

B714 CPO

Quality information

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Table of Contents

1.	Introduction	5
1.1	Purpose	5
1.2	Project background	5
1.3	Report structure	5
2.	Methodology	7
2.1	Introduction	7
2.2	Desk-based review	7
2.3	Primary research	7
2.4	Assessment of impacts	7
3.	Policy and legislation review	10
3.1	UK legislation	10
3.2	National policy	11
3.3	Regional Policy	13
3.4	Local policy	14
4.	Summary of the Proposed Scheme	15
4.1	Current route and surrounding area	15
4.2	Proposal and CPO	15
5.	Baseline profile	17
5.1	Introduction	17
5.2	Population change	17
5.3	Protected characteristic groups	18
5.4	Deprivation	20
6.	Consultation and engagement	21
6.1	EIA Scoping Consultation Responses	21
6.2	Agricultural landholder consultation	21
6.3	Further engagement with affected land holders	22
7.	Assessment of equality impacts	23
7.1	Introduction	23
7.2	Direct impacts of the CPO	23
7.3	Indirect impacts of the CPO	24
7.4	Summary of potential impacts	27
8.	Conclusions	33
8.1	Overview	33
	Appendix A – EqlA primary research topic guide	34
A.1	Questionnaire for engagement with landholders	34

Tables

Table 4-1:	Land holdings affected by CPO	16
Table 5-1:	Population breakdown by geographical area	17
Table 5-2:	Population change in North Ayrshire, 2018 - 2043	17
Table 5-3:	Protected characteristic group breakdown (%) by relevant geographies	18
Table 5-4:	Car or vans in household by geographical area	20
Table 6-1:	Summary of EIA Scoping consultation responses	21
Table 7-1:	Summary of potential impacts	28

1. Introduction

1.1 Purpose

AECOM has been commissioned by North Ayrshire Council (the Council) to carry out an Equality Impact Assessment (EqIA) relating to the realignment of the existing B714 between Girthill Farm and the A737 Hillend Roundabout (with realignment of additional sections at Muirlaught Farm and Meiklaught Farm on the B714) - ('the Proposed Scheme').

As a public sector body, North Ayrshire Council have a requirement to fulfil their duty under the Public Sector Equality Duty (PSED), section 149 of the Equality Act 2010¹. The PSED requires public bodies to not only eliminate discrimination but also to advance equality of opportunity and foster good relations between people who share protected characteristics and those who do not. An EqIA is used by public sector organisations to demonstrate how this duty has been discharged.

An EqIA is a systematic assessment of the effects of plans, policies, or proposals on groups with protected characteristics² as defined by the Equality Act 2010. The purpose of this EqIA is to assess the potential direct equality impacts on affected parties of the Compulsory Purchase Order (CPO) for the acquisition of agricultural, residential, and community landholdings that are required to facilitate the Proposed Scheme, and also the potential wider indirect equality impacts of the construction and operation of the Proposed Scheme.

1.2 Project background

Between 2014 and 2016, AECOM developed a series of ten B714 online corridor improvement options that would upgrade the B714, which is currently a sub-standard rural single carriageway. These improvement schemes comprised relatively minor upgrades to the cross-section, horizontal, and vertical geometry of the road, that would remove existing sub-standard elements posing a safety hazard to road users. Of the ten improvement options considered, the Girthill to Yonderhouse realignment was developed to a level of detail sufficient for a planning application to be submitted and construction procured. However, sufficient funding was not secured to deliver the scheme and the planning application lapsed.

In May 2021, North Ayrshire Council appointed AECOM to assist with the technical development of the B714 upgrade scheme, now including a tie-in into the recently completed A737 Dalry Bypass, leading to them submitting a bid for funding to the UK Government's Levelling-Up Fund. The successful award of £23.7m from the UK's Levelling Up Fund was announced in October 2021 to enable the scheme development to continue. Since then, AECOM has reviewed the ten improvement schemes considered previously as well as developing alignment options for a connection between the B714 and the A737 Dalry Bypass. A single option, the Proposed Scheme, has now been developed and is the subject of this EqIA.

1.3 Report structure

Following on from this introduction section, the remainder of the report is structured as follows:

Section 2: Methodology – sets out the approach used to undertake the EqIA;

Section 3: Policy and legislation review – provides context through relevant national, regional, and local policy and legislation associated with equalities and transport;

Section 4: Summary of the development – provides information on the project objectives, current B714 route, surrounding area and communities, as well as the new alignment and CPO required to facilitate it.

