlawful discrimination related to disability.</p> <p>The draft OSS Regulations require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to a series of outcomes including</p> <ul style="list-style-type: none"> <li>○ advancing equality and eliminating discrimination,</li> </ul> <p>the policy aim behind this is to ensure good access to greenspace for all.</p>
<b>Advancing equality of opportunity</b>	<b>X</b>			<p>The evidence from national surveys and similar suggests that a high percentage of households in Scotland have someone who is disabled or has a long-term health condition. The draft OSS Regulations require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to the outcome of 'improving health and wellbeing'.</p> <p>The accessibility of open spaces and play opportunities is vital in terms of advancing equality of opportunity for people with disabilities and health issues affecting mobility.</p> <p>Both sets of draft Regulations require planning authorities to provide information on 'Accessibility', this should help to ensuring planning authorities consider how accessible open spaces and play opportunities are. Shared good practice and guidance will provide more advice to planning authorities about what they should be considering in relation to accessibility, both in terms of getting there, and the proximity of spaces to homes and their location within neighbourhoods, as well as accessibility within the spaces once there in terms of the path network etc. Shared good practice and guidance may also expand on the concept of accessibility and planning</p>

			<p>for inclusive open spaces and play opportunities in terms of design and provision of facilities etc.</p> <p>The Sensory Trust advises consulting with users and non-users of the space is key in finding out what people want to see there and that inclusive greenspace strategies are best planned with all people in mind. Both sets of draft Regulations aim to advance equality of opportunity to engage in the assessments (the Open Space Strategy and Play Sufficiency Assessment).</p> <p>The draft OSS Regulations require planning authorities to, in carrying out the open space audit, seek the views of and have regard to any views expressed by disabled people. They are also to seek and have regard to their views when carrying out an assessment of current and future open space requirements. It is proposed planning authorities will be required to consult with people with disabilities on the draft open space strategy and have regard to any valid representations, with provision for planning authorities to be able to modify the draft to take account of timeous representations, before publishing the final Open Space Strategy.</p> <p>The draft PSA Regulations also require planning authorities to consult children and their parents and carers when preparing the play sufficiency assessment. Through this consultation, planning authorities will be able to be informed of the specific needs of local children, including those with disabilities.</p>
<p><b>Promoting good relations among and between disabled and non-disabled people</b></p>	<p><b>X</b></p>		<p>The intention behind the regulations and any future guidance is to ensure planning authorities cater for more inclusive design and facilities of open spaces and play spaces to enable people and children with disabilities to access them and use them alongside non-disabled people and children.</p>

## Do you think that the policy impacts on men and women in different ways?

Sex/Gender	Positive	Negative	None	Reasons for your decision
<b>Eliminating unlawful discrimination, harassment and victimisation</b>	<b>X</b>			<p>The draft Regulations should, after consultation, be designed in such a way that they do not create unlawful discrimination related to gender.</p> <p>The draft OSS Regulations require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to a series of outcomes including</p> <ul style="list-style-type: none"> <li>○ advancing equality and eliminating discrimination,</li> </ul> <p>the policy aim behind this is to ensure good access to greenspace for all.</p>
<b>Advancing equality of opportunity</b>	<b>X</b>			<p>Evidence shows women are under-represented in their use of green space, proportionate to their numbers in society, and their use of urban green space may be influenced by the quality of the green space to a greater degree than men's.</p> <p>For the individual open spaces included in the open space audit, the draft OSS Regulations set out that the audit may include information about the function of the open space and the extent to which it delivers those functions – this is seen as having a quality i.e. how well the space delivers on its functions and is fit for purpose. The draft OSS Regulations require open space audits to include a statement on the quality of the open spaces and green networks in respect of each locality within their area, and for the totality of their area. Shared good practice and guidance will provide more detail on the types of considerations that contribute to quality, this is likely to link to the qualities of successful places set out in national planning policy, including being 'safe and pleasant'.</p> <p>The evidence suggests women are likely to have greater concerns about their personal safety travelling to / from and within parks and green spaces. For the individual open spaces included in the open space audit, the draft Regulations set out that the audit may include information on the accessibility to the public.</p>



			<p>The draft OSS Regulations require open space audits to include a statement on the accessibility of the open spaces and green networks in respect of each locality within their area, and for the totality of their area. As indicated above shared good practice and guidance will provide more details, and how to link to the qualities of successful places set out in NPF, including being ‘safe and pleasant’.</p> <p>The large majority of lone parent households are headed by women. Lone parent households can often suffer from demanding schedules, which have an impact on family time. Potential mitigation of this issue is to ensure that those who are ‘time poor’ have convenient access to open spaces and play opportunities to take children to. Both the draft OSS and PSA Regulations require planning authorities to consider the accessibility of open spaces and green networks and play opportunities respectively.</p> <p>Evidence shows that boys and girls play in different ways, especially as they grow older. Make Space for Girls highlighted how girls are crowded out of parks and equipment, and how their needs are mostly ignored and that parks, play equipment and public spaces for older children and teenagers are currently designed for the default male. Provision is almost entirely in terms of skate parks, BMX tracks, football pitches and MUGAs, which are used almost entirely by boys. Future shared good practice and guidance may highlight more details on considerations around gender issues, the need to consult with girls and boys and look for any patterns of exclusion that needs to be addressed, to ensure appropriate provision for both girls and boys is available locally.</p> <p>In terms of engagement the evidence notes that women can find it more difficult to engage in planning processes since they are more likely to provide unpaid care and the timing and places of consultation may not recognise caring responsibilities, and women from some minority ethnic groups may not wish to attend mixed gender consultation meetings. We have taken the policy decision not to prescribe ‘how’ planning authorities consult, i.e. not requiring a public</p>
--	--	--	--

				meeting, but instead leaving it open for planning authorities to consult groups in the most appropriate way for them, taking account of existing local structures and engagement methods, and socio-cultural needs. The opportunity for a written consultation and written representations on the draft OSS may benefit those women who would not wish to attend mixed gender consultation meetings, but can input their comments from home. We are proposing a 12 week consultation period is proposed on draft open space strategies, it is hoped this is an appropriate length of time for those who may have less available free time to get involved in planning consultations outside other caring and parental responsibilities.
<b>Promoting good relations</b>			<b>X</b>	The draft Regulations are unlikely to impact on the promotion of good relations between men and women.

## Do you think that the policy impacts on women because of pregnancy and maternity?

Pregnancy & Maternity	Positive	Negative	None	Reasons for your decision
<b>Eliminating unlawful discrimination, harassment and victimisation</b>	<b>X</b>			<p>The draft Regulations should, after consultation, be designed in such a way that they do not create unlawful discrimination related to pregnancy and maternity.</p> <p>The draft OSS Regulations require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to a series of outcomes including</p> <ul style="list-style-type: none"> <li>○ advancing equality and eliminating discrimination,</li> </ul> <p>the policy aim behind this is to ensure good access to greenspace for all.</p>
<b>Advancing equality of opportunity</b>	<b>X</b>			<p>There is considerable evidence of beneficial effects of access to green space for pregnant women’s health, including mental health. Green space in close proximity to the homes of pregnant women, and residential greenness were both positively associated with birth weight.</p> <p>The draft OSS Regulations require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to the outcome of ‘improving health and wellbeing’.</p> <p>Both sets of draft Regulations require planning authorities to provide information on ‘Accessibility’, this should help to ensure planning authorities consider how accessible open spaces and play opportunities are. Shared good practice and guidance will provide more detail in relation to accessibility, both in terms of the proximity of spaces to homes and their location within neighbourhoods.</p> <p>The World Health Organisation has noted “The evidence shows that urban green space has health benefits, particularly for economically deprived communities, children, pregnant women and senior citizens. It is therefore essential that all populations have adequate access to green space, with</p>

				<p>particular priority placed on provision for disadvantaged communities.’ The draft PSA Regulations require PSAs to include any Scottish Index of Multiple Deprivation data which the planning authority consider to be relevant.</p> <p>Evidence from Public Health Scotland indicates pregnant women may find standing difficult and need facilities to sit down. Quality is an aspect that both sets of draft Regulations require planning authorities to consider and provide information on. Shared good practice and guidance will cover quality and could provide advice on the need to consider the need for seating for pregnant women.</p> <p>The draft PSA Regulations propose that planning authorities must consult ‘parents and carers’, and ‘the public’ - this could include recent parents and parents who are pregnant, who may be able to advise on needs in relation to pregnancy and maternity.</p> <p>The draft OSS Regulations also require planning authorities to consult with Public Health Scotland, who may also be able to advise on the needs of pregnant women and in relation to maternity.</p> <p>We believe the overall ethos behind both sets of draft Regulations in terms of helping ensure there are enough, accessible, good quality open spaces and places to play should be reassuring for pregnant women to know their local planning authority will be considering these issues, so they will have places to take their children to in the future.</p> <p>The consultation will seek views on whether the policy proposals are likely to have any disproportionate effects because of pregnancy and maternity.</p>
<b>Promoting good relations</b>			<b>X</b>	The draft Regulations are unlikely to impact on the promotion of good relations pregnant women and other people.

**Do you think that the policy impacts on people because of their sexual orientation?**

Sexual Orientation	Positive	Negative	None	Reasons for your decision
<b>Eliminating unlawful discrimination, harassment and victimisation</b>	<b>X</b>			<p>The draft Regulations should, after consultation, be designed in such a way that they will not create unlawful discrimination related to sexual orientation.</p> <p>The draft OSS Regulations require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to a series of outcomes including</p> <ul style="list-style-type: none"> <li>○ advancing equality and eliminating discrimination,</li> </ul> <p>the policy aim behind this is to ensure good access to greenspace for all.</p>
<b>Advancing equality of opportunity</b>			<b>X</b>	<p>Generally when it came to planning, as a whole, this group had no special needs or requirements - their views were representative of the general population.</p> <p>In relation to access to play space and places to socialise, the evidence reveals LGBT children and young people may be significantly disadvantaged in accessing adequate play and leisure opportunities. Less than half LGBT children surveyed said there were enough places where they could safely socialise and be open about their sexual orientation. Evidence shows LGBTQ+ people ‘switch’ or hide their identities to feel safe in the majority of public spaces” .</p> <p>In 2015, LGBO adults had lower mental wellbeing than the heterosexual group, when this is considered in conjunction with wider evidence on the widely recognised benefits greenspace can offer in terms of mental health, it underlines the importance that this group, can access quality greenspace and feel safe in doing so.</p>

			<p>The evidence highlights the need for there to be enough safe places. The draft OSS Regulations require open space audits to include a statement on the quality of the open spaces and green networks in respect of each locality within their area, and for the totality of their area. Shared good practice and guidance will provide more detail on the types of considerations that contribute to quality - this is likely to link to the qualities of successful places set out in national planning policy, including being 'safe and pleasant'.</p> <p>The Report on Queering Public Space, by University of Westminster, ARUP noted there was an urgent need today to rethink public spaces and create more inclusive, welcoming and hospitable environments for all members of our communities." Examples of spaces regarded as queer-inclusive were ones which had a diverse feel to them, respondents noted these were spaces softened by greenery or bodies of water, rather than harshened by hard surfaces. Space was not open and intimidating but broken up and intimate." Well designed and managed open spaces and green spaces have the potential to be intimate, safe green places. Shared good practice and guidance will provide more detail on quality, and design considerations.</p> <p>The draft Regulations do not specifically require planning authorities to consult with people of different sexual orientations. However there are wider requirements to consult the public, and any other person or community body which the planning authority considers to be appropriate.</p> <p>We will consider any views from representative organisations received through the consultation, on whether the policy proposals are likely to have any disproportionate effects in relation to sexual orientation.</p>
--	--	--	---

<p><b>Promoting good relations</b></p>			<p><b>X</b></p>	<p>The draft Regulations are unlikely to impact on the promotion of good relations between people of different sexual orientation.</p>
--	--	--	-----------------	--

**Do you think that the policy impacts on transgender people?**

Gender Reassignment	Positive	Negative	None	Reasons for your decision
<b>Eliminating unlawful discrimination, harassment and victimisation</b>	<b>X</b>			<p>The draft Regulations should, after consultation, be designed in such a way that they will not create unlawful discrimination related to gender reassignment.</p> <p>The draft OSS Regulations require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to a series of outcomes including</p> <ul style="list-style-type: none"> <li>○ advancing equality and eliminating discrimination,</li> </ul> <p>the policy aim behind this is to ensure good access to greenspace for all.</p>
<b>Advancing equality of opportunity</b>			<b>X</b>	<p>Evidence shows LGBTQ+ people ‘switch’ or hide their identities to feel safe in the majority of public spaces”, 54% of trans respondents avoided being open about their gender identity in ‘the park’ for fear of a negative reaction from others. Less than a third of transgender and non-binary people said there were enough places where they could socialise safely.</p> <p>This highlights the need for there to be enough safe places. The draft OSS Regulations require open space audits to include a statement on the quality of the open spaces and green networks in respect of each locality within their area, and for the totality of their area. Shared good practice and guidance will provide more detail on the types of considerations that contribute to quality, and the likely link to the qualities of successful places set out in national planning policy, including being ‘safe and pleasant’.</p> <p>The Report on Queering Public Space, by University of Westminster, ARUP noted there was an urgent need today to rethink public spaces and create more inclusive, welcoming and hospitable environments for all members of our communities.” Examples of spaces regarded as queer-inclusive were ones which had a diverse feel to them, respondents noted</p>



				<p>these were spaces softened by greenery or bodies of water, rather than harshened by hard surfaces. Space was not open and intimidating but broken up and intimate.” Well designed and managed open spaces and green spaces have the potential to be intimate, safe green places, that transgender people can enjoy spending time in. Shared good practice and guidance will provide more detail on quality, and design considerations.</p> <p>The draft OSS Regulations also require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to the outcome of ‘improving health and wellbeing’.</p> <p>The draft Regulations do not specifically require planning authorities to consult with transgender people. However there are wider requirements to consult the public, and any other person or community body which the planning authority considers to be appropriate.</p> <p>We will consider any views from representative organisations received through the consultation on whether the policy proposals are likely to have any disproportionate effects on transgender people.</p> <p>Future shared good practice and guidance will highlight more detail on considerations around equality for everyone, including people with protected characteristics.</p>
<p><b>Promoting good relations</b></p>			<p><b>X</b></p>	<p>The draft Regulations are unlikely to impact on the promotion of good relations between transgender people and others.</p>

## Do you think that the policy impacts on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
<b>Eliminating unlawful discrimination, harassment and victimisation</b>	X			The draft Regulations should, after consultation, be designed in such a way that they will not create unlawful discrimination related to race. The draft OSS Regulations require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to a series of outcomes including advancing equality and eliminating discrimination, the policy aim behind this is to ensure good access to greenspace for all.
<b>Advancing equality of opportunity</b>	X			<p>Evidence shows there is a health disparity created by BME people's lower presence in nature and open countryside. BME people are less likely to regularly visit natural settings. This low presence matters because BME people miss out on the pleasure and health benefits of natural spaces.</p> <p>The draft OSS Regulations require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to the outcome of 'improving health and wellbeing'. The draft OSS Regulations also require planning authorities to consult with Public Health Scotland, who may be able to advise on where there are particular issues of health inequalities and any racial element linked to that and access to open space in particular communities.</p> <p>In terms of living within a five 5-minute walk of the nearest greenspace, there is a marked difference by ethnicity, with just 45% of ethnic minorities reporting living within a 5-minute walk, compared to 66% of those from the white ethnic group. The draft OSS Regulations include outcomes on 'advancing equality and eliminating discrimination' and 'improving access to green infrastructure, open space and green networks' - these are intended to work together to ensure good access for all groups.</p> <p>Both sets of draft Regulations require planning authorities to provide information on 'Accessibility', at both a locality and whole local authority area, this should help to ensure planning authorities consider how accessible open spaces and play opportunities in their area are. Shared good practice and guidance will provide more</p>

			<p>detail about considerations in relation to accessibility, both in terms of the proximity of spaces to homes and their location within neighbourhoods.</p> <p>Some people from specific communities of interest and identity described finding it difficult to get involved in decisions, or having no experience of involvement. For example, some asylum seekers, EU citizens, foreign language groups, and some people from different ethnic minority groups described experiences of being detached from the wider community and formal decision-making organisations and forums. In particular women from some minority ethnic groups may not wish to attend mixed gender consultation meetings. The draft Regulations do not specifically require planning authorities to consult with people of different races. However there are wider requirements to consult the public, and any other person or community body which the planning authority considers to be appropriate.</p> <p>We have also taken the policy decision not to prescribe ‘how’ planning authorities consult, i.e. not requiring a public meeting, but instead leaving it open for planning authorities to consult groups in the most appropriate way for them, taking account of existing local structures and engagement methods, and socio-cultural needs. The opportunity for a written consultation and written representations on the draft OSS may benefit those women from minority ethnic groups who would not wish to attend mixed gender consultation meetings, but can input their comments from home.</p> <p>The draft OSS Regulations require open space audits to include a statement on the quality, and accessibility of the open spaces and green networks in respect of each locality within their area, and for the totality of their area. Shared good practice and guidance will provide more detail on the types of considerations that contribute to quality, this is likely to link to the qualities of successful places set out in national planning policy, including being ‘safe and pleasant’. Shared good practice and guidance will provide more detail on quality, and design considerations, it can also elaborate that when considering accessibility – inclusion is an important factor, including for people of different races and ethnic backgrounds.</p>
--	--	--	--

				The consultation will seek views from representative organisations on whether the policy proposals are likely to have any disproportionate effects in relation to race.
<b>Promoting good relations</b>			<b>X</b>	The draft Regulations are unlikely to impact on the promotion of good relations between people of different races.

**Do you think that the policy impacts on people because of their religion or belief?**

Religion or Belief	Positive	Negative	None	Reasons for your decision
<b>Eliminating unlawful discrimination, harassment and victimisation</b>	<b>X</b>			<p>The draft Regulations should, after consultation, be designed in such a way that they will not create unlawful discrimination related to race. The draft OSS Regulations require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to a series of outcomes including advancing equality and eliminating discrimination. The policy aim behind this is to ensure good access to greenspace for all.</p>
<b>Advancing equality of opportunity</b>			<b>X</b>	<p>The data reveals that Christians or those having no religion were significantly more likely to live within 5 minutes of a greenspace compared to those belonging to another religion.</p> <p>As well as the outcome around ‘advancing equality and eliminating discrimination’ the draft Regulations include the outcome of ‘improving access to green infrastructure, open space and green networks’ these are intended to work together to ensure good access for all groups.</p> <p>Both sets of draft Regulations require planning authorities to provide information on ‘Accessibility’, at both a locality and whole local authority area, this should help to ensure planning authorities consider how accessible open spaces and play opportunities in their area are. Shared good practice and guidance will provide more detail on considerations in relation to accessibility, both in terms of the proximity of spaces to homes and their location within neighbourhoods.</p> <p>There is evidence that women from minority ethnic groups may would not wish to attend mixed gender consultation, this may be linked to their religion or belief. We have also taken the policy decision not to</p>

				<p>prescribe ‘how’ planning authorities consult, i.e. not requiring a public meeting, but instead leaving it open for planning authorities to consult groups in the most appropriate way for them, taking account of existing local structures and engagement methods, and socio-cultural needs. The opportunity for a written consultation and written representations on the draft OSS Regulations may benefit those women from particular religions or beliefs who would not wish to attend mixed gender meetings, but can input their comments from home.</p> <p>The draft OSS Regulations require open space audits to include a statement on the quality, and accessibility of the open spaces and green networks in respect of each locality within their area, and for the totality of their area. Shared good practice and guidance will provide more detail on the types of considerations that contribute to accessibility, this is likely to link to the qualities of successful places set out in national planning policy, including being ‘safe and pleasant’. Shared good practice and guidance can also elaborate on aspects planning authorities should be aware of when considering accessibility – including considering whether there is appropriate provision for people of different religions or beliefs.</p> <p>We will consider any views from representative organisations received through the consultation on whether the policy proposals are likely to have any disproportionate effects in relation to religion or belief.</p>
<b>Promoting good relations</b>			<b>X</b>	The draft Regulations are unlikely to impact on the promotion of good relations between people of different religions or beliefs.

