

Draft Guidance on Local Living and 20 Minute Neighbourhoods

**Impact Assessment Report Update
(for consultation)**

April 2023

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Introduction

Local living and 20 minute neighbourhoods

This impact assessment report update relates to the draft guidance on Local living and 20 Minute Neighbourhoods, produced to support the fourth National Planning Framework (NPF4).

Local Living and 20 minute neighbourhoods are included within the policy framework of NPF4, adopted by Scottish Ministers on 13th February. The concept of local living and 20 minute neighbourhoods is intended to support places where people can meet the majority of their daily needs within a reasonable distance of their home, preferably through active travel modes or by public transport.

NPF4 was the subject of extensive consultation and parliamentary scrutiny and an Integrated Impact Assessment (IIA), involving a number of statutory and non-statutory assessments, was prepared for NPF4 and is available on the [Transforming Planning](#) website.

The policy intent and outcomes for Local Living and 20 minute neighbourhoods were included within this assessment process. Therefore, the impact of the policy has already been assessed and this updated report summarises key content relevant to local living and 20 minute neighbourhoods gathered as part of the previous impact assessment process. Additional content on the impacts of the draft guidance has been added where relevant or necessary.

What are the Impact Assessments?

What is a Business and Regulatory Impact Assessment?

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.

What is a Child Rights and Wellbeing Impact Assessment?

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).

What is an Equalities Impact Assessment?

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

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

What are the Impact Assessments?

Foster good relations between different groups – by tackling prejudice and promoting understanding.

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.

What is the Fairer Scotland Duty Assessment?

The Fairer Scotland Duty (FSD) 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.

What is an Island Communities Impact Assessment?

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.

What is Strategic Environmental Assessment?

In Scotland, public bodies and private companies operating in a public character, such as utility companies, are required to assess, consult on, and monitor the likely impacts their plans, programmes and strategies will have on the environment. This process is known as Strategic Environmental Assessment (SEA).

SEA helps to better protect the environment, aims to ensure that any development is sustainable, and increases opportunities for public participation in decision-making. It ensures that expert views are sought at various points in the preparation process from the public and the consultation authorities, who are:

- NatureScot
- Scottish Environmental Protection Agency
- Historic Environment Scotland.

Business & Regulatory Impact Assessment (BRIA) Report Update

Draft Guidance on Local Living and 20 Minute Neighbourhoods

March 2023



Scottish Government
Riaghaltas na h-Alba
gov.scot

Title of Proposal

Guidance on Local living and 20 Minute Neighbourhoods

Purpose and Intended Effect

Background

The fourth National Planning Framework (NPF4), adopted by the Scottish Ministers on 13th February, contains policy on local living and 20 minute neighbourhoods. NPF4 forms part of the statutory development plan.

The concept of local living and 20 minute neighbourhoods is intended to support places where people can meet the majority of their daily needs within a reasonable distance of their home, preferably through active travel modes or by public transport.

The draft local living and 20 minute neighbourhood guidance aims to support the implementation of the existing policy framework within NPF4. The preparation of NPF4 involved extensive consultation and parliamentary scrutiny as well as the development of a comprehensive Integrated Impact assessment. A [full BRIA](#) was undertaken for NPF4 and this covered the policy framework, including content on Local living and 20 minute neighbourhoods (Policy 15).

This impact assessment report update has been produced to support the public consultation on the draft guidance and will be finalised prior to publication of the final guidance document

Summary conclusion

This update report relates only to draft guidance, and not to new policy content. The draft guidance does not introduce any additional policy requirements or duties and is simply intended to provide additional detail and clarification of existing policy in order to support effective and efficient implementation.

The finalised NPF4 BRIA considered that overall, costs involved in delivering NPF4 are outweighed by the strong justification for proceeding with the intended approach, in particular the contributions to national outcomes.

The draft guidance on local living and 20 minute neighbourhoods places no additional burden on planning authorities, communities or business and will have no material impact on the assessment and conclusions of the NPF4 BRIA.

Objective

Draft guidance to support NPF4 Policy 15, Local Living and 20 minute neighbourhoods, has been developed to support interpretation and implementation of NPF4. The draft guidance sets out details on the benefits, key characteristics, and delivery approaches to support local living and 20 minute neighbourhoods.

Rationale for Government intervention

NPF4 Policy 15, Local Living and 20 minute neighbourhoods, is a new policy and although it is aligned with previous policy on placemaking, there is a role for guidance to provide more details to support implementation of the policy.

Consultation

• Within Government

The NPF4 IIA sets out the wide ranging approach to government consultation in preparation of NPF4. Officials from Scottish Government's Planning, Architecture and Regeneration Division have discussed the draft document with officials in Climate Change, Transport Scotland, Rural Communities, Land Use Strategy, Housing, Retail policy, and Health.