Section 5: Baseline profile – highlights the project area and uses secondary data sources to form an understanding of residents living within the area and pertinent issues that affect them;

Section 6: Consultation and engagement – provides an overview of stakeholder engagement and consultation undertaken to date.

¹ UK Government (2010) Equality Act 2010. Available at: <https://www.legislation.gov.uk/ukpga/2010/15/contents>

² Protected characteristics are: Age, sex, belief or religion, race, disability, sexual orientation, gender reassignment, marriage/civil partnership and pregnancy and maternity.

Section 7: Assessment of potential equality impacts – an assessment of the potential equality impacts of the Proposed Scheme using the evidence gathered; and

Section 8: Conclusions and recommendations - conclusions and recommendations for enhancing positive equality impacts and minimising potential negative impacts based on available evidence to date.

2. Methodology

2.1 Introduction

This section sets out the approach to assessing the potential direct equality impacts of the compulsory purchase of agricultural, residential, and community landholdings required to facilitate the B714 realignment, as well as the potential indirect equality impacts associated with the CPO being granted and the Proposed Scheme being constructed and becoming operational. In considering potential direct and indirect impacts, this EqIA takes a 'worst case scenario'.

The approach for this report follows a four-stage process:

1. Desk-based review – including review of relevant national, regional, and local policies and legislation, EIA Chapters, and secondary datasets relating to groups with protected characteristics;
2. Primary research – conducted in the form of telephone conversations with the affected land holders structured around a semi-formal questionnaire tailored to inform this assessment.
3. Assessment of potential impacts – informed by a consideration of the policy context, consultation and primary research responses, equalities baseline data; and
4. Providing recommendations and conclusions.

The approach is based on an understanding of the Equality Act 2010, particularly section 149 regarding the PSED, and supporting technical guidance produced by the Equality and Human Rights Commission (EHRC) as well as AECOM's in-house approach to conducting EqIAs.

2.2 Desk-based review

In addition to a review of recent relevant national, regional, and local policies and legislation, the desk-based review includes the following:

- Review of all relevant documentation regarding the compulsory purchase of the affected agricultural, residential, and community landholdings, including the EIA.
- Review of the EIA's Population Chapter, particularly the baseline data gathered on the population, demographics, and socio-economic status of the Proposed Scheme area.
- Review of the material from consultation and engagement activities undertaken to date in relation to the Proposed Scheme, to identify any issues of relevance to this EqIA.

2.3 Primary research

To supplement the findings of the consultation and engagement activities already undertaken, and further inform the assessment of impacts, semi-structured telephone interviews were carried out by the EqIA project team with the agricultural landholders affected by the CPO.

The telephone calls were guided by a series of questions that aimed to reveal information on how the landholders used their land, and what factors motivate them to do so in such a way, (for example, accessibility considerations, family structures, plans for the future) without asking personal information of them.

2.4 Assessment of impacts

The assessment of equality impacts considers the information gathered through the above activities. A judgement is made as to how the proposals would contribute to the realisation of effects for people with protected characteristics as defined in the Equality Act 2010.

These protected characteristics are:

- Age: this refers to persons defined by either a particular age or a range of ages. This can include children (aged under 16), young people (aged 16-25), older people or pensioners (i.e., those aged 65+), the elderly/very old (i.e., those aged 85+);

- Disability: a disabled person is defined as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. It can also include people who have progressive conditions such as HIV, cancer, or multiple sclerosis (MS) - even where someone is able to carry out day to day activities;
- Gender reassignment: this refers to people who are proposing to undergo, are undergoing, or have undergone a process for the purpose of reassigning their gender;
- Marriage and civil partnership: marriage or civil partnership can be between a man and a woman or between two people of the same sex;
- Pregnancy and maternity: pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth;
- Race: the Equality Act 2010 defines race as encompassing colour, nationality (including citizenship) and ethnic or national origins;
- Religion or belief: religion means any religion a person follows. Belief means any religious or philosophical belief, and includes a lack of religion or belief;
- Sex: this refers to a man or to a woman or a group of people of the same sex, while gender refers to the wider social roles and relationships that structure men's and women's, boys', and girls' lives;
- Sexual orientation: a person's sexual orientation relates to their emotional, physical and/or sexual attraction and the expression of that attraction.

