

**STRATEGIC ENVIRONMENTAL ASSESSMENT OF DRAFT ORKNEY CORE PATHS PLAN**  
**APPENDIX A: Relevant plans, programmes and strategies (PPS) and environmental protection objectives**

**TABLE 1.1: REVIEW OF INTERNATIONAL AND EUROPEAN POLICY**

<b>Name of PPS/ environmental protection objective</b>	<b>Title of legislation and main requirements of PPS / Environmental protection objective</b>	<b>How it affects, or is affected by, the Core Paths Plan in terms of SEA issues* at Schedule 3 of the Environmental Assessment (Scotland) Act 2005</b>
UN Framework Convention on Climate Change & its Kyoto Protocol	Energy Act 2004 The UN Framework Convention on Climate Change was established in 1992 as an international framework to agree strategies to reduce emissions of greenhouse gases in relation to their impact on global climate. The Kyoto Protocol established a timetable for reduction in the emissions of these gases as well as a framework for sequestration of carbon by vegetation.	<b>Climatic factors, Local air quality</b> The UN Framework sets targets for reduction in emissions of CO <sub>2</sub> and other greenhouse gases.  The Core Paths Network will facilitate participation in active travel and will contribute to measures which promote a reduction in CO <sub>2</sub> emissions.
UN Convention on Biological Diversity (1992)	The Wildlife & Countryside Act 1981 (as amended) The objectives of this Convention are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.	<b>Biodiversity, flora &amp; fauna, water</b>  The Core Paths Plan will ensure that habitat loss, fragmentation and deterioration are taken into account in selecting candidate Core Paths.
Conservation of Wild Birds Directive (79/409/EEC) Conservation of Natural Habitats and of Wild Fauna and Flora Directive (92/43/EEC)	The Wildlife & Countryside Act 1981 (as amended) The Conservation (Natural Habitats & c.) Regulations 1994 The Nature Conservation (Scotland) Act 2004 The Natura Regulations 1994 Conservation and management of, and human interactions with, wild birds in Europe. The protection of natural habitats and certain species of wild plants and animals.	<b>Biodiversity, flora &amp; fauna, water</b>  The Core Paths Plan must take into account the potential impact of its implementation on the habitats and species of sites designated due to their natural heritage value.
Water Framework Directive (2000/60/EC)(WFD)	The Water Environment & Water Services (Scotland) Act 2003  The Water Framework Directive establishes a new legal framework for the protection, improvement and sustainable use of surface waters, transitional waters, coastal waters and groundwater across Europe.	<b>Water, Biodiversity. fauna &amp; flora</b>  The Core Paths Plan must take into account the potential impact of its implementation on the ecological, chemical and physical quality of watercourses.

\* Climatic factors; Local air quality; Biodiversity, fauna & flora; water; soil; landscape; cultural heritage (including architectural and archaeological heritage); population; human health; material assets; inter-relationship between these issues; secondary and cumulative effects.

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EU Sustainable Development Strategy (2001 and renewed in 2006)	The Wildlife & Countryside Act 1981 (as amended) The Conservation (Natural Habitats & c.) Regulations 1994 The Environmental Protection Act 1990 Environment Act 1995 Pollution Prevention and Control Act 1999	<p><b>Biodiversity, fauna &amp; flora, water, soil, cultural heritage, health, population and material assets</b></p> <p>The strategy has identified seven key challenges, three of which are relevant to the Core Paths Plan:</p> <ul style="list-style-type: none"> <li>• Sustainable transport;</li> <li>• Public health; and</li> <li>• Conservation and management of natural resources.</li> </ul> <p>The Core Paths Network will facilitate participation in active travel which will</p> <ul style="list-style-type: none"> <li>• contribute to measures which promote a reduction in CO<sub>2</sub> emissions; and</li> <li>• increase levels of physical activity</li> </ul> <p>The Core Paths Plan will ensure that conservation and management of natural resources are taken into account in fulfilling its objectives.</p>

\* Climatic factors; Local air quality; Biodiversity, fauna & flora; water; soil; landscape; cultural heritage (including architectural and archaeological heritage); population; human health; material assets; inter-relationship between these issues; secondary and cumulative effects.

