

**NATIONAL ISLANDS PLAN AND ISLANDS IMPACT ASSESSMENT
CONSULTATION**

1.0 EXECUTIVE SUMMARY

- 1.1 The Islands (Scotland) Act 2018 was granted Royal Assent on 6 July 2018 with the first set of provisions coming into force on 4 October 2018. The Act introduces a number of measures to underpin the Scottish Government's key objective of ensuring that there is a sustained focus across Government and the public sector to meet the needs of island communities now and in the future.
- 1.2 The Act itself introduced a number of duties that are placed on the Scottish Ministers and Local Authorities in order to deliver the measures and objectives. This current consultation specifically relates to the duties detailed in Part 2 and 3 of the Act. Part 2 places a duty on the Scottish Ministers to prepare a National Islands Plan. Part 3 relates to duties in relation to island communities and requires Local Authorities and Scottish Ministers to have regard to island communities in carrying out their functions and where relevant to undertake a an island communities impact assessment .
- 1.3 The Act requires Ministers to consult with local authorities, as well as representatives of island communities in preparation of the National Islands Plan (Part 2) and before issuing guidance relating to the duties detailed under Part 3.
- 1.4 The national islands plan and islands impact assessment consultation and associated questionnaire, which was launched in April 2019, formed part of this requirement however it should also be noted that the on-line results will be combined with more qualitative data gathered through a series of events that will be carried out by Scottish Government throughout islands in Scotland including those in Argyll and Bute. The consultation, closing date was 24 July 2019. <https://consult.gov.scot/agriculture-and-rural-communities/national-islands-plan/>

2.0 RECOMMENDATIONS

2.1 That the AISG consider and note the response, as detailed in Appendix 1, which was submitted to the consultation and formed the Councils formal response.

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3.0 INTRODUCTION

3.1 The Islands (Scotland) Bill 2018 received Royal Assent on 6 July 2018. The first Commencement Regulations for the Island Act were laid on 20 September 2018 and came into force on 4 October 2018.

3.2 The national islands plan and islands impact assessment consultation relates specifically to the duties detailed in Part 2 and Part 3 of the Act namely the preparation of a National islands Plan by Scottish Ministers and the requirement of relevant authorities, including local authorities and the Scottish Ministers, to have regard to island communities in carrying out their functions, often referred to as island proofing.

4.0 RECOMMENDATIONS

4.1 That the AISG consider and note the response, as detailed in Appendix 1, which was submitted to the consultation and formed the Councils formal response.

5.0 DETAIL

5.1 Part 2 of the Act relates specifically to the National Islands Plan and places a duty on Scottish Ministers to prepare, lay before the Scottish Parliament and publish a 'National Islands Plan', which will set out the main objectives and strategy of the Scottish Government in relation to how relevant authorities might help to improve outcomes for island communities. The first draft of the Plan must come before Scottish Parliament within 12 months of Part 2 of the Act coming into force, this means that a draft of the Plan must be submitted by 4 October 2019. Ministers will report on the Plan annually to monitor progress and to consider where outcomes may or may not have been delivered. Ministers will review the Plan before the end of the period of 5 years beginning with the day on which the plan was published.

- 5.2 The National Islands Plan must truly responds “to the distinctive geographical, natural heritage and cultural characteristics (including the linguistic heritage) of each of the areas inhabited by island communities.” - The aim of the Plan is to shape government policy in a way that will improve outcomes for island communities, Island Communities Impact Assessments serve a more immediate role.
- 5.3 The Islands (Scotland) Act requires that Scottish Ministers *must consult* “each local authority listed in the schedule, such other persons as they consider represent the interests of island communities, and such persons (including members of island communities and other persons) as they consider likely to be affected by or have an interest in the proposals contained in the plan”.
- 5.4 Part 3 of the Act is specific to duties in relation to island communities: These provisions require relevant authorities, including the majority of public bodies including Local authorities and the Scottish Ministers, to have regard to island communities in carrying out their functions. To comply with this duty, the relevant local authorities, which include Argyll and Bute, must make arrangements to review their policies, strategies and services and either prepare an Island Communities Impact Assessment where that is required or otherwise assess or take appropriate steps in relation to the policy, strategy or service in question.
- 5.5 In undertaking an Island Communities Impact Assessment, Scottish Government, local authorities and relevant authorities will “island proof” legislation, policy, strategies and services where those are considered likely to have an effect on an island community which is significantly different from its effect on other communities. In those cases, Island Communities Impact Assessments will ensure that the obligation according to which “[A] relevant authority must have regard to island communities in carrying out its functions” is met. And, it will be through Island Communities Impact Assessments that the interests of island communities are formally taken into account when decisions are made.
- 5.6 The Islands (Scotland) Act clarifies that an Island Communities Impact Assessment will be carried out by a relevant authority when a policy, strategy or service “is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities) in the area in which the authority exercises its functions.”
- 5.7 As previously advised there is a power for Ministers to issue guidance in relation to this duty. This is not currently present in the Island (Scotland) Act