## Do you think that the policy impacts on people living on low income or living in poverty?

Living On Low Income/ In Poverty	Positive	Negative	None	Reasons for your decision
<b>Eliminating unlawful discrimination, harassment and victimisation</b>	<b>X</b>			<p>The draft Regulations should, after consultation, be designed in such a way that they will not create unlawful discrimination related to poverty. The draft OSS Regulations require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to a series of outcomes including ‘advancing equality and eliminating discrimination’. The policy aim behind this is to ensure good access to greenspace for all.</p>
<b>Advancing equality of opportunity</b>	<b>X</b>			<p>Evidence shows that health inequalities exist in Scotland, and that access to high quality green and open spaces, including space for play, can help prevent environmental factors causing health inequalities. As well as advancing equality, the draft OSS Regulations require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to the outcome of ‘improving health and wellbeing’. The draft OSS Regulations set out that in assessing current and future requirements, the planning authority is to have regard to how green infrastructure, open space and green networks are contributing to the outcomes and they must include a statement as to how their OSS contributes to the outcomes.</p> <p>Access to outdoor space at home varies by tenure, homeowners are more likely to have gardens, 97% of homeowners have access to open private outdoor space. 19% of local authority tenants and 23% of private sector tenants do not have access to outdoor space at home. This highlights the need for sufficient public open space and play opportunities, particularly in the vicinity of those who may not be able to enjoy access to outdoor space at home.</p>

			<p>People living in the most deprived areas are less likely to live within a 5 minute walk of their nearest greenspace than people in less deprived areas. Both sets of draft Regulations require planning authorities to provide information on ‘Accessibility’, this should help to ensure planning authorities consider how accessible open spaces and play opportunities are. Shared good practice and guidance will provide more detail on considerations in relation to accessibility, including in terms of the proximity to homes, and as part of 20 minute neighbourhoods.</p> <p>Respondents living in the 15% most deprived areas of Scotland were more likely to agree or agree strongly that the quality of their local greenspace has reduced in the past 5 years (50% strongly agree/agree, compared to 40% of urban Scots). The draft OSS Regulations set out that open space audits may include information about the function of the open space and the extent to which it delivers those functions – this is seen as having a quality i.e. how well the space delivers on its functions and is fit for purpose. The draft OSS Regulations require open space audits to include a statement on the quality of the open spaces and green networks in respect of each locality within their area, and for the totality of their area. Shared good practice and guidance will provide more detail on the types of considerations that contribute to quality, this is likely to link to the qualities of successful places set out in national planning policy, including being ‘safe and pleasant’.</p> <p>A significant proportion, almost one in four of Scotland’s children live in poverty, and the evidence shows this can impact on their opportunity to play, and how they play. Children living in the most deprived areas are also more than twice as likely to be obese than those living in the least deprived areas. In carrying out PSA, planning authorities may wish to refer to any Scottish Index of Multiple Deprivation data, which they consider to be relevant. This could help planning authorities identify areas and prioritise action where the provision of local play opportunities</p>
--	--	--	---



				<p>could help mitigate the impact of child poverty, and disparity of provision and unequal access.</p> <p>The evidence indicates that internet access and confidence using it varies by tenure and household income. The draft OSS Regulations contain a provision requiring planning authorities to publicise the consultation on their draft OSS using adverts in the local press, to help ensure those who don't have the internet have the opportunity to offer their views on the draft open space strategy.</p> <p>We will consider any views from representative organisations received through the consultation on whether the policy proposals are likely to have any disproportionate effects in relation to people living on low incomes and/or in poverty.</p>
<b>Promoting good relations</b>			<b>X</b>	<p>The draft Regulations are unlikely to impact on the promotion of good relations between people living on low income and others on higher incomes.</p>

**Stage 4: Decision making and monitoring (Identifying and establishing any required mitigation action)**

<p>Have positive or negative impacts been identified for any of the equality groups?</p>	<p>This interim review has identified at this stage a range of potentially positive impacts of the draft Regulations.</p> <p>As this is a preliminary and indicative assessment of all the potential impacts at this interim stage of the EQIA, it will be subject to further review and revision after the consultation has taken place and in finalising the Regulations.</p> <p>Shared good practice and guidance will provide more details on equality issues to be considered when auditing open spaces, and assessing play sufficiency, and in engaging people on those; as well as in developing the open space strategies and its policies and proposals.</p>
<p>Is the policy directly or indirectly discriminatory under the Equality Act 2010?<sup>133</sup></p>	<p>No. There is no evidence, so far within this interim EQIA that the policy is directly or indirectly discriminatory under the Equality Act 2010.</p>
<p>If the policy is indirectly discriminatory, how is it justified under the relevant legislation?</p>	<p>N/A</p>
<p>If not justified, what mitigating action will be undertaken?</p>	<p>N/A</p>

<sup>133</sup> [Equality Act 2010](#)

## Describing how this Interim Equality Impact analysis has shaped the policy making process so far

Throughout discussions with the OSSPSA Working Group and with planning authorities we highlighted the need to consider equalities for people of different protected characteristics, as a core part of the policy making process.

In developing the draft Regulations, our approach has been significantly influenced by the evidence on equalities. Taking account of the issues raised, in relation to the lived experience of people from different protected groups/characteristics, relevant aspects will be addressed either within the draft Regulations or will be expanded upon through shared good practice and guidance.

### Aspects in the draft Regulations:

- **advancing equality and eliminating discrimination outcome** – members of the Working Group suggested the OSS Regulations should require planning authorities to take an outcomes based approach when preparing their open space strategy. Given existing inequalities in access to open space, improving equality was identified as a proposed outcome. The proposed wording was refined to ‘advancing equality and eliminating discrimination’ following examination of responses from Engender to other EQIAs.
- **consultees lists** – across the two sets of draft Regulations there are requirements for planning authorities to consult; children and young people, disabled people, parents and carers, older people, the public, community councils and any other person or community body which the planning authority considers to be appropriate.
- **consultation** – there was an option to prescribe in the draft OSS Regulations the means how planning authorities would have to consult. But taking account of the evidence that some women from ethnic minority or different religious beliefs may not feel comfortable attending mixed gender consultation meetings, the policy decision was taken not to prescribe ‘how’ planning authorities consult, for instance not requiring a public meeting. Instead there is flexibility for planning authorities to consult groups in the most appropriate way for them, taking account of existing local structures and engagement methods, and socio-cultural needs.
- **quantity, quality and accessibility information requirements** – evidence shows different groups experience different levels of quantity, quality and accessibility to open space and play spaces. Both sets of draft Regulations require planning authorities to consider the ‘quantity’, ‘quality’ and ‘accessibility’ of open space, and play opportunities, respectively, on a locality basis, this will help inform local authorities on the amount, and quality of open space and places to play within local neighbourhoods, to seek to ensure greater equity.

- **press advert requirements** – this provision was added to the draft OSS Regulations to ensure older people (who may not have access to the internet) are aware of, and so not excluded from the consultation on the draft OSS for their area.

**Aspects to address through shared good practice and guidance:**

- **information on age groups of children by sex** – to help ensure planning authorities consider the play needs of boys and girls of all ages.
- **other demographic information** – to help ensure planning authorities advance equality and eliminate discrimination
- **consultation** – to expand on the importance of engaging a wide range of people in particular those with protected characteristics.
- **deprived communities** – we encourage planning authorities to refer to the Scottish Index of Multiple Deprivation (SIMD) or similar data which they consider to be relevant. This should help them identify areas where they may be fewer children with access to their own garden, and where the need for play opportunities outside the home may be greater, and offer significant health and wellbeing benefits.
- **accessibility** – to provide more detail on the types of considerations that contribute to accessibility, linked to the qualities of successful places set out in national planning policy, including being ‘safe and pleasant’; and in relation to different protected characteristics including people with disabilities, gender, age, and religion or belief.
- **quality and safety** – to provide more detail on the types of considerations that contribute to quality, linked to the qualities of successful places set out in national planning policy, including being ‘safe and pleasant’ - qualities which the evidence shows is particularly important to women and girls, children and older people, as well as non-binary people.
- **child friendly versions** – to help ensure equality of opportunity for younger age groups in terms of engagement, we encourage planning authorities to consider publishing a child-friendly version alongside the main documents (PSA and OSS respectively).

The interim equality impact analysis has helped highlight areas where there is less evidence on people with protected characteristics and the other characteristics included within this interim EQIA. It helped shape our plans for engagement during the consultation.

We intend to carry out a targeted consultation with children and young people to ensure that there are no unintended consequences from the draft Regulations. We have been working closely with Play Scotland and A Place In Childhood to develop an engagement strategy to seek the views of children and young people from across Scotland. During the public consultation period we intend to carry out targeted

engagement, with a tailored questionnaire to children and young people from different age groups, backgrounds and parts of the country (urban / rural / island and more deprived / less deprived communities), including with groups for children and young people with additional support needs, and those from a BAME background, refugees / asylum seekers, LGBTQ, and young carers.

Within the consultation itself, we have highlighted a number of areas where there are potential impacts on different groups to allow consultees to consider these in commenting on the draft provisions.

### **Monitoring and Review**

Evidence available and gathered during the consultation will help inform the full and final Equality Impact Assessment which will be completed at the end of the consultation period.

The consultation responses will be fully analysed and will inform the drafting of the final Regulations to be laid in Parliament, as well as the full and final EQIA, and any future guidance supporting the Regulations.

Any subsequent feedback will also be considered and the any future guidance may be updated.

Monitoring levels of access to green and blue space can be carried out over time comparing any changes from the baseline (2019) data as recorded for the national indicator, which includes breakdowns by age, disability, ethnicity, gender, religion, SIMD and urban rural classification.

## **Stage 5: Authorisation of EQIA**

### **Declaration**

**I am satisfied with the interim Equality Impact Assessment that has been undertaken for the consultation on secondary legislation on Open Space Strategies and Play Sufficiency Assessments and give my authorisation for the results of this interim assessment to be published on the Scottish Government's website.**

**Name: Fiona Simpson**

**Position: Chief Planner**

## Children’s Rights and Welfare Impact Assessment (CRWIA)

Stage 3 - Publication Date of publication: December 2021

<b>CRWIA title: Secondary Legislation Open Space Strategies and Play Sufficiency Assessments</b>	
<b>Executive summary</b>	<p>This impact assessment relates to the proposals for the introduction of secondary legislation to support the new duties on planning authorities to prepare Open Space Strategies (OSS) and Play Sufficiency Assessments (PSA).</p> <p>This impact assessment considers how the proposals relate to the relevant <a href="#">Articles of the UNCRC</a>, in particular relating to Articles 31, 15 and 12; as well as having some relevance to Articles 3, 23 and 24.</p> <p>It considers</p> <ul style="list-style-type: none"> <li>• any impacts the proposals may have on children in general and / or on any specific group or groups of children;</li> <li>• how the proposal may contribute to the wellbeing of children and young people based on the Getting it Right for Every Child’s <a href="#">SHANARRI indicators</a>;</li> <li>• if the proposals better or further effect the implementation of the UNCRC in Scotland; and</li> <li>• the evidence base used to inform the assessment.</li> </ul>
<b>Background</b>	<p>The right to rest and leisure, to engage in play and recreational activities appropriate to the age of the child is enshrined under Article 31 of the UNCRC. Research also shows that play builds health and wellbeing in children and is essential to healthy development from birth to adulthood, contributing to the capacity for learning, resilience and the development of physical, cognitive, social and emotional skills. Open spaces provide many opportunities for children to play and for relaxation and recreation. However, various research and surveys including the <a href="#">2016 Scottish Households Survey</a>, showed that whilst most children had access to play areas in their neighbourhood, the availability differed according to levels of deprivation within urban areas. It also noted the quality and accessibility of the play spaces for children, including children with a disability and/or from particular social, cultural or economic background were variable.</p> <p><a href="#">The Planning (Scotland) Act 2019</a> made it a statutory requirement for planning authorities to assess the sufficiency of play opportunities in their area for children in preparing the Evidence Report for their Local Development Plan.</p> <p>Planning policy has promoted the preparation of an open space audit and strategy and, whilst this has not been a mandatory requirement, most authorities have a form of OSS that they use to inform their local development plans and planning decisions. The Planning (Scotland) Act 2019 made it a statutory requirement for planning authorities to prepare an OSS.</p>

<p><b>Scope of the CRWIA, identifying the children and young people affected by the policy, and summarising the evidence base</b></p>	<p>Scope - All children are potentially affected by the proposals as both sets of draft Regulations require planning authorities to consult children in carrying out their duties; this is to ensure children are involved and due consideration is taken of their views to inform the preparation of the OSS and PSA.</p> <p>Evidence - Various surveys and research data highlight a number of issues, including those of access, use, quality, inclusion etc. relating to children’s use of open spaces and play spaces and that some disparities exist for children with disabilities and from different socio-economic backgrounds.</p>																																																															
<p><b>Children and young people’s views and experiences</b></p>	<p><b>Benefitting from greenspace</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Research</a> shows the positive impacts of quality greenspace for children includes the ability to cope with life stresses, concentration, activity levels and social skills.</li> </ul> <p><b>Accessing the outdoors, greenspace, open space, play space</b></p> <ul style="list-style-type: none"> <li>• The <a href="#">2016 Scottish Household Survey</a> showed that most children had access to play areas in their neighbourhood, but that availability differed according to levels of deprivation within urban areas. Households within the 20% of the most deprived urban areas said they had less access to a natural environment or wooded area in their neighbourhood, compared to other urban areas. Children in rural areas have more access to fields, natural environments and woods, whereas those in urban areas have more access to parks.</li> </ul> <p><b>Table 13.1: Types of children play areas available in the neighbourhood by Urban Rural Classification and Scottish Index of Multiple Deprivation (SIMD)</b> Percentages, 2016 data</p> <table border="1"> <thead> <tr> <th rowspan="2">Households containing children aged 6 to 12</th> <th colspan="3">Urban</th> <th rowspan="2">Rural</th> <th rowspan="2">Scotland</th> </tr> <tr> <th>20% Most Deprived</th> <th>Rest of Urban</th> <th>All Urban</th> </tr> </thead> <tbody> <tr> <td>Playground</td> <td>52</td> <td>59</td> <td>57</td> <td>52</td> <td>56</td> </tr> <tr> <td>Park</td> <td>64</td> <td>68</td> <td>67</td> <td>55</td> <td>65</td> </tr> <tr> <td>Football or other games pitch</td> <td>42</td> <td>48</td> <td>46</td> <td>43</td> <td>46</td> </tr> <tr> <td>Field or other open space</td> <td>46</td> <td>54</td> <td>51</td> <td>62</td> <td>53</td> </tr> <tr> <td>School playground</td> <td>35</td> <td>45</td> <td>42</td> <td>39</td> <td>42</td> </tr> <tr> <td>Natural environment / wooded</td> <td>36</td> <td>50</td> <td>46</td> <td>72</td> <td>50</td> </tr> <tr> <td>Access to at least one play area</td> <td>91</td> <td>92</td> <td>91</td> <td>94</td> <td>92</td> </tr> <tr> <td>Access to none</td> <td>9</td> <td>8</td> <td>8</td> <td>6</td> <td>8</td> </tr> <tr> <td><i>Base (minimum)</i></td> <td><i>280</i></td> <td><i>800</i></td> <td><i>1,080</i></td> <td><i>290</i></td> <td><i>1,370</i></td> </tr> </tbody> </table> <p>Columns may add to more than 100 per cent since multiple responses were allowed.</p> <ul style="list-style-type: none"> <li>• The <a href="#">2016 Scottish Household Survey</a> also reveals around nine in ten households (92%) with young children have access to some form of play areas within their neighbourhood. Around two thirds (65%) have access to a park, whilst over half have access to either a playground (56%) or field or other open space (53%).</li> <li>• The Report by the Scottish Alliance for Children’s Rights on the <a href="#">State of Children’s Rights in Scotland</a>, states children have said that parental worries about traffic can mean they are not allowed to play in the street. Parking is also a problem, with cars parked on the pavements or blocking places where children could play or cross the road.</li> </ul>	Households containing children aged 6 to 12	Urban			Rural	Scotland	20% Most Deprived	Rest of Urban	All Urban	Playground	52	59	57	52	56	Park	64	68	67	55	65	Football or other games pitch	42	48	46	43	46	Field or other open space	46	54	51	62	53	School playground	35	45	42	39	42	Natural environment / wooded	36	50	46	72	50	Access to at least one play area	91	92	91	94	92	Access to none	9	8	8	6	8	<i>Base (minimum)</i>	<i>280</i>	<i>800</i>	<i>1,080</i>	<i>290</i>	<i>1,370</i>
Households containing children aged 6 to 12	Urban			Rural	Scotland																																																											
	20% Most Deprived	Rest of Urban	All Urban																																																													
Playground	52	59	57	52	56																																																											
Park	64	68	67	55	65																																																											
Football or other games pitch	42	48	46	43	46																																																											
Field or other open space	46	54	51	62	53																																																											
School playground	35	45	42	39	42																																																											
Natural environment / wooded	36	50	46	72	50																																																											
Access to at least one play area	91	92	91	94	92																																																											
Access to none	9	8	8	6	8																																																											
<i>Base (minimum)</i>	<i>280</i>	<i>800</i>	<i>1,080</i>	<i>290</i>	<i>1,370</i>																																																											



- A [COVID-19 Survey \(2020\)](#) reported that young people (aged 10 to 16 years) participating in a small number of workshops in Scotland identified lack of access to the outdoors as one of the main challenges they experienced during lockdown; and that the restriction on parks and limited opportunities to access the outdoors had affected their health and wellbeing.

#### **Quality of greenspace and play areas**

- The Report by the Scottish Alliance for Children’s Rights on the [State of Children’s Rights in Scotland](#), highlights that children have said they are disgusted by dog mess on pavements and in parks and playgrounds and that this stops them from playing in spaces that are supposed to be for them.
- The [Greenspace Use and Attitudes Survey 2017](#) reveals respondents living in the 15% most deprived areas of Scotland were more likely to agree or agree strongly that the quality of their local greenspace has reduced in the past 5 years (50% strongly agree/agree, compared to 40% of urban Scots) or if just use ‘strongly agree’ 26% compared to 18%. This could affect the quality of spaces available to children living in the most deprived areas and their experience of using local greenspaces.

