

Appendix 8: Impact Assessments

Overview

A number of the Shetland Partnership's member organisations are required to assess the impacts, or potential impacts, of strategies, plans and policies in relation to several different statutory duties. Those duties with relevance to this strategy are:

- Data Protection Act, 2018
- Equalities Act, 2010
- Islands (Scotland) Act, 2018
- Environmental Assessment (Scotland) Act, 2005.

Several impacts assessment screening documents have been completed to ensure due care and consideration has been given to life on the isles, the possible impacts on our community, and those with shared characteristics.

These are:

- Data Protection Impact Assessment - Screening
- Equality Impact Assessment
- Island Communities Impact Assessment
- Strategic Environmental Assessment - Screening

The [Equality Impact Assessment](#) and [Island Communities Impact Assessment](#) have been published on the Council's website.

A copy of the SEA Screening document is shown below.

Pre-screening Notification

Shetland Climate Change Strategy



Partners



Responsible Authority:	Box 1. Shetland Islands Council (on behalf of Shetland Partnership)
Title of the plan:	Box 2. Shetland Climate Change Strategy

What prompted the plan: (e.g. a legislative, regulatory or administrative provision)	<u>Box 3.</u> <u>There is no legislative, regulatory or administrative provision that requires the Shetland Partnership to create the Shetland Climate Change Strategy.</u> <u>The Scottish Government, Shetland Islands Council, and other organisations commitments to reach Net Zero have all prompted creation of the Strategy.</u>
Plan subject: (e.g. transport)	<u>Box 4.</u> <u>Alignment and acceleration of climate action both mitigation and adaptation, across all sectors under the Shetland Partnership (the Shetland Community Planning Partnership).</u>
Brief summary of the plan: (including the area or location to which the plan related)	<u>Box 5.</u> The Shetland Climate Change Strategy (SCCS) is a strategy that aims to enable local industries, businesses and communities to mitigate carbon emissions, prioritise the changing climate, and exploit the opportunities of a sustainable low carbon future. The SCCS aims to act as a high level strategic plan that will guide the Shetland Partnership organisations in delivering net zero changes within all relevant sectors. We will build a green economy that supports the resilient communities and businesses of Shetland while protecting and restoring our natural environment. The SCCS aims to encourage proactive and collaborative working across organisations to become more resilient and adaptable to climate change with positive climate action. The SCCS covers the whole Shetland area and, is being developed and produced by the Shetland Partnership (Shetland Community Planning Partnership) Climate Change Steering Group. The Shetland Islands Councils Climate Change Strategy team is a member of this steering group.
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)	<u>Box 6.</u> <u>There are no environmental consequences likely to occur as a result of the SCCS. The Strategy aims are to encourage and improve collaboration and communication to support climate action relating to both emissions mitigation and future adaptation. Resulting projects and subsequent strategies will themselves need to formally consider any likely environmental consequences of their being undertaken. The Strategy will be assessed regularly and as such SEA's and EIA's may have to be completed as the action plan progresses and individual projects take form. The Shetland branches of NatureScot, Historic Environment Scotland and SEPA are each members of the Shetland Partnership, and as such are involved in this Strategy's creation and implementation.</u>
Brief summary of how environmental principles have been considered: (including whether any of the guiding	<u>Box 7.</u> The environmental principles underpin much of the Strategy's aims. Knowledge, information and data sharing is a core theme of the Strategy which is informed by the precautionary and prevention principles. Decisions must be informed and where there is a lack of information,

principles, as set out in section 13 of the Continuity Act, are relevant to the plan)	efforts will be made to gather relevant data before proceeding with any project, actions or individual measures. The polluter pays principle generally informed the data gathering processes of the Net Zero Route Maps in 2022 which regard to the location and source of emissions. Shetland is lucky in that current pollution levels are not high due to the geography and landscape, and current industry practices. However, similarly to above, and to the response in Box 6, any pollution risks would be considered and mitigated against at project level.
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Date of opinion:	

When completed send to: SEA.gateway@gov.scot or to SEA Gateway, Scottish Government, Area 2F (South), Victoria Quay, Edinburgh, EH6 6QQ

Completion guidance (Please delete this page before submission)

Link to SEA Guidance: [Strategic Environmental Assessment: guidance - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/strategic-environmental-assessment-guidance/pages/1-introduction.aspx)

Box 1	Name of the organisation that is responsible for the plan. Note: The Responsible Authority is any person, body or office holder exercising functions of a public character. Where more than one authority is responsible for a plan they should reach an agreement as to who is responsible for the SEA. Where an agreement cannot be reached, the Scottish Ministers can make the determination (Extract from SEA Guidance: Glossary (Page 50)).
Box 2	Name of the plan. Note: The 2005 Act applies to plans which relate to matters of a public character. The term 'plan' within guidance also covers policy, programme and strategy (Extract from SEA Guidance: Glossary (Page 50)).
Box 3	In terms of pre-screening, knowing why a plan is being produced is one of the key components in understanding whether exemption is an option.
Box 4	The 2005 Act outlines the sectors as agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town & country planning and land use.
Box 5	The name of the plan alone can seldom offer sufficient information to understand what it covers and why it has been considered suitable for pre-screening.

	The description of the plan being pre-screened has to contain sufficient information to allow those reading the notification to understand the objectives of the plan and how the Responsible Authority aims to deliver them. Brief descriptive information such as the area or location of the plan is required by the 2005 Act, but it can also prove helpful to include additional information in a summary, such as whether the plan is expected to improve or strengthen the current approach, the reason the plan is being prepared, who it would apply to and the timescale for delivery. This type of information can help paint a clear picture of whether pre-screening was suitable in the circumstances.
Box 6	As only those plans that have no or minimal effects on the environment can be pre-screened, it is important for a Responsible Authority to use the criteria detailed in Schedule 2 of the Environmental Assessment (Scotland) Act 2005 as a guide to providing a description of the likely environmental effects. This approach supports the transparency of the assessment process, whilst helping to ensure Responsible Authorities remain compliant with the requirements of this self-exemption route. Similarly to Box 5 above, it can prove helpful if a Responsible Authority provides additional information, such as a summary of the reasons why the plan will have no more than minimal effects on the environment, including any intrinsic mitigation, as well as any existing or future assessment needs within the plan hierarchy. In those cases where a Responsible Authority is uncertain of the scope of the likely environmental effects, pre-screening is not recommended. In this scenario, screening the plan is likely to be a better option.
Box 7	Section 15 of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2020 places a duty on public authorities to have due regard to the guiding principles on the environment when preparing a plan, programme or strategy requiring a SEA under the 2005 Act. Whilst not yet in force, it is important that the guiding principles are considered in all policy development.

Please note:

(A) The plan has to fall into Section 5(4) of the Environmental Assessment (Scotland) Act 2005

(B) You should apply the criteria specified within Schedule 2 of this Act to reach a conclusion on no or minimal environmental effects: www.legislation.gov.uk/asp/2005/15/contents