

The Environmental Authorisations (Scotland) Amendment Regulations 2025

Child Rights and Wellbeing Impact Assessment (CRWIA)

Disclaimer

This document is an **assessment** of the likely effects of the Environmental Authorisations (Scotland) Amendment Regulations 2025 on the rights and wellbeing of children and Scottish Government will continue to review and update this document where required during the parliamentary decision-making process. Any future iterations will reflect an increased understanding of these impacts as the amount of evidence available continues to grow.

This impact assessment should be read in conjunction with the Environmental Authorisations (Scotland) Amendment Regulations 2025 and it links to other impact assessments prepared for this proposal.

Child Rights and Wellbeing Impact Assessment

Introduction

1. Brief Summary.

Type of proposal - Bill, SSI or Decision of a strategic nature relating to the rights and wellbeing of children

Applicable answer: SSI

The Environmental Authorisations (Scotland) Amendment Regulations 2025

The new regulations concern changes to the scope and the way in which Scotland's principal environmental regulator, the Scottish Environment Protection Agency (SEPA) carries out some of its duties to protect and improve Scotland's environment. The new regulations will amend the Environmental Authorisations (Scotland) Regulations 2018, to bring waste, water, pollution prevention and control (PPC) and landfill authorisation regimes into the integrated authorisation framework (IAF) provided by those Regulations. This will simplify and streamline how SEPA undertakes its regulatory functions regarding those activities.

An integrated authorisation framework.

The Regulatory Reform (Scotland) Act 2014 enabled the creation of a new integrated authorisation framework for environmental authorisations. The Environmental Authorisations (Scotland) Regulations 2018 (EASR) came into force on 1 September 2018 establishing the new framework and incorporating radioactive substance activities as the first 'regulated activity'.

This SSI is required primarily to bring together the four environmental authorising regimes (industrial emissions, radioactive substances, waste, and water) within the common framework established by the 2018 Regulations. The common framework provides for a single legislative framework and regulatory procedures for all the regimes including in the 2018 Regulations. This will replace the current environmental authorisation regimes in Scotland for Pollution Prevention and Control (PPC), Waste and Water which have unnecessary differences in fundamental areas across the current regimes. This will in turn provide a standardised, simplified and streamlined process for the regulation by SEPA of these four environmental regimes Scotland. This contributes to Scottish Ministers' goal to transition to a wellbeing economy: that is, an economic system, within safe environmental limits, which serves and prioritises the collective wellbeing of current and future generations.

New activities.

The SSI will also expand the number of regulated activities to include the carbon capture, electricity generators, and non-waste anaerobic digestion industrial sectors. There will also be policy changes to the way the application of sewage sludge to land is regulated.

- Carbon capture. As the role of carbon capture is evolving, several types of carbon capture technologies are emerging. This SSI will ensure that these new carbon capture activities are appropriately regulated under this environmental authorisation regime.

- Electricity generators. Environmental controls will be extended to smaller combustion plant that generate electricity than those that are currently regulated (smaller plant that aggregate to 1 MW thermal input or more at the same location).
- Non-waste anaerobic digestion. Anaerobic digestion is an industrial process that converts organic wastes and other materials into biogas or methane. The anaerobic digestion of materials that are not waste (e.g. energy crops) will be controlled in a similar manner to the anaerobic digestion of wastes.
- Application of sewage sludge to land. This SSI will implement certain key recommendations arising from the Scottish Government review in 2015.

Start date of proposal's development: March 2021

Start date of CRWIA process: March 2023

2. [With reference given to the requirements of the UNCRC \(Incorporation\) \(Scotland\) Act 2024 which aspects of the proposal are relevant to children's rights?](#)

[An integrated authorisation framework.](#)

There will be no impact on children and young people from the IAF aspects of this SSI. The integrated authorisation framework allows SEPA to work in a more streamlined and efficient way with regard to the legislative framework and regulatory procedures of the regulation of these four environmental regimes in Scotland.

[New activities.](#)

It is intended that children and young people will benefit indirectly, as these new controls should mean that potential environmental pollution is reduced or prevented that could otherwise have an adverse effect on their health or wellbeing (article 24). This SSI means that three activities (carbon capture, non-waste anaerobic digestion and certain generators of electricity) will be brought within the scope of environmental legislation, and it improves regulatory controls for a fourth activity (the application of sewage sludge to land).

This will enable environmental authorisations to be applied to control any harmful emissions and wastes. However, it should be noted that this activity works alongside wider policy and legislation to transition to a wellbeing economy and reduce environmental pollution which would positively contribute to article 24. Therefore, while this SSI has the potential to contribute to the impacts felt by children and young people if environmental pollution is reduced, they do not result from, and therefore cannot be attributed to, this SSI alone. As such, we believe that this aspect of the SSI will have a neutral impact on children and young people's rights. While there is potential for positive indirect impact, this works alongside wider measures and therefore cannot conclusively be assessed as having an impact on specific rights of children and young people, in particular, article 24.

3. [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

4. [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.](#)

N/A

5. Analysis of Evidence.

N/A

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

N/A

Conclusion

7. 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 – for the integrated authorisation framework / common framework aspect of this SSI.

Neutral – for the activities where regulatory controls will be improved (application of sewage sludge to land) and the activities being brought into scope of environmental regulation (carbon capture, non-waste anaerobic digestion and certain generators of electricity) by this SSI.

8. 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

9. If a negative impact has been identified please describe 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 negative impact or potential incompatibility issues?

Issue or risk Identified per article/ Optional Protocol

N/A

Action Taken/ To Be Taken

N/A

Date action to be taken or was taken

N/A

10. 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?

Applicable answer: not applicable

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

The Scottish Government is supported by SEPA in the delivery of this integrated authorisation framework. Both Scottish Government and SEPA participate in public

engagement events such as with the Glasgow Science Centre for Clean Air Day “Breathe Easy” sessions to the city’s children.

Additionally, this CRWIA will be published on the legislation.gov.uk website so will be available in the public domain for those wishing access to it. This CRWIA has been drafted in so far as is possible in accessible language so those reading it can understand its content and impact/ no impact.

Post Assessment Review and sign-off

12. Planning for the review of impact on children’s rights and wellbeing.

The Environmental Authorisations (Scotland) Regulations 2018 are expected to be reviewed and updated on a regular basis. Reviews will be carried out to consider potential changes resulting from improvements to technical specifications and the General Binding Rules stated in these Regulations. When an update is required the CRWIA will be reviewed and any new aspects assessed for their potential impacts on children and young people’s rights.

13. Sign off.

Policy Lead Signature & Date of Sign Off: Phil Leeks - 02 October 2024
Deputy Director Signature & Date of Sign Off: Anne Aitken – Deputy Director,
Environmental Quality & Resilience Division 04 October 2024.
Date CRWIA team first contacted: 09 August 2023