**TABLE 1.2: REVIEW OF NATIONAL POLICY**

<b>Name of PPS/ environmental protection objective</b>	<b>Title of legislation and main requirements of PPS / Environmental protection objective</b>	<b>How it affects, or is affected by, the Core Paths Plan in terms of SEA issues* at Schedule 3 of the Environmental Assessment (Scotland) Act 2005</b>
The Scottish Outdoor Access Code	<p>The Land Reform (Scotland) Act 2003</p> <p>The Land Reform Act requires access authorities to guide access provision by preparing a Core Paths Plan. An access strategy is also expected to be prepared.</p>	<p><b>Local air quality, Biodiversity, fauna &amp; flora water, soil, landscape, population, health and cultural heritage</b></p> <p>The Core Paths Plan should be developed in accordance with the requirements of the Land Reform (Scotland) Act 2003, and the guidance produced by the Scottish Executive (Part 1 Land Reform (Scotland) Act 2003 – Guidance for Local Authorities and National park Authorities).</p>
Scotland’s National Transport Strategy (2006)	<p>The Transport (Scotland) Act 2001</p> <p>The National Transport Strategy will guide policy formulation and investment over the next 20 years to around 2025.</p>	<p><b>Climatic factors; Local air quality; Human health; Population</b></p> <p>One of the 3 key strategic outcomes of the NTS is to: <b>reduce emissions</b>, to tackle the issues of climate change, air quality and health improvement, which impact upon its high level objective for protecting the environment and improving health. The Core Paths Plan will encourage walking and cycling as alternatives to car use.</p>
SPP11 Open Space and Physical Activity	<p>Town and Country Planning (Scotland) Act 1997</p> <p>This SPP emphasises the importance of quality open spaces and sets out national planning policy on the provision and protection of open space within and on the edges of settlements and on sports and recreation facilities in urban and rural settings.</p>	<p><b>Local air quality, Biodiversity, fauna &amp; flora water, soil, landscape, population, health and cultural heritage.</b></p> <p>The Core Paths Plan will identify and map the 'core paths' within an area, making sure these are marked and that everyone is encouraged to use them. The aim is to give reasonable public access throughout the area thus helping to deliver health, social, economic and environmental benefits.</p>

**TABLE 1.2: REVIEW OF NATIONAL POLICY**

Name of PPS/ environmental protection objective	Title of legislation and main requirements of PPS / Environmental protection objective	How it affects, or is affected by, the Core Paths Plan in terms of SEA issues* at Schedule 3 of the Environmental Assessment (Scotland) Act 2005
National Cycling Strategy 1996	The Green Paper on Transport (Transport: The Way Forward) highlights the need to manage the existing road network more efficiently. Cycling has a clear role to play within this policy framework. Sustainable transport options are needed for both utility and leisure trips, offering practical alternatives to the private motor car. These will ensure long term economic vitality, improve environmental conditions and safeguard public health. Cycling offers a widely accessible, convenient and environmentally friendly means of making local journeys, especially in urban and suburban areas and it is a healthy, enjoyably, economic and efficient means of traveling.	<p><b>Climatic factors, Local air quality, and Human health</b></p> <p>Core Paths will cater for all types of users, including cyclists. The Core Paths system does not include access for motorized vehicles other than motorized wheelchairs.</p>
Report of the Disability Working Group 2006	<p>Disability Discrimination Acts 1995 and 2005</p> <p>The 1995 act aimed to end the discrimination that many disabled people face. The Act gives disabled people rights in the areas of:</p> <ul style="list-style-type: none"> <li>• employment</li> <li>• education</li> <li>• access to goods, facilities and services</li> <li>• buying or renting land or property</li> </ul> <p>The Act also sets minimum standards so that disabled people can use public transport easily.</p> <p>The 2005 Act amends or extends existing provisions in the DDA 1995 including:</p> <ul style="list-style-type: none"> <li>• making it unlawful for operators of transport vehicles to discriminate against disabled people</li> <li>• ensuring that discrimination law covers all the activities of the public sector</li> <li>• requiring public bodies to promote equality of opportunity for disabled people</li> </ul>	<p><b>Human health and Population</b></p> <p>The Disability Discrimination Act (DDA) 2005 amends the DDA 1995 to place a duty on all public authorities to promote disability equality. This means that public authorities, including local authorities, must, in carrying out their functions, have due regard to the need to eliminate discrimination and harassment that is unlawful under the DDA. They must also promote equality of opportunity between disabled people and non-disabled people, and take steps to take account of disabled people's needs, even where that involves treating disabled people more favourably than non-disabled. It requires that active steps must be taken to remove the barriers that disabled people experience in their everyday lives.</p> <p>Core Paths will cater for all types of users, including disabled people. The Core Paths system does access for motorized wheelchairs.</p>