• Public Consultation

Call for Ideas

Between January and April 2020 the Scottish Government held an open call for ideas to hear views on what Scotland should be like in 2050 and the changes needed to get there. Some of the main themes that emerged from the call for ideas included NPF4 as:

- an opportunity to refocus planning on place, by applying approaches including the 20 minute neighbourhood concept, town centre renewal and a stronger emphasis on reusing vacant and derelict land and buildings to achieve multiple benefits for health and wellbeing, as well as climate change.

Position Statement

A Position Statement was published in November 2020. This reflected on the information received through the call for ideas engagement programme. The Position Statement confirmed expectations for NPF4, which included development that reduces the need to travel, in line with the concept of 20 minute neighbourhoods.

Draft NPF4

Draft NPF4 was laid in the Scottish Parliament on 10 November 2021 for Parliamentary scrutiny. Alongside Parliament's consideration of the draft NPF4, the Scottish Government invited comments from all stakeholders. The public consultation was launched on 10 November 2021 and closed on 31 March 2022. One of the six principles of the spatial strategy set out in the draft NPF4 was:

- **Local living.** We will create networks of 20 minute neighbourhoods to support local liveability, reduce the need to travel unsustainably, promote and facilitate walking and cycling, improve access to services, decentralise energy networks and build local circular economies.

• Business

As part of the development of NPF4, background information on the BRIA and a questionnaire was sent to around 33 key stakeholders from across Scotland, including key business and industry representatives. Additionally, the RTPI held a range of consultation events on behalf of the Scottish Government including a business roundtable. Further meetings took place during the consultation period with key groups where business and regulatory issues were discussed. This included meeting with the housing industry's representative body as well as rural economy and communities representatives.

Options

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

Option 1: Do nothing

The [National Planning Framework 4 Delivery Programme](#) sets out the approach for implementing NPF4 and includes key actions to be taken forward over the short and medium term. The delivery programme contains a commitment to developing guidance on local living and 20 minute neighbourhoods with a consultation to be launched following laying of NPF4 and finalisation of guidance in 2023. Failure to deliver this guidance will impact negatively on stakeholder expectations and compromise the effective implementation of NPF4.

Option 2: Preferred option - Developing guidance

Under this option guidance will support the effective implementation of the policy intent and outcomes on local living and 20 minute neighbourhoods within NPF4. This will strengthen the ability for policy to be correctly interpreted and applied and is an important element in delivering the ambitions of NPF4 and the associated impacts assessed as part of the IIA.

Sectors and groups affected

Businesses

NPF4 is a strategic document and its policies are likely to impact on all business sectors across Scotland who are likely, in the future, to engage with the planning system through the submission of a planning application or commenting on applications that affect them. It may also influence businesses' decision-making on what they do with their land.

Planning authorities

Planning authorities are affected in that they are required to take account of NPF4 in preparing their local development plans. Previously, those plans would include planning policies specific to the development plan area. However, the intention is to reduce the need for local policies by introducing national planning policies that apply across Scotland, while still leaving scope for local variation in policies where appropriate.

Communities

NPF4 will impact on communities as it will influence the future development of the places where people live. In addition, those community bodies which are preparing Local Place Plans will be required to have regard to the NPF in preparing such plans.

Further information on the sectors and groups affected by NPF4 policy is contained within the full NPF4 BRIA.

Costs and Benefits

Option 1 : Do nothing

This would require planning authorities and communities to interpret the policy framework for local living and 20 minute neighbourhoods with the high level information contained in NPF4. Although this may provide some local flexibility, it

Business & Regulatory Impact Assessment (BRIA)

would lack consistency in application. There is an expectation through the published delivery programme that guidance will support NPF4 policy implementation.

Option 2: Preferred option - Developing guidance

Developing guidance will support consistency in application of the policy across Scotland. This will allow businesses to have increased certainty on the expectations on them in aligning with policy, helping to deliver efficient processes and a level playing field across planning authority areas. Guidance will support planning authorities to undertake consistent, thorough and robust processes in plan development and also support consistency in decision-making processes.

Assessments

The full BRIA for NPF4 involved a Competition Assessment, a Consumer Assessment, Test run of business forms, a Digital Impact Test and a Legal Aid Impact Test. None of these assessments indicated adverse impacts.

- **Intra-UK Trade** - The guidance is not likely to have an impact on intra- UK trade.
- **EU Alignment** - This guidance is unlikely to impact on the Scottish government's policy to maintain alignment with the EU.

Summary and recommendation

The draft Local Living and 20 minute neighbourhoods guidance aims to support the implementation of the existing policy framework within NPF4. The preparation of NPF4 involved extensive consultation and parliamentary scrutiny as well as the development of a comprehensive Integrated Impact assessment, including a full BRIA.

The finalised BRIA considered that overall, costs involved in delivering NPF4 are outweighed by the strong justification for proceeding with the intended approach, in particular the contributions to national outcomes.

The draft guidance on local living and 20 minute neighbourhoods places no additional burden on planning authorities, communities or business and will have no material impact on the assessment and conclusions of the full BRIA.