The assessment considers both disproportionate and differential potential impacts on groups with protected characteristics – in both the direct effects of the CPO, and the consequent indirect effects of the Proposed Scheme being completed.

A disproportionate equality effect arises when an impact has a proportionately greater effect on protected characteristic groups than on the general population overall at a particular location.

For the purposes of this EqIA, disproportionality arises:

- Where an impact is predicted for the study area, where protected characteristic groups are known to make up a greater proportion of the affected resident population than their representation in the surrounding area; or
- Where an impact is predicted on a community resource which is predominantly or heavily used by protected characteristic groups (e.g., primary schools attended by children; care homes catering for elderly people).

A differential equality effect is one which affects members of a protected characteristic group differently from the rest of the general population because of specific needs, or a recognised vulnerability associated with their protected characteristic. In some cases, protected characteristic groups are subject to both disproportionate and differential equality effects. The EqIA considers impacts on groups of people and not those on specific individuals.

The criteria used to determine disproportionate or differential impacts with respect to protected characteristic groups include:

- People who share a protected characteristic form a disproportionately large number of those adversely affected by the CPO or Proposed Scheme;
- Amongst the population affected, people who share protected characteristics are particularly vulnerable or sensitive to a possible impact in relation to their possessing a specific protected characteristic;
- The CPO may either worsen or improve existing disadvantage (e.g., economic disadvantage) affecting people who share a protected characteristic;
- People with shared protected characteristics amongst the affected population may not have an equal share in the benefits arising from the CPO. This can be either due to direct or indirect discrimination or where the groups experience barriers to realising such benefits, unless suitable mitigations are proposed to overcome such barriers; and

The proposals may worsen existing community cohesion amongst the affected local population or exacerbate conflicts with community cohesion policy objectives

3. Policy and legislation review

3.1 UK legislation

3.1.1 Equality Act 2010 and the Public Sector Equality Duty (PSED)³

The Equality Act 2010 is a major piece of UK legislation which provides the framework to protect the rights of individuals against unlawful discrimination and to advance equal opportunities for all. Section 149 of the Equality Act sets out the PSED to which the Council, as a public body, is subject in carrying out all its functions, including in the exercise of its CPO powers.

Those subject to the PSED must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims or arms of the PSED. The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The Act states that meeting different needs involves taking steps to take account of disabled peoples' disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

The duty covers the following eight protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation as described Section 2.3 of this report.

Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. This means that the first arm of the duty applies to this characteristic, but that the other arms (advancing equality and fostering good relations) do not apply.

3.1.2 Planning Circular 6/2011: Compulsory purchase orders⁴

The Scottish Government's Planning Circular 6/2011 outlines policies on CPOs. It highlights that CPOs allow public bodies to acquire land without owner permission for public interest purposes, facilitating urban and rural regeneration, job creation, and business promotion. The Planning Circular encourages early engagement with affected individuals, businesses, and communities, and that authorities should attempt voluntary land acquisition before resorting to compulsory measures. The document advises authorities to consider early negotiations on compensation, advance payments in certain circumstances, and measures specific to agricultural, business, and residential land acquisitions. It also highlights that authorities should aim to balance public interest with individual rights and minimize the impact on those affected by CPOs.

³ UK Government (2010) Equality Act 2010. Available at: <https://www.legislation.gov.uk/ukpga/2010/15/contents>

⁴ Scottish Government (2011) Planning Circular 6/2011: Compulsory purchase orders. Available at: <https://www.gov.scot/publications/10cottish-planning-series-planning-circular-6-2011-compulsory-purchase-orders/pages/9/>

3.1.3 Compulsory Purchase in Scotland – Guidance for Acquiring Authorities⁵

The Scottish Government's Compulsory Purchase Order (CPO) Guidance defines the acquiring authorities empowered by Parliament to compulsorily purchase land for specific purposes. These include local authorities, public service providers, utility companies, and government agencies. The guidance underscores the need to respect human rights, ensuring that compulsory purchase is lawful, proportionate, in the public interest, and accompanied by fair compensation.

Acquiring Authorities must justify the compelling reasons for land acquisition, consider alternatives, and assess the scheme benefits, such as economic, environmental, and social benefits. The guidance emphasizes responsible use of CPO powers, urging authorities to avoid speculative actions and demonstrate the ability to meet funding requirements.