#### **Feeling safe**

- [Recent research carried out by Children In Scotland, with young peer researchers](#) from schools in Dundee and Glasgow, found that children and young people might not want to go to certain areas, including local parks and green spaces because they did not feel safe. They expressed particular concerns about drunken behaviour by adults in open spaces, and the presence of litters particularly where there’s evidence of items used for taking drugs having been left.
- [Girls in Scotland 2018](#) indicates 18% of girls felt unsafe going to the park by themselves. [Girls in Scotland \(2020\)](#) notes that 31% of girls said they sometimes feel unsafe when spending time outside, and they’re more likely to feel this way as they get older.
- The [2016 Scottish Household Survey](#) also highlighted that over 50% of households in the 20% most deprived urban areas are very or fairly concerned of children being harmed by adults in playgrounds or parks compared to around 32-35% in the rest of urban areas. The 2016 Scottish Household Survey also noted parents living in the 20% most deprived urban areas were also much less likely to think that it was safe for children to travel alone to most play areas.
- The [2016 Scottish Household Survey](#) showed, the average age it is felt safe for children to play without adult supervision is 10 (for parks, playgrounds, football or games pitches, fields or other open spaces and school playgrounds, with them generally having to be 11 to play in natural environments / wooded areas by themselves, and it being seen safe for them to play in the street a year younger at 9. In rural areas, across the different types of spaces it was felt

	<p>safer for children to play out without supervision a year younger than the position for the rest of Scotland.</p> <ul style="list-style-type: none"> <li>• Together’s members have <a href="#">reported</a> that bullying in public places is a significant barrier in accessing play for children with learning disabilities.</li> </ul> <p><b>Spending free time</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Girls in Scotland (2020)</a> reports ‘most girls in Scotland lead an active lifestyle.</li> <li>• Stakeholders from the play sector have indicated in discussions that without access to quality greenspaces or play areas, and as some parents did not themselves have experience playing out when they were young, that children may spend more time on other activities rather than playing outside.</li> <li>• Research on <a href="#">The Health Impacts of Screen Time</a> undertaken by the Royal College of Paediatrics and Child Health (RCPCH) found that children and young people said that in a typical day they spend an average of; 2.5 hours on a computer/laptop/tablet, 3 hours on their phone, 2 hours watching tv. 41% of children said screen time have a negative impact on their play / fun time.</li> </ul> <p><b>Connection to place / neighbourhood</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Democracy Matters for Children</a> notes that 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’, ‘more trees’, ‘protected wildlife’, ‘more bins’ 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.</li> <li>• The <a href="#">2018 Scottish Household Survey</a> found that just over seven in ten (73 per cent) of those aged between 16 and 24 said they felt a very or fairly strong sense of belonging to their community, compared to almost nine in ten adults (87 per cent) aged 75 and above.</li> </ul> <p><b>Experiences of children with a disability</b></p> <ul style="list-style-type: none"> <li>• Nearly two thirds of respondents to a <a href="#">Scottish Youth Parliament survey</a> with a disability or access requirement (aged 12-25) said they did not feel comfortable using public transport.</li> <li>• The Report by the Scottish Alliance for Children’s Rights on the <a href="#">State of Children’s Rights in Scotland</a>, highlights that children with disabilities are often excluded from leisure and play activities with their peers.</li> </ul> <p><b>Experiencing gender issues in greenspaces and play areas</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Girls in Scotland (2020)</a> reports ‘when it comes to sport and play, girls in Scotland feel constrained by gender stereotypes from a very young age’.</li> </ul>
--	---

	<ul style="list-style-type: none"> <li>• <a href="#">Make Space for Girls' research</a>, claims that “parks, play equipment and public spaces for older children and teenagers are currently designed for the default male.” They have found evidence how girls are crowded out of parks and equipment, and how their needs are mostly ignored.</li> </ul> <p><b>Getting involved in planning / decision making /use of digital</b></p> <ul style="list-style-type: none"> <li>• The <a href="#">UN Committee on the Rights of the Child Concluding Observations</a> (2016) notes that in the UK that children’s views are not systematically heard on issues that affect them. It recommended that ‘structures should be established for the active and meaningful participation of children and give due weight to their views in designing laws, policies, programmes and services at the local and national levels...’ It went on to note that ‘Particular attention should be paid to involving younger children and children in vulnerable situations, such as children with disabilities’ and to ‘Ensure that children are not only heard but also listened to and their views given due weight by all professionals working with children.’</li> <li>• A <a href="#">survey undertaken by Young Scot (2017) to accompany Places, People and Planning</a> concluded that:             <ul style="list-style-type: none"> <li>○ the majority of young people feel 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; and</li> <li>○ the majority of young people feel that their local council should have to prove that they have involved children and young people in their plans.</li> </ul> </li> <li>• <a href="#">Democracy matters to Children (2020)</a> 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’. A number of local issues were identified as ones which children wanted to have a say in – this included planning and the built environment.</li> <li>• In May 2020, the Scottish Government published <a href="#">Young people's participation in decision making: attitudes and perceptions</a>. It noted that around six in ten young people surveyed agreed that adults were good at listening to their views (57 per cent). This was similar to findings in 2017. Around six in ten of young people surveyed (58 per cent) agreed that adults were good at taking their views into account when making decisions that affect them. This was an increase from 2017, when 53 per cent agreed.             <ul style="list-style-type: none"> <li>○ Boys were more positive on both questions.</li> <li>○ Older children, for example pupils in S6, were more negative.</li> <li>○ Respondents with a mental or physical health condition were less positive.</li> </ul> </li> <li>• <a href="#">Hard to Reach, Easy to Ignore</a> (2017) noted that language barriers lack of confidence and dominant characters can discriminate against some people during community engagement, specifically including young people.</li> </ul>
--	---

	<ul style="list-style-type: none"> <li>• <a href="#">Digital - Ofcom reported (February 2020)</a> noted that social media is central for both tweens and teens. Some 21% of 8-11s and 71% of 12-15s have a social media profile. It also noted that 2019 saw an increase in the proportion of 12-15s who use social media to support causes and organisations by sharing or commenting on posts (18% in 2019 vs. 12% in 2018). In addition, one in ten have signed petitions on social media in the last year.</li> </ul>
<p><b>Key Findings, including an assessment of the impact on children’s rights, and how the measure will contribute to children’s wellbeing</b></p>	<p><u>Relevant UNCRC Articles and the potential impacts the proposals may have on children’s rights:</u></p> <p><b>Article 3 (best interest of the child)</b> every decision and action taken relating to a child must be in their best interests. One of the key principles behind the proposed provisions in the draft Regulations is to support the interests of the children and young people in spatial planning and to ensure that their needs and how they use open spaces and play spaces are recognised and considered, amongst the needs of the wider community.</p> <p><b>Article 31 (leisure, play and culture)</b> which relates to every child having the right to relax and play. In requiring planning authorities to assess the sufficiency of outdoors play opportunities and to take cognisance of children’s improved access into open spaces, both sets of draft Regulations will help ensuring better and adequate provisions and access to outdoor spaces for play and relax, thus contributing to children’s health and wellbeing.</p> <p><b>Article 15 (freedom of association)</b> every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights. The potential impacts and contributions are similar to those assessed under Article 31 above.</p> <p><b>Article 12 (respect for views of the child)</b> 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. This links to the Respected and Responsible <a href="#">SHANARRI wellbeing indicators</a>.</p> <p>In requiring planning authorities to engage children and young people and to consult them during the processes of preparing OSSs and PSAs, both the draft OSS Regulations and the draft PSA Regulations ensure the involvement of children and young people and that they can participate in the matters affecting them and their views will be taken account of.</p> <p><b>Article 23 (children with a disability)</b> a child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community.</p>

Governments must do all they can to support disabled children and their families.

The draft PSA Regulations require planning authorities to consult with children, as well as with parents and carers during the process. This is intended to ensure all children and those with their best interests at heart are consulted during the preparation of the PSA. The draft OSS Regulations, being wider in scope, include a more general requirement on consulting people with disabilities.

The draft OSS Regulations require that in discharging their duties to prepare an OSS, planning authorities are to consider how the open space strategy will contribute to a series of outcomes including 'advancing equality and eliminating discrimination'. The policy aim behind this is to ensure good access to greenspace for all.

Both sets of draft Regulations require planning authorities to provide information on 'Accessibility', this should help to ensure planning authorities consider how accessible open spaces and play opportunities are, including for children with a disability. Shared good practice and guidance may provide more details on what should be considered in relation to accessibility, such as issues around:

- getting there - proximity of spaces to homes and their location within neighbourhoods, safe routes;
- design considerations within the spaces, in terms of the path network and finishing materials etc;
- the inclusion of the facilities and equipment provided; and
- feeling safe and welcome (accessible to people from different protected groups).

**Article 24 (health and health services)** every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being so that children can stay healthy.

The draft OSS Regulations require that in discharging their duties to prepare an OSS planning authorities are to consider how the open space strategy will contribute to the outcome of 'improving health and wellbeing'. The draft OSS regulations also require planning authorities to consult with Public Health Scotland.

Recognising improved access to open spaces and play spaces will ensure better opportunities for children to be active and to play outdoors and contribute to many positive health impacts on children and young people, as well as ensuring their development, contributing to the capacity for learning, resilience and the development of physical, cognitive, social and emotional skills.

	<p><u>SHANARRI wellbeing indicators</u></p> <p>The draft Regulations will support public bodies in Scotland in meeting their duties to safeguard, support and promote the wellbeing of children in their area, with wellbeing defined by eight wellbeing indicators. The <a href="#">SHANARRI indicators</a> are: Safe, Healthy, Active, Nurtured, Achieving, Respected, Responsible, and Included.</p> <p><b>Safe</b> – Shared good practice and guidance may expand on considerations when carrying out audits of open spaces and assessments of play opportunities. This could include considerations around whether spaces and play equipment is fit for purpose, well maintained and safe; whether the location and design of the space allows natural surveillance, with good lighting etc, whether access to the play space is safe, with minimised traffic risks and appropriate crossing provision.</p> <p><b>Healthy</b> – Exposure to green space during pregnancy is associated with foetal growth and good birth weight outcomes and a number of child cognitive development indicators.<sup>134</sup></p> <p>Research shows that accessing green space as a child leads to improved health outcomes in older age. Forestry Commission research<sup>135</sup> also found that “Residents in ‘high greenery’ environments were 3.3 times more likely to take frequent physical exercise than those in the lowest greenery category.”</p> <p>Literature from WHO<sup>136</sup> and other sources have found that there are a number of positive health benefits associated with urban greenspace or greener environments. These benefits include improved mental health and wellbeing, cognitive function, reduction in all-cause mortality, reduced cardiovascular morbidity and mortality, reduced prevalence of type 2 diabetes, enhanced quality of life and improved pregnancy outcomes. The benefits of high quality greenspace on physical and mental health appear to be most significant for certain groups within the population, including children.<sup>137</sup></p> <p>Play builds health and wellbeing in children. Professor Sir Harry Burns, Former Chief Medical Officer in Scotland said “Investing in children’s play is one of the most important things we can do to improve children’s health and wellbeing in Scotland”.<sup>138</sup></p>
--	---

<sup>134</sup> [Health and the natural environment: A review of evidence, policy, practice and opportunities for the future 2018](#)

<sup>135</sup> [Economic Benefits of Accessible Green Spaces for Physical and Mental Health: Scoping study, Final report for the Forestry Commission \(2005\)](#)

<sup>136</sup> [Urban green space interventions and health: A review of impacts and effectiveness. Full report \(2017\) . WHO](#)

<sup>137</sup> [A rapid scoping review of health and wellbeing evidence for the Green Infrastructure Standards European Centre for Environment and Human Health,](#)

<sup>138</sup> [Play for Health - Play Scotland](#) (accessed 03/08/2021)



	<p>The benefits of green and open space to people’s mental health and wellbeing became very evident during the Covid-19 pandemic. In 2020, almost three-quarters (70%) of people surveyed felt spending time outdoors in nature helped them to de-stress, relax and unwind and 56% agreed that it improved their physical health.<sup>139</sup></p> <p>The draft OSS Regulations require that in discharging their duties to prepare an OSS, planning authorities are to consider how the open space strategy will contribute to a series of outcomes including:</p> <ul style="list-style-type: none"> <li>○ improving health and well-being;</li> <li>○ improving access to green infrastructure, open space, and green networks; and</li> <li>○ advancing equality and eliminating discrimination.</li> </ul> <p><b>Active</b> – For children and young people, physical activity includes play, games, sport, practicing fundamental movement skills, recreation and taking part in planned exercise. Requiring councils to assess the sufficiency of play opportunities for children, should support the understanding of whether there is adequate provision locally for children to live an active life. The draft OSS Regulations require planning authorities to identify the ‘type’ of each open space (over the 0.2ha threshold) which should help to show the level of provision of sports areas, play areas as well as general amenity greenspace, where children can be active.</p> <p><b>Nurtured</b> – Children’s play is spontaneous, happens in a variety of ways, and children play in different spaces and places when they are outdoors. The different ways of play can be physical involving running, jumping, balancing etc; or can be creative involving making things, building dens, chalking and drawing; or can be social involving hanging around with a few friends, being quiet and relaxing. These different ways of play are crucial for children’s growth and development, in improving learning and developing skills that prepare them for adulthood. Research<sup>140</sup> shows play is essential to healthy development from birth to adulthood, contributing to resilience and the development of physical, cognitive, social and emotional skills.</p> <p>The draft PSA Regulations set out two different categories of play spaces, not limiting to those play areas specifically designed for play. By requiring planning authorities to also consider wider play opportunities in open spaces, it can support them to consider the broader environment and maximise the opportunities for children to play outdoors in their neighbourhoods.</p> <p><b>Achieving</b> – Play contributes to children’s capacity for learning. Learning Through Landscapes research<sup>141</sup> notes that outdoor learning not only helps children and young people understand their own</p>
--	--

<sup>139</sup> [Covid drives huge increase in use of urban greenspace | NatureScot](#)

<sup>140</sup> [Play for Health - Play Scotland](#)

<sup>141</sup> [Outdoor Learning and Attainment | Learning through Landscapes \(ltl.org.uk\)](#)

	<p>interests, but it also helps them to increase their knowledge and academic skills. In their research study, 20% of outdoor learning took place in greenspace, beyond playgrounds in school grounds. There is scope for planning authorities to consider through policies and proposals in their open space strategy opportunities to provide or enhance greenspace, particularly those near schools and nurseries that could be utilised to a greater extent for outdoor learning and increasing attainment.</p> <p>Natural spaces in and around the school environment are also associated with cognitive development in children; one study found that high levels of exposure to green spaces was associated with a 5% improvement in working memory, 6% increase in superior working memory, and a 1% reduction in inattentiveness.<sup>142</sup></p> <p>Play Scotland also note there is considerable evidence<sup>143</sup> that playing helps support children’s cognitive development. This includes the development of language skills, problem solving, gaining perspective, representational skills, memory and creativity. Playing in outdoor environments with natural features can also improve children’s concentration, self-confidence, self-regulation and an awareness of the needs of others. The new regulations to support the preparation of PSAs across Scotland should help ensure there are sufficient places for children to play which in turn can support their development, learning and other achievements.</p> <p><b>Respected, Responsible, Included</b> – The draft Regulations include specific requirements to consult with children and young people. The draft PSA Regulations require the planning authorities to engage children during the process of preparing PSA. Shared good practice and guidance may provide more details on the potential for co-production on aspects of the PSA. We encourage planning authorities to consider publishing a suitable child friendly version of the assessment report that is more accessible for children.</p> <p>This will support planning authorities in ensuring they meet their duties to safeguard, support and promote the wellbeing of children in their area. In particular relating to the indicators Respected, Responsible, and Included, by ensuring children are involved in the process, and their views are respected and given due regard as part of the process.</p>
--	---

<sup>142</sup> [Health and the natural environment: A review of evidence, policy, practice and opportunities for the future 2018](#)

<sup>143</sup> [Learning - Play Scotland](#)



<p><b>Monitoring and review</b></p>	<p>In terms of monitoring the Planning (Scotland) Act 2019 requires planning authorities to undertake the Play Sufficiency Assessment in preparing the Evidence Report for their Local Development Plan (LDP). The Evidence Report will be assessed on whether it contains sufficient information to enable the planning authority to prepare a proposed plan. Where it is determined that this is not the case, which may include a PSA not being provided, this could prevent the planning authority from moving forward to the next stage in preparing its LDP. LDPs are subject to a 10 year review cycle.</p> <p>The draft OSS Regulations require an updated open space strategy to be published within the period of 10 years beginning on the date of publication of the most recent open space strategy. This is intended to link to the review cycle for LDPs, and support evidence led plan making.</p>
-------------------------------------	--

Appendix B – Child Rights and Welfare Impact Assessment

Bill - Clause	Aims of measure	Likely to impact on	Compliance with UNCRC requirements	Contribution to local duties to safeguard, support and promote child wellbeing
<b>Draft Open Space Strategies Regulations:</b>				
Reg (2) Amendment of section 3G(4) of the Town and Country Planning (Scotland) Act 1997  (Definitions)	Greater clarity of understanding of key terms ('open space', 'green network', 'green infrastructure' and 'ecosystem services' and 'green spaces'), as consulted on with stakeholders.	-	N/A	N/A
Reg (3) Preparation of open space strategy	To introduce an outcomes based approach - improved focus on how the OSS can contribute to a range of aspects to support the wider health and wellbeing of the area including social benefits to the place and environment.  Requires planning authorities to identify any strategic green networks in their wholly or partially in their area, and how green networks may be enhanced	Articles 31,15,23,24	The draft Regulations require that planning authorities must take into consideration how the policies and proposals in the strategy contribute to a series of outcomes, including:  - improving access to green infrastructure, open space and green networks, supports Article 31 so children have access to spaces to relax and play, and Article 15 to meet with other children  o improving health and wellbeing, links to Article 24	One of the suggested outcomes specifically covers wellbeing.

Appendix B – Child Rights and Welfare Impact Assessment

Bill - Clause	Aims of measure	Likely to impact on	Compliance with UNCRC requirements	Contribution to local duties to safeguard, support and promote child wellbeing
			<p>(health and health services)                      - every child has the right to the best possible health.</p> <ul style="list-style-type: none"> <li>o advancing equality and eliminating discrimination, links to Article 23 (children with a disability).</li> </ul>	
<p>Reg (4) Audit of existing open space provision</p>	<p>To set out the types of open spaces to be included in the audit.</p> <p>To highlight factors that may be included in audits, including environmental considerations eg. accessibility, the function of the space, the extent to which open space delivers on its functions, the presence of play opportunities and condition.</p> <p>To require planning authorities to include statements on accessibility, quality and quantity of open</p>	<p>Articles 31,15,23,24</p>	<p>Auditing open spaces in this way can help in considering whether there are enough, good quality, accessible open spaces. This supports children under Article 31 in having spaces to relax and play, and under Article 15 having spaces where to meet with other children in their local community (locality)</p> <p>Linking back to the outcomes approach also ensures in auditing open spaces planning authorities are considering how well they improve access to open spaces and green networks, and</p>	<p>One of the suggested outcomes specifically covers wellbeing.</p>

Appendix B – Child Rights and Welfare Impact Assessment

Bill - Clause	Aims of measure	Likely to impact on	Compliance with UNCRC requirements	Contribution to local duties to safeguard, support and promote child wellbeing
	<p>spaces and green networks in each locality and for the totality of the area.</p> <p>To set out consultees who the planning authority is to seek the views of in carrying out the audit, including children and young people, people with disabilities, the public, any other person or community body which the planning authority considers to be appropriate and key agencies (including Public Health Scotland).</p>		<p>advance equality and eliminate discrimination - this would include for children with a disability (Article 23)</p> <p>In relation to Article 24 there is the requirement to consult with Public Health Scotland and the link to the outcome on improving health and wellbeing.</p>	
Reg (5) Assessment of current and future requirements	Requires the planning authority to consult in carrying out the assessment of current and future requirements (including with children and young people, the public,	Articles 31,15,23,24	Helping to ensure the current and future needs of children in relation to open space are met which can support Article 31 in having spaces to relax and play, and Article 15 to meet with other children including in their	One of the suggested outcomes specifically covers wellbeing.