Declaration and Publication

Partial Business and Regulatory Impact Assessment

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 has been assessed with the support of businesses in Scotland.

Signed:

Date:

Tom Arthur MSP

Minister for Public Finance, Planning and Community Wealth
Scottish Government Contact point: chief.planner@gov.scot

Child Rights and Wellbeing Impact Assessment (CRWIA) – Report Update

Draft Guidance on Local Living and 20 Minute Neighbourhoods

Children's Rights and Wellbeing Impact Assessment (CRWIA)- Updated Report

Draft Guidance on Local Living and 20 Minute Neighbourhoods

The fourth National Planning Framework (NPF4), adopted by the Scottish Ministers on 13th February, contains policy on local living and 20 minute neighbourhoods. NPF4 forms part of the statutory development plan.

The draft local living and 20 minute neighbourhoods guidance aims to support the implementation of the existing policy framework within NPF4. The preparation of NPF4 involved extensive consultation and parliamentary scrutiny as well as the development of a comprehensive Integrated Impact assessment. A [Society and Equalities Impact Assessment](#), including a CRWIA, was undertaken for NPF4 and this covered the policy framework, including content on Local Living and 20 minute neighbourhoods (Policy 15). T

This impact assessment report update relates only to the draft guidance, and not to new policy content. The draft guidance does not introduce any additional policy requirements or duties and is simply intended to provide additional details and clarifications of existing policy in order to support effective and efficient implementation.

The impact of the draft guidance is deemed to be covered by the NPF4 CRWIA and therefore this report updates and summarises the key issues as a supplement to the full assessment.

Summary conclusion

The NPF4 CRWIA states: the Scottish Government has found that the proposals do not impinge negatively upon articles of the UNCRC or the indicators of wellbeing (SHANARRI) and that we do not consider that there are issues that will impact negatively upon children and young people.

The draft guidance on local living and 20 minute neighbourhoods places no additional requirements on planning authorities, communities or businesses and we believe that the document will have no material impact on the assessment and conclusions of the full NPF4 CRWIA.

Introduction

As set out in Part 1 of the Children and Young People (Scotland) Act 2014, Scottish Ministers must keep under consideration whether there are any steps which they could take which would or might secure better or further effect in Scotland of the UNCRC requirements, and if they consider it appropriate to do so, take any of the steps identified by that consideration. Undertaking a CRWIA helps Ministers to fulfil this duty.

There are two key considerations when undertaking a CRWIA:

Participation: The United Nations Convention on the Right of the Child (UNCRC) sets out that children have the right to participate in decisions which affect them. When assessing the impacts of the policy/measure, you are recommended to consult with children and young people. You can do this directly, through organisations that represent children and young people or through using existing evidence on the views and experiences of children where relevant. Participation of children and young people should be meaningful and accessible.

Evidence: You are recommended to gather evidence when assessing the impact of the policy/measure on children's rights and also for measuring and evaluating the policy/measure. If you identify any gaps in the evidence base, you can discuss how you will address these with analytical colleagues.

Which articles of the UNCRC does this policy/measure impact on?

The NPF4 CRWIA considered the relevant Articles of the UNCRC as:

Article 12 - respect for the views of the child

Article 24 - right to health and health services

Article 27 - an adequate standard of living

Article 31 - a right to play, rest, leisure and access cultural life

What impact will your policy/measure have on children's rights?

The draft guidance will support the implementation of policy contained within NPF4 which has been subject to a full CRWIA. This found that the proposals do not impinge negatively upon articles of the UNCRC or the indicators of wellbeing (SHANARRI) and that did not consider that there are issues that will impact negatively upon children and young people. .

Will there be different impacts on different groups of children and young people?

The NPF4 CRWIA states that NPF4 has the potential to have a positive impact on the rights of all children as it will help to deliver a healthier, safer, fairer and more inclusive Scotland where every child and young person has the opportunity to fulfil their potential.

If a negative impact is assessed for any area of rights or any group of children and young people, can you explain why this is necessary and proportionate? What options have you considered to modify the proposal, or mitigate the impact? No negative impact is assessed.

How will the policy/measure give better or further effect to the implementation of the UNCRC in Scotland? NPF4 CRWIA states that NPF4 has the potential to have a positive impact on the rights of all children as it will help to deliver a fairer and more inclusive Scotland, where every child and young person has the opportunity to

fulfil their potential. NPF4 aims to ensure that the places that children and young people live, play, go to school and work are shaped with their participation and are accessible to all. Ultimately, it considers that NPF4 complies with UNCRC requirements.

How have you consulted with relevant stakeholders, including involving children and young people in the development of the policy/measure?

NPF4 CRWIA sets out the extensive consultation that was undertaken with children and young people as part of the development of the document. This included working with the Scottish Youth Parliament, the publication of think pieces, roadshows including visits to schools and a subsequent full public consultation process.

