

## EQUALITY IMPACT ASSESSMENT - RESULTS

<b>Title of Policy</b>	Sectoral Marine Plan for Offshore Wind Energy ("the SMP")
<b>Summary of aims and desired outcomes of Policy</b>	To contribute to the achievement of Scottish and UK energy and climate change policy and objectives and targets, through the provision of a spatial strategy to inform the process of seabed leasing for commercial-scale offshore wind energy in Scottish waters.
<b>Directorate: Division: team</b>	Marine Scotland: Marine Planning and Policy: Planning, Development and Crown Estate Strategy Unit

### 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. It is a legislative requirement. Equality legislation covers the characteristics of: age, disability, gender reassignment, gender including pregnancy and maternity, race, religion and belief, and sexual orientation.

An equality impact assessment ("EQIA") aims to consider how a policy (a policy can cover: activities, functions, strategies, programmes, and services or processes) may impact, either positively or negatively, on different sectors of the population in different ways. This EQIA has been undertaken to consider the

impacts on equality of the development of the the Sectoral Marine Plan for Offshore Wind Energy ("the SMP").

The policies contained in the SMP are intended to safeguard and, where possible, improve the Scottish marine area, with the purpose of meeting the long term needs of nature and people. It is anticipated that these policies will be positive for Scotland's communities, however, the policies contained in the SMP are general policy statements and will have no differential or discriminatory impact(s) on those with protected characteristics.

The EQIA has confirmed that the SMP is neither directly or indirectly discriminatory under the Equality Act 2010. No significant equality issues were raised during the policy development process, nor during the public consultation on the draft SMP, supporting Sustainability Appraisal and partial EQIA (undertaken between December 2019 and March 2020).

## **Background**

The SMP aims to identify the most sustainable plan options for the future development of commercial-scale offshore wind energy in Scotland, including deep water wind technologies, and covers Scottish inshore and offshore waters in the Scottish Zone. The SMP identifies 15 Plan Options, spread across 4 geographic regions, and provides the spatial framework for the seabed leasing round managed by Crown Estate Scotland (the 'ScotWind' process). The SMP supersedes the previous Sectoral Marine Plan for Offshore Wind Energy (Blue Seas, Green Energy (2011)).

The SMP seeks to contribute to the achievement of Scottish and UK energy and climate change policy objectives and targets, through the provision of a spatial strategy to inform the process of seabed leasing for commercial offshore wind energy in Scottish waters, which;

- Minimises the potential adverse effects on other marine users, economic sectors and the environment resulting from further commercial-scale offshore wind development; and

- Maximises opportunities for economic development, investment and employment in Scotland, by identifying new opportunities for commercial-scale offshore wind development, including deeper water wind technologies.

The SMP has been developed to ensure consistency with the objectives and principles set out within Scotland's National Marine Plan (2015) and the UK Marine Policy Statement. The SMP supports the delivery of the following National Outcomes:

- We realise our full economic potential with more and better employment opportunities for our people;
- We value and enjoy our built and natural environment and protect it and enhance it for future generations;
- We live in a Scotland that is the most attractive place for doing business in Europe;
- We have a globally competitive, entrepreneurial, inclusive and sustainable economy; and
- We reduce the local and global environmental impact of our consumption and production.

### **The Scope of the EQIA**

It was determined that a light-touch approach to EQIA is required, as current evidence demonstrates that the SMP has insignificant potential impacts and minimal relevance to equality.

The SMP constitutes a strategic framework, which will be implemented by subsequent leasing, licensing and consenting decisions. At present, it is not possible to predict the exact level and location of future development within the identified Plan Options. Proposals for development within the Plan Option areas will be subject to need for further project-level assessment (including environmental and economic impact assessment) which will identify any negative adverse effects and required mitigation measures to address these impacts. These project-level assessments will benefit from a clearer picture regarding the exact scale/nature/location of the proposed development and the potential impacts resulting from the proposal.

Public consultation was undertaken on the draft SMP, supporting Sustainability Appraisal and partial EQIA between 18 December 2019 and 25 March 2020, to gather further evidence and views as regards potential impacts.