Appendix B – Child Rights and Welfare Impact Assessment

Bill - Clause	Aims of measure	Likely to impact on	Compliance with UNCRC requirements	Contribution to local duties to safeguard, support and promote child wellbeing
	<p>community councils, and key agencies (including Public Health Scotland).</p> <p>Ensuring engagement is at a meaningful 'neighbourhood' / locality level to help identify requirements for open space to help support delivery and action at a local level.</p>		<p>local community (locality).</p> <p>By linking back to the outcomes approach also ensures when planning authorities are considering open space requirements they are considering advancing equality including for children with a disability (Article 23) and improving health and wellbeing (Article 24).</p>	
<p>Reg (6) Consultation on draft open space strategy</p>	<p>Improved opportunities for engagement, with a draft OSS being published and consulted upon for a period of 12 weeks (with a requirement for notice in local newspapers), prescribed groups to be consulted, including children and young people, the draft proposals also require consultation with key agencies, e.g. NatureScot,</p>	<p>Articles 12 and 23</p>	<p>(Article 12) Respect for the views of the child - Children should be provided with the opportunity to be heard, either directly or through a representative or appropriate body;</p> <p>(Article 23) - Children with disabilities Governments must recognise the right of the disabled child to special care, and ensure the disabled child has effective access to</p>	<p>Requires planning authorities to consult children and young people, and people with disabilities, in the preparation of the OSSs and to have regard to any valid representations.</p>

Appendix B – Child Rights and Welfare Impact Assessment

Bill - Clause	Aims of measure	Likely to impact on	Compliance with UNCRC requirements	Contribution to local duties to safeguard, support and promote child wellbeing
	<p>SEPA, Historic Environment Scotland, to ensure environmental issues are considered; on the social side there is also requirements to consult Public Health Scotland.</p> <p>The draft Regulations also require planning authorities to have regard to any valid representations received from anyone consulted under the Regulations.</p>		recreational opportunities.	
Reg (7) Publication of open space strategy	<p>Allows the planning authority to modify the draft OSS to take account of timely made representations, any matters arising in consultation and any minor drafting or technical matters.</p> <p>Provides for transparency and accountability –</p>	Article 3	Article 3 (Best interest of the child) - In considering whether to modify the OSS to take account of representations, the planning authority should be considering Article 3 decisions in a child's best interests.	Requires planning authorities to publish the final OSS electronically – allowing children and those with their best interests at heart to have access to the OSS for their area.

Appendix B – Child Rights and Welfare Impact Assessment

Bill - Clause	Aims of measure	Likely to impact on	Compliance with UNCRC requirements	Contribution to local duties to safeguard, support and promote child wellbeing
	requirements for electronic publication.			
Reg (8) Review of open space strategy	Ensures the OSS is reviewed and an updated OSS published within 10 years of the most recent OSS.	Articles 31,15,12,23,24	By ensuring the OSS is updated, it will help ensure planning authorities have relevant information on which to plan for open space and green networks, providing opportunities for different generations of children to be involved and express their views.	One of the proposed outcomes for planning authorities to take into consideration when preparing their OSS specifically covers wellbeing.
<b>Draft Play Sufficiency Assessments Regulations</b>				
<p>Form and content of PSA Regs 3(1) and 3(2) - PSA to be in the form of a report, incorporating map-based information to identify and locate play spaces</p> <p>Reg 3(3) PSA must describe the play opportunities for all ages of children</p> <p>Reg 3(4) PSA must include statements as</p>	Ensure availability of good quality information and data on overall play opportunities for children, assessment of the quality, quantity and accessibility of the play opportunities locally and the accessibility of such information through a completed report containing written statements and associated map-	Articles 31(and its general comment No. 17 (2013), 15, 23, 24	<p>Article 31 and its general comment No. 17(a) – “Government must strengthen its efforts to guarantee the right of the child to rest and leisure and to engage in play and recreational activities appropriate to the age of the child, including by adopting and implementing play and leisure policies with sufficient and sustainable resources”;</p> <p>Article 15 Freedom of association –</p>	Requires planning authorities to identify, assess and report on the sufficiency of outdoors play opportunities for children of all ages, and enable children in exercising their right to rest and leisure, to engage in play and recreation activities; as well as their right to freedom of assembly; to meet with other children.

Appendix B – Child Rights and Welfare Impact Assessment

Bill - Clause	Aims of measure	Likely to impact on	Compliance with UNCRC requirements	Contribution to local duties to safeguard, support and promote child wellbeing
<p>regards quality, quantity and accessibility in respect of each locality within the planning authority's area</p> <p>Reg 3(5) PSA must include statements as regards quality, quantity and accessibility in respect of the totality of the planning authority's area</p>	<p>based information.</p>		<p>ensures that there are spaces to meet with other children including in their local community (locality);</p> <p>Article 23 Children with disabilities - Governments must recognise the right of the disabled child to special care, and ensure the disabled child has effective access to recreational opportunities;</p> <p>Article 24 Health and health services; Best interests of the child - Governments must take all appropriate legislative and administrative measures to ensure that children have the protection and care necessary for their wellbeing</p>	<p>Shared good practice and guidance may help expand on considerations to be given to children with disability and other protected characteristics to ensure inclusion.</p>
<p>Reg (4) Consultation</p>	<p>Advancing equalities, ensuring opportunities to participate and influence.</p>	<p>Articles 12, 23 and Article 31 (and its general comment No. 17 (2013))</p>	<p>Article 12 Respect for the views of the child - Children should be provided with the opportunity to be heard, either directly or through a representative or appropriate body;</p>	<p>Requires planning authorities to consult children, and their parents and carers who have their best interests at heart, during</p>



Appendix B – Child Rights and Welfare Impact Assessment

Bill - Clause	Aims of measure	Likely to impact on	Compliance with UNCRC requirements	Contribution to local duties to safeguard, support and promote child wellbeing
			<p>Article 31’s general comment No. 17(c) – “Fully involve children in planning, designing and monitoring the implementation of play policies and activities relevant to play and leisure, at the community, local and national levels”.</p> <p>Article 23 Children with disabilities – “Governments must recognise the right of the disabled child to special care, and ensure the disabled child has effective access to recreational opportunities”.</p>	<p>the preparation of the PSA thus ensuring children can participate meaningfully, their views are respected and taken account of.</p> <p>Shared good practice and guidance may offer advice to help advance engagement with children with disability and other protected characteristics to ensure inclusion.</p>
Reg (5) Publication	Provides information, ensuring accessibility, transparency and accountability.	Article 12	Respect for the views of the child - Children should be provided with the opportunity to be heard, either directly or through a representative or appropriate body.	<p>Requires planning authorities to publish the final PSA electronically ensuring children and those with their best interests at heart to have access to the PSA for their area.</p> <p>We encourage planning</p>

Appendix B – Child Rights and Welfare Impact Assessment

Bill - Clause	Aims of measure	Likely to impact on	Compliance with UNCRC requirements	Contribution to local duties to safeguard, support and promote child wellbeing
				authorities to publish a child friendly version to ensure children can readily understand.

CRWIA Declaration	
Authorisation	
<b>Policy lead</b> Kristen Anderson (Open Space Strategies) Kuan Loh (Play Sufficiency Assessments)	<b>Date</b> 08/12/2021
<b>Deputy Director or equivalent</b> Dr Fiona Simpson, Chief Planner	<b>Date</b> 08/12/2021

## Fairer Scotland Duty

### Assessment Not Required Declaration

Policy title	Proposals for secondary legislation on Open Space Strategies and Play Sufficiency Assessments
Directorate: Division: team	Directorate for Local Government and Communities Planning and Architecture Division
Policy lead responsible for taking the decision	Kristen Anderson (Open Space Strategies) Kuan Loh (Play Sufficiency Assessments)

Rationale for decision
<p>The Fairer Scotland Duty applies to 'decisions of a strategic nature' – these are the key, high-level choices or plans that the public sector makes.</p> <p>We have considered the Fairer Scotland Duty Interim Guidance, and its advice on defining 'strategic level'. In general, these strategic decisions will be decisions that affect how the public body fulfils its intended purpose, over a significant period of time. It sets out the duty normally applied to new strategies, action plans, strategic delivery decisions about setting priorities and/or allocating resources, major new policy proposals, and preparing new legislation. This work relates to the preparation of the secondary legislation, on detailed procedural arrangements, to support the substantive matters that are already set in the Planning (Scotland) Act 2019.</p> <p>The guidance lists a range of areas of strategic decisions, including preparation of Local Development Plans(LDP). Open Space Strategies and Play Sufficiency Assessments will feed into the preparation of LDPs, thus are effectively lower tier documents that support local development plans. The subsequent preparation of local development plans are subject to Fairer Scotland Duty. We therefore do not consider the preparation of the secondary regulation themselves would constitute a strategic decision under the definition in the Fairer Scotland Duty Interim Guidance. I confirm that the secondary legislation on open space strategies and play sufficiency assessments does not constitute a strategic decision and therefore an assessment is not required.</p>

**I confirm that the decision to not carry out a Fairer Scotland Assessment has been authorised by:**

Name and job title of Deputy Director (or equivalent)	Date authorisation given
Dr Fiona Simpson, Chief Planner	8 December 2021

## **Partial Island Communities Impact Assessment (ICIA)**

### **Introduction**

This assessment relates to draft secondary legislation on administrative issues relating to the new statutory duties for planning authorities to prepare Open Space Strategies (OSSs) and Play Sufficiency Assessments (PSAs). Provisions relating to OSSs and PSAs were introduced in the Planning (Scotland) Act 2019.

This document seeks to identify whether there are issues which merit further exploration through an Island Communities Impact Assessment (ICIA). If significant issues are identified, a full ICIA will be carried out.

### **The Islands (Scotland) Act 2018 (the 2018 Act)**

Section 7 of the Islands (Scotland) Act 2018 provides for a duty on the Scottish Ministers that they must have regard to island communities in exercising their functions and in the development of legislation.

Section 8 states that Scottish Ministers must prepare an ICIA in relation to a policy, strategy, or service, which, in the authority's opinion, is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities) in the area in which the authority exercises its functions. These provisions came into force on 23 December 2020. The relevant local authorities are Argyll & Bute Council, Comhairle nan Eilean Siar, Highland Council, North Ayrshire Council, Orkney Islands Council and Shetland Islands Council.

In December 2020 the Scottish Government published guidance and a toolkit for the preparation of ICIA<sup>144</sup>.

The 2018 Act lists the following areas that are relevant considerations for islands and islands communities:

- Population
- Economic development
- Transport
- Housing and fuel poverty
- Digital connectivity
- Health and social care and wellbeing
- Environmental wellbeing and biosecurity
- Climate change and energy
- Empowered island communities and strong local partnerships
- Arts, culture and language
- Education

Open spaces, green networks and access to sufficient play opportunities links to several of the considerations listed above, in particular around health and wellbeing, environmental wellbeing, climate change, transport (in relation to using green networks for active travel) and education (in relation to outdoor learning).

---

<sup>144</sup> [Island Communities Impact Assessments: guidance and toolkit](#)

**Step One - Developing a clear understanding of policy objectives**

What are the objectives of the policy, strategy or service?	<p>In developing the secondary legislation, our policy objectives and approach have included:</p> <ul style="list-style-type: none"> <li>• delivering proposals for regulations on Open Space Strategies and Play Sufficiency Assessments which are prepared timeously, and inclusively, to support the wider timetable of Planning Reform and have widespread buy-in from stakeholders, and across local authority departments,</li> <li>• enabling a joined up approach, aligning where possible procedural requirements across the two sets of draft Regulations, that support meaningful engagement as well as allowing efficient processes for local authorities,</li> <li>• adopting a light-touch approach to secondary legislation, allowing for some flexibility to suit local circumstances,</li> <li>• recognising good practice and existing guidance on open space strategies which are already in place.</li> </ul>
Do you need to consult?	<p>We have been working with a joint Working Group comprising representatives from key stakeholders covering both sets of draft Regulations. We also held presentations and workshops with local authorities including officials from island authorities.</p>
How are islands identified for the purpose of the policy, strategy or service?	<p>The proposed draft Regulations will cover all local authorities across Scotland.</p>
What are the intended impacts/outcomes and how do these potentially differ in the islands?	<p>We intend to use the regulations to put in place an outcomes based approach recognising the multi-functionality of open space and play areas to contribute to wider aspects including tackling climate change, health and wellbeing, positive effects for biodiversity, addressing inequalities and supporting placemaking.</p> <p>We intend to require the open space audit and the play sufficiency assessment to be carried out on locality basis, and provide statements on quantity, quality and accessibility based on the same locality basis, hence taking account of any potential differences in different contexts and settings.</p>
Is the policy, strategy or service new?	<p>A majority of planning authorities have undertaken open space strategies on a non-statutory basis for many years. The Third State of Scotland's Greenspace Report (2018) showed that most authorities had an Open Space Strategy in place. The duties for planning authorities to prepare an Open Space Strategy and to assess the sufficiency of play opportunities for children in their area, are new duties, introduced through the Planning (Scotland) Act 2019. This policy is to put in place the detailed procedural matters by the means of secondary legislation.</p>

**Step Two - Gathering data and identifying stakeholders**

<p>What data is available about the current situation in the islands?</p>	<p>The Ordnance Survey Greenspace Map provides geospatial data on open spaces, including play spaces across Scotland. Based on GIS data, the <a href="#">Third State of Scotland's Greenspace Report</a> (2018) provides spatial analysis and breakdowns of greenspace types by local authorities.</p> <p>That Report also provided a snapshot (at that time) of authorities' progress in updating their (non-statutory) open space strategy.</p> <p><a href="#">The National Records of Scotland</a> provides population data of Scotland, estimated on an annual basis, including data based on geographies, by age categories from birth, by gender and other demographic information.</p> <p>Population demographics: NRS Scotland Mid-Year Population Estimates Scotland, Mid-2019 (2020)<sup>145</sup> indicate that Na h-Eileanan Siar and the Orkney Islands are among the local authority areas with an older population in Scotland, with Shetland closer to the overall figures for Scotland.</p> <p>Relevant council areas which experienced greatest population decline (in percentage terms) were:</p> <ul style="list-style-type: none"> <li>• Argyll and Bute (-390 people, -0.5%)</li> <li>• Na h-Eileanan Siar (-110 people, -0.4%)</li> <li>• North Ayrshire (-540 people, -0.4%)</li> </ul> <p>Areas which experienced the greatest decrease in population aged 0 to 15 were mainly rural and island areas. The five areas (Argyll and Bute, Na h-Eileanan Siar, North Ayrshire, Inverclyde and Dumfries and Galloway) which experienced the greatest decrease in the population aged under 16, also experienced the greatest decline in the population aged 16 to 64.</p> <p>Settlements data: National Records of Scotland (NRS) - Population Estimates for Settlements and Localities in Scotland, Mid-2016 (2018)<sup>146</sup> states that:</p> <p>"The council areas with the lowest proportion of people living in a settlement<sup>147</sup> are Na h-Eileanan Siar (30%) and Shetland Islands (38%). Many communities in these islands are sparser than those in the rest of Scotland, due to crofting and other factors, and so do not fulfil the density requirements needed to be counted as a settlement."</p>
<p>Do you need to consult?</p>	<p>The draft Regulations will be subject to a full public consultation. We would expect the six relevant local authorities covering the islands to respond.</p> <p>We also intend to carry out targeted engagement with children's and youth groups including groups from an island background, these have been identified through discussions with Play Scotland and A Place In Childhood.</p>

<sup>145</sup> [Mid-Year Population Estimates Scotland, Mid-2019 \(2020\)](#) - Figure 13, page 26

<sup>146</sup> [Population Estimates for Settlements and Localities in Scotland, Mid-2016 \(2018\)](#)

<sup>147</sup> A settlement is defined to be a group of high density postcodes whose combined population rounds to 500 people or more. They are separated by low density postcodes.

How does any existing data differ between islands?

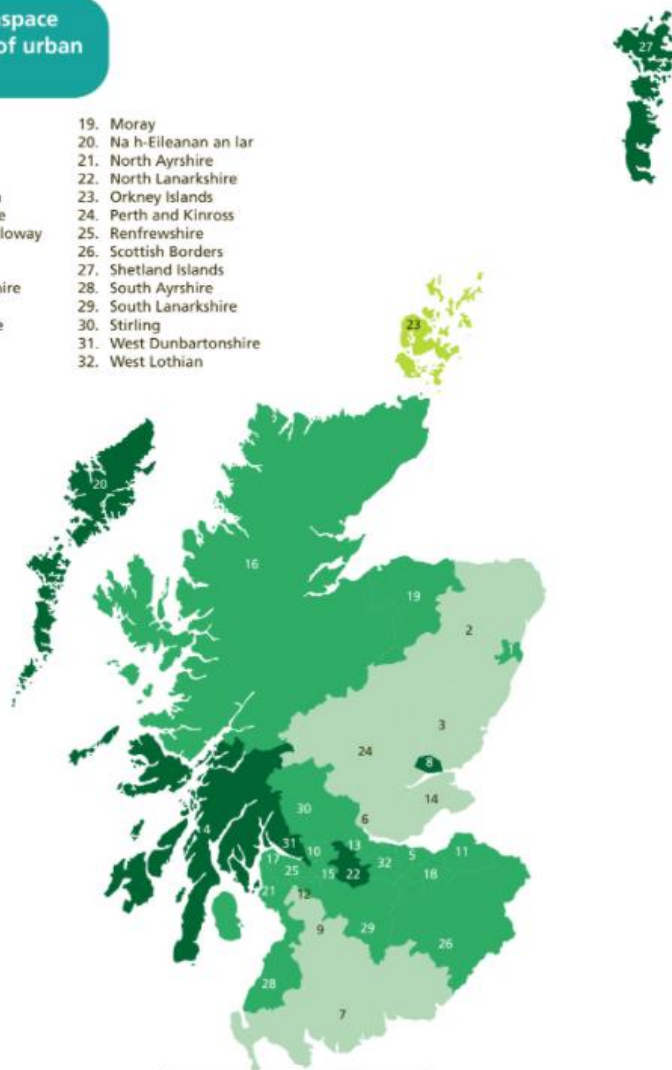
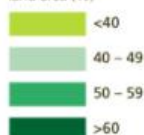
## 2. Findings on Scotland's greenspace

### 2.1 How much greenspace is there in Scotland? – Continued

**Figure 2: Greenspace as percentage of urban land area**

- |                          |                          |
|--------------------------|--------------------------|
| 1. Aberdeen City         | 19. Moray                |
| 2. Aberdeenshire         | 20. Na h-Eileanan an Iar |
| 3. Angus                 | 21. North Ayrshire       |
| 4. Argyll and Bute       | 22. North Lanarkshire    |
| 5. City of Edinburgh     | 23. Orkney Islands       |
| 6. Clackmannanshire      | 24. Perth and Kinross    |
| 7. Dumfries and Galloway | 25. Renfrewshire         |
| 8. Dundee City           | 26. Scottish Borders     |
| 9. East Ayrshire         | 27. Shetland Islands     |
| 10. East Dunbartonshire  | 28. South Ayrshire       |
| 11. East Lothian         | 29. South Lanarkshire    |
| 12. East Renfrewshire    | 30. Stirling             |
| 13. Falkirk              | 31. West Dunbartonshire  |
| 14. Fife                 | 32. West Lothian         |
| 15. Glasgow City         |                          |
| 16. Highland             |                          |
| 17. Inverclyde           |                          |
| 18. Midlothian           |                          |

Greenspace as a percentage of urban land area (%)



[Source: [Third State of Scotland's Greenspace Report](#) ]

The map shows that most of the island authorities have a higher percentage of greenspace as a percentage of urban land area (>60%) compared to the majority of mainland Scotland. However, in contrast, Orkney has the lowest percentage of all the 32 local authorities (<40%).

The Third State of Scotland's Greenspace Report shows percentages of greenspace types in local authority areas

	Urban Scotland	Argyll & Bute	Highland	North Ayrshire	Na h-Eileanan Iar	Orkney Islands	Shetland Islands
Public Park of Garden	4%	<1%	1%	7%	<1%	<1%	<1%
Private Garden	24%	18%	17%	21%	11%	37%	10%
Natural	20%	54%	44%	31%	58%	14%	63%
Amenity	36%	18%	27%	27%	26%	25%	22%
Golf course	6%	5%	4%	6%	2%	7%	1%
School grounds	2%	1%	1%	2%	<1%	3%	1%
Playing field	2%	1%	2%	2%	<1%	3%	1%
Play space	<1%	<1%	<1%	<1%	<1%	1%	<1%
Tennis court	<1%	<1%	<1%	<1%	<1%	<1%	<1%
Bowling green	<1%	<1%	<1%	<1%	<1%	<1%	<1%
Allotments/Community Growing	<1%	<1%	<1%	<1%	<1%	<1%	<1%

The figures show that compared to urban Scotland, island authorities generally have a lower percentage of their greenspace as public parks or gardens, typically <1% compared with 4% in urban Scotland. Most of the island authorities have a higher % of natural greenspace than urban Scotland (20%), e.g. Shetland 63%, Western Isles 58%, however Orkney has a lower proportion at 14%. Orkney has a higher % of its greenspace as school ground and playing fields than the other island authorities and the urban Scotland average.

