



LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE
PLANNING (SCOTLAND) BILL
ENGENDER PARLIAMENTARY BRIEFING

1.0 BACKGROUND

1.1 Women's equality and planning

Gender equality concerns are not integrated into the public planning system in Scotland. However, women experience and navigate public space very differently to men. This is due to gender roles and inequalities that shape patterns of movement, the dynamics of paid and unpaid work, the use of different public services and buildings, participation in public and domestic spheres, drivers of the gender pay gap, and women's lack of safety and security. Despite this, built environment sectors are dominated by men, and have historically catered to the needs of the male breadwinner. Design of urban space and infrastructure is therefore rooted in women's exclusion from public life and continues to overlook their needs.

In 2018, women remain marginalised in the public sphere and face inequality and discrimination in myriad ways. Women undertake around two thirds of unpaid care work (worth billions of pounds to the national economy), earn a weekly average of £182.90 less than men, and violence against women is endemic in the UK. None of these issues should be divorced from the management of public space in our cities, towns and rural areas.

For instance, employment opportunities, especially those that are well-paid, tend to be distant from residential areas and the services and amenities that women need for caring and household management roles. This limits women's access to the labour market and creates time poverty for those juggling paid and unpaid work. Safety and lighting are key issues for women, and inaccessible streets and public buildings, and inadequate public toilets prevent disabled women, carers, and mothers of young children from accessing public spaces. The requirements of minority ethnic women, older women, pregnant women, rural women and women on low incomes also form part of this picture.

Delivery of land-use projects, including office, retail and housing developments, health and childcare facilities, parks, and entertainment venues, must systematically take these gendered realities into account, and recognise the impact of location, cost, and facilities on women's social and economic equality.

1.2 Current Scottish planning policy and the independent review

In Scotland, women are often at the heart of community or regeneration initiatives to improve their built environments, but gender equality concerns are all but absent from statutory planning. Currently, national planning strategy and policy, the recent review of the system, and related areas of the built environment are gender-blind:

- *Ambition, Opportunity, Place: Scotland's third national planning framework (2014)* does not mention gender, women or equality.
- *Scottish Planning Policy (2014)* contains one reference to gender within a list of equality characteristics. There is no mention of women or equality.
- *Achieving a sustainable future: regeneration strategy (2011)* does not mention gender, women or equality.
- *Getting the best from our land: a land use strategy for Scotland (2011)* does not mention gender, women or equality.
- *Scotland's agenda for cities (2016)* does not mention gender or women. It contains broad references to tackling inequality, including in reference to the Government Economic Strategy, and to achieving greater democratic equality.
- *Empowering planning to deliver great places: an independent review of the planning system (2016)* does not mention gender or women. There is one mention of equality in relation to affordable housing.
- *Places people and planning: position statement (2017)* does not mention women or gender. It does state "that the quality of the places where we live and work can [...] help to overcome inequality", but does not go on to say how.

1.3 Scottish Government strategy

In contrast, Scottish Government has embedded high-level objectives to promote equality, including gender equality in numerous core strategies. Tackling inequalities and achieving inclusive growth are key pillars of the Government Economic Strategy (GES), which also commits to promoting equality and aligning social justice with economic policies. As the National Planning Framework (NPF) is the spatial expression of the GES, it will therefore fail to deliver if equality considerations are not embedded as a key principles within planning.

The NPF is also the spatial expression of the Infrastructure Investment Plan, which commits to contributing to Scottish Government's overarching objective to achieve social justice and equality in all its work. It states that investment in infrastructure aims to promote equality in terms of protected characteristics including gender, and highlights how infrastructure can increase participation in employment and reduce inequality if these goals are embedded in

the process. It also recognises the role of infrastructure investment in supporting Scottish Government’s “strategic aim to create a fairer Scotland” and the importance of “which communities benefit from investment and how that benefit is distributed.”

Scottish Government is committed to progressing gender equality and realising women’s rights in its Fairer Scotland Action plan, across a large number of social and economic policy areas, and under domestic and international equalities and human rights legislation. The UK committed to “promote the participation of local communities, particularly women, in identification of public service needs, spatial planning and the provision and design of urban infrastructure” under the UN Beijing Platform for Action way back in 1995.