\* Climatic factors; Local air quality; Biodiversity, fauna & flora; water; soil; landscape; cultural heritage (including architectural and archaeological heritage); population; human health; material assets; inter-relationship between these issues; secondary and cumulative effects.

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<b>Name of PPS/ environmental protection objective</b>	<b>Title of legislation and main requirements of PPS / Environmental protection objective</b>	<b>How it affects, or is affected by, the Core Paths Plan in terms of SEA issues* at Schedule 3 of the Environmental Assessment (Scotland) Act 2005</b>
HITRANS regional Transport Strategy	The Transport (Scotland) Act 2001	<p><b>Climatic factors; Local air quality; Human health; Population</b></p> <p>The Core Paths Plan is consistent with the Strategy’s planning objectives which include the following:</p> <ul style="list-style-type: none"> <li>• Manage the impacts of travel on the region’s environmental assets.</li> <li>• Improve the health of the region’s people.</li> </ul>
SPP 17 Sustainable Transport	The Transport (Scotland) Act 2001	<p><b>Climatic factors; Local air quality; Human health; Population</b></p> <p>SPP17 highlights the duty of each Local Authority to draw up a system of Core Paths sufficient to provide reasonable public access throughout their areas, and thereafter to review and maintain the plan. Core paths will encourage people to visit the countryside for purposes of tourism, recreation and healthy exercise and will also provide sustainable opportunities for local travel between settlements in rural areas, and around town fringes.</p>
The Water Environment (Controlled Activities) (Scotland) Regulations 2005	The Water Environment & Water Services (Scotland) Act 2003	<p><b>Biodiversity, fauna &amp; flora and water</b></p> <p>The Core Paths Plan must take into account the potential impact of its implementation on the ecological, chemical and physical quality of watercourses.</p>