It is observed that across both urban and the island authorities, play space generally constitutes less than 1% of total green space areas; with Orkney showing 1%.



Approaches and dates of existing non-statutory Open Space Strategies:

Authority	Current OSS Adopted	Quality Assessment Approach	Status
Argyll & Bute	-	Bespoke	In development
Highland			No OSS as such – green networks and open space covered in LDP
North Ayrshire	2016	LEAMS	In development/ consultants appointed
Na h-Eileanan an Iar	2010 (OS audit)	Bespoke	
Orkney Islands	2014	Quality Guide and Bespoke	
Shetland Islands			In development

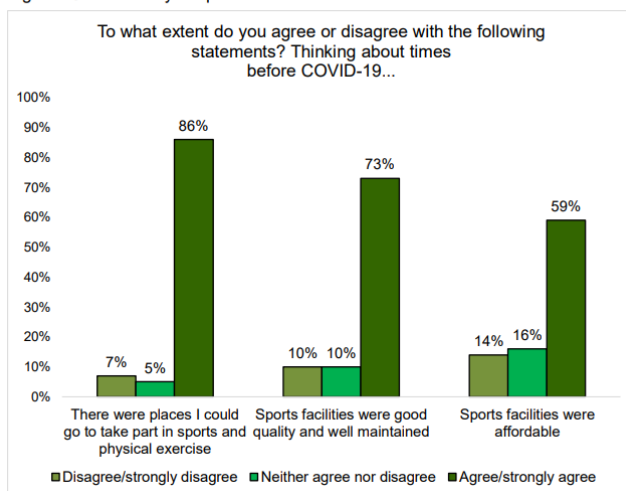
\* Data from Third State of Scotland's Greenspace Report, and recent information sourced from Council websites.

The [National Islands Plan Survey](#)<sup>148</sup> notes that island residents agree there are green or blue spaces within a 5-minute walk of their home (91%).

The [National Islands Plan Survey](#) also provides information on the availability of sports facilities; this will likely cover both indoor and outdoor sports facilities. It highlights that the majority (86%) of island residents agree that there are places where they can go to take part in sports and physical exercise. 73% of island residents agree that local sports facilities are good quality and well maintained. Island sub regions differed greatly on the availability of places for sport and physical exercise, with Argyll Islands reporting lower availability than other islands, with only 60% agreement. Open Space audits and strategies will cover outdoor sports facilities (not indoor). Quality is an aspect which the draft Open Space Strategies Regulations require planning authorities to consider; and maintenance is an aspect the Act states they must include policy on in their OSS.

<sup>148</sup> [National Islands Plan Survey: final report 2021](#)

Figure 16. Availability of sports facilities



Are there any existing design features or mitigations in place?

The Planning Bill Island Communities Impact Assessment was published in June 2019. The main theme that emerged through all of the discussions was the need to allow flexibility for the islands. Both sets of draft Regulations promote a locality based approach, which should be able to suit to island communities. There is also some discretion/flexibility for planning authorities, including those in island areas, in auditing their open spaces, which will allow them, where necessary to prioritise the considerations that are most important to their communities.

There may be differences in the types of play provision available across urban, rural and island contexts. So we intend to require planning authorities, in their Play Sufficiency Assessment, to identify play spaces specifically for play, and play spaces within open spaces which are not specifically for play – this should cover other play opportunities where children can and do play, and may better reflect the existing kinds of play opportunities on the islands, including opportunities to play in more natural environments, including on beaches and foreshores.

**Step Three – Consultation**

Who do you need to consult with?	<ul style="list-style-type: none"> <li>• Relevant local authorities,</li> <li>• Community bodies, including community councils and other individuals and organisations with an interest in open space and play opportunities in local communities,</li> <li>• Children and young people from island communities.</li> </ul>
How will you carry out your consultation and in what timescales?	<p>There will be a full, formal public consultation. The consultation paper will be made available online on the Scottish Government website.</p> <p>An engagement programme has been developed to consult children and young people, which will involve an online questionnaire, and contacting a selection of youth groups to invite their views, as part of that we intend to identify and include an island-based group.</p> <p>The consultation will run for 15 weeks.</p>
What questions will you ask when considering how to address island realities?	<p>This partial ICIA will form part of a package of assessments accompanying this consultation paper. We will invite stakeholders to comment on its contents, including on any omissions in the evidence, and our initial conclusion set out below, as well as questions on the detail of the draft Regulations.</p>
What information has already been gathered through consultations and what concerns have been raised previously by island communities?	<p>Some officers from island planning authorities highlighted that the open space audit/play sufficiency assessment may have practical implications in the more dispersed and remote settings covered by island authorities. In particular that there could be impacts on officers covering such areas, which could involve longer distances to travel to audit open spaces or play areas (potentially involving planes or boats, and subject to weather conditions). Some flexibility has therefore been incorporated into the draft OSS Regulations.</p> <p>Another issue raised was the need to ensure that the regulations cover the types of open spaces and play opportunities that are more typical in island communities. For example, it has been suggested that some smaller communities may not have, or may have fewer, specifically designed equipped play spaces, but instead have other more nature-based opportunities for children to play in, such as on beaches or foreshores or in other natural places; whilst others have mentioned that in some island communities, school playgrounds may act as the main play areas. Therefore, such spaces or play opportunities should be taken into account when considering the sufficiency of spaces for play. The draft Regulations seek to address this point, and any future guidance will expand further on different types of play opportunities.</p>
Is your consultation robust, meaningful and sufficient to comply with the Section 7 duty?	Yes

## Framing

Following ongoing engagement throughout the course of the planning review, an intensive island proofing exercise was undertaken through a collaborative workshop, held in September 2017 and in advance of publication of the Planning Bill. The results of this workshop are set out below.

Desk top analysis was undertaken of the evidence gathered for the development of the Planning Bill, including the equality impact assessment<sup>149</sup> and ICIA<sup>150</sup>, plus the integrated impact assessment accompanying the early engagement<sup>151</sup> on National Planning Framework 4.

The National Plan for Scotland's Islands<sup>152</sup> was published in December 2019. It noted the following:

- island communities face many different transport challenges when carrying out their daily lives compared to those living in less rural areas of the mainland and urban areas.
- the importance of community was a key theme from the consultation and respondents provided a range of examples that highlighted the uniqueness of the islands and the strengths they provide for cultivating innovative initiatives and projects on a small scale.
- many of the islanders said that they felt remote from where decisions were taken and expressed a desire for more considered decision-making which included them.
- island communities indicated that although the progress with broadband connectivity was a positive, further advancement was needed given the variation of both mobile and broadband connection between, and within, the islands of Scotland.
- islanders feel strongly about preserving built heritage and the natural environment, not just for their economic value through tourism, but for the quality of life they support and as a legacy for future generations.

Population demographics: National Records of Scotland Mid-Year Population Estimates Scotland, Mid-2019 (2020)<sup>153</sup> indicate that Na h-Eileanan Siar and the Orkney Islands are among the local authority areas with an older population in Scotland, with Shetland closer to the overall figures for Scotland.

Transport and Travel in Scotland Results from the Scottish Household Survey 2018 (2019)<sup>154</sup> indicates that older people were less likely to have travelled the previous day. Only 51 per cent of those aged 80 and over had travelled the previous day and 65 per cent of those aged 70 to 79.

That survey also identified a variation in mode of travel by age. The older age group were more likely to catch a bus than younger children (33% compared to 9%), which may indicate older populations are more reliant on public transport.

<sup>149</sup> [Planning \(Scotland\) Bill – Post Stage 2: Equality Impact Assessment](#)

<sup>150</sup> [Planning \(Scotland\) Bill – Post Stage 2: Island Communities Impact Assessment](#)

<sup>151</sup> [Fourth National Planning Framework \(Draft\): Integrated Impact Assessment](#)

<sup>152</sup> [The National Plan for Scotland's Islands - gov.scot \(www.gov.scot\)](#) (2019)

<sup>153</sup> [Mid-Year Population Estimates Scotland, Mid-2019](#) - Figure 13, page 26

<sup>154</sup> [Transport and Travel in Scotland 2018](#)

Settlements data: National Records of Scotland - Population Estimates for Settlements and Localities in Scotland, Mid-2016 (2018)<sup>155</sup> states that:

“The council areas with the lowest proportion of people living in a settlement<sup>156</sup> are Na h-Eileanan Siar (30%) and Shetland Islands (38%). Many communities in these islands are sparser than those in the rest of Scotland, due to crofting and other factors, and so do not fulfil the density requirements needed to be counted as a settlement.”

Internet use is less in older age groups than younger, and that there is a gap between premises in the islands able to access superfast and fibre broadband when compared to premises in other parts of rural Scotland (see Appendix A).

The following section considers the potential for differential impacts on island communities of each element of the draft Regulations.

---

<sup>155</sup> [Population Estimates for Settlements and Localities in Scotland, Mid-2016 \(2018\)](#)

<sup>156</sup> A settlement is defined to be a group of high density postcodes whose combined population rounds to 500 people or more. They are separated by low density postcodes.

## **Open Space Strategies**

### **Amendment of section 3G(4) of the Town and Country Planning (Scotland) Act 1997 (Regulation 2)**

The proposed draft Regulations set out to define the terms ‘open space’, ‘green space’, ‘green infrastructure’, ‘green networks’ and ‘ecosystem services’ - for consistency in understanding, these definitions would apply across the country.

### **Audit of existing open space provision (Regulation 4)**

The Act (section 3G(3)(a)) sets out that the OSS is to include an audit of existing open space provision. The draft Regulations provide more detail on how the audits are to be undertaken, and draft Reg 4(1) requires the audit to be carried out in accordance with this regulation.

It is proposed in draft Reg 4(2) that the audit requirements would apply to all open spaces of 0.2 hectares, or larger, and any smaller open spaces which the planning authority considers appropriate to include. The draft Regulations set out some minimum requirements that have to be provided about each of these open spaces, on its size, location and type, and that this would be presented using GIS-based digital mapping (draft Regs 4(3) and 4(4)). It then, in draft Reg 4(5), gives some flexibility, setting out other aspects on which the planning authority may include information. These cover accessibility, function, the extent to which the open space delivers its functions, presence of play opportunities and condition. The discretion over those more detailed aspects is intended to assist planning authorities in managing their resources whilst carrying out their audits, particularly reflecting comments from officers in island authorities about the need for flexibility.

As well as the data about the individual spaces, draft Regs 4(6) and (7) require information provided as a statement on the accessibility, quantity and quality of the open spaces to be provided for the totality of the local authority area and at a locality level. Draft Reg 4(11) confirms ‘locality’ has the same meaning as under the Community Empowerment (Scotland) Act 2015. These provisions are intended to help ensure a meaningful place-based approach is taken, looking at the open space resource available locally to communities and across the wider local authority area.

Draft Reg 4(8) requires that in assessing the criteria in paragraphs 4(5), (6) and (7) that the planning authority seeks the views of, and has regard to, any views expressed by children and young people, older people, disabled people, the public, community councils and any other person or community body which the planning authority considers to be appropriate, as well as key agencies which are defined in draft Reg 4(10). In assessing those criteria, draft Reg 4(9) requires that where a planning authority’s area, all or part of which falls within the boundary of the Central Scotland Green Network, they are to consult the Green Action Trust - of the island authorities this would apply only to North Ayrshire.

### **Assessment of current and future requirements (Regulation 5)**

Section 3G(3)(b) of the Act sets out that the OSS is to include an assessment of current and future requirements, and draft Reg 5(1) requires that assessment to be carried out in accordance with Draft Reg 5.

The proposals in draft Reg 5(2) would require that in carrying out this assessment the planning authority has regard to how open spaces and green networks are contributing to the outcomes listed in draft Regulation 3(2) (see paragraph 27). We believe that there would be value in these assessments of requirements being carried out at a more local and/or at neighbourhood level than for the whole of the planning authority area; therefore we are proposing that the current and future requirements should be considered on a locality basis as well as for the overall area. This should be helpful to island communities in bringing a local approach that communities can get involved in for their own places.

The proposals in Draft Reg 5(3) require planning authorities, in carrying out the assessment of current and future needs, to engage with, and have regard to, any views expressed by prescribed groups, including community councils and any other community body which the council considers appropriate. We hope that this helps ensure to ensure that local groups, including those within island communities, are made aware and have the opportunity to highlight their local needs and requirements in terms of open spaces.

### **Preparation of open space strategy (Regulation 3)**

Draft Regulation 3(1) sets out that in preparing their open space strategy the planning authority must take into consideration how the policies and proposals in the strategy contribute to a series of outcomes. The outcomes are listed in draft Reg 3(2): improving access to a green infrastructure, open space and green networks; creating successful and sustainable places; improving health and wellbeing; advancing equality and eliminating discrimination; securing positive effects for biodiversity; and mitigation of and adaptation to climate change. Draft Reg 3(3) requires the planning authority to include a statement as to how its Open Space Strategy contributes to the outcomes. We believe the outcomes have universal application and are as relevant in island communities as in other parts of Scotland.

The draft Regulations also require at draft Reg 3(4) the planning authority to identify green networks in their area, and at draft Reg 3(5) how these may be enhanced. We are not proposing any different arrangements for island communities.

### **Consultation on draft open space strategy (Regulation 6)**

As set out in draft Reg 6(1) we intend to provide that as part of the process the planning authority publishes a draft open space strategy, giving people the opportunity to engage and provide their views on the draft. Draft Reg 6(2) requires the planning authority to consult those listed in Reg 4(8), which as well as the public includes community councils and any other community body which the council considers appropriate. We hope that this helps to ensure that local groups, including within island communities, are made aware and have the opportunity to provide their views. We are intending to

prescribe in draft Reg 6(3) that there will an advert in the local press for two successive weeks about the consultation and setting a minimum 12-week period for consultation, and requiring in draft Reg 6(4) that the planning authority must have regard to any valid representations from anyone consulted under Draft Reg 6(2).

### **Publication of open space strategy (Regulation 7)**

We intend to allow, through draft Reg 7(2), for planning authorities to modify the draft Open Space Strategy to take account of timeously made representations, any other matters arising in consultation and minor drafting or technical matters. This is a fairly standard provision commonly used in planning legislation and we are not intending to make any different arrangements for island communities.

Draft Reg 7(3) requires the OSS to be published by electronic means. This is to ensure that the OSS is easily obtainable and should be helpful for island communities, in removing the need to travel to Council offices or other premises to view a hard copy of the document.

### **Review of open space strategies (Regulation 8)**

We are proposing in draft Reg 8 (1) that the planning authority is to review its open space strategy and publish an updated open space strategy no less than 10 years from the date of its most recent open space strategy. We are not proposing any different arrangements for island communities.



## **Play Sufficiency Assessments**

The proposed draft Regulations set out to provide the administrative details of the new duty introduced in the Planning (Scotland) Act 2019, relating to Play Sufficiency Assessments. Planning authorities are required to assess the sufficiency of play opportunities in their area for children in preparing an Evidence Report (which supports the Local Development Plan for their areas). This new duty applies to all local authorities in Scotland, including island authorities.

### **Interpretation (Regulation 2)**

Draft Reg 2 defines a series of terms used in the PSA Regulations ('the Act', 'children', 'locality', 'open space', 'play spaces' and 'play sufficiency assessment'. For consistency in understanding, these definitions would apply across the country.

### **Form and Content of play sufficiency assessment (Regulation 3)**

Draft Reg 3(1) prescribes the PSA must be in the form of a written report, incorporating maps as required.

Draft Reg 3(2) requires the PSA to show, by means of a map, the location of play spaces for children. It is to identify those play spaces which are specifically for play, and those which are within open spaces but not specifically for play.

Draft Reg 3(3) requires the PSA to describe the play opportunities for all ages of children - to ensure appropriate provisions are considered for different play needs of children of different ages; to promote accessibility and inclusion.

Together these provisions should ensure that the assessment picks up both formal and informal types of potential play opportunities for all ages of children in the natural and built environment and to cover those play opportunities which are in other open spaces and/or in more nature-based spaces which are more typical in island authorities areas. We do not intend to set different requirements for island authorities.

Ensuring that there are adequate and appropriate play opportunities for children will help local authorities across all areas of Scotland, including the island authorities, in upholding children's right to relax and play under UNCRC Article 31.

Draft Reg 3(4) and 3(5) require that the PSA includes statements on quality, quantity and accessibility are provided on a locality basis and for the planning authority's area. This is to ensure that assessments are based on local needs and demands and reflect local context and circumstances. It should help in taking cognisance of local community views and input in the process, which can be particularly significant for island communities.

### **Consultation (Regulation 4)**

Draft Reg 4 sets out a list of those the planning authority must consult in preparing the sufficiency assessment. This includes children, parents and carers, community councils, the public and any other person or community body which the planning authority considers appropriate. This helps to ensure that local people and local groups, including within island communities, have the opportunity to engage during the process of the preparation of the PSA and provide their views.

On the list of consultees we have intentionally put children and their parents and carers at the top, to highlight the importance of engaging and listening to local children and those who care for them and have their best interests at heart, in preparing the sufficiency assessment. This is to ensure that children across Scotland, including those in island communities, will have the opportunity to be involved in and inform the assessment meaningfully, thus upholding children’s right for their views to be respected under UNCRC Article 12.

### **Publication (Regulation 5)**

Draft Reg 5 requires the completed PSA to be published by electronic means. This is to ensure that the PSA is easily obtainable and should be helpful for all communities, including island communities, by removing the need to travel to council offices or other premises to view a hard copy of the document.

## Potential issues and mitigation

One issue raised by island authorities was about potential resource implications on them due to greater travel distances involved for officers (or appointed consultants) to visit open spaces and play spaces as part of the open space audit or to assess them for their play sufficiency. We are exploring how the use of digital tools may assist in showing some information. We are also proposing to allow some discretion in the information authorities should include in their open space audit. We have also provide that there should be engagement with communities by localities, which can offer a means of “crowd-sourcing” and gaining local knowledge and insight. We have also sought to make links across between the two sets of draft Regulations to facilitate efficiencies, and will continue to expand on this approach in any future guidance.

The Draft OSS Regulations set a requirement for auditing open spaces that are 0.2ha and above, but also allow any smaller spaces to be included where the planning authority considers appropriate. This could help to ensure that smaller spaces of value are considered.

Both sets of draft Regulations promote a locality based approach, which should suit island communities.

Another issue is around engagement, and how people can become involved in the development of the open space strategy and in preparing the play sufficiency assessment. Whilst prescribing the requirement to consult and who to consult, we have intentionally chosen not to prescribe the methodology on how to carry out the engagement. We are aware of different and innovative ways that some local authorities are already using, as well as the many tools that are available for them to use or adapt. We think allowing the flexibility for local authorities to decide which methods of engagement best suit their local circumstances is helpful towards harnessing meaningful participation and input. This flexibility should help island authorities and communities to decide what works best for them.

Given islands may have a more scattered and older population and the availability of, and reliance upon, public transport, it may mean island communities are less able to attend community engagement events linked to the preparation of an OSS or PSA, or that it is more difficult and costly to do so. It is hard to make any conclusion as to the significance of any such challenges compared to other more remote parts of mainland Scotland, where populations may also be more dispersed, older and where access to public transport at least may be more difficult compared to larger urban areas. However, we are not proposing to prescribe in the draft Regulations how engagement takes place – thus offering flexibility to island authorities in how they carry out the engagement, whether through specific engagement sessions, linked to existing events, or through online engagement.