The document outlines the three-year implementation period for a CPO, encouraging timely development to reduce uncertainty. It discusses various compulsory purchase powers, valuation, and compensation considerations, including provisions for listed buildings and appropriate alternative development. The guidance acknowledges the potential for third-party development through back-to-back agreements, defining the responsibilities of the Acquiring Authority.

3.2 National policy

3.2.1 Levelling Up Fund⁶

The Levelling Up Fund was first announced in November 2020 as part of the 2020 Spending Review. Its aim is to support local communities in left behind regions of the UK by 'levelling up' their infrastructure. The delivery of small-scale infrastructure projects, such as regenerating a town centre, helps bring pride to local areas and tackle economic differences that remain between different parts of the country.

Investment from the fund is allocated in rounds; Local Authorities can submit bids for investment worth up to £20mn in each round. Round 1 funding was announced in October 2021 with a total of £1.7bn being allocated to 105 successful applications. Round 2 funding was announced in January 2023 with £2.1bn awarded to 111 projects.

In October 2021, North Ayrshire Council was allocated almost £24 million from the Levelling Up Fund to help improve the B714⁷. The plan set out was for the funding to support the following improvements representing the final stage of improvements to road connectivity between North Ayrshire and the rest of Scotland:

- Improvement of the B714 in North Ayrshire north of the Sharphill roundabout.
- A connection to the A737 (T) Dalry Bypass.

This investment is expected to bring about benefits including:

- Provide greater and faster access to the job opportunities in Glasgow and Central Belt.
- Encourage investment in the area through improved connectivity.
- Increase visitor numbers.

3.2.2 National Planning Framework 4 (February 2023)⁸

The National Planning Framework 4 (NPF4) is the national spatial strategy for Scotland. It sets out the Scottish Government's spatial principles, regional priorities, national developments, and national planning policy.

⁵ Scottish Government (2018) Compulsory Purchase in Scotland. Guidance for Acquiring Authorities. Available at: <https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2018/04/guidance-acquiring-authorities-use-compulsory-purchase/documents/00534691-pdf/00534691-pdf/govscot%3Adocument/00534691.pdf>

⁶ UK Government (2023) New levelling up and community investment. Available at: <https://www.gov.uk/government/collections/new-levelling-up-and-community-investments>

⁷ Department for Levelling Up, Housing and Communities (2023) £24 million allocated to B714 road improvements. Available at: <https://www.gov.uk/government/case-studies/24-million-allocated-to-b714-road-improvements>

⁸ Scottish Government (2023) National Planning Framework 4. Available at: <https://www.gov.scot/publications/national-planning-framework-4/>

NPF4 contains six overarching spatial principles which Scotland will plan its future places in line with; just transition, conserving and recycling assets, local living, compact urban growth, rebalanced development, rural revitalisation. By applying these spatial principles, NPF4 will support the planning and delivery of:

- Sustainable places, where Scotland reduces emissions, restores and better connects biodiversity.
- Liveable places, where all Scottish people can live better, healthier lives.
- Productive places, where Scotland has a greener, fairer, and more inclusive wellbeing economy.

In relation to the delivery of ‘Sustainable Places’, while the upgrade of the existing B714 may result in potential impacts upon the environment, the Proposed Scheme is largely online following the existing route of the B714. Therefore, through appropriate design and construction management environmental impacts are likely to be largely localised and temporary. In addition, the Proposed Scheme would not be expected to have a material impact on the ability of the UK or Scotland to meet respective carbon reduction targets.

In relation to the delivery of ‘Liveable Places’, the Proposed Scheme will support the ‘Local Living’ overarching spatial principle by providing improved accessibility and safer access between local centres and rural communities and businesses reducing severance. This includes an improvement to safety and accessibility for those travelling more sustainable modes as the Proposed Scheme includes 2.5m widened verges.

In relation to the delivery of ‘Productive Places’, the Proposed Scheme will support the ‘Rural Revitalisation’ overarching spatial principle by providing infrastructure to enable rural development by providing access to supporting services and markets in nearby local centres and further afield.

3.2.3 National Transport Strategy 2⁹

The National Transport Strategy 2 (NTS2) outlines Scotland’s transport vision, to have a sustainable, inclusive and accessible transport system, helping to deliver a healthier, fairer and more prosperous Scotland for communities, businesses, and visitors, for the next 20 years. This vision will be achieved through four priorities; promoting equality, taking climate action, helping the economy prosper, improving health and wellbeing.

