

EQUALITY IMPACT ASSESSMENT - RESULTS

Title of Policy	Scottish Crown Estate Bill
Summary of aims and desired outcomes of Policy	To reform management of Scottish Crown Estate assets and enable management of those assets, under a national framework, on either a national or local level, on a case-by-case basis.
Directorate: Division: team	Marine Scotland: Aquaculture, Crown Estate, Recreational Fisheries, EMFF and Europe Division: Crown Estate Strategy Unit

Executive summary

The Bill will impact on those organisations that currently manage Scottish Crown Estate assets and those who wish to manage the assets in future, including local authorities or community organisations, via mechanisms in the Bill.

Any potential impacts on protected characteristics categories will be considered as and when secondary legislation or a delegation direction is made subsequent to the Bill.

Where functions of managing Scottish Crown Estate assets are transferred/delegated to the local level, the national framework approach in the Bill would govern such arrangements and statutory obligations relating to equality and diversity would be considered as part of that.

The Equality Impact Assessment has shown that the Bill will not in itself impact on any protected characteristics categories.

Background

The Bill will reform management of Scottish Crown Estate assets and enable management of those assets, under a national framework, on either a national or local level, on a case-by-case basis.

The Bill will also modernise the duties of the manager of assets to ensure they have discretion to take account of wider socio-economic, environmental or sustainability benefits when carrying out their functions; and provide for a national framework, including financial and reporting arrangements.

The Bill does not define who manages which assets but will set out which categories of bodies can become managers via transfer/delegation, recognising Crown Estate Scotland's ongoing role as a manager of some assets.

The policy objectives of the Bill will contribute to the following National Outcomes:

- We live in a Scotland that is the most attractive place for doing business in Europe.
- We realise our full economic potential with more and better employment opportunities for our people.
- We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.
- Our public services are high quality, continually improving, efficient and responsive to local people's needs.
- We value and enjoy our built and natural environment and protect it and enhance it for future generations.

The Scope of the EQIA

A public consultation on the Long Term Management of the Crown Estate in Scotland was held from 4 January to 29 March 2017. The consultation sought views on the overall aims for the

estate; who should manage the transferred functions in the future, including devolution to the local level; the establishment of a national governance framework; and how revenue from the Scottish Crown Estate assets should be used in future.

The consultation contained a question on equality:

- Question 51: Are there any likely impacts the proposals contained in this consultation may have on particular groups of people, with reference to the 'protected characteristics' listed above [age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation].

Key Findings

It was determined as part of the pre-consultation framing exercise that a light touch assessment will be taken with this Equality Impact Assessment as evidence shows that the impact of the policy proposals in the Bill will be positive although minimal. However, further evidence was gathered during the consultation on the Long Term Management of the Crown Estate in Scotland.

Seventy three of the respondents to the consultation gave a response to the equality question. The question received very few responses other than from respondents who stated that they did not consider that the proposals would impact particularly on groups of people with protected characteristics. One respondent suggested that naturists who have protected characteristics could be affected by any moves to restrict their lifestyles in rural and coastal areas; a few other respondents considered that devolution to local management could, potentially, lead to greater respect towards, and inclusion of, those with protected characteristics.

Recommendations and Conclusion

The Scottish Government has concluded that no changes to the policy are necessary as a result of the Equality Impact Assessment, as the proposals in the Bill are intended to apply equally to all affected, and appear to have no significant differential effect on the basis of the protected characteristics.