There is existing practice of using online engagement methods as part of the wider planning system. For example during the COVID-19 emergency, the requirement for a physical public event as part of Pre-Application Consultation, (part of certain planning applications’ process) with communities has been suspended. Guidance indicates online measures for engagement should be used instead. Similar

measures may provide some opportunity for more dispersed and older populations to engage.

This would not necessarily be a total solution for island communities. Whilst setting out the way to try to close the gap in digital connectivity, The National Plan for Scotland's Islands (2019) section on Digital Connectivity<sup>157</sup> indicates a gap between premises in the islands able to access superfast and fibre broadband when compared to premises in other parts of rural Scotland. Also, in its response to the 'Call for Ideas' on the Scottish Government's National Planning Framework 4 (NPF4), Orkney Islands Council indicated "the islands still experience some of the poorest broadband and mobile phone connectivity speeds in the UK. Improved digital connectivity and investment in digital infrastructure to ensure equal coverage across Scotland should remain as a key objective in NPF4"<sup>158</sup>.

In addition, as set out in paragraph 13, Na h-Eileanan Siar and the Orkney Islands have a higher proportion of older people in their population, and older people are less likely or able to travel. The Scottish Household Survey 2020<sup>159</sup> refers to a clear relationship between age and use of internet, with lower rates of internet use among older adults. In 2019, nearly 100 per cent of adults aged 16 to 24 reported using the internet compared to 43 per cent of those aged 75 and over. This gap is, however, narrowing.

### **Initial Conclusion**

We believe it is likely that island communities will welcome the opportunities provided by Open Space Strategies and Play Sufficiency Assessments – and that they will have valuable local knowledge, and lived experiences to feed in about the quality and accessibility and the range of open spaces and play spaces in their communities. There may be some issues around suitable methods of engagement, given the specific nature of island communities. But the proposals offer flexibility for individual circumstances relating to island communities.

Our conclusion at this stage is that there do not seem to be significant implications from the proposed legislation that are specific only for island communities, as distinct from those in other remote parts of mainland Scotland. However, as the scope of the engagement undertaken to date is relatively limited, the consultation paper seeks views on this screening assessment; and invites any additional comments, relevant data or relevant information to be provided to us, to further inform this assessment and in identifying any necessary mitigating measures.

Planning and Architecture Division, Scottish Government  
December 2021

---

<sup>157</sup> [The National Plan for Scotland's Islands - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/national-plan-for-scotland-2019/pages/10-digital-connectivity/)

<sup>158</sup> [NPF4 Call for Ideas Response from Orkney Island Council](#) - paragraph 1.20

<sup>159</sup> [The Scottish Household Survey 2020](#)

## Partial Business And Regulatory Impact Assessment

### Title of Proposal

Open Space Strategies and Play Sufficiency Assessments  
- Consultation on proposed secondary legislation

### Purpose and Intended Effect

#### Background

New statutory duties<sup>160</sup> on planning authorities<sup>161</sup> to prepare and publish an open space strategy, and to assess the sufficiency of play opportunities in their area for children, were introduced in The Planning (Scotland) Act 2019<sup>162</sup>.

Most planning authorities have already been preparing open space strategies on a non-statutory basis for some time. Planning Advice Note 65: Planning and Open Space<sup>163</sup> (2008) sets out details about preparing open space audits and strategies. Scottish Planning Policy (2014)<sup>164</sup> refers to open space strategies' role in informing development plans. The Act formalises and makes it a statutory duty for planning authorities to prepare an Open Space Strategy (OSS).

However, the concept of Play Sufficiency Assessments (PSA) is new in Scotland, and so requires further direction and guidance to be given to planning authorities. The Act does not contain the administrative provisions for the form and content, consultation, and publication of PSAs. It was considered more appropriate that the requirements which contain a considerable level of administrative details were dealt with through secondary legislation rather than on the face of the Bill.<sup>165</sup>

These two new duties will be brought into force through two separate sets of secondary legislation. However given the synergies between open space and play opportunities, it was thought beneficial in a number of respects to progress them together and to assess their impact in a joined-up manner and so one joint partial BRIA assessment is presented here for both sets of draft Regulations.

#### Objective

The aim of the provisions is to provide direction to planning authorities on how they are to meet their legal requirements. The preparation of OSSs and PSAs should be part of evidence-led planning and placemaking, to help shape greener, more child-friendly environments.

The provisions seek to ensure OSSs and PSAs cover certain minimum aspects. They also aim to ensure appropriate and meaningful engagement is carried out to

---

<sup>160</sup> The 2019 Act inserted new sections, 3G Open space strategy, and 16C Play sufficiency assessment into the Town and Country Planning (Scotland) Act 1997<sup>160</sup> ("the Act").

<sup>161</sup> The duty to prepare a play sufficiency assessment applies to all planning authorities. However national park authorities do not have to prepare an Open Space Strategy (the Act notes at 3G(6) that for the purpose of the open space strategy section of the Act, a national park authority is not a planning authority).

<sup>162</sup> [The Planning \(Scotland\) Act 2019](#)

<sup>163</sup> [Planning Advice Note 65: Planning and Open Space](#)

<sup>164</sup> [Scottish Planning Policy \(2014\)](#)

<sup>165</sup> [Planning \(Scotland\) Bill – Delegated Powers Memorandum 2017](#)

inform the assessment of play sufficiency and the assessments of current and future requirements in relation to open space, green infrastructure and green networks. The provisions seek to provide a robust framework of legislation without imposing unnecessary financial and administrative burdens on planning authorities.

### Rationale for Government Intervention

In relation to Play Sufficiency Assessments, the Act, as approved by Parliament states The Scottish Ministers must by regulations make provisions about—

- a) the form and content of the assessment,
- b) such persons who must be consulted in relation to the assessment,
- c) publication of the assessment.”

Given the overlaps between open spaces and play opportunities, it was decided to develop the two sets of draft Regulations together, to help to ensure alignment and efficiency, given the potential for streamlining requirements across the two duties.

Both sets of provisions contribute to the following national outcomes contained in the National Performance Framework:

- We grow up loved, safe and respected so that they realise their full potential
- We value, enjoy, protect and enhance our environment
- We live in communities that are inclusive, empowered, resilient, and safe
- We are healthy and active

The development of open space strategies can also help contribute to the national indicator on access to green and blue space<sup>166</sup>.

The Play Sufficiency Assessment can help local authorities in upholding children’s rights, in particular, relating to their right to relax and play and for their views to be respected under UNCRC Articles 31 and 12 respectively. In March 2021, Scottish Parliament passed the Bill for the incorporation of the United Nations Convention on the Child’s Right (UNCRC) into Scots Law, which was intended to deliver a fundamental shift in the way children’s rights are respected, protected and fulfilled in Scotland. However, the UK Supreme Court’s judgment on the Bill on 6 October 2021 found each of the provisions referred by the UK Law Officers to be outwith the legislative competence of the Scottish Parliament. To this end, the Bill could not receive Royal Assent in its current form. The Scottish Government is clearly disappointed by, but respects, the Court’s judgment. Despite this, the Scottish Government remain committed to the incorporation of the UNCRC to the maximum extent possible and are considering the implications of the judgement and how best to take things forward. In the meantime, the majority of work in relation to implementation of the UNCRC is continuing.

---

<sup>166</sup> [National Indicator Performance](#)

## Consultation

### Within Government

As procedural matters, falling under the Planning Act, responsibility for the preparing of these regulations lies primarily with the Scottish Government's Planning and Architecture Division (PAD). Discussions about access to spatial data were also held with colleagues from the GI-SAT team, within the Data, Statistics and Digital Identity Division. With regard to the proposed provisions requiring Open Space Strategies to take an outcomes based approach, discussions were held with colleagues with interests in Biodiversity (Natural Resources Division) and climate change mitigation and adaptation including geothermal policy (Energy Industries Division). In relation to the provisions for Play Sufficiency Assessments, PAD discussed these proposals with colleagues within the Government's Directorate of Children and Families' Family Unit, who lead on the Play Strategy, and in the Directorate For Early Learning and Childcare who lead on Outdoor Learning Policy.

### Public Consultation

In developing the proposals for the secondary legislation, Scottish Government officials have been working with a Joint Working Group with a range of external stakeholders, which has acted as a sounding board in preparing the proposals for both sets of draft Regulations. The OSSPSA Working Group includes representative interests from the open space and play sector from; Greenspace Scotland, Play Scotland, Green Action Trust, A Place In Childhood, Learning Through Landscape, Inspiring Scotland; plus agencies; Architecture & Design Scotland, Nature Scot, Public Health Scotland, SEPA, SportScotland, Scottish Forestry; and from local authorities officers representing their councils and Heads of Planning Scotland, and the Improvement Service. Members of the Working Group have also taken part in further focussed sessions to advise on particular aspects. Proposals were shared with this group in advance of the formal consultation.

Additionally, working through the Improvement Service and Heads of Planning Scotland (HOPS) we contacted every local authority, and have had engagement with 27 out of 32 local authorities. Presentations and interactive workshop sessions took place with authorities to share emerging thoughts and inform the development of the draft provisions. 66 local authority officers colleagues have engaged either through webinars, workshops or in writing. Proposals were also presented to the Heads of Planning at a wider session.

There will be a further public consultation for 15 weeks between December 2021 and the end of March 2022 on the draft Regulations.

During that time we will also be undertaking a programme of targeted engagement with children and young people. We have been working closely with Play Scotland and A Place In Childhood to develop an engagement plan to seek the views of children and young people from across Scotland. We intend to carry out targeted engagement, with a tailored questionnaire to children and young people from different age groups, backgrounds and different parts of the country. These may include groups for children and young people with additional support needs, and those who are refugees / asylum seekers, LGBTQ, and young carers.

Business

Planning consultants may see opportunities in the new duties for commissions to support planning authorities in preparing their open space strategy and play sufficiency assessment. We are aware of involvement of a planning consultant through discussions with planning colleagues on pathfinder work.



## **Options**

This section looks at each of the measures and the options explored for each proposal.

### **Open Space Strategies**

#### **Definitions**

##### **Option 1: Do nothing**

In this option the legal definitions of ‘open space’, ‘green infrastructure’ and ‘green network’s would remain as set out in the Act.

##### **Option 2: Amend Definitions**

The definitions of the terms in the Act were originally inserted by a non-government amendment, and the definitions of ‘green infrastructure’ and ‘green networks’ differed from those included in Scottish Planning Policy (which had been subject to public consultation). At Stage 2 of the Planning Bill, it was agreed a further provision be inserted to allow Ministers to add, amend or omit a definition, in regulations.

Various existing definitions from Scottish, UK and international organisations have been analysed and considered. Additionally work on definitions carried out by Glasgow Clyde Valley Green Network Partnership along with academics from Northumbria University was taken into account, NatureScot and Greenspace Scotland were also involved in the discussions. Revised definitions were developed, considered and supported by local authorities and the Joint Working Group. This option also sees definitions added for the terms ‘green space’ and ‘ecosystem services’

In this option the definitions based on work developed with partners and agreed by stakeholders would replace the definitions currently in the Act.

→ We are proposing to take forward Option 2.

#### **Level of prescription in relation to audits of existing open space**

##### **Option 1: Do nothing**

In this option, regulations would remain silent about the content of the open space audit. As was the situation prior to the introduction of the statutory duty to prepare Open Space Strategies, planning advice or guidance could set out aspects planning authorities might include in their open space audit.

##### **Option 2: Prescribe minimum requirements**

In this option, with OSSs now being placed on a statutory footing, the secondary legislation would set certain minimum requirements in relation to open space audits, with flexibility in relation to other aspects.

- Fixed requirements would cover the size threshold by which open spaces would have to be included in the audit, and prescribe some aspects planning authorities must include in their audit about each open space; in relation to its size, location and type.

- Plus other information the audit may include - the regulations would indicate other aspects planning authorities may include information on (in relation to accessibility to the public, function; the extent to which the open space delivers its functions, presence of play opportunities, and the condition of open spaces).

Option 3: Prescribe full details about all aspects about every open space

This would be the most prescriptive option, requiring a more extensive set of information, (the considerations set out in Option 2) to be provided on every open space. There would be minimal or no flexibility for planning authorities.

→ We are proposing to take forward Option 2

Planning authorities have indicated the high volume of open spaces in their areas, or the remote or island location of some of their open spaces could make a comprehensive survey of all their open spaces a very resource intensive, lengthy process. We consider that a basic minimum level of information should be provided, with flexibility for authorities to take a more tailored meaningful approach that suits their local circumstances.

**Introduction of an outcomes based approach**

Option 1: Do nothing

In this option, regulations would not set out outcomes for planning authorities to take into account when undertaking their duties in relation to the preparation of open space strategies.

Option 2: Require planning authorities to take a outcomes based approach

Following suggestion from stakeholders that an outcomes based approach should be advocated, we have developed a set of outcomes planning authorities should take into account when preparing their OSS. These reflect the national indicator on access to green and blue space, outcomes set out in the Planning Act in relation to the National Planning Framework around; improving access to green infrastructure, open space and green networks; creating successful and sustainable places; improving health and wellbeing; advancing equality and eliminating discrimination; securing positive effects for biodiversity; and climate change mitigation and adaptation. Under this option planning authorities would be required to include in the OSS a statement as to how their open space strategy contributes to the outcomes.

→ We are proposing to take forward Option 2.

**Use of localities**

Option 1: Do nothing

In this option, regulations would not require planning authorities to take a localities approach when preparing their open space strategies. Information may be provided at an overall local authority level. Any matters pertaining to use of localities would be provided in guidance.

Option 2: Require planning authorities to consider, and provide information on a locality basis

This option would require planning authorities to provide, as well as the data on the individual spaces, some analysis of the open space and play space at a locality level, and for the totality of their area. Planning authorities would be required to provide statements about the existing accessibility, quality, and quantity, of open spaces on a locality basis. This option would also require planning authorities when carrying out the assessment of current and future requirements, to consider requirements at a locality level. The regulations would allow planning authorities to establish the appropriate boundaries of their own localities, based on the definition of localities in the Community Empowerment (Scotland) Act 2015.

→ We are proposing to take forward Option 2.

This would fit with the neighbourhood approach, which is a key part of the 20 minute neighbourhood policy agenda. It would allow communities to connect with the open space provision in their area and could form a useful, meaningful basis for planning authorities to set out considerations when consulting and engaging on the OSS.

**Consultation and engagement**

Option 1: Do nothing

In this option, of minimal prescription the OSS regulations would not require engagement or consultation to be carried out in carrying out the audit of open space or developing the strategy.

Option 2: Prescribe engagement to be undertaken and prescribe groups to be engaged

This option would require planning authorities to engage with prescribed groups (including children and young people, older people, disabled people, community councils, key agencies, the public and any other person or community body which the planning authority considers to be appropriate) as they carry out the open space audit, look at current and future requirements and develop the strategies with policies and proposals as to the development, use and maintenance of open spaces.

Option 3: Option 2, plus prescribe how engagement to be undertaken

This option would prescribe not only *who* planning authorities engage with, but also *how* they engage. There are a range of techniques and tools that planning authorities can use to engage with communities, and planning authorities may have different structures and arrangements in place that they deploy for other engagement exercises.

→ We are proposing to take forward Option 2.

We do not want to restrict planning authorities' ability to use an approach that suits their area, communities, existing set-ups and resources.

## **Publication**

### Option 1: Do minimum

In this option, regulations would just require the OSS to be published and not detail the format.

### Option 2: Publication by electronic means

In this option, planning authorities would be required to publish the OSS by electronic means.

→ We are proposing to take forward Option 2.

## **Review**

### Option 1: Do minimum

In this option, regulations would set a minimum timeframe for reviewing open space strategies.

### Option 2: Review and publish Publication by electronic means

In this option, planning authorities would be required to review and publish an updated OSS no more than 10 years from the date of their most recent OSS.

→ We are proposing to take forward Option 2. This would make a link to the 10 year review cycle for local development plans, to ensure updated information on open space, green infrastructure and green networks was available to support evidence-led plan-making.

## **Play Sufficiency Assessments**

### **Requirements on the form and content of a PSA**

#### **Option 1: Do nothing**

Not an option, the Planning Act states The Scottish Ministers must by regulations make provisions about the form and content of the assessment.

#### **Option 2: Place requirements on the form and content of PSAs**

Whilst we would not want to stifle the presentational style, nor limit the content of PSAs, we consider that there is scope to require a certain level / type of content and for the form and content to be prescribed to ensure that the findings of the PSA can be readily communicated. The PSA should be presented in a written report, incorporating maps as required.

Under this option the planning authority must show using mapping the location of play spaces for children, identifying those specifically for play and those within open spaces but not specifically for play. The PSA must also describe the play opportunities for all ages of children.

Following the identification of the play opportunities, and for each of its localities and for the totality of the area, the planning authority must include statements about the quantity, quality and accessibility of play opportunities for children in their area.

→ We are proposing to take forward Option 2.

### **Consultation**

#### **Option 1: Do nothing**

Not an option, the Planning Act states The Scottish Ministers must by regulations make provisions about such persons who must be consulted in relation to the assessment.

#### **Option 2: Prescribe groups to be consulted**

This option would require planning authorities in preparing their PSAs to consult with prescribed groups (including children, parents and carers, community councils, the wider public, and any other person or community body which the planning authority considers to be appropriate.

→ We are proposing to take forward Option 2.

### **Publication**

#### **Option 1: Do minimum**

Not an option, the Planning Act states The Scottish Ministers must by regulations make provisions about publication of the assessment.

#### **Option 2: Publication by electronic means**

In this option, planning authorities would be required to publish the PSAs by electronic means.

→ We are proposing to take forward Option 2.

## **Sectors and groups affected**

### **Planning authorities**

The new duties in the Act are on planning authorities to prepare an OSS and a PSA. The regulations focus primarily on administrative requirements for planning authorities. PSAs are required to form part of the Evidence Report for planning authorities in preparing Local Development Plans (LDPs).

### **Key agencies**

The proposals would require planning authorities to consult with key agencies<sup>167</sup> on their draft Open Space Strategy. It does not place an obligation on the key agencies to respond.

### **Communities**

The proposals place an emphasis on early, meaningful engagement with communities in the open space audit and play sufficiency assessment to provide statements of sufficiency (for example around the quality and accessibility of spaces by localities and in the totality of the planning authority area). This may include co-production of aspects of the PSA with children and young people; and their parents and carers. The outcomes approach seeks to advance equality and eliminate discrimination, helping ensure authorities consider measures to help offer greater equity of access to open spaces and opportunities for playing outdoors. The outcomes approach is intended to help provide the opportunity for various benefits to be achieved for communities including health and well-being, climate change adaptation and mitigation, positive effects for biodiversity and around placemaking. PSAs are to be carried out in preparing the Evidence Report providing an opportunity for communities' needs and/or aspirations around sufficient provision for play to be followed through into the LDP preparation.

### **Children and young people**

The proposals on PSAs place an emphasis on engaging local children, and their parents and carers in preparing the PSAs to ensure the assessments take account of the input and the views of the children for whom this proposal is intending to bring greater positive impact and better outcomes in their enjoyment, health and wellbeing. The draft OSS Regs also require planning authorities to consult children and young people.

### **Business**

Businesses and landowners will have some interest in the development of OSSs as the policies and proposals contained within the open space strategy will influence the development plan for an area, and therefore decisions made by the planning authority on planning applications and other consents.

Businesses and landowners will have some interest in the PSAs as the assessment report forms part of the Evidence Report that supports the LDP for the area, as this may influence decisions made by the planning authority on planning applications and other development related consents.

---

<sup>167</sup> [Key Agencies Group - gov.scot \(www.gov.scot\)](http://www.gov.scot)

Planning consultants may see opportunities in the new duties for commissions to support planning authorities in preparing their open space strategy and play sufficiency assessment.

## **Benefits**

### **Open Space Strategies**

#### **Definitions**

This option would bring clarity over the terms and definitions used, and provide an opportunity for these to be consulted upon.