The NTS2 identifies six key transport challenges that may prevent the vision being achieved, these are:

- Poverty and child poverty: transport can represent significant cost in terms of accessing essential services and plays a crucial part in accessing employment and preventing social isolation.
- Gender inequalities: women tend to have more complex travel behaviour and feelings of safety and violence may shape women’s travel behaviour.
- Age: availability, cost and personal safety are key issues for young people. An ageing population represents challenges in terms of accessibility, journey comfort, frequency of services and poor integration between transport services.
- Barriers for disabled people: increasing numbers of disabled passengers raise challenges including accurate travel information, access to public transport interchanges, access to public vehicles and safety and comfort.
- Productivity, labour markets, fair work and skilled workforce, and trade and connectivity: an efficient transport system, that is affordable, fair and inclusive for employers and the workforce will help address some of these challenges.
- Health and active travel: increasing the number of people walking and cycling, especially for short journeys, can have a big impact on individual health and wellbeing.

⁹ Transport Scotland (2020) National Transport Strategy 2. Available at: <https://www.transport.gov.scot/media/47052/national-transport-strategy.pdf>

3.3 Regional Policy

3.3.1 Strathclyde Partnership for Transport: The Regional Transport Strategy for the west of Scotland 2023-2038¹⁰

The Strathclyde Partnership for Transport (SPT) Regional Transport Strategy for the west of Scotland 2023 – 2038 is premised on three key issues; the increasing urgency of addressing transport’s contribution to the climate emergency, the impact and continuing fall-out of the COVID-19 pandemic, and the cost-of-living crisis. In response to these issues, the Strategy is built around a central vision, and associated set of priorities, objectives, and targets.

The vision for the strategy is that the west of Scotland will be an attractive, resilient and well-connected place with active, liveable communities and accessible, vibrant centres facilitated by high quality, sustainable and low carbon transport shaped by the needs of all. Three priorities to support this vision are a healthier environment, inclusive economic growth, and improved quality of life. Respective of these priorities, three key targets of the strategy are:

- By 2030, car kilometres in the region will be reduced by at least 20%.
- By 2030, transport emissions will be reduced by at least 53% from the 2019 baseline.
- By 2030, at least 45% of all journeys will be made by means other than private cars as the main mode.

The objectives of the Strategy are as follows:

- To improve accessibility, affordability, availability and safety of the transport system, ensuring everyone can get to town centres, jobs, education, healthcare and other everyday needs.
- To reduce carbon emissions and other harmful pollutants from transport in the region.
- To enable everyone to walk, cycle or wheel and for these to be the most popular choices for short, everyday journeys.
- To make public transport a desirable and convenient travel choice for everyone.
- To improve regional and inter-regional connections to key economic centres and strategic transport hubs for passengers and freight.

3.3.2 Strategic Transport Projects Review 2 (STPR2) (2022)¹¹

In 2019, Transport Scotland commenced the second Strategic Transport Projects Review (STPR2) to help inform transport investment in Scotland for the next 20 years. The Technical Report, Summary Report and associated impact assessment reports were published in December 2022.

The output from the STPR2 will help to deliver the vision, priorities and outcomes for transport set out in the National Transport Strategy (NTS2), aligning with other national plans such as the Climate Change Plan Update, the National Strategy for Economic Transformation (NSET) and the Revised Draft Fourth National Planning Framework (NPF4).

As part of the development of options for inclusion in STPR2, an extensive process of generating and sifting options has been undertaken. Initially, around 14,000 options and ideas were collated. These were subsequently reviewed and sifted to create a long list of approximately 1,400 standalone options.

The ‘Initial Appraisal: Case for Change – Ayrshire & Arran Region’ (Transport Scotland, 2021)¹² sets out the evidence base for problems and opportunities linked to the strategic transport network across the region drawing on relevant data analysis, policy review and stakeholder engagement. The Case for Change Report states that regional stakeholders noted the A737/B714 as a “key link between North Ayrshire and Glasgow, but these are single carriageway roads; thus making the A71/A77/M77 route more attractive”. In addition,

¹⁰ Strathclyde Partnership for Transport (2023) Strathclyde Partnership for Transport (SPT) Regional Transport Strategy for the west of Scotland 2023 – 2038. Available at: https://www.spt.co.uk/media/orfnvtvd/spt_regional-transport-strategy-2023-2038-final-draft.pdf

¹¹ Transport Scotland (2022) Final technical report – December 2022 – STPR2. Available at: <https://www.transport.gov.scot/publication/final-technical-report-december-2022-stpr2/>

¹² Transport Scotland (2021) Initial appraisal: Case for Change – Ayrshire and Arran – STPR2. Available at: <https://www.transport.gov.scot/publication/initial-appraisal-case-for-change-ayrshire-and-arran-stpr2/>

stakeholders suggested that “connectivity to other parts of Ayrshire could be strengthened should improvements be made to the A737 and the non-trunk B714”.

