

HUMAN RIGHTS AND EQUALITY

Improving equality and eliminating discrimination across Scotland is one of the six high level outcomes of NPF4. Draft NPF4 supports the need for planning to respect human rights, eliminate discrimination and promote equality.

- Scotland's planning system should respect, protect and fulfil human rights.
- Planning authorities, applicants and developers, key agencies and communities should consult and engage others. Engagement should be:
 - early
 - collaborative
 - meaningful; and
 - proportionate.

Responses to the Position Statement

There was support for a focus on promoting inclusion and equality, and eliminating discrimination. A number of respondents gave their own impression of planning-related community engagement, which included a lack of transparency and genuine consultation, communities being ignored by decision-makers and the appeal system not giving adequate weight to decisions. There were suggestions that there needs to be a focus on harder to reach groups, including those who are digitally excluded, older people and children and young people.

Policy changes

Scotland's National Performance Framework includes the human rights outcome – 'We respect, protect and fulfil human rights and live free from discrimination'. In addition, in preparing the NPF, Ministers must have regard to any land rights and responsibilities statement prepared under section 1 of the Land Reform (Scotland) Act 2016. Principle 1 of the Land Rights and Responsibilities Statement states: 'The overall framework of land rights, responsibilities and public policies should promote, fulfil and respect relevant human rights in relation to land'.

The focus proposed in Draft NPF4 on engagement is for parties to have a responsibility to consult and engage others collaboratively, meaningfully and proportionately. The proposals build on and give more weight to aspirations contained in NPF3 and SPP for decisions to be made in a transparent and timely way which is more inclusive, engaging all interests as early and effectively as possible.