#### **Level of prescription in relation to audits of existing open space**

This would ensure certain minimum requirements are covered, whilst providing flexibility to planning authorities as to how they cover the more detailed aspects, and allow them to, should they wish, prioritise certain types of open space to provide more details about them, tailored to local circumstances, recognising the resource implications of carrying out extensive audits for every open space in their district.

#### **Introduction of an outcomes based approach**

This would support a holistic place based approach, and the move towards nature based solutions. Additionally, with the outcome around advancing equality and eliminating discrimination it would serve to help address issues identified through the Equalities Impact Assessment in relation to unequal access to open space, particularly by those living in more deprived areas or from ethnic minority backgrounds. Some planning authorities have also expressed support for an outcomes based approach recognising the potential benefits in securing corporate buy-in across the Council, both in terms of resources for the preparation of the OSS and its delivery.

#### **Use of localities**

This would offer benefits in terms of taking a place based approach linked to localism agenda and the 20 minute neighbourhood concept. People's connection to, and interest in accessing a range of local open spaces within their neighbourhood has been heightened linked to the lived experience of the pandemic and lockdowns. We believe this will offer benefits in terms of carrying out meaningful engagement with communities about their places. It should also be beneficial for authorities to have information at that scale to feed through into place-based local development plans with a focus on delivery. Planning authorities have indicated they are used to working on a locality basis for other strands of work.

#### **Consultation and engagement**

Following the findings of the Equalities Impact Assessment and Children's Rights and Well-Being Impact Assessment, and evidence of inequalities in terms of access to open space, a focus has been on ensuring inclusive community engagement. This option would ensure the prescribed groups are part of the process, at the preparation stage, offering meaningful engagement and supporting inclusion. We are exploring how digital tools could support authorities in carrying out engagement, and inviting community views on the quality, quantity and accessibility of open spaces.

#### **Publication**

Planning authorities will also be required to publish the OSS electronically offering benefits in terms of providing transparency, and ensuring inclusion.



### **Play Sufficiency Assessments**

#### **Requirements on the form and content of a PSA**

This would ensure planning authorities produce appropriate and helpful information in the form of a written report containing map-based information on the location of the play opportunities in their areas; identifying both play spaces that are specifically for play as well as those play opportunities within other open spaces that are not specifically for play; describing them by suitability for different ages of children and provide statements, on locality basis and for the totality of the area, in terms of quality, quantity and accessibility.

#### **Consultation**

Recognising Children’s Rights under Article 12 of the UNCRC, which is in the process of being adopted into Scots Law, the proposals ensure children’s participation in the preparation of the assessment and their input and views are taken into account in the process. Further the consultation of parents and carers and the local community will help to promote awareness and acceptance, thus creating a more supportive environment for children to play outdoors in their own neighbourhoods.

#### **Publication**

Planning authorities will also be required to publish the play sufficiency assessment electronically, offering benefits in terms of providing transparency, and ensuring accessibility of information.

## Costs

In support of the Scottish Parliament’s scrutiny of the 2017 Planning Bill the Scottish Government prepared an accompanying Financial Memorandum<sup>168</sup>. This was updated following the Stage 2 scrutiny<sup>169</sup>.

### Preparing an Open Space Strategy

The cost of undertaking a full open space audit was estimated to be around £25,000 per authority, on average, with the additional work of producing the strategy requiring the equivalent of 3 months resource of a senior planner, at £13,260, making a total of £38,260.50 per authority or around £1.3 million across Scotland. Planning authorities are already being encouraged to prepare non-mandatory open space strategies in very similar terms under Planning Advice Note 65.

The “State of Scotland’s Greenspace” report, published by Greenspace Scotland in February 2018, found that 10 authorities did not have an open space strategy as such, although some of these authorities have included similar information in the LDPs or other documents. It was noted some existing strategies may need some additional work to meet the full statutory requirements. Ensuring all authorities have an open space strategy that meets the statutory requirement was estimated to cost about a third of the cost if no such work had been done, thus, at about £450,000 more than current expenditure. RTPI Scotland’s Research Paper ‘Financial Implications Of Implementing The Planning (Scotland) Act 2019’ (August 2019)<sup>170</sup> confirms that assessment in relation to the costs of preparing an open space strategy.

There was no specific requirement for updating the strategy in the Bill, therefore the calculation was made on the basis that they will be updated once every 10 years, to coincide with the preparation of the LDP. The draft Regulations proposes the planning authority is to review its open space strategy and publish an updated open space strategy within the period of 10 years beginning on the date of publication of the most recent open space strategy. Therefore the assumption of costs for updating the strategy every 10 years remains valid.

### Preparing a Play Sufficiency Assessment

The Welsh Government introduced a requirement for all local authorities in Wales to carry out a play sufficiency assessment, through the Play Sufficiency Assessment (Wales) Regulations 2012. They allocated £484,000 to cover the costs of the first round of assessments. While Scotland has a larger population than Wales, and more local authorities, the Welsh assessment requires not only spatial consideration but also consideration of organised play opportunities such as youth groups and holiday play schemes, and an assessment of the workforce. These are not issues for spatial planning and therefore are not required under the draft Scottish regulations.

Taking account of these variances would result in an estimate for assessments meeting the requirements in the Bill totalling around £450,000 across Scotland. This figure is also confirmed in RTPI Scotland’s research.

---

<sup>168</sup> [Planning \(Scotland\) Act – Financial Memorandum 2017](#) (December 2017)

<sup>169</sup> [Planning \(Scotland\) Bill \(As Amended at Stage 2\) – Revised Financial Memorandum](#) (May 2019)

<sup>170</sup> [Financial Implications of Implementing the Planning \(Scotland\) Act 2019- RTPI Scotland Research Paper](#) (Aug 2019)

**Overall costs**

The regulations are prepared in respect of the requirements contained in the Planning Act and do not introduce additional requirements, therefore do not add to the costs previously estimated during the Bill process; ie, at £450,000 respectively across Scotland. We believe there is also some potential for authorities to achieve savings should they align their processes of carrying out the open space audit and the play sufficiency assessment and the associated engagement activities.

**Scottish Firms Impact Test**

These sets of proposed draft Regulations do not place a direct regulatory burden on businesses. This legislation should not affect significantly the overall costs for individual businesses of engaging in the planning system. Scottish firms (such as planning consultancies) may see opportunities in the new duties for commissions to support planning authorities in preparing their open space strategy and play sufficiency assessment. Local businesses may see value in engaging in the development of an OSS for example around polices on the maintenance and stewardship of green networks and open spaces, which may offer potential opportunities for landscape and gardening firms.

**Competition Assessment**

There are no obvious impacts on competition of these proposals. The proposals would not favour one such business over another per se.

<ul style="list-style-type: none"> <li>• Will the measure directly or indirectly limit the number or range of suppliers?</li> </ul>	No. It does not involve significant additional costs in the overall context of the planning system.
<ul style="list-style-type: none"> <li>• Will the measure limit the ability of suppliers to compete?</li> </ul>	No. As above.
<ul style="list-style-type: none"> <li>• Will the measure limit suppliers' incentives to compete vigorously?</li> </ul>	No. As above
<ul style="list-style-type: none"> <li>• Will the measure limit the choices and information available to consumers?</li> </ul>	No. As above.

### Consumer Assessment

The costs involved seem to have limited effect on the purchasers of goods and services. To the extent that the public are consumers of planning services, then the proposed regulations should improve their opportunities for engagement.

• Does the policy affect the quality, availability or price of any goods or services in a market?	No
• Does the policy affect the essential services market, such as energy or water?	No
• Does the policy involve storage or increased use of consumer data?	No
• Does the policy increase opportunities for unscrupulous suppliers to target consumers?	No
• Does the policy impact the information available to consumers on either goods or services, or their rights in relation to these?	Yes. In so far as the planning system is a service and the public are its consumers. The draft Regulations require both the OSS and PSA to be published making the information in them available to the public.
• Does the policy affect routes for consumers to seek advice or raise complaints on consumer issues?	No

### Test run of business forms

No new forms.

### Digital Impact Test

The use of on/off line models of engagement are not prescribed in the regulations. Which method is used will be for parties to decide in the circumstances of the case.

• Does the measure take account of changing digital technologies and markets?	Yes. The use of on/off line models of engagement are not prescribed in the draft Regulations. Which method is used will be for planning authorities to decide.
• Will the measure be applicable in a digital/online context?	Yes
• Is there a possibility the measures could be circumvented by digital / online transactions?	No
• Alternatively will the measure <b>only</b> be applicable in a digital context and therefore may have an adverse impact on traditional or offline businesses?	No
• If the measure can be applied in an offline <b>and</b> online environment will this in itself have any adverse impact on incumbent operators?	No

### **Legal Aid Impact Test**

These changes would seem unlikely to affect claims for legal aid.

### **Enforcement, sanctions and monitoring**

There is a requirement on planning authorities to undertake the Play Sufficiency Assessment in preparing the Evidence Report for their LDP. The Evidence Report will be assessed on whether it contains sufficient information to enable the planning authority to prepare a proposed plan. Where an appointed person determines this is not the case, which may include a PSA not being provided, this could prevent the planning authority from moving forward to the next stage in preparing its LDP.

### **Summary and recommendation**

These draft Regulations have been prepared to provide the administrative legislative requirements for the preparation of Open Space Strategies and Play Sufficiency Assessments as set out in the Planning (Scotland) Act 2019.

This partial BRIA has identified no extra financial costs to planning authorities, compared to those previously set out in the Financial Memorandum for the Planning Bill.

Following the public consultation we will take account of any representations around costs and any impact on businesses received, in finalising the Regulations and any future guidance.

The intention is that the Regulations will come into force in 2022. Stakeholders will receive notice of the publication through the Government's media channels such as its website, e-mail alerts and other social media channels.

### **Summary Costs and Benefits Table**

#### **Summary and recommendation**

The Scottish Government proposes to lay regulations on the preparation and content of Open Space Strategies and Play Sufficiency Assessments.

The additional costs on planning authorities for preparing the OSS and PSA are each estimated at around £450,000 across Scotland, as per the analyses carried out during the Bill process.

In terms of review, on the PSA side planning authorities must assess the sufficiency of play opportunities in its area for children in preparing an evidence report, for its LDP, LDPs are subject to a 10 year review cycle. The proposed draft OSS Regulations require OSS to be updated at least every 10 years.

Subject to the views received in the forthcoming public consultation, the proposals, as a package, would appear to represent a proportionate response.

Appendix E– Business and Regulatory Impact Assessment

Option	Total benefit: - economic, environmental, social	Total cost: - economic, environmental, social - policy and administrative	
Open Space Strategies	Definitions	Greater clarity of understanding of key terms, as consulted on with stakeholders.	No additional costs
	Level of prescription in relation to audits of existing open space	Will highlight factors that may be included in audits including environmental considerations eg accessibility, the function of the space, condition. Social factors including accessibility and the quality of the space, which may affect how it is enjoyed are also covered.	Separate costs not identified.
	Introduction of an outcomes based approach	Improved focus on how the OSS can help contribute to a range of aspects to support the wider health and wellbeing of the area including social benefits to the place and environment	Separate costs not identified. Further information necessary
	Use of localities	Ensuring engagement at a meaningful 'neighbourhood' level to help identify requirements for open space at a locality level, to help support delivery and action at a local level.	Separate costs not identified. May allow planning authorities to tap into existing engagements at a locality level to join up engagement with other council engagement with communities. Further information necessary
	Consultation and engagement	Improved opportunities for engagement for prescribed groups to be consulted, and for a child friendly version to support engagement. The draft proposals also require consultation with environmental agencies eg NatureScot, SEPA, Historic Environment Scotland to ensure environmental issues are considered; on the social side there is also requirements to consult Public Health Scotland	Minimal additional costs Further information necessary

Appendix E– Business and Regulatory Impact Assessment

	Publication	Provides for transparency and accountability.	Separate costs not identified.
	Review	Ensuring the OSS is reviewed and an updated OSS published within the period of 10 years beginning on the date of publication of the most recent open space strategy, 10 year timescale coincides with timeframe for preparing LDPs	The assumption of costs for updating the strategy every 10 years remains valid.
Play Sufficiency Assessments	Requirements on the form and content of a PSA	Improved quality and accessibility of information through a completed report containing written statements and associated map-based information	Separate costs not identified. Further information necessary.
	Consultation in preparation of a PSA	Advancing equalities, ensuring opportunities to participate and influence	Separate costs not identified. Further information necessary.
	Publication	Provides information, ensuring accessibility, transparency and accountability	Separate costs not identified. Further information necessary.
TOTALS	Total additional cost estimated for OSS across Scotland		£450,000 total additional cost
	Total cost estimated for PSA across Scotland		£450,000 total additional cost  * Costs are estimated for the first round of PSAs.
	Costs per annum per planning authority	Based on average estimates  £450,000 (OSS) + £450,000 ( PSA) = £900,000 ÷ 32 planning authorities ÷ 10 (10 year review cycle) <b>= £2,812.50 per planning authority per annum</b>	

**Declaration and publication**

I have read the business and regulatory impact assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options. I am satisfied that business impact will be assessed with the support of businesses in Scotland.

**Signed:**

A handwritten signature in black ink, appearing to read 'Tom Arthur', is centered below the 'Signed:' label.

**Date: 16 December 2021**

**Tom Arthur MSP**

**Minister for Public Finance, Planning and Community Wealth**

**Scottish Government Contact point**

**Planning & Architecture Division – [OSSPSAconsultation@gov.scot](mailto:OSSPSAconsultation@gov.scot)**

**Scottish Government Contact points: Kristen Anderson and Kuan Loh  
[www.gov.scot](http://www.gov.scot)**

©



<b>Responsible Authority:</b>	Scottish Government
<b>Title of the plan:</b>	<b>Proposals for secondary legislation on Open Space Strategies</b>
<b>What prompted the plan:</b> (e.g. a legislative, regulatory or administrative provision)	<p>The Planning (Scotland) Act 2019 inserted new section 3G Open space strategy, into the Town and Country Planning (Scotland) Act 1997 ("the Act"). This introduced new duties on planning authorities to prepare and publish an Open Space Strategy (OSS). An OSS is to set out a strategic framework of the planning authority's policies and proposals as to the development, maintenance and use of green infrastructure in their district, including open spaces and green networks.</p> <p>The Act sets out an open space strategy must contain:</p> <ul style="list-style-type: none"> <li>(a) an audit of existing open space provision,</li> <li>(b) an assessment of current and future requirements, and</li> <li>(c) any other matter which the planning authority consider appropriate.</li> </ul> <p>The Act did not contain administrative provisions for the development and preparation, or consultation and engagement requirements of OSSs. As these requirements were to contain a level of administrative detail, it was considered appropriate that they were dealt with through secondary legislation rather than on the face of the Act.</p>
<b>Plan subject:</b> (e.g. transport)	Town and Country Planning
<b>Brief summary of the plan:</b> (including the area or location to which the plan related)	<p>The regulations will cover requirements on the preparation of OSSs prepared across all Scotland. The Act provides powers for Scottish Ministers to by regulations—</p> <ul style="list-style-type: none"> <li>a) make provision about how planning authorities are to discharge their functions under this section including, in particular— <ul style="list-style-type: none"> <li>i) how they conduct an audit under subsection (3)(a), and</li> <li>ii) how they assess current and future requirements for the purposes of subsection (3)(b),</li> </ul> </li> <li>b) amend subsection 3G (4) by adding a definition or amending or omitting a definition for the time being specified there.</li> </ul> <p>In terms of the area / location - the duty to prepare an OSS applies to planning authorities across Scotland, however the Act notes that national park authorities do not have to prepare an OSS. (*The Act notes at 3G(6) that for the purpose of the open space strategy section of the Act, a national park authority is not a planning authority).</p>

**Brief summary of the likely environmental consequences:**

(including whether it has been determined that the plan is likely to have no or minimum effects, either directly or indirectly)

The focus of the regulations is to provide the administrative provisions for the development of OSSs. It is the Act that establishes the need for planning authorities to set out a strategic framework of the planning authority's policies and proposals as to the development, maintenance and use of green infrastructure in their district, including open spaces and green networks.

The secondary legislation will provide more detail on the process, including :

- definitions (of 'open space', 'green space', 'green infrastructure', 'green network', 'ecosystem services');
- the types and size of spaces to be included in the open space audit;
- the outcomes planning authorities should consider when carrying out their OSS including: improving access to green infrastructure, open space and green networks; creating successful and sustainable places; improving health and wellbeing; advancing equality and eliminating discrimination; securing positive effects for biodiversity; and mitigation of and adaptation to climate change ;
- consultation and engagement requirements; and
- further details on the assessment of current and future requirements, including taking a localities approach.

In response to the criteria in Schedule 2 of the Environmental Assessment (Scotland) Act 2005, the aim of the regulations is to provide an administrative framework for preparation of OSSs. OSSs whilst not having a statutory link to the development plan, have the potential as part of evidence-led planning to influence decision-making through the LDP. It is the LDP which will be subject to Strategic Environmental Assessment (SEA), with the final decision resting with the planning authority.

If any changes to the plan or any mitigation was required in order to resolve potential points of conflict these would be subject to their own SEA requirements, as part of the planning process. It is therefore our view that the legislation would have no or minimal environmental effects once implemented.

We have also considered whether any of the 'guiding principles' set out in section 9 of the UK Withdrawal from the European Union (Continuity) Scotland Act ('the Continuity Act') are relevant to the regulations, and concluded that they are not. This is because the proposals concern the introduction of new procedural requirements on the preparation of Open Space Strategies. As discussed above, OSSs have the potential to influence decision making through their influence on the LDP, which will itself be subject to all relevant requirements for consideration under the Continuity Act.

Appendix F – Strategic Environmental Assessment – Pre-Screenings

<b>Contact details:</b>	Kristen Anderson Planning and Architecture Division, Scottish Government e-mail: kristen.anderson@gov.scot
<b>Date of opinion:</b>	7 December 2021

When completed send to: [SEA.gateway@scotland.gsi.gov.uk](mailto:SEA.gateway@scotland.gsi.gov.uk) or to SEA Gateway, Scottish Government, Area 2F(South), Victoria Quay, Edinburgh, EH6 6QQ

<b>Responsible Authority:</b>	Scottish Government
<b>Title of the plan:</b>	<b>Proposals for secondary legislation on Play Sufficiency Assessments</b>
<b>What prompted the plan:</b> (e.g. a legislative, regulatory or administrative provision)	<p>The Planning (Scotland) Act 2019 ("the Act") introduces a new duty under Section 16D on Play Sufficiency Assessment (PSA), into the Town and Country Planning (Scotland) Act 1997. This requires planning authorities to assess the sufficiency of play opportunities in their areas to form part of the Evidence Reports that support the preparation of the Local Development Plans (LDPs).</p> <p>The provision of the Act:          16D Play Sufficiency Assessment –          1) A planning authority must assess the sufficiency of play opportunities in its area for children in preparing the evidence report.</p> <p>The Act did not contain administrative provisions for the development and preparation, or consultation and engagement requirements of PSAs. As these requirements were to contain a level of administrative details, it was considered appropriate that they were dealt with through secondary legislation rather than on the face of the Act.</p>
<b>Plan subject:</b> (e.g. transport)	Town and Country Planning
<b>Brief summary of the plan:</b> (including the area or location to which the plan related)	<p>The proposed secondary legislation will cover the scope, consultation and publication requirements of the PSAs to be prepared across all local authorities areas in Scotland; as per below:          16D 2) The Scottish Ministers must by regulations make provisions about:</p> <ul style="list-style-type: none"> <li>a. the form and content of the assessment</li> <li>b. such persons who must be consulted in relation the assessment</li> <li>c. publication of the assessment</li> </ul>

Appendix F – Strategic Environmental Assessment – Pre-Screenings

<p><b>Brief summary of the likely environmental consequences:</b> (including whether it has been determined that the plan is likely to have no or minimum effects, either directly or indirectly)</p>	<p>The intention of the secondary legislation is to support one of the overarching themes within the planning reform – collaboration over conflict. The focus of the regulations is to provide the administrative provisions for the preparation of PSAs.</p> <p>In response to the criteria in Schedule 2 of the Environmental Assessment (Scotland) Act 2005, the aim of the regulations is to provide an administrative framework for preparation of PSAs, which has a statutory link to the development plan and is to form part of the evidence-led planning to support and influence decision-making through the LDP. It is the overall LDP which will be subject to Strategic Environmental Assessment (SEA), with the final decision resting with the planning authority.</p> <p>If any changes to the plan or any mitigation was required in order to resolve potential points of conflict these would be subject to their own SEA requirements, as part of the planning process. It is therefore our view that the legislation would have no or minimal environmental effects once implemented.</p> <p>We have also considered whether any of the ‘guiding principles’ set out in section 9 of the UK Withdrawal from the European Union (Continuity) Scotland Act (‘the Continuity Act’) are relevant to the regulations, and concluded that they are not. This is because the proposals concern the introduction of new procedural requirements on the preparation of Play Sufficiency Assessment. As discussed above, PSA has statutory link with Development Plan as it forms part of the Evidence Report, hence support and influence decision-making through the LDP, which will itself be subject to all relevant requirements for consideration under the Continuity Act.</p>
<p><b>Contact details:</b></p>	<p>Kuan Loh Planning and Architecture Division, Scottish Government e-mail: kuan.loh@gov.scot</p>
<p><b>Date of opinion:</b></p>	<p>7 December 2021</p>
<p>When completed send to: <a href="mailto:SEA.gateway@scotland.gsi.gov.uk">SEA.gateway@scotland.gsi.gov.uk</a> or to SEA Gateway, Scottish Government, Area 2H (South), Victoria Quay, Edinburgh, EH6 6QQ</p>	

## List of References

All aboard: Young people’s views and experiences of public transport in Scotland, p11. Scottish Youth Parliament (2019).