The upgrading of the B714 (carriageway standard, realignment, straightening, widening, flattening, connection to Dalry Bypass) was subsequently developed as an option (Option Ref. Ayrshire & Arran 877) but was sifted out due to the option being out of scope for STPR2 as it relates to the local road network.

3.4 Local policy

3.4.1 North Ayrshire Council Plan 2023 - 2038¹³

The North Ayrshire Council Plan explains how the Council will meet the communities’ needs and expectations between 2023 and 2038. The vision for the Council is a ‘North Ayrshire that is fair for all’. The Council Plan establishes four priorities that are interlinked and interdependent, these are:

- Wellbeing – To transition to a wellbeing economy, delivering prosperity, wellbeing and resilience for local people.
- Communities and Local Democracy – (North Ayrshire) will have active, inclusive and resilient communities.
- Climate Change – To achieve net-zero by 2030.
- A Sustainable Council – A Community Wealth Building Council that is efficient and accessible, maximising investment and focusing resources towards our priorities.

The Climate Change priority outlines that the Council will know progress is being made when the transport infrastructure in North Ayrshire enables people to make active travel choices and switch to low and zero carbon vehicles.

3.4.2 North Ayrshire Local Transport Strategy 2015 to 2020¹⁴

North Ayrshire Council’s Local Transport Strategy sets out to provide “an integrated transport network for North Ayrshire that supports long term, sustainable economic growth in the area and reduced inequality through improving the accessibility and connectivity of communities to employment opportunities and local amenities” One of the ‘flagship actions’ of the strategy is to “strengthen links to Glasgow and regional centres” which would be supported by the Proposed Scheme.

North Ayrshire Council have begun the process of updating the current Local Transport Strategy. It will be updated in line with the revised national transport strategy, regional transport strategy and Ayrshire Growth Deal which will, along with other strategies, affect the economics and transportation in the area.

3.4.3 North Ayrshire Equality Outcomes 2021 – 2025¹⁵

The North Ayrshire Equality Outcomes comprise four outcomes made in collaboration with Ayrshire Equality Group partners, these are:

- In Ayrshire, people experience safe and inclusive communities;
- In Ayrshire, people have equal opportunity to access and shape our public services;
- In Ayrshire, people have opportunities to fulfil their potential throughout life; and
- In Ayrshire, public bodies will be inclusive and diverse employers.

Under the second outcome, the Council recognises that barriers exist in accessing transport especially in rural areas, and that good access to affordable transport can support employment opportunities, and contribute to better outcomes in relation to wellbeing and helping to tackle poverty.

¹³ North Ayrshire Council (2023) Our Council Plan 2023 to 2028. Available at: <https://www.north-ayrshire.gov.uk/Documents/CorporateServices/ChiefExecutive/Communications/our-council-plan.pdf>

¹⁴ North Ayrshire Council (2015) North Ayrshire Local Transport Strategy 2015 to 2020. Available at: <https://www.north-ayrshire.gov.uk/Documents/PropertyServices/InfrastructureDesign/Roads/lts-2015-20.pdf>

¹⁵ North Ayrshire Council (nd) Equality Outcomes 2021 – 2025. Available at: <https://www.north-ayrshire.gov.uk/Documents/CorporateServices/ChiefExecutive/PolicyandPerformance/equality-outcomes-2021-25.pdf>

4. Summary of the Proposed Scheme

4.1 Current route and surrounding area

As highlighted in Figure 1.1 'Location Plan' of the EIA, the existing B714 spans between Dalry to the north and the A78 Sharpill Roundabout in Saltcoats to the south. The B714 is a rural single carriageway approximately 10km in length and travels through an area which is largely farmland with associated rural dwellings and agricultural buildings.

The existing road is predominantly used by cars, Heavy Duty Vehicles (HDVs) and agricultural vehicles. Information obtained showing non-motorised activity indicates that the existing B714 corridor is not frequently used by cyclists and rarely for walking or running. The majority of the route is not kerbed and has no continuous footway or footpath provision, unlike the adjacent A737.

