

Child Rights and Wellbeing Impact Assessment (CRWIA) for the Ardersier Port Limited (Pilotage Powers) Order 2024

Disclaimer

This document is a point in time assessment of the likely effects of the above-named proposal on the rights and wellbeing of children and young people. This impact assessment should be read in conjunction with other impact assessments prepared for this proposal.

Scottish Government acknowledge the importance of monitoring and evaluating the impact of strategic decisions and legislation on children's rights and wellbeing. Any information gathered during implementation of the legislation or strategic decision to which the impact assessment relates, will be used to inform future determinations of impact. Any new strategic decision or new legislation (including amending legislation) would be subject to a new CRWIA in line with the legislative requirements.

Child Rights and Wellbeing Impact Assessment Template

Brief Summary

Type of proposal (Please delete as necessary):

Scottish Statutory Instrument

Name the proposal, and describe its overall aims and intended purpose.

Ardersier Port Limited (Pilotage Powers) Order 2024

Key term definitions:

- Authorise – to give official permission for something to happen, or to give someone official permission to do something.
- Competent Harbour Authority – a harbour authority in the United Kingdom that has the legal power to regulate the safety of navigation and shipping movements within its harbour.
- Pilot – a person who does not belong to a ship but who takes charge of the conduct of a ship in order to guide it through harbours and other waterways.
- Port Marine Safety Code – published by the Government in March 2000, the Code establishes an agreed national standard for port marine safety, and formalises the duties and responsibilities for safety and environmental protection within UK ports and harbours.
- Prohibition – to officially and legally not allow something.
- Restriction – to officially and legally limit something.

Ardersier Port facilities are designed for the use by vessels (ships) involved in the development of offshore wind as well as general cargo vessels and are not intended to be used by leisure craft. The port will be available for use for assembly, storage, modification and dispatch of offshore wind components and structures and also for fabrication, hull launch and turbine integration. The types of vessels which will use the Port are anticipated to be offshore installation vessels, semi-submersible carriers and General Cargo vessels (as well as associated tugs and pilot vessels).

The Ardersier Port Limited (Pilotage Powers) Order 2024 provides that Ardersier Port Limited is to be a competent harbour authority for the purposes of the Pilotage Act 1987 in respect of the harbour of Ardersier. This will allow Ardersier Port Limited to regulate the provision of pilot services within its area in order to secure safe navigation. Without this order the port will not have the power to do this.

This order will allow Ardersier Port Limited to regulate the provision of pilots to go on board a ship and steer it in. Authorised Pilots will be familiar with the difficult channels and the tides and obstacles in the harbour and so their provision will improve the safety of the port by avoiding potential accidents. It will also give the port the powers to control traffic within and in the surrounding waters of the port. As the Port accommodates large ships carrying large components for wind farms, this power is essential to prevent accidents and collisions in the port and surrounding waters.

Start date of proposal's development: 1 July 2024

Start date of CRWIA process: 27 September 2024

1. With reference given to the requirements of the UNCRC (Incorporation) (Scotland) Act 2024, which aspects of the proposal are relevant to/impact upon children's rights?

This order relates to the provision of pilotage in an industrial Port. The Port is fully secured and covered by the Port Marine Safety Code. There is no access for unauthorised people and is not an area where children are permitted. The site is also located in an area with no surrounding inhabitants and does not relate to or restrict access to any facilities children use.

This Order establishes Ardersier Port Limited as a competent harbour authority and confer powers on that body in relation to the provision of pilotage services in the harbour. Nothing in this Order is expected to affect the rights or wellbeing of children. There are no aspects of the proposal which are deemed relevant to the UNCRC requirements.

2. Please provide a summary of the evidence gathered which will be used to inform your decision-making and the content of the proposal

N/A

3. Further to the evidence described at '3' have you identified any 'gaps' in evidence which may prevent determination of impact? If yes, please provide an explanation of how they will be addressed

No.

4. Analysis of Evidence

N/A

5. What changes (if any) have been made to the proposal as a result of this assessment?

N/A

Conclusion

6. As a result of the evidence gathered and analysed against all UNCRC requirements, what is the potential overall impact of this proposal on children's rights?

No impact.

7. If you have identified a positive impact on children's rights, please describe below how the proposal will protect, respect, and fulfil children's rights in Scotland.

N/A

8. If a negative impact has been identified please describe it below. Is there a risk this could potentially amount to an incompatibility?

N/A

Mitigation Record

What options have been considered to modify the proposal in order to mitigate a negative impact or potential incompatibility?

Issue or risk identified and relevant UNCRC requirement

N/A

Action Taken/ To Be Taken

N/A

Date action to be taken or was taken

N/A

9. As a result of the evidence gathered and analysed against all wellbeing indicators, will the proposal contribute to the wellbeing of children and young people in Scotland?

Safe:	Not Applicable
Healthy:	Not Applicable
Achieving:	Not Applicable
Nurtured:	Not Applicable
Active:	Not Applicable
Respected:	Not Applicable
Responsible:	Not Applicable
Included:	Not Applicable

No. As stated above, this order is on an industrial site, nothing in this Order is expected to affect the rights or wellbeing of children. There are no aspects of the proposal which are deemed relevant to the UNCRC requirements.

10. How will you communicate to children and young people the impact that the proposal will have on their rights?

The CRWIA will be published on the legislation.gov.uk website alongside the SSI so those wishing to access it can do so. The CRWIA has been written in an accessible and child friendly format so those reading it can understand its content and impact / no impact.

Post Assessment Review and sign-off

11. Planning for the review of impact on children's rights and wellbeing

As part of the decision-making process, plans for reviewing the impact on children's rights and wellbeing need to be developed.

- How will the impact of the proposal on children's rights and wellbeing be monitored?
- When will you review and update the CRWIA if required?

If new information comes to light throughout implementation, this will be assessed for potential impact on children and young people. However, this is not anticipated due to the nature of the regulations.

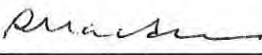
12. Sign off

Policy Lead Signature & Date of Sign Off:

 11/12/24

Nick Gosling
Head of Maritime Policy

Deputy Director Signature & Date of Sign Off:

 11/12/24

Roddy Macdonald
Head of Ferries

Date CRWIA team first contacted: 27 September 2024