The [NPF4 Youth Engagement report](#) provided an insight into key issues as identified by young people in the development of the document. The most frequently mentioned issue was housing and the community provision linked with it (doctors, schools, community and leisure centres) and also affordability.

What evidence have you used to inform your assessment?

The CRWIA considered evidence from over 30 studies, research and surveys, the details of which are included in the [Society and Equalities Impact Assessment](#).

How will the impact of the policy/measure be monitored?

Impact of the policy intent and outcomes will be monitored as part of the NPF4 Delivery Programme. This will inform future revisions to the supporting guidance. The guidance is intended to be a live document, in particular the content on Case Studies which can be updated in response to feedback.

How will you communicate to children and young people the impact of the policy/measure on their rights? We are considering how best to continue to engage with children and young people to ensure they are aware of the impact of the wider planning reform agenda. Planning, Architecture and Regeneration Division uses social media / twitter accounts (@ScotGovPlanning and @Placestandard) which will be used to highlight the guidance. Division's e-alert / email is sent to around 1500 subscribers, which may include parents and carers and organisations that represent children and their interests.

There are also a number of specific requirements within the 2019 Act to ensure local authorities engage children and young people in the local development plan preparation processes, and to listen to their views. For example, regulations encourage planning authorities to promote their Proposed Plan through the internet. This can help to reach a wider audience, making it easier for more children and young people, as well as organisations and groups that represent children and their interests, to engage in planning.

Equalities Impact Assessment (EQIA) – Partial Summary

Title of Policy

Local Living and 20 Minute Neighbourhoods draft guidance

Summary of aims and desired outcomes of Policy

The draft local living and 20 minute neighbourhoods guidance supports the delivery of the National Planning Framework (NPF4), adopted by the Scottish Ministers on 13th February.

Directorate: Division: team

Local Government and Housing Directorate
Planning, Architecture and Regeneration Division
Architecture, Place & Design Innovation team

Executive Summary

The public sector equality duty requires the Scottish Government to assess the impact of applying a proposed new or revised policy or practice. 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.

NPF4 Policy 15 sets out policy principles on local living and 20 minute neighbourhoods. NPF4 forms part of the statutory development plan. The draft local living and 20 minute neighbourhood guidance aims to support the implementation of the existing policy framework within NPF4.

The preparation of NPF4 involved extensive consultation and parliamentary scrutiny. A [Society and Equalities Impact Assessment](#), including an EQIA, was undertaken for NPF4 including content on Local Living and 20 minute neighbourhoods.

The draft guidance does not introduce any additional policy requirements or duties and is simply intended to provide additional details and clarifications of existing policy in order to support effective and efficient implementation. The draft guidance is therefore considered to be covered by the NPF4 EQIA. This report therefore only summarises the key issues to update and supplement the full assessment.

Background

An EQIA aims to consider how a policy may impact, either positively or negatively, on different sectors of the population in different ways.

Equalities Impact Assessment (EQIA)

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 their 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.

Stage 1 - Framing

Local living and 20 minute neighbourhoods are included within the policy framework of NPF4, adopted by the Scottish Ministers on 13th February. The concept of local living and 20 minute neighbourhoods is intended to support places where people can meet the majority of their daily needs within a reasonable distance of their home, preferably through active travel modes or by public transport.

NPF4 was the subject of extensive consultation and parliamentary scrutiny and an Integrated Impact Assessment (IIA), involving a number of statutory and non-statutory assessments including EQIA, was prepared for NPF4 and is available on the [Transforming Planning](#) website.

The policy intent and outcomes for local living and 20 minute neighbourhoods were included within this assessment process. Therefore, the impact of the policy has already been assessed and this report summarises and updates key content relevant to local living and 20 minute neighbourhoods gathered as part of the previous impact assessment process.

In preparing the Local living and 20 minute neighbourhood draft guidance, consideration has been given to impacts within the framing already provided by the NPF4 impact assessments, including the EQIA.

Stage 2 – Gather Evidence and Consult

The NPF4 [Society and Equalities Impact Assessment](#), forms the basis for the consideration of equalities impacts of the draft local living and 20 minute neighbourhoods guidance.

The preparation of NPF4 involved extensive evidence gathering and consultation. Between January and April 2020 the Scottish Government held an open call for ideas to hear views on what Scotland should be like in 2050 and the changes needed to get there.

A Position Statement was published in November 2020. This reflected on the information received through the call for ideas engagement programme.

Draft NPF4 was laid in the Scottish Parliament on 10 November 2021 for Parliamentary scrutiny. Alongside Parliament's consideration of the draft NPF4, the Scottish Government invited comments from all stakeholders. The public consultation was launched on 10 November 2021 and closed on 31 March 2022.

In addition, a public consultation will be undertaken for the draft local living and 20 minute neighbourhood guidance and questions relating to equalities factors will be included within it.