There are no bus services which currently service the B714 between Saltcoats and Dalry and therefore no bus stops along this route. The closest bus stops to the Proposed Scheme are located on Kilwinning Road to the north of its junction with the B714. These stops, on either side of the road, are serviced by Stagecoach West Scotland (SWS) route 25 between Irvine and Beith approximately once every hour. Additionally, these stops are serviced daily by SWS route X36 between Ardrossan and Glasgow.

The Proposed Scheme does not intersect with any designated core paths. However, Core Path IK56 runs north/south between Dalry and Kilwinning along Blair Road to the east of the A737 Dalry Road and approximately 2 km from the Proposed Scheme at its closest point. The National Cycle Network Route 7 also follows the same route along Blair Road. There are also seven core paths located to the north of the Proposed Scheme within and around Dalry.

4.2 Proposal and CPO

4.2.1 The Proposed Scheme

The Proposed Scheme comprises an approximately 3.5km section of new single carriageway between Girthill Farm, on the B714, and a new roundabout on Kilwinning Road connecting the B714 to the A737 Dalry Bypass and Dalry, as well as localised realignment of approximately 0.5km sections of the B714 at Meiklelaught Farm and Muirlaught Farm.

The Proposed Scheme is grounded on the following objectives that were developed and submitted as part of the Levelling Up Fund bid for funding of the B714 in June 2021:

- Improved access from The Three Towns and North Coast to job opportunities in Glasgow and the Central Belt;
- Reduced levels of deprivation and unemployment within The Three Towns and the North Coast;
- Increased economic competitiveness of North Ayrshire through improved access to markets for goods, services and employment;
- Increased tourism in North Ayrshire;
- Enhanced quality of life in the built-up areas of Kilwinning, Gateside and Barrmill; and,
- Improved health of local residents through increased active travel.

4.2.2 Compulsory Purchase Orders (CPO)

To facilitate construction of the Proposed Scheme several pieces of nearby land may need to be purchased under a Compulsory Purchase Order (CPO); in total ten land holdings are affected with 38 individual CPO plots required. Full details can be found in Appendix 15.1 'Summary of Impacts on Agricultural Holdings' of the EIA, however, Table 4-1 below presents an overview of the land holdings, the baseline land use, and the area of land to be taken under a CPO.

Table 4-1: Land holdings affected by CPO

Land Holding	Baseline Land Use	CPO Area (ha)	% of farm
Girthill Farm	Former dairy farm, now operating as a beef rearing unit on both sides of the B714	6.2661	5.13
Caddell Farm	Field margin with burn/ditch water margin. Owner/occupier 'in hand' use.	0.0074	0.006
Yonderhouse	A beef rearing unit operation on both sides of the B714 and at two different locations adjacent to B714 (Yonderhouses Farm, and Land at Craighead)	14.3395	17.71
Land at Tower Farm	Grazing fields utilised in small scale by 'hobby' sheep – breeding only.	0.8489	14.51
Bankhead Farm	A beef rearing unit operating on both sides of the B714	13.0646	9.83
Craigmill Farm	Grazing field utilised for private equestrian use only, as part of the residential occupation of Craigmill Farm. Not an operating farming business.	1.4887	36.76
Land at Hillend (including Coalhill Farm and Land at High Lynn)	A beef rearing unit operating at three different locations within the locality (Land at Hillend; Coalhill Farm; and Land at High Lynn).	4.278	3.84
Land at Hillend (Wilson's Auctions)	Grazing field utilised for private equestrian and haylage production (for equestrian use) only. Not an operating farming business.	0.7886	23.90
Meikelaught Farm	A dairy unit operating on both sides of the B714	0.7899	0.72
Muirlaught	A beef rearing unit operating on both sides of the B714	1.4933	2.69

5. Baseline profile

5.1 Introduction

This baseline profile is informed by EIA Chapter 15 'Population' which provides relevant data on population, demographic, and socio-economic information of the Proposed Scheme area and comparative geographies. The areas used in the protected characteristic group baseline are as follows:

- Scotland's Census 2011 Output Area S01011307 – covers the relevant section of the B714 and therefore provides local insight into the residents affected by the Proposed Scheme.
- Scotland's Census 2011 Locality Areas 'Three Towns', 'Kilwinning', 'Dalry' – provides information on the areas surrounding the Proposed Scheme. In two instances, 'Saltcoats' Locality is used in place of Three Towns due to availability of data – these points have been highlighted by footnote.
- North Ayrshire – for regional comparison.
- Scotland – for national comparison.

