

# **Child Rights and Wellbeing Impact Assessment (CRWIA) for the St Andrews Harbour Revision Order 2025**

## **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

## Brief Summary

**Type of proposal:** Scottish Statutory Instrument

**Name the proposal, and describe its overall aims and intended purpose:**

St Andrews Harbour Revision Order 2025

Key term definitions:

- **Conferring updated powers:** Ministers will grant updated powers to the Harbour Authority in order that it may better manage the port.
- **General directions:** powers provided to a Harbour Authority to create rules for navigation and regulate the movement of ships.
- **Harbour Revision Order** – a Harbour Empowerment or Revision Order is a piece of local legislation governing a port. It is made as a Scottish Statutory Instrument under the 1964 Harbours Act by Scottish Ministers. An order can create and empower Harbour Authorities to undertake works projects or vary their existing harbour powers.
- **Port Marine Safety Code** – published by the UK 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.
- **Special Directions:** powers provided to a harbour's Harbour Master for to regulate the movement of ships.
- **Trust port:** an independent statutory body governed by its own local legislation and run by independent boards. Unlike private company ports, they have no shareholders so all the financial surpluses from port operations are put back into the port's running.
- **Trustees:** the board members who run the port. Collectively, they are the port's Harbour Authority.

This Order defines the harbour limits and confers updated powers on the Trustees, including powers to lease and powers as regards the issuing of general and special directions.

**Start date of proposal's development:** 25 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?**

The making of a Harbour Revision Order is desirable in the interests of securing the improvement, maintenance or management of the harbour in an efficient and economical manner, or of facilitating the efficient and economical transport of goods or passengers by sea or in the interests of the recreational use of sea-going ships.

As stated above, this Order defines the harbour limits and confers updated powers on the Trustees, including powers to lease and powers as regards the issuing of general and special directions.

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?**

No changes made.

## **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

Ports in Scotland are covered by the Port Marine Safety Code.

**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:**                      **Nick Gosling, 10 March 2025**  
Nick Gosling  
Head of Maritime Policy

**Deputy Director Signature & Date of Sign Off:**                      **Alison Irvine, 11 March 2025**  
Alison Irvine  
CEO, Transport Scotland

**Date CRWIA team first contacted:** 27 September 2024