Stage 3 – Assess impact, identify mitigations

Key findings are contained with art A.3. of the Society and Equalities Impact Assessment and relevant issues are summarised here.

Age: The importance of considering the age characteristic in the development of places is recognised in the questions which form the Place Standard tool. It provides a simple framework for local people to assess the quality of a place and to help structure conversations about future improvement. It allows people to think about the physical elements of a place (for example its buildings, spaces, and transport links), as well as the social aspects (for example whether people feel they have a say in decision making).

Disability: Disabled people can participate as active citizens in all aspects of daily and public life. Disabled people to benefit from increased availability of affordable and accessible housing to support people to continue to life independent lives. Increased availability of accessible and inclusive transport and services.

Sex: In taking steps to meet the needs of women and men where these are different, particular issues are noted around the way that women and men use public places, such as access to local employment and community facilities and the safety of users of public spaces. In terms of removing or minimising disadvantages suffered by people due to this protected characteristic, NPF4 policy on local living provides an opportunity to shape places which act as complete, connected and compact neighbourhoods designed in such a way that all people can meet the majority of their daily needs within a reasonable walk, wheel or cycle of their home.

Pregnancy and Maternity: There is considerable evidence of beneficial effects of access to green space for the health of pregnant women. Responses to the NPF4: Call for Ideas noted that places that have not been designed to enable access by those with a variety of access needs become inaccessible, including for disabled women, carers, older women, pregnant women, and mothers of young children. Tackling issues around access to facilities and public spaces may be of particular concern to people with this protected characteristic.

Gender Reassignment: In a survey, less than one third of transgender and non-binary people said there were enough places where they could socialise safely. 54% of trans respondents avoided being open about their gender identity in 'the park' for fear of a negative reaction from others. A factor leading to non-binary people and women feeling uncomfortable in parks is the lack of public toilets. 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.

Sexual Orientation: It has been suggested that there is a spatial dimension to where the LGBT community lives in Scotland, with a focus of the community in large urban

areas. Tackling issues around access and safety in public spaces may be of particular concern to this group of people.

Race. Respondents to the NPF4 Position Statement consultation highlighted the benefits of green space in terms of the wellbeing of communities, and cited evidence that lower income households and Black, Asian and minority ethnic communities are disproportionately impacted by loss of green space. It also went on to say that policy on 20 minute neighbourhoods should ensure diverse needs are taken into account, it was suggested that it will be important not just to focus on people living and working in a particular place but to connect to wider organisations – including those representing Gypsy/Travellers.

Religion or Belief: Responses to the Scottish Household Survey in relation to the national indicator on access to green or blue space, reveals that 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 those from other religions indicated they lived within 5 minutes' walk of their nearest green or blue space. Initial indication are that there is a similar degree of agreement (1/5 to 1/4) across religious groups that they could influence decisions affecting their local area.

Marriage and Civil Partnership. The planning system is not related to this characteristic.

Recommendations and Conclusion

The draft guidance does not introduce any additional policy requirements or duties and is simply intended to provide additional details and clarifications of existing policy in order to support effective and efficient implementation. The draft guidance is therefore considered to be covered by the NPF4 EQIA.

In developing the final guidance we will respond to comments on equality issues received through the consultation process, with particular reference to the points raised in the NPF4 EQIA.

Fairer Scotland Duty Assessment (FSDA)

Assessment not required declaration

Title	Draft Guidance on Local Living and 20 Minute Neighbourhoods
Lead official	Sandy Robinson
Directorate	Local Government and Housing Directorate
Division	Planning, Architecture and Regeneration Division
Team	Architecture, Place & Design Innovation

Assessment not required - Rationale for decision

The Fairer Scotland Duty applies to ‘decisions of a strategic nature’ – these are the key, high-level decisions that the public sector takes, such as deciding priorities and setting objectives.

We have considered the Fairer Scotland Duty Guidance for Public Bodies, and its advice on defining ‘strategic decisions’. In general, these will be decisions that affect how the public body fulfils its intended purpose, often over a significant period of time. They may also be coordinated with other strategic decisions as part of an overarching plan. These would normally include strategy documents, decisions about setting priorities, allocating resources, delivery or implementation and commissioning services – all decisions agreed at Board level (or equivalent). The Duty also applies to any changes to, or reviews of, these decisions, not just the development of new strategic documents.

Strategic decisions will have a major impact on the way in which other tactical and day-to-day operational decisions are taken; but they are not in themselves tactical or operational.

This proposal relates to the preparation of draft guidance on local living and 20 minute neighbourhoods to support the implementation of the fourth National Planning Framework (NPF4), adopted by Scottish Ministers on 13 February 2023.

The draft guidance provides explanatory details on the policy content within NPF4 and supports an existing policy framework that has been subject to extensive consultation and scrutiny.

Strategic Environmental Assessment (SEA)

We therefore do not consider the preparation of this guidance to constitute a strategic decision under the definition in the Fairer Scotland Duty Guidance for Public Bodies, and therefore an assessment is not required.