and the Act enables Ministers to develop guidance about the duty to have regard to island communities, of which the Island Communities Impact Assessment forms part. The Scottish Ministers are also required to develop regulations “about reviews of decisions of relevant authorities relating to island communities impact assessments.” As a Council we would want island impact assessments to coordinate with other impact assessments that we are required to undertake wherever possible.

- 5.8 This consultation will inform the development of the guidance on how an Island Communities Impact Assessment should be carried.
- 5.9 According to the Islands (Scotland) Act 2018, the purpose of the Plan is “to set out the main objectives and strategy of the Scottish Ministers in relation to improving outcomes for island communities that result from, or are contributed to by, the carrying out of functions of a public nature”. Section 3(3) of the Act provides a number of areas for improving outcomes for island communities, including:
- a) increasing population levels;
 - b) improving and promoting: (i) sustainable economic development; (ii) environmental wellbeing; (iii) health and wellbeing, and (iv) community empowerment;
 - c) improving transport services;
 - d) improving digital connectivity;
 - e) reducing fuel poverty;
 - f) ensuring effective management of the Scottish Crown Estate (that is, the property, rights and interests to which section 90B(5) of the Scotland Act 1998 applies); and
 - g) enhancing biosecurity (including protecting islands from the impact of invasive non-native species).
- 5.10 Scottish Ministers have advised that this list is not exhaustive and there is a specific section in the consultation seeking views on the list and any additional areas that our communities’ believe should be considered. This is the opportunity for both our communities and the council to highlight the issues and challenges our communities are facing and to ensure that these are reflected in the Plan. Both the consultation responses and the face to face meetings with island communities will be used to inform the areas of focus of the Plan. The alignment with community planning outcomes and other key strategic documents, policies and strategies is key. The Single Outcome Agreement, Economic Strategy and Local Development Plan require to be considered as these seek to deliver sustainable island communities. In particular the priorities of the AISG have been used to inform the response and the Plan.

5.11 In June 2015 The Council agreed a vision for our island communities. The vision is as follows

It is recognised that our islands play a vital role in delivering economic growth across our area. We want to see our islands prosper and grow, providing education and employment for our young people, supporting and growing our businesses and communities and benefiting from the communication and transportation infrastructure and services necessary for them to be sustainable and prosper.

5.12 In addition the Councils Argyll Islands Strategic Group (AISG) recently reviewed the key issues/priorities for the Group in regard to our islands and amendments were agreed by the AISG at its meeting on 27 February 2019. These are listed at Appendix 1 and reflect the views gathered from our island communities over a number of years and more recently at an islands and as part of the consultation process on The Islands (Scotland) Bill 2018.

5.13 Both the vision and the priorities have been used to inform the consultation response.

5.14 In addition to highlighting challenges and issues Ministers are keen that The Plan should also be a space to celebrate islands and island communities as successful places and thriving environments. There is a section in the consultation specifically seeking examples of good practices that can be shared amongst island communities. Across our 23 islands there is a wealth of great examples of such good practice.

6.0 CONCLUSION

6.1 This consultation was an opportunity for both our island communities and the council to highlight the key issues and priorities which affect our island communities and their opportunities for growth and development.