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<b>Name of PPS/ environmental protection objective</b>	<b>Title of legislation and main requirements of PPS / Environmental protection objective</b>	<b>How it affects, or is affected by, the Core Paths Plan in terms of SEA issues* at Schedule 3 of the Environmental Assessment (Scotland) Act 2005</b>
Scottish Biodiversity Strategy	Nature Conservation (Scotland) Act 2004 The Wildlife & Countryside Act 1981 (as amended) The Conservation (Natural Habitats & c.) Regulations 1994 'Scotland's Biodiversity: It's in your hands' sets out a vision for the future health of our biodiversity, and maps out a 25 year framework for action to conserve and enhance biodiversity for the health, enjoyment and well-being of the people of Scotland. Its vision is: <i>'It's 2030: Scotland is recognized as a world leader in biodiversity conservation. Everyone is involved; everyone benefits. The nation is enriched.'</i> .....and its aim is: <i>'To conserve biodiversity for the health, enjoyment and wellbeing of the people of Scotland now and in the future.'</i>	<b>Climatic factors, Local air quality, Biodiversity, fauna &amp; flora, Water, Soil, Landscape, Human health and Population.</b>  The Core Paths Plan will ensure that habitat loss, fragmentation and deterioration are taken into account in fulfilling its objectives.
NPPG14 Natural Heritage	Town and Country Planning (Scotland) Act 1997  NPPG14 gives guidance on how the Government's policies for the conservation and enhancement of Scotland's natural heritage should be reflected in land use planning.	<b>Biodiversity, fauna &amp; flora, Water, Soil, Landscape</b>  The natural heritage is enjoyed both for its intrinsic value and as a setting for open-air recreational and educational activities. Good provision for open-air recreation benefits communities through contributing to the tourism industry and through less quantifiable effects in terms of health and quality of life  In carrying out its objectives, the Core Paths Plan will consider the guidance contained in NPPG14.
SEPA Policy 21 Strategy for Implementing Actions under the UK Biodiversity Action Plan	The Environment Act 1995 SEPA must, when formulating or considering any proposals relating to any of its functions, have regard to the desirability of conserving the natural heritage of Scotland. SEPA also has a statutory duty, under the Environment Act 1995 (s34), to promote <i>the conservation of flora and fauna which are dependent on an aquatic environment.</i>	<b>Biodiversity, fauna &amp; flora, Water, Soil, Landscape</b>  Where Core Paths are located in the vicinity of watercourses advice will be obtained from SEPA regarding provision of best practice, e.g. on methods to prevent erosion.

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The National Waste Strategy (Scotland)	<p>The Environmental Protection Act 1990</p> <p>The National Waste Strategy provides a framework within Scotland to reduce the amount of waste which it produces and deal with the waste which has been produced in more sustainable ways.</p> <p>The vision is for a resource-efficient culture where waste reduction, reuse and recycling are part of everyday life for everyone.</p>	<p><b>Local air quality, Water, and Soil</b></p> <p>Provision of waste collection facilities in remote locations which may be exposed to strong winds can lead to waste containment problems. The Core Paths Plan should recognise the importance of retaining any waste for onward recycling or disposal.</p>
NPPG10 Planning and Waste Management	<p>Town and Country Planning (Scotland) Act 1997</p> <p>The waste hierarchy favours prevention over reuse, recycling, recovery then disposal, thus guiding choices about waste management options. Once waste is disposed of it should not endanger human health or harm the environment, pose a risk of pollution or nuisance or adversely affect the countryside or places of special interest.</p>	<p><b>Local air quality, Water, and Soil</b></p> <p>Provision of waste collection facilities in remote locations which may be exposed to strong winds can lead to waste containment problems. The Core Paths Plan should recognise the importance of retaining any waste for onward recycling or disposal.</p>
SEPA Policy 26 on the Culverting of Watercourses	<p>The Water Environment &amp; Water Services (Scotland) Act 2003</p> <p>In many cases unnecessary damage to river channels can result from culverting schemes. SEPA's policy sets out the environmental issues associated with culverting and sets out a consistent and pragmatic approach to this aspect of river engineering. For the purposes of this policy culverts are defined as a variety of artificial channels which may, or may not, be totally enclosed.</p>	<p><b>Biodiversity, fauna &amp; flora, Water and Soil</b></p> <p>It is unlikely that objectives of the Core Paths Plan will result in culverting work but, should it be necessary, this policy will be considered.</p>
Scottish Executive Marine & Coastal Strategy (2005)	<p>The Energy Act 2004 The Nature Conservation (Scotland) Act 2004 The Water Environment &amp; Water Services (Scotland) Act 2003</p> <p>Scottish Executive's vision is of a clean, healthy, safe, productive and biologically diverse marine and coastal environment, which is managed to meet the long-term needs of nature and people.</p>	<p><b>Biodiversity, fauna &amp; flora, water, soil, landscape, cultural heritage, population, human health, material assets</b></p> <p>Many of the Core Paths in Orkney follow coastal routes. In carrying out its objectives the Core Paths Plan will consider the principles of sustainable development as set out in the Marine &amp; Coastal Strategy.</p>