In order to fulfil these commitments, **gender issues must be mainstreamed throughout government strategy, policy and programming, including planning policy and services.** This includes **application of robust gender budget analysis of spending decisions within planning processes.**¹ The city of Vienna, for instance, began integrating gender equality throughout urban planning in 2000. One example of the impact can be seen in the improved accessibility of cemeteries, following analysis that showed that a majority of visitors were elderly women. As a result, benches, clear signage and adequate toilets were installed.

2.0 THE PLANNING (SCOTLAND) BILL

Reform of the planning system in Scotland clearly holds scope to address this equalities gap between Scottish Government’s high level goals and their implementation through planning. To achieve this, the Planning Bill and its secondary legislation, guidance and policy must have a clear vision and set of objectives related to equality and community participation. A number of goals set out in the Bill’s Policy Memorandum also hold potential to address gender inequality in planning. If designed and implemented accessibly to include a full diversity of women’s perspectives, empowering communities so that people have “real influence over future development”, increased engagement and participation in the planning system, better alignment between local and community planning objectives, and prioritising outcomes over process could lead to better placemaking for women in Scotland.

2.1 Strategic purpose

We share concerns of stakeholders including RTPI Scotland, community planning groups and environmental organisations that the Bill does not set out a clearly stated purpose for the planning system. Such a statement could establish a set of defined goals for the planning system, including the aim to reduce all forms of inequality. **We support calls for the Bill to**

¹ Engender and other organisations can run training and capacity building on gender mainstreaming and gender budget analysis

include a statement of purpose aimed at promoting long term public interests, and recommend that this includes an objective to advance equality.

As suggested by other stakeholders, the Bill could also align the planning system in Scotland with delivery of the United Nations Sustainable Development Goals and its New Urban Agenda, both of which include commitments to tackle gender inequality and both of which the Scottish Government is already under obligation to fulfil. The New Urban Agenda, signed by the UK in 2016, commits to cities that are designed to achieve gender equality. Reform of Scotland's planning system must therefore work to deliver this, with gender equality embedded in legislation, regulations and guidance. **We recommend that the Planning Bill places a duty on local authorities to promote equality with an amendment at section 3 (2), and that this is underpinned by a statutory code of practice. It should also enable Ministers to provide the financial resources needed for implementation.**

2.2 Community engagement

In theory, the introduction of local place plans (LPPs) could help to address women's historical exclusion from planning. As above, it is often women who are most engaged in activity to improve their places. However, this hinges on two major considerations. Firstly, as raised in much written and oral evidence received to date, creating a plan-led system and increasing community engagement will not be automatically achieved with the introduction of LPPs. Unless their status and purpose are strengthened and clarified, interaction with the provisions of the Community Empowerment Act is defined, and implementation of the new system at local and community level is adequately resourced, it is likely that these efforts will have little impact and that people will become further disillusioned with planning.

Secondly, within a well-functioning, plan-led system where "people and communities [are empowered] to get more involved and to have real influence over future development",² women will not automatically have equal access to community decision-making. **Secondary legislation, and subsequent guidance and policy must therefore include specific measures to ensure that women, and other marginalised groups, are supported to engage with planning in their communities.** For instance, the Bill gives Scottish Ministers the power to set out steps that community bodies must take before developing an LPP. **These steps should include gender-sensitive consultation practices, such as active outreach to different groups of women, flexible meeting times, women-only spaces, childcare support, accessibility and different participation formats.**

We note concerns that abolishing the Main Issues Report and lengthening the planning cycle will reduce opportunities for timely engagement in the planning process. Within this, it should be noted that this will have particular implications for women and others who face barriers to community engagement, such as caring responsibilities, lack of resources or

² Planning (Scotland Bill), Policy memorandum

transport, intimidating behaviour in community spaces and physical or mental health issues. Women who experience multiple inequalities, including disabled, older, and black and minority ethnic women are yet further from positions of influence in community bodies. **All measures relating to adequate and early community engagement must be fully inclusive.**

2.3 Policy coherence

We note concerns that the Bill may not ensure that planning complements other local authority priorities, and **support calls for statutory Chief Planning Officers at local level.** Policy incoherence across local government is highly gendered, as women are more likely to access and manage family use of local public services, including education, health, libraries, leisure facilities and transport. Breaking down silos so that local authority departments work together is key to public realm policy and good placemaking for women.