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

Name and job title; Dr Fiona Simpson, Chief Planner

Date authorisation given; 17 March 2023

Island Communities Impact Assessment - (ICIA) Report Update

Island Communities Impact Assessment (ICIA) Draft Guidance on Local Living and 20 Minute Neighbourhoods

Introduction

The fourth National Planning Framework (NPF4), adopted by the Scottish Parliament on 13th February, contains policy on local living and 20 minute neighbourhoods. NPF4 forms part of the statutory development plan.

The draft local living and 20 minute neighbourhood guidance aims to support the implementation of the existing policy framework within NPF4. The preparation of NPF4 involved extensive consultation and parliamentary scrutiny as well as the development of a comprehensive Integrated Impact assessment. A [Society and Equalities Impact Assessment](#), including a ICIA ,was undertaken for NPF4 and this covered the policy framework, including content on Local Living and 20 minute neighbourhoods (Policy 15).

This impact assessment report update relates only to the draft guidance, and not to new policy content. The draft guidance does not introduce any additional policy requirements or duties and is simply intended to provide additional details and clarifications of existing policy in order to support effective and efficient implementation.

The impact of the draft guidance is deemed to be covered by the NPF4 ICIA. However this report seeks to examine in more detail and supplement the NPF4 ICIA, in particular due to issues raised within the NPF4 process on the relationship of local living and 20 minute neighbourhoods in remote rural and island locations.

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.

The planning system has a role to play in the development and use of land in the long term public interest, including the future development of communities, and so has a relevance to each of the considerations listed above. Access to sufficient play opportunities links to several of the considerations listed above, in particular around health and wellbeing, environmental wellbeing, and education (in relation to outdoor learning).

Objectives and Intended Outcomes

The fourth National Planning Framework (NPF4) sets out a clear commitment to think differently about our places and contains policy on local living and 20 minute neighbourhoods. The draft local living and 20 minute neighbourhood guidance aims to support the implementation of the existing policy framework within NPF4.

The document provides further details to support the NPF4 policy framework on local living and 20 minute neighbourhoods. It aims to encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods which prioritise environmental, social and economic sustainability.

Local living can support our health and wellbeing, tackle inequality, increase climate resilience and deliver vibrant local economies. Providing better access to more of the services and facilities people need on a daily basis can reduce the need to travel unsustainably, increase opportunities for social connections and help to build a positive sense of belonging and community resilience.

The guidance is intended to assist and support planning authorities, communities and others with an interest in the concept and application of local living and 20 minute neighbourhoods. It is expected to be of particular relevance in the preparation of Local Development Plans (LDPs), Local Place Plans (LPPs) and to support planning decision making. Planning authorities are expected to consider how the draft guidance can be applied in a proportionate and place-based way and to use their discretion in deciding which components of the advice are relevant to their processes.

The Scottish Parliament Local Government, Housing and Planning Committee report into draft NPF4 stated that:

There are undoubtedly, however, very significant challenges associated with delivering on 20 minute neighbourhoods. Whether it's a new development, an existing urban setting or rural or island context, careful consideration will need to be given to how it can be applied in each context.... and in particular in rural and island areas where the challenges of creating 20 minute neighbourhoods would appear to be most pronounced

Responding to this and to the general feedback received through the preparation of NPF4, the draft guidance contains specific content highlighting issues related to remote rural and island communities.

Data Gathering and stakeholder identification

As part of the development of the draft guidance, desk-top research and engagement was undertaken. Key research documents examined included [Living Well Locally, 20 minute communities in the highlands and islands](#), commissioned by Sustrans/ Hitrans. Part of this research examined comments on the NPF4 and in particular on the draft policy on 20 minute neighbourhoods. It set out key challenges for communities in island and rural settings, summarised as follows:

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- The ability for highland and island communities to access daily needs within a 20 minute walk or cycle due to the dispersed nature of settlements and low density.
- The conflict between the walkable nature of local living and requirements of rural and island communities to use a car to access services further afield.
- The relative ability of small rural and island communities to sustain services.
- Questions on the population size needed to sustain services and the type of core services that should be provided.
- A risk of centralisation of services to rural and island communities with satellite villages cut off from access and opportunities.
- Issues on sustaining public transport in island and rural communities.
- Issues over terminology – ‘neighbourhood’ being linked to more urban situations.

This research provided detailed and specific insight into the implications of local living and 20 minute neighbourhoods in island communities. As part of the development of the draft guidance on local living and 20 minute neighbourhoods, the research team were commissioned by Scottish Government to support the consideration of island and rural communities within the guidance.