7.0 IMPLICATIONS

- 7.1 Policy – Responding to this consultation will allow the council to seek positive policy and resource support for our islands all of which fits with the objectives of the Single Outcome Agreement, Economic Strategy and Local Development Plan which seek to deliver sustainable island communities.
- 7.2 Financial –staff resources.
- 7.3 Legal – none.
- 7.4 HR – None
- 7.5 Fairer Scotland Duty
 - 7.5.1 Equalities–There is common ground between the aims of the Fairer Scotland Duty and the Islands Act. Both have been reflected in the council’s EqSEIA process. If the outcome of the consultation is to adopt a national approach to carrying out islands impacts, this may affect our wider approach to impact assessment
 - 7.5.2 Socio Economic Duty – as above
 - 7.5.3 Islands – this consultation is specific to our islands and the issues and challenges facing them.
- 7.6 Risk – To not respond would leave our island communities at a disadvantage and the identification of the key priorities allows a clear platform from which the council can work closely with our island communities and SG and work closely with key stakeholders. It is important to ensure that our islands and our area is not disadvantaged by greater weight being given to other areas.
- 7.7 Customer Service – none.

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Policy Lead – Councillor Aileen Morton

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APPENDICES

Appendix 1 – AISG priorities

Appendix 2 –Consultation questions and response

Appendix 1 - PRIORITIES AND ACTIONS – APPROVED FEB 2019

At its meeting on 27 Feb 2019, Council noted the following priorities (1-11). The table below sets out initial actions required to progress these priorities

To continue to progress the work streams shown below will continue to require support from across the Council, and will require the necessary available resources to support this activity and should the AISG support this approach we will need to obtain agreement from the relevant services and Policy Leads.

The blue highlighted rows indicate the current priorities and the white rows are the tasks identified to help to progress the issue. The tasks set out below will evolve and change as more specific actions associated with moving forward each issue are identified.

Ref	Priority	SOA Outcome	AISG Meeting
1	To ensure that the future disbursement of powers and income, including income from The Crown Estate, to our island communities is equal to the three island communities.	1	TBC
1a	Maintain a watching brief on the interim and long term arrangements in relation to the Crown Estate in Scotland		
2	To obtain Scottish Government capital investment in key island infrastructure such as ports, ferry terminals vessels and road infrastructure in order to facilitate the needs of RET and secure the future economic prosperity of our islands.	2	
2a	Identify island infrastructure currently available		
2b	Highlight any current or likely future issues		
2c	Work with SG ferries unit		
2d	Determine strategy for seeking capital investment where required		
2e	Explore RET charging mechanisms and seek amendments where this causes inconsistencies to our island communities		
3	To secure the integration of essential transport networks including ferries, buses, air and rail connections to minimise journey times to and from our island communities.	2	
3a	Identify public transport routes and how they integrate		
3b	Highlight any current or likely future issues		
3c	Invite public transport providers, SPT and HI Trans (as appropriate) to speak to Taskforce		
3d	Determine a strategy for lobbying for changes where required		
4	To lobby for parity for our island communities with regard to mail order delivery surcharges.		
4a	Consider action required within Argyll and Bute		
4b	Determine strategy for additional lobbying if required		
5	To lobby for maximum investment in our digital connectivity for our island communities, including superfast broadband, modern mobile phone signal and exploring the possibility of opening up public digital networks to the wider community.	2	
5a	Lobby SG and providers		
6	To lobby for the removal of water and waste water constraints from our island communities to facilitate	2	

	economic growth.		
6a	Liaise with Scottish Water		
6b	Determine strategy for lobbying for additional investment		
7	To lobby for innovative approaches to recruit and retain adequate GP coverage for our island communities.	5	
7a	Work with NHS Highland		
7b	Determine strategy for lobbying for alternative approaches		
8	To seek innovative and cost effective affordable housing for our island communities.	2	
8a	Identify island housing needs		
8b	Work with housing associations and community groups		
8c	Determine strategy for lobbying for affordable housing to meet identified need		
9	To address fuel poverty for our island communities.	4	
9a	Identify issues		
9b	Determine strategy for lobbying for additional support if required		
9c	To build on the renewable energy capacity of our island communities		
10	To work with the three island authorities to identify common economic challenges across our islands and opportunities for joint working to address these.	1	
10a	Determine strategy for joint working/lobbying		
11	To lobby and work with partners to seek to address issues relating to the disposal of waste to landfill affecting our island communities		
11a	Landfill ban and disposal of biodegradable waste		
11b	Develop new waste strategy		