2.4 Equality Impact Assessment

Equality Impact Assessments should critically engage with gendered issues such as those set out above, to ensure that the legislation, policy or programme in question proactively advances equality, as well as not discriminating against those with protected characteristics.

The Planning Bill EQIA does not achieve this, and in terms of gender it is exceptionally bad. It merely states that “there is limited evidence concerning differing experiences of men and women of the planning system.” This is just not good enough. The EQIA should set out existing evidence and analysis, and explore explanations for the limited focus on women’s equality in planning to date. It should relate these findings to its own claim that “the Bill provisions will strengthen processes, engagement and participation right across the planning system”. In short, it should proactively seek to promote equality, and should not reinforce the status quo.

The EQIA also states that “the Bill is intended to be of positive benefit to Scotland’s communities, regardless of whether they fall into one or more protected groups”. However, the “intentions” of the Bill are irrelevant if there is not robust analysis that shows how these intentions will be achieved.

Finally, the EQIA was informed by research commissioned by the Scottish Government on Barriers to Engagement in Planning. It is unfortunate that this piece does not include analysis of gender issues or participatory research targeting women and other marginalised groups. Instead it focusses on community empowerment in broad terms and a majority of participants were men. In future, the terms of reference of such research should ensure that gender equality, as well as other forms of equality, are taken into account.

The EQIA states that it “will become a living document requiring regular review and updating”. **We recommend that the Committee specifically considers the EQIA within its scrutiny of the Bill and requires it to be reviewed and updated as part of the Bill’s passage through parliament.** At present, it does not meet minimum standards set out by law and thus cannot assist the Committee in adequately considering equality dimensions of the Bill.

2.5 National Planning Framework

Implementation of the Planning Act will also present opportunities to embed gender equality concerns in planning reforms. **The national statutory planning framework that stems from the Bill should require development plans to mainstream gender equality as a key design standard and ensure that gender budget analysis is applied to their implementation.**

In terms of the Bill’s provisions, proposed statutory status for the NPF presents an opportunity for gender equality to be strategically embedded in the new system. We also **support calls for the NPF to be subject to full parliamentary approval.** This would increase accountability including with regard to potential objectives regarding gender equality.

3.0 SUMMARY OF RECOMMENDATIONS

We support calls to strengthen provisions of the Bill related to parliamentary scrutiny, clarity of purpose, community empowerment and policy coherence. We recommend integrating gender equality throughout these, as an objective that will contribute to the Bill’s stated aim to empower people and communities to get more involved and to have influence over development. To this end the Bill and accompanying documents should:

1. Set out a statement of purpose that includes the objective of advancing equality
2. Place a duty on local authorities to promote equality underpinned by a statutory code of conduct, and enable Ministers to provide resources for its implementation
3. Ensure that women are supported to engage with community planning activity at the earliest possible stage
4. Introduce Chief Planning Officers at local authority level
5. Deliver minimum legal requirements under the public sector equality duty with a review and update of the EQIA
6. Require full parliamentary approval of the NPF

Subsequently, the statutory planning framework that stems from the Bill should:

7. Require development plans to mainstream gender equality as a key design standard

8. Ensure that gender budget analysis is applied to the implementation of development plans
9. Embed measures to enable women's participation at all levels of planning.

A NOTE ON ENGENDER'S ENGAGEMENT

Engender is a feminist membership and policy organisation that engages with women and women's organisations in Scotland to develop our advocacy work. In 2015, we ran a largescale consultation process that identified planning as a key concern for women and a route towards achieving women's equality. We have recently been able to expand our team and double our policy and parliamentary capacity. These two factors explain why we have not engaged with the planning system review to date.

ABOUT US

Engender is a membership organisation working on feminist agendas in Scotland and Europe, to increase women's power and influence and to make visible the impact of sexism on women, men and society. We provide support to individuals, organisations and institutions who seek to achieve gender equality and justice.

FURTHER INFORMATION

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