[https://d3n8a8pro7vhm.cloudfront.net/scottishyouthparliament/pages/2916/attachments/original/1555340914/All\\_Aboard\\_report.pdf?1555340914](https://d3n8a8pro7vhm.cloudfront.net/scottishyouthparliament/pages/2916/attachments/original/1555340914/All_Aboard_report.pdf?1555340914)

Analysis of Equality Results from the 2011 Census (2014)

[Census 2011 equality results: analysis, part two - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/documents/2014/07/Census_2011_equality_results_analysis_part_two.pdf)

The association between green space and depressive symptoms in pregnant women: moderating roles of socioeconomic status and physical activity, R R C McEachan, S L Prady, G Smith, L Fairley, B Cabieses, C Gidlow, J Wright, P Dadvand, D van Gent, M J , Nieuwenhuijsen, Journal of Epidemiology and Community Health (2016) National Library of Medicine

<https://pubmed.ncbi.nlm.nih.gov/26560759/>

Benefits of Nature for Children with Autism, Children’s Wood

<https://www.thechildrenswood.co.uk/benefits-of-nature-for-children-with-autism/>

‘Can I play out...?', Tim Gill (2007)

<https://playingout.net/wp-content/uploads/2014/04/Gill-Can-I-Play-Out.pdf>

Census 2011

[Home | Scotland's Census \(scotlandscensus.gov.uk\)](https://www.scotlandscensus.gov.uk/)

‘Change in use of green and open space following COVID-19 lockdown ‘stay at home’ phase and initial easing of lockdown’, Public Health Scotland, Dr Jon Olsen & Prof Rich Mitchell

[https://www.gla.ac.uk/researchinstitutes/healthwellbeing/news/headline\\_758330\\_en.html](https://www.gla.ac.uk/researchinstitutes/healthwellbeing/news/headline_758330_en.html)

Change in time spent visiting and experiences of green space following restrictions on movement during the COVID-19 pandemic: : a nationally representative cross-sectional study of UK adults, Hannah Burnett , Jonathan R Olsen , Natalie Nicholls, Richard Mitchel, BMJ Open

<https://bmjopen.bmj.com/content/bmjopen/11/3/e044067.full.pdf>

Children and Town Planning, Royal Town Planning Institute (RTPI) (RTPI Practice Advice) (2021)

<https://www.rtpi.org.uk/media/8829/children-and-town-planning-2021-final.pdf>

Children’s Rights: Consultation on incorporating the United Nations Convention on the Rights of the Child into our domestic law in Scotland, The Scottish Commission for Learning Disability (2019)

[https://www.sclcd.org.uk/wp-content/uploads/2019/08/UNCRC-Designed\\_FINAL.pdf](https://www.sclcd.org.uk/wp-content/uploads/2019/08/UNCRC-Designed_FINAL.pdf)

Civil Society Report to inform the UN Committee on the Rights of the Child’s List of Issues Prior to Reporting By Together (Scottish Alliance for Children’s rights)

[together-loipr\\_final.pdf \(togetherscotland.org.uk\)](https://togetherscotland.org.uk/together-loipr_final.pdf)

Consultation on the Modernisation of the Planning System with ‘seldom heard’ Groups (2009)

<https://www.webarchive.org.uk/wayback/archive/20180516025616/http://www.gov.scot/Publications/2009/02/09150350/0>

COVID-19 Survey (2020)

[ukhls\\_briefingnote\\_covid\\_homeschool\\_final.pdf](ukhls_briefingnote_covid_homeschool_final.pdf) ([understandingsociety.ac.uk](http://understandingsociety.ac.uk))

Covid drives huge increase in use of urban greenspace | NatureScot website (accessed 25/10/2021)

<https://www.nature.scot/covid-drives-huge-increase-use-urban-greenspace>

Democracy Matters for Children, Children’s Parliament Consultation on ‘Democracy Matters’ August 2019

<Democracy-Matters-Magazine-Final.pdf> ([childrensparliament.org.uk](http://childrensparliament.org.uk))

Designing Streets – A Policy Statement for Scotland Scottish Government (2010)

<https://www.gov.scot/publications/designing-streets-policy-statement-scotland/>

Engaging children on the autistic spectrum with the natural environment: Teacher insight study and evidence review (NECR116), Natural England, 2013

<http://publications.naturalengland.org.uk/publication/11085017>

Equality Impact Assessment for the Child Poverty (Scotland) Bill

[Child Poverty \(Scotland\) Bill: equality impact assessment - gov.scot](Child%20Poverty%20(Scotland)%20Bill%3A%20equality%20impact%20assessment%20-%20gov.scot) ([www.gov.scot](http://www.gov.scot))

Equality Impact Assessment for the Planning (Scotland) Bill

[Equality Impact Assessment \(EQIA\) results](Equality%20Impact%20Assessment%20(EQIA)%20results) ([www.gov.scot](http://www.gov.scot))

Family Financial Resources Survey 2019 – 2020

<https://www.gov.uk/government/statistics/family-resources-survey-financial-year-2019-to-2020/family-resources-survey-financial-year-2019-to-2020>

Fourth National Planning Framework: Position Statement, Scottish Government

(2020) [Fourth National Planning Framework: position statement - gov.scot](Fourth%20National%20Planning%20Framework%3A%20position%20statement%20-%20gov.scot) ([www.gov.scot](http://www.gov.scot))

Fourth National Planning Framework (Draft): Integrated Impact Assessment

<https://www.transformingplanning.scot/national-planning-framework/supporting-information-for-draft-npf4/integrated-impact-assessment/>

‘Friendly Parks for All’ consultation Challenges faced by blind or visually impaired park users. Consultation key findings March 2020, London Borough of Richmond Upon Thames

[https://www.richmond.gov.uk/media/18995/challenges\\_faced\\_by\\_blind\\_or\\_visually\\_impaired\\_park\\_users.pdf](https://www.richmond.gov.uk/media/18995/challenges_faced_by_blind_or_visually_impaired_park_users.pdf)



Gender and Spatial Planning, Royal Town Planning Institute, Good Practice Note 7: (2007)  
<https://policy-practice.oxfam.org.uk/publications/gender-and-spatial-planning-rtpi-good-practice-note-7-112350>

Gender differences in relationships between urban green space and health in the United Kingdom, The University of Edinburgh (Richardson, EA & Mitchell, R 2010)  
[https://www.research.ed.ac.uk/portal/files/11537192/GenderDifferences2010SandM\\_Final.pdf](https://www.research.ed.ac.uk/portal/files/11537192/GenderDifferences2010SandM_Final.pdf)

Girls Attitudes Survey 2020, Girl Guiding UK  
<https://www.girlguiding.org.uk/globalassets/docs-and-resources/research-and-campaigns/girls-attitudes-survey-2020.pdf>

Girls In Scotland (2018)  
<Girls-in-Scotland-survey-2018.pdf> ([girlguidingscotland.org.uk](http://girlguidingscotland.org.uk))

Girls In Scotland (2020)  
[Girls in Scotland \(2020\)](Girls in Scotland (2020))

Greenspaces can help give our children the best start in life, Greenspace Scotland  
<https://www.greenspacescotland.org.uk/children#:~:text=%20Research%20shows%20the%20positive%20impacts%20that%20quality,attitudes%20to%20nature%20and%20the%20outdoors%20More>

Greenspace, urbanity and health, Mitchell R, Popham F (2007) Journal of Epidemiology and Community Health.  
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2652991/>

Greenspace Use and Attitudes Survey 2017 greenspace scotland (2017)  
[https://drive.google.com/file/d/1x\\_GfzPxFf059X-3Imz20Mj51EHCoN8F6/view](https://drive.google.com/file/d/1x_GfzPxFf059X-3Imz20Mj51EHCoN8F6/view)

Growing Up In Scotland – Key findings  
<https://growingupinscotland.org.uk/about-gus/key-findings/>

Gypsy/Travellers in Scotland - A Comprehensive Analysis of the 2011 Census (2015)  
<Gypsy/Travellers in Scotland - A Comprehensive Analysis of the 2011 Census - gov.scot> ([www.gov.scot](http://www.gov.scot))

Hard to reach, easy to ignore? Promoting equality in community engagement (2017), What Works Scotland, Evidence Review  
<'Hard to reach' or 'easy to ignore'? Promoting equality in community engagement – Evidence review | What Works Scotland>

Health Inequalities: Peer research into the role of communities, Young peer researchers with Chris Ross, Prof Niamh Shortt and Amy Woodhouse, (Jan 2020)  
<https://childreninscotland.org.uk/wp-content/uploads/2020/02/Health-Inequalities-Report-Chris-Ross.pdf>



Health inequalities: What are they ? How do we reduce them? NHS Health Scotland, Inequality Briefing 1 (2015)  
<http://www.healthscotland.scot/media/1086/health-inequalities-what-are-they-how-do-we-reduce-them-mar16.pdf>

The health impacts of screen time - a guide for clinicians and parents , Royal College of Paediatrics and Child Health  
[The health impacts of screen time - a guide for clinicians and parents | RCPCH](#)

Health Impact Scoping of Public Places Guidance (2020)  
<https://www.scotphn.net/wp-content/uploads/2015/11/Health-Impact-Scoping-of-Public-Places-Guidance-v2.pdf>

Inclusive Greenspace, Sensory Trust  
<https://www.sensorytrust.org.uk/resources/guidance/inclusive-greenspace>

LGBT Youth (2018). Life in Scotland for LGBT Young People  
<https://www.lgbtyouth.org.uk/media/1354/life-in-scotland-for-lgbt-young-people.pdf>

Local Governance Review: analysis of responses to Democracy Matters (2019)  
[Local Governance Review: analysis of responses to Democracy Matters - gov.scot \(www.gov.scot\)](#)

Make Space for Girls – Summary of Research Findings – December 2020  
<http://makespaceforgirls.co.uk/wp-content/uploads/2021/02/Make-Space-for-Girls-Summary-of-Research-findings-December-2020-web.pdf>

Mental Health And Town Planning (RTPI) Practice Note, 2020  
<https://www.rtpi.org.uk/media/6551/mentalhealthtownplanning2020-final.pdf>

Mid-2018 Population Estimates Scotland (2019)  
<https://www.nrscotland.gov.uk/files//statistics/population-estimates/mid-18/mid-year-pop-est-18-pub.pdf>

Mid-2019 Population Estimates Scotland (2020)  
<https://www.nrscotland.gov.uk/files//statistics/population-estimates/mid-19/mid-year-pop-est-19-report.pdf>

Mid-2020 Population Estimates, Scotland  
[Mid-year Population Estimates, 2020: Report \(nrscotland.gov.uk\)](#)

Mountains for All, EQIA video, Scottish Government  
<https://www.youtube.com/watch?v=ARcG9AGB9U0>

National LGBT Survey Research Report (Government Equalities Office) 2018  
[National LGBT survey: research report \(publishing.service.gov.uk\)](#)

National Performance Framework – national indicator performance  
<https://nationalperformance.gov.scot/measuring-progress/national-indicator-performance>

Office for National Statistics

<https://www.ons.gov.uk/economy/environmentalaccounts/articles/oneineightbritishhouseholdshasnogarden/2020-05-14?hootPostID=b2b740f2d1d59bcf7120bf226074fbcd>

One Scotland

[Disability | One Scotland](#)

Parks and Play, Play Builds Children, Fields In Trust

<http://www.fieldsintrust.org/News/play-builds-children>

The Planning (Scotland) Act 2019

<http://www.legislation.gov.uk/asp/2019/13/contents>

Play and learning, outdoors and social interactions in children in Scotland during COVID-19. Public Health Scotland

[https://publichealthscotland.scot/media/3105/report-2\\_play-and-learning-outdoors-and-social-interaction\\_ceyris.pdf](https://publichealthscotland.scot/media/3105/report-2_play-and-learning-outdoors-and-social-interaction_ceyris.pdf)

Playing with quality and equality: a review of inclusive play in Scotland. Casey, T. (2015). Scottish Government.

<http://bit.ly/2GS7AJ7>

Poverty And Inequality Commission – Key Facts)

<https://povertyinequality.scot/poverty-scotland/>

Pregnancy, births and maternity: key points. Scottish Public Health Observatory

<https://www.scotpho.org.uk/population-dynamics/pregnancy-births-and-maternity/key-points/>

Progress review of Scotland’s Play Strategy 2021 Play in a COVID-19 context  
Scottish Government, Play Scotland

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

Public Health Scotland, data quoted at House of Lords, Covid- 19 Committee (June 2021)

<https://committees.parliament.uk/oralevidence/2428/html/>

Queering Public Space: Exploring the relationship between queer communities and public spaces, University of Westminster, ARUP

<https://www.arup.com/perspectives/publications/research/section/queering-public-space>

The Race Factor In Access To Green Space

<https://www.runnymedetrust.org/blog/the-race-factor-in-access-to-green-space>

Research briefing: It happens all the time Girls' and young women's experiences of sexual harassment, Girl Guiding UK

[https://www.girlguiding.org.uk/globalassets/docs-and-resources/research-and-campaigns/girlguiding-research-briefing\\_girls-experiences-of-sexual-harassment\\_june2021.pdf](https://www.girlguiding.org.uk/globalassets/docs-and-resources/research-and-campaigns/girlguiding-research-briefing_girls-experiences-of-sexual-harassment_june2021.pdf)

Residential Surrounding Greenness and Cognitive Decline: A 10-Year Follow-up of the Whitehall II Cohort. Environmental Health Perspectives, 2018 IS Global

<https://www.isglobal.org/documents/10179/6225531/NdP+greenspace+cognitive+decline+eng.pdf/fd8a5c44-852f-4489-8e6d-17127eec192a>

Royal Town Planning Institute, Good Practice Note 7: Gender and Spatial Planning (2007)

[Gender and Spatial Planning: RTPI good practice note 7 - Oxfam Policy & Practice](#)

Scotland's People Annual Report (2019)

[scotlands-people-annual-report-2019 \(1\).pdf](#)

Scottish Government Equality Evidence Finder

<https://scotland.shinyapps.io/sq-equality-evidence-finder/>

Scottish Health Survey 2012

[Scottish Health Survey 2012 - volume 1: main report - gov.scot \(www.gov.scot\)](#)

Scottish Health Survey (2020) [Scottish Health Survey – telephone survey –](#)

[August/September 2020: main report - gov.scot \(www.gov.scot\)](#)

Scotland's People Annual Report: Results from 2017 Scottish Household Survey

[Scottish household survey 2017: annual report - gov.scot \(www.gov.scot\)](#)

Scottish Household Survey 2018: annual report (2019)

[Scottish household survey 2018: annual report - gov.scot \(www.gov.scot\)](#)

Scottish Household Survey Annual Report (2019)

[Scottish household survey 2019: annual report - gov.scot \(www.gov.scot\)](#)

Scottish Recreation Survey (2014)

<http://www.snh.gov.uk/land-and-sea/managing-recreation-and-access/increasing-participation/measuring-participation/>

Scottish Planning Policy (2014), Scottish Government

[Scottish Planning Policy - gov.scot \(www.gov.scot\)](#)

Sexual Orientation in Scotland 2017: summary of evidence base

[Sexual orientation in Scotland 2017: summary of evidence base - gov.scot \(www.gov.scot\)](#)

State of Children's Rights in Scotland, Report by the Scottish Alliance for Children's Rights

[State of Children's Rights in Scotland](#)

Travel and Transport in Scotland 2018 (2019)

<https://www.transport.gov.scot/publication/transport-and-travel-in-scotland-2018-pdf-version/>

The UN Committee on the Rights of the Child Concluding Observations (2016)

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGBR%2fCO%2f5&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGBR%2fCO%2f5&Lang=en)

Urban green spaces and health: A review of evidence, World Health Organisation WHO (2016)

[https://www.euro.who.int/\\_data/assets/pdf\\_file/0005/321971/Urban-green-spaces-and-health-review-evidence.pdf](https://www.euro.who.int/_data/assets/pdf_file/0005/321971/Urban-green-spaces-and-health-review-evidence.pdf)

What do Children and young people think about screen time? (RCPCH & Us) Royal College of Paediatrics and Child Health

[https://www.rcpch.ac.uk/sites/default/files/2018-12/rcpch\\_screen\\_time\\_full\\_cyp\\_views.pdf](https://www.rcpch.ac.uk/sites/default/files/2018-12/rcpch_screen_time_full_cyp_views.pdf)

What Do Seniors Need in Parks? | Smart Cities Dive

<https://www.smartcitiesdive.com/ex/sustainablecitiescollective/what-do-seniors-need-parks/1070996/>

Why do girls use playgrounds less than boys?, Open City (2018) . Inclusive Urban Planning - Creating a City for Everyone

<https://open-city.org.uk/blog/why-do-girls-use-playgrounds-less-than-boys>

Women in Planning II (RTPI) 2021

<https://www.rtpi.org.uk/media/7903/wip-ii-final.pdf>

Work and Relationships Over Time in Lone-mother Families, 2017, Joseph Rowntree Foundation

[Work and relationships over time in lone-mother families | JRF](#)

Young people's participation in decision making: attitudes and perceptions (2020)

<https://www.gov.scot/publications/young-peoples-participation-decision-making-scotland-attitudes-perceptions-2/>

Young Scot survey results (2017)

<https://www.gov.scot/publications/planning-review-young-scot-survey-results-june-2017/>



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

© Crown copyright 2021

**OGL**

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [nationalarchives.gov.uk/doc/open-government-licence/version/3](https://nationalarchives.gov.uk/doc/open-government-licence/version/3) or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at [www.gov.scot](http://www.gov.scot)

Any enquiries regarding this publication should be sent to us at

The Scottish Government  
St Andrew's House  
Edinburgh  
EH1 3DG

ISBN: 978-1-80201-847-9 (web only)

Published by The Scottish Government, December 2021

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA  
PPDAS996118 (12/21)

W W W . g o v . s c o t