

## SEA PRE-SCREENING DOCUMENT

<b>Responsible Authority:</b>	The Scottish Government
<b>Title of the plan:</b>	Amendments to the Scottish Planning Policy.
<b>What prompted the plan:</b>	Ministers decided to clarify our existing policy following a recent legal decision.
<b>Plan subject:</b> (e.g. transport)	Planning, land use, housing
<b>Brief summary of the plan:</b> (including the area or location to which the plan related)	This amendment aims to clarify our existing policy position, and set out clearer guidance on the approach that decision makers should take when assessing the extent of the 5 year effective housing land supply, and any associated planning applications. A recent legal decision on a statutory appeal to the Court of Session has led to Ministers concluding that our policy requires clarification to avoid misinterpretation. It is also being proposed in response to the changing context for planning arising from Covid-19.
<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)	The amendments are technical and procedural and are to clarify what is meant by our existing policy and ensure that decisions around housing land supply are made in a consistent and transparent way. These decisions should be based on planning judgement, taking into account the relevant development plan, with the decision-maker establishing in each case the weight to be given to material considerations. The amendments themselves are a safeguard, to protect against misinterpretation and would not influence the outcome of planning decisions, and are not therefore expected to lead to any new environmental effects, directly or indirectly. It is the Scottish Government's view that the changes will therefore have no or minimal environmental effects.
<b>Contact details:</b>	William Carlin, Planning and Architecture Division <a href="mailto:William.carlin@gov.scot">William.carlin@gov.scot</a>
<b>Date of opinion:</b>	16/07/20

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

## EQUALITY IMPACT ASSESSMENT SCREENING

### NO EQIA REQUIRED DECLARATION

Only complete this section if, after carrying out and considering your screening exercise, you have concluded and can demonstrate that no EQIA is required, and that people are not impacted by your policy directly or indirectly.

Please refer to the [EQIA guidance](#) before making a decision not to conduct an EQIA. If, after reading the guidance you are satisfied that an EQIA is not required, please confirm the following:

- ◆ Will individuals have access to, or be denied access to, a service or function as a result of your policy or the changes you propose to make? Yes  No
- ◆ Will the implementation of your policy, directly or indirectly, result in: individuals being employed; a change in staffing levels, terms and conditions, employer or location? Yes  No
- ◆ Is there a change in the size of budget, or an impact on resources, and will this change (potentially) impact on individuals? For example, will a service be withdrawn, changed or expanded? Yes  No
- ◆ Will your policy impact on another policy that affects people? Yes  No

If you have answered **yes** to any of these questions, your policy does affect people and you should undertake an EQIA.

If you have answered **no** to all these questions, considered the EQIA guidance and are completely satisfied you do not need to complete an EQIA, please complete and retain the EQIA not required form on the following page.

The form should be completed by the official responsible for the decision, and then authorised by the relevant Deputy Director, or equivalent. The completed declaration must be filed as a corporate record on eRDM.

## EQUALITY IMPACT ASSESSMENT NOT REQUIRED DECLARATION

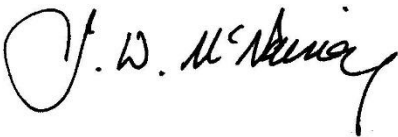
Policy title	Amendments to the Scottish Planning Policy.
Which National Outcome(s) does the policy contribute to?	We live in communities that are inclusive, empowered, resilient and safe.
Directorate: Division: team	Directorate for Communities and Local Government, Planning and Architecture, Spatial Planning, Policy, Environment and Natural Resources
Policy lead responsible for taking the decision	Fiona Simpson

Please record why you are not carrying out an EQIA and what your justification is for making that decision.

This consultation aims to clarify our policy position, and set out clearer guidance on the approach that decision makers should take to assessing the extent of the 5 year effective housing land supply, and any associated planning applications. A recent legal decision on a statutory appeal to the Court of Session has led to Ministers concluding that our policy requires clarification to avoid misinterpretation. It is also being proposed in response to the changing context for planning arising from Covid-19.

The changes are technical and procedural to clarify our existing policy and ensure that decisions are made in a consistent and transparent way. The changes provide a process for decision making but are clear that decisions should be based on planning judgement, taking into account the development plan, with the decision-maker establishing in each case the weight to be given to material considerations. They will not influence the outcome of planning decisions, and are not therefore expected to lead to any effects on people, either directly or indirectly.

**I confirm that the decision to not carry out an EQIA has been authorised by:**

John McNairney, Chief Planner	14 July 2020
	

## Child Rights and Welfare Impact Assessment

<b>CRWIA Stage 1 Screening</b>	
<b>1. Name the policy, and describe its overall aims.</b>	
<i>Amendments to the Scottish Planning Policy</i>	
<p>There is no statutory requirement or context for the plan. The proposed policy amendments are being undertaken voluntarily by the Scottish Government to clarify our existing policy. This consultation aims to clarify our policy position, and set out clearer guidance on the approach that decision makers should take to assessing the extent of the 5 year effective housing land supply, and any associated planning applications. A recent legal decision on a statutory appeal to the Court of Session has led to Ministers concluding that our policy requires clarification to avoid misinterpretation. It is also being proposed in response to the changing context for planning arising from Covid-19.</p>	
<b>2. What aspects of the policy/measure will affect children and young people up to the age of 18?</b>	
It is considered that the proposals will not affect children and young people.	
<b>3. What likely impact – direct or indirect – will the policy/measure have on children and young people?</b>	
<p>Generally, there is potential for planning policies on housing to have indirect impacts on children and young people. However, these changes are technical and procedural in character and essentially a clarification of the process for decision-making that will not change the outcome of planning decisions and so no impacts are expected.</p>	
<b>4. Which groups of children and young people will be affected?</b>	
Any children and young people have an interest in housing, but no impacts are expected as a result of the specific technical changes proposed in this consultation.	
<b>5. Will this require a CRWIA?</b>	
A CRWIA is not required based on the reasons set out above. The proposals are technical changes to clarify an existing policy.	
<b>CRWIA Declaration</b>	
<b>CRWIA required</b>	<b>CRWIA not required</b>
	X
<b>Authorisation</b>	
<b>Policy lead</b> Fiona Simpson, Assistant Chief Planner	<b>Date</b> 25/6/2020
<b>Deputy Director or equivalent</b> John McNairney, Chief Planner	<b>Date</b> 14/7/2020

## **Business and Regulatory Impact Assessment**

### Screening Statement

A BRIA is not considered necessary as the proposed policy changes are technical and procedural in nature. They are needed to clarify our existing policy and ensure that decisions are made in a consistent and transparent way. They do not:

- impose additional, or reduce existing, costs on relevant businesses or third sector organisations;
- impose additional costs on public sector organisations that deliver services; or
- involve a transfer of costs or benefits from one group to another, even where it does not change overall net costs or benefits.

Planning and Architecture Division, 25 June 2020