Relevant documents used in the preparing of the draft guidance included:

Improvement Service: [Argyll and Bute Indicative Regional Spatial Strategy: a 20 Minute Neighbourhood Rapid Scoping Assessment](#)

RTPI Scotland - [Implementing 20 Minute Neighbourhoods in Planning Policy and Practice](#)

Scottish Rural Action, Scottish Rural and Islands Transport Community and SURF: [20 Minute Neighbourhoods in Rural & Island Scotland](#)

Scottish Rural Parliament: [Session Report on 20 Minute Neighbourhoods](#)

Town and Country Planning Association: [Guide to 20 minute neighbourhoods.](#)

SURF: [20 Minute Neighbourhood Practice Network - SURF](#)

Engagement took place with organisations such as the South of Scotland Enterprise (SOSE), Tiree Development Company, Hope Co-Housing, Orkney, SURF 20 minute neighbourhood Practice Network. All local authorities were invited to input to the draft. Comments were received from North Ayrshire Council, Aberdeenshire Council and Angus Council.

Additional data sources

National Plan for Scotland's Islands¹ 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;

¹ [The National Plan for Scotland's Islands - gov.scot \(www.gov.scot\)](#) (2019)

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- 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; and
- 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.

Population demographics: National Records of Scotland Mid-Year Population Estimates Scotland, Mid-2020 (2021)² indicates that:

- Rural and island areas tend to have an older age profile; and
- In mid-2020, islands and mostly rural areas had some of the highest proportions of people aged 65 and over.

Transport and Travel in Scotland Results from the Scottish Household Survey 2020 Telephone Survey (2022)³ indicates that:

- A little over half of people surveyed (55%) had travelled the day before their survey interview; and
- Fewer people travelled in the oldest age groups, with 45% of those over 70 and just 22% of the over 80s travelling the previous day.

Settlements data: National Records of Scotland - Population Estimates for Settlements and Localities in Scotland, Mid-2020 (2022)⁴ states that:

- Nah Eileanan Siar had the lowest proportion of people living in settlements (29.4%); and
- Both Orkney and Shetland are the other areas with the proportion of people living in settlements below 50%.

Connected Nations Scotland Report (2019)⁵ for internet uses notes that:

- Island communities have older populations and that internet use is less in older age groups than younger ones; and
- 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.

The National Islands Plan Survey Final Report (2021)⁶ notes:

- Island residents agree that the air quality is good (98%), they see a lot of wildlife (91%) and there are green or blue spaces within a 5-minute walk of their home

² [Mid-year Population Estimates, 2020: Report \(nrscotland.gov.uk\)](https://www.nrscotland.gov.uk/mid-year-population-estimates-2020-report)

³ [Transport and Travel in Scotland \(2022\)](#)

⁴ National Records of Scotland; Population Estimates for Settlements and Localities in Scotland, Mid 2016; 2018: <https://www.nrscotland.gov.uk/files/statistics/settlements-localities/set-loc-16/set-loc-2016-publication-updated.pdf>

⁵ Ofcom; Connected Nations 2019 Scotland Report; 2020: https://www.ofcom.org.uk/data/assets/pdf_file/0028/186409/connected-nations-2019-scotland-report.pdf

⁶ Scottish Government; National Islands Plan Survey, Final Report; 2021: <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2021/07/national-islands-plan-survey-final-report/documents/national-islands-plan-survey-final-report/national-islands-plan-survey-final-report/govscot%3Adocument/national-islands-plan-survey-final-report.pdf>

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- 46% of island residents agree that there are services available to help people find and keep jobs.
- Only 30% of island residents agree that parents have access to childcare services that suit their work hours.
- Less than a third of islanders use buses more than once a year, with greatest use in Arran, Bute and the Cumbraes (50%), and significantly less use in Shetland Outer Isles (12%) and Uist and Barra (12%)
- Most island residents (80%) say they can access a bus within walking distance of their home.
- Overall, ferries to and from the mainland are the most frequently used form of transport for islanders
- A quarter of island residents agree that their local roads and paths are safe for cycling, and safe and accessible for wheelchairs and prams.
- Less than half of island residents agree that there is a variety of housing types, sizes and tenures to meet people's needs.
- Most island residents agreed that they could easily access a hospital, with notable differences between Orkney Mainland (95%) and Orkney Outer Isles (62%), Shetland Mainland (92%) and Shetland Outer Isles (62%). A similar pattern is evident with respect to dentists and pharmacies.
- A quarter of islanders agree that they could easily access mental health services. Levels of agreement significantly differed between the highest level in Lewis and Harris (32%), and the lowest in Shetland Outer Isles (18%).
- The most popular forms of cultural participation for islanders are the cinema (including mobile), with 41% of islanders attending more than once a year, culturally specific festivals (39%), historic places (38%) and live music events (37%).
- 86% of island residents agree that there are places where they can go to take part in sports and physical exercise.
- Less than half of islanders agreed that, if they wanted to, they could access professional training while living on the islands (online or in person).
- Young People and the Highlands and Islands Maximising Opportunities (2018)⁷ report notes:
- Young people in the Highlands and Islands have a very positive perception of their local town or community. They feel it is a safe place, with a good quality of life, a good place to bring up a family and to live as a young person, and somewhere they feel included.
- Since the 2015 survey, there has been a sharp decline in the proportion of young people agreeing that their community is a place where young peoples' needs are being met (from 54% to 37%), with this being lowest in Caithness and Sutherland (19%)