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NPPG5 Archaeology and Planning	The Ancient Monuments and Archaeological Areas Act 1979 The Protection of wreck Act 1973	<p><b>Biodiversity, fauna &amp; flora, water, soil, landscape, cultural heritage</b></p> <p>The key environmental objective of the legislation and policy framework is <i>'to protect and, where appropriate, enhance the historic environment'</i>. The Core Paths Plan will take account of this objective.</p> <p>Through enabling access to the countryside, and providing information regarding certain historic sites, the Core Paths Plan will increase public awareness of Orkney's cultural heritage.</p>
PAN 42 Archaeology – The Planning Process and Scheduled Monument Procedures	The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997	
NPPG18 Planning and the Historic Environment	As part of its intention to work towards sustainable development, the Government seeks to encourage the preservation of our heritage of sites and landscapes of archaeological and historic interest, so that they may be enjoyed today and passed on in good order to future generations.	
Scottish Historic Environment Policy 1 (Historic Scotland's policy for the sustainable management of the historic environment.)	Planning authorities and all parties involved in development should regard archaeological remains as a finite and fragile resource and should safeguard the integrity of the setting of archaeological sites.	
Scottish Historic Environment Policy 2. Scheduling: protecting Scotland's nationally important monuments		
Passed to the Future		
Memorandum of Guidance on Listed Buildings and Conservation Areas, Historic Scotland 1998		

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**TABLE 1.3 REVIEW OF LOCAL POLICY**

Name of PPS/ environmental protection objective	Title of legislation and main requirements of PPS / Environmental protection objective	How it affects, or is affected by, the SPG in terms of SEA issues* at Schedule 3 of the Environmental Assessment (Scotland) Act 2005
OIC Biodiversity Action Plan (2002)	<p>Nature Conservation (Scotland) Act 2004 The Wildlife &amp; Countryside Act 1981 (as amended) The Conservation (Natural Habitats &amp; c.) Regulations 1994 The objectives of the Plan are to maintain and, where practicable, to enhance:</p> <ul style="list-style-type: none"> <li>• the overall population and natural ranges of native species and the quality and range of wildlife habitats and ecosystems;</li> <li>• internationally and nationally important and threatened species, habitats and ecosystems;</li> <li>• species, habitats and managed ecosystems that are characteristic of Orkney or are perceived to be of local importance;</li> <li>• the biodiversity of natural and semi-natural habitats where this has diminished over recent decades; and also:</li> <li>• to increase public awareness of, and involvement in, conserving biodiversity; and</li> <li>• to identify priorities for habitat and species conservation in Orkney and set realistic targets and timescales for these.</li> </ul>	<p><b>Biodiversity, fauna &amp; flora, water, landscape, population, human health</b></p> <p>The Core Paths Plan will ensure that habitat loss, fragmentation and deterioration are taken into account in fulfilling its objectives.</p> <p>Through enabling access in the countryside, and providing information regarding the diversity of our natural heritage, the Core Paths Plan will increase public awareness, and involvement in conserving biodiversity.</p>
OIC Structure Plan (adopted 2001 and covering the 10-year period until 2011)	<p>Town and Country Planning (Scotland) Act 1997 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 The Orkney Islands Council Structure Plan sets out the strategic framework for the development of land in the County over the 10-year period.</p>	<p><b>Biodiversity, fauna &amp; flora, water, soil, landscape, cultural heritage, population, human health, material assets</b></p> <p>The Structure Plan provides a strategic approach to conserving and enhancing the quality of the natural heritage and historic environment.</p>