## Key Findings

One of the primary objectives of the SMP is to deliver sustainable and inclusive economic growth and the SMP includes references to the opportunities for supporting the provision of fair work and good quality jobs and early and sustained engagement with potentially impacted communities. Wider government policies around offshore wind energy, including measures around topics such as (but not limited to); skills and employment, supply chain and security of energy supplies will consider any potential equalities impacts of these policies as required.

The following sectors and groups of people could be affected by the adoption of the SMP, including (but not limited to):

- Marine activities/businesses; oil and gas, renewable energy, ports and harbours, aquaculture, aggregates and coastal defence;
- Developers of licensed activities (including oil and gas, renewable energy, ports and harbours, aquaculture and all other licensed activities);
- Activities in Scotland's marine area that do not require licenses, or that have licences that do not have a spatial component to them (including fishing, shipping, tourism, leisure and recreational activities);
- Marine nature conservation, coastal defence, marine heritage activities/conservation;
- Coastal and island communities;
- The Scottish Government (through Marine Scotland's Planning and Policy and Licensing functions);
- Local Planning Authorities;
- The Crown Estate;
- Crown Estate Scotland;
- Regional Marine Planning Partnerships; and

- The Ministry of Defence.

Offshore wind development has the potential to affect the groups listed above in many ways. For example, there may be indirect positive impacts associated with reductions in flood risk and improvements to air quality and quality of life for coastal communities. The SMP will contribute to wider efforts to secure energy supply and energy cost reduction, with the potential for attendant impacts on fuel poverty and local energy supply for remote and rural communities, including island communities, although these may be limited by issues surrounding transmission charging under the current UK regime. The growth of the renewable energy and supply chain may result in increased educational and employment opportunities. However, there may be negative indirect impacts associated with reduced access to recreational opportunities, job losses in sectors such as tourism or commercial fisheries or cultural heritage (due to the loss of historic employment sectors), impacts on families due to the need to migrate for employment opportunities or increased demand on local services (such as healthcare) due to inward migration into an area.

The impacts of development across the Plan Options are not uniform and impacts will vary according to local characteristics and the scale and nature of any offshore wind development undertaken. The SMP encourages early and sustained engagement with communities who may be impacted by development within the identified Plan Options. Proposals for development within the Plan Option areas will be subject to the need for further project-level assessment (including environmental and economic impact assessment) which will identify any negative adverse effects and required mitigation measures to address these impacts. These project-level assessments will benefit from a clearer picture regarding the exact scale/nature/location of the proposed development and the potential impacts resulting from the proposal.

Consultation on the draft SMP, Sustainability Appraisal and partial EQIA between 18 December 2019 and 25 March 2020 did

not provide any additional evidence which altered the conclusions of the partial EQIA.

## **Recommendations and Conclusion**

Based on absence of concerns raised throughout the planning process and the findings of the EQIA, it is considered that the policy is neither directly or indirectly discriminatory under the Equality Act 2010.

It is not anticipated that the SMP itself will directly impact on individuals with protected characteristics. However, the intention is that the Plan will have a positive (or at worst neutral) impact on individuals with protected characteristics. Any future implementation mechanisms will be subject to separate equality impact assessments (as required).

The adopted Plan is subject to iterative plan review, to ensure that the Plan remains current and fit-for-purpose. The Plan and Post Adoption Statement set out in detail how this process will operate and how stakeholder views and evidence can be submitted and how such views and evidence will be taken into account. If the Plan is significantly updated, it will be subject to further assessment and consultation and further consideration of equalities impacts will be undertaken at this time, if required.

The Scottish Government has a zero tolerance approach to discrimination, harassment and victimisation and, therefore, whilst the SMP does not explicitly seek to eliminate such behaviours, we will ensure that any plans, policies, strategies or projects that flow from it seek to eliminate unlawful behaviour (where appropriate). The SMP does not seek to foster good relations between people who share a protected characteristic and those who do not, however, any plans, projects, strategies or policies which result from the SMP will seek to foster good relationships (as appropriate).