Analysis of responses to Draft NPF4 (2022)⁸ notes that:

⁷ Highlands and Islands Enterprise; Young People and the Highlands and Islands: Maximising Opportunities; 2018: <https://www.hie.co.uk/research-and-reports/our-reports/2018/may/31/yp-research/>

⁸ Scottish Government; National Planning Framework 4 – draft: consultation analysis; 2022: <https://www.gov.scot/publications/draft-fourth-national-planning-framework-analysis-responses-consultation-exercise-analysis-report/>

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- Around 20 respondents made a comment on the partial ICIA. It was suggested that there needs to be more proactive engagement with island communities about planning;
- Respondents highlighted a range of issues that affect island communities, including: housing, childcare provision, lack of stable employment; fragility, and isolation;
- There is the potential that in locations with more scattered and / or older communities, there may be difficulties in interested members of the public getting involved.
- Given a more scattered population and the availability of, and reliance upon, public transport, may mean island populations may be less able to access their daily needs within a walk, wheel or cycle of their home.

Assessment

The assessment process requires that the Scottish Government must determine whether in its opinion the policy, strategy or service is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities).

Feedback from the NPF4 consultation process highlighted that the policy on 20 minute neighbourhoods, (where the majority of daily needs can be met within a 10 minute walk of home), contained in the draft NPF4 may be more problematic to deliver in some island or rural locations.

Responses from island authorities included questions on how the 20 minute neighbourhoods concept would apply, or not, in a rural or island context.

The assessment stated that island and coastal communities will need a bespoke approach to building networks of 20 minute neighbourhoods to further strengthen their long term resilience and self reliance. To facilitate this bespoke approach, local development plans should apply the concept of 20 minute neighbourhoods in the spatial strategy through site briefs or development proposals with the concept applying differently in rural and urban areas. Island and coastal communities will need a bespoke and flexible approach to the concept of 20 minute neighbourhoods, for example by identifying service hubs in key locations with good public transport links.

Key issues that were identified include:

- the dispersed nature of rural and island settlements and low density as a barrier to supporting access to the majority of daily needs within a 20 minute walk, wheel or cycle of from home.
- The relative ability of small rural and island communities to sustain services.
- Questions on the population size needed to sustain services and the type of core services that should be provided.
- A risk of centralisation of services to rural and island communities with satellite villages cut off from access and opportunities.
- Issues on sustaining public transport in island and rural communities.
- Issues over terminology – ‘neighbourhood’ being linked to more urban situations.

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In considering the above issues, and those contained within the consultation responses and impact assessment as part of finalising the NPF4 the policy shifted from a focus on 20 minute neighbourhoods to Local Living. This provided flexibility and the policy states that development proposals will contribute to local living including, *where relevant*, 20 minute neighbourhoods. It also states that, in order to establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development. It also states that the approach should take into account the local context. This is intended to recognise the diversity of Scotland's places, including the characteristics of island communities.

The policy states an intent to support people to meet the majority of their daily needs within a reasonable distance of their home. NPF4 promotes a contextual approach and in this regard a reasonable distance will vary due to circumstances, however the principle of supporting local living for all local communities is still relevant and important.

In response to the issues raised through the development of the NPF4 and through subsequent research and engagement, the draft guidance contains significant references to the application of local living within rural and island contexts.

It states that local living is a flexible concept and should be adapted to support the context, local needs and aspirations of communities. Communities in remote rural or island locations may not be able to easily access the majority of daily needs within a 20 minute walk, wheel or cycle. However, engaging directly with local communities to understand pressures and opportunities can help develop approaches to local living that are appropriate and that help to maximise the benefits for local people and the environment.

Updated Conclusion

The draft guidance does not introduce any additional policy requirements or duties. However it provides significant content on the application of existing policy on local living and 20 minute neighbourhoods within island and rural contexts.

The updated conclusion is that the guidance will not alter the original NPF4 ICIA outcomes that it does not have an impact on island communities which is significantly different from its effect on other communities.

The draft guidance will be consulted on and responses to the consultation will be taken into account when finalising the document, including any issues raised in relation to impact on island communities.

ICIA approved by: Sandy Robinson
Position: Principal Architect
Signature: Sandy Robinson
Date Completed: 16 March 2023

ICIA approved by: Tom Arthur MSP
Position: Minister for Public Finance, Planning and Community Wealth
Signature:
Date Completed:

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Pre-Screening Opinion

Following consideration, it has been established that the guidance is likely to have no or minimal effects on the environment. Therefore, in accordance with the Environmental Assessment (Scotland) Act 2005 a pre-screening notification was made and submitted to the SEA Gateway on 07 March.



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