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The Orkney Local Plan (2004)	<p>Town and Country Planning (Scotland) Act 1997                      Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997                      The Orkney Local Plan sets out a detailed framework for the development of land in the County over the period 2004 - 2007                      The Local Plan together with the Orkney Structure Plan, form the Orkney Development Plan.</p>	<p><b>Biodiversity, fauna &amp; flora, water, soil, landscape, cultural heritage, population, human health, material assets</b></p> <p>Local authority departments should work together to ensure consistency and compatibility between the open space strategy, the core paths plan, the local transport strategy and the development plan. It is likely that the core paths plan will include existing routes. It may also establish new routes in order to provide new access opportunities and to make links to existing networks and open space. The local development plan should cross-refer to the core paths plan, incorporate relevant material and set out policy protection for core and other paths such as long distance routes and rights of way.</p>
OIC 2020 Community Plan (2007)	<p>Town and Country Planning (Scotland) Act 1997                      Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997                      Nature Conservation (Scotland) Act 2004                      The Wildlife &amp; Countryside Act 1981 (as amended)                      The Conservation (Natural Habitats &amp; c.) Regulations 1994                      The Water Environment &amp; Water Services (Scotland) Act 2003                      The Environmental Protection Act 1990                      The Air Quality Limit Values (Scotland) Regulations 2003                      Energy Act 2004                      The community plan for Orkney, Orkney 2020 articulates the vision of the Orkney Community Planning Framework and its three advisory groups.                      The ideal for Orkney is: <i>'to have a place within a caring community, living in a healthy environment, supported by a thriving economy'</i>.</p>	<p><b>Biodiversity, fauna &amp; flora, water, soil, landscape, cultural heritage, population, human health, material assets</b></p> <p>The Community Plan promotes active travel such as walking and cycling and highlights the benefits it can bring for individuals and the wider community by improving physical health, reducing traffic levels and retaining the very good air quality that we have.</p>

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Orkney Outdoor Access Strategy	Land Reform (Scotland) Act 2003 This strategy will help ensure that the Council is able to fulfill its duties under this legislation.	<b>Biodiversity, fauna &amp; flora, water, soil, landscape, cultural heritage, population, human health, material assets</b> The Access Strategy provides a framework to guide the development and management of outdoor access throughout the islands. The Core Paths Plan should take account of the aims and objectives of the strategy.
Orkney Environment Strategy and Action Plan	Nature Conservation (Scotland) Act 2004 The Wildlife & Countryside Act 1981 (as amended) The Conservation (Natural Habitats & c.) Regulations 1994 The Water Environment & Water Services (Scotland) Act 2003 The Environmental Protection Act 1990 The Air Quality Limit Values (Scotland) Regulations 2003 Energy Act 2004 The Orkney Environmental Partnership is one of the sub- strategies of the Community Plan and was established: <ul style="list-style-type: none"> <li>• in response to the Government’s Local Agenda 21 and Community Planning Initiatives;</li> <li>• to assist in the development of the Local Biodiversity Action Planning process; and</li> <li>• in recognition that whilst many of the partner organisations are undertaking individual initiatives and projects for the benefit of Orkney’s environment, there was a lack of a strategic overview which would allow resources to be targeted in a more co-coordinated and integrated manner.</li> </ul>	<b>Biodiversity, fauna &amp; flora, water, soil, landscape, cultural heritage, population, human health, material assets</b> The Strategy and Action Plan has the following objectives: <ul style="list-style-type: none"> <li>• To set out a framework for corporate action on the environment within Orkney;</li> <li>• To work together to develop an Environment Strategy and Action Plan which reflects the views and wishes of the Orkney community with respect to the environment;</li> <li>• To assess, select and prioritise particular environmental projects which can be progressed in the next 5 years;</li> <li>• To establish a process for monitoring and reviewing the state of the environment in Orkney.</li> <li>• To raise awareness and involve the community in their local environment</li> </ul> The Plan has access as one of its 12 main themes and this should be referred to in the development of the Core Paths Plan.
Orkney Local Transport Strategy 2008-2010	The Transport (Scotland) Act 2001	<b>Climatic factors; Local air quality; Human health; Population</b>  The LTS includes Active Travel as one of its sub-strategies and promotes improving, extending and maintaining the walking and cycling network and facilities.

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