Data on population change uses slightly different geographies to allow for accurate comparison between 2011 and 2021, as well as for future projections as outlined below. Deprivation information for Scotland is collected at data zone level, with relevant zones for the Proposed Scheme having been selected and explained under section 5.4.

5.2 Population change

Data on population change is provided in Table 5-1 below for the following geographies; Scotland, North Ayrshire, and three settlements which are within the wider area of the Proposed Scheme (Garnock Valley, Kilwinning, and Three Towns defined by the Locality Partnership Areas¹⁶).

Table 5-1: Population breakdown by geographical area

Area	Total Population (2011)	Total Population (2021)	Population Change (%)
Scotland	5,299,900	5,479,900	3.28% ↑
North Ayrshire	138,090	134,220	-2.88% ↓
Garnock Valley	20,821	19,676	-5.82% ↓
Kilwinning	16,495	15,640	-5.47% ↓
Three Towns	33,146	32,284	-2.67% ↓

Source: Mid-2011 Population Estimates Scotland (NRS, 2012) and Mid-2021 Population Estimates Scotland (NRS, 2022)

All of the North Ayrshire geographies have experienced population decline between 2011 and 2021, in contrast to Scotland which has seen 3.28% population growth. Garnock Valley has experienced the most significant population decline, at -5.82%, and Three Towns the least, at -2.67%. Table 5-2 presents a comparison of the age demographics in North Ayrshire for 2018 and the projected change by 2043.

Table 5-2: Population change in North Ayrshire, 2018 - 2043

Year	Population	Children (0 to 15)	Young People (16 to 24)	Working Age (25 to 64)	Older People (65+)
2018	135,280	22,780	13,876	68,550	30,074
2043	122,334	18,698	10,563	55,559	37,514
Change	-10%	-18%	-24%	-19%	25%

Source: National Records of Scotland (2020) Sub-National Population Projections: Population Projections for Scottish Areas (2018-based). Available at: <https://scotland.shinyapps.io/nrs-sub-national-population-projections/>

¹⁶ North Ayrshire Community Planning Partnership (2023) Our Localities. Available at: <https://northayrshire.community/locality-planning/>

The population of North Ayrshire is expected to decrease by 8% between 2022 (133,806) and 2024 (122,952). This is driven by both outward migration from the region and a reduction in births with a 25% reduction in births in North Ayrshire between 2001 and 2021. Comparatively, the population of older people will grow significantly, by 25%.

5.3 Protected characteristic groups

Table 5-3 below provides an overview of Census 2011 data collected in relation to protected characteristic groups at the relevant geographies. However, not included in the table is data on sexual orientation, gender reassignment, and pregnancy and maternity – as questions on these topics were not included in Census 2011.

In relation to sexual orientation Scottish Surveys Core Questions 2019¹⁷ contained a question where respondents could answer they were ‘Heterosexual’, ‘LGB & other’ or refused to answer or didn’t know. In North Ayrshire, 1.5% identified as ‘LGB & other’ and a further 2.3% refused to answer or did not know. In comparison, 2.9% of Scotland’s population identified as ‘LGB & other’ and further 2.9% refused to answer or did not know.

In relation to pregnancy and maternity, annual data collected by Public Health Scotland shows the number of births registered nationally over recent years has fluctuated, from their lowest point in 2002 (51,270) since records began in 1855, to a high in 2008 (60,041). Since 2008, the number of births has decreased year on year to 47,249 live births in 2021/22.

There are no official statistics relating to gender reassignment in Scotland as the Census has previously only collected data relating to sex at birth. However, in the 2022 Census people were able to self-identify as male or female allowing transgender people to answer a different sex to that on their birth certificate without the need for a Gender Recognition Certificate. A voluntary question about trans status or history was also included for those aged 16 or over. This provided an option to identify as non-binary. These results from the Census will be released in a future batch of results in 2024.

Table 5-3: Protected characteristic group breakdown (%) by relevant geographies

Protected Characteristic Group	Scotland	North Ayrshire	Populations within the 2011 Census Output Area (S01011307)	Population within the 2011 Census Locality Areas (Three Towns, Kilwinning and Dalry)		
				Three Towns	Kilwinning	Dalry
People from black and minority ethnic communities and different racial backgrounds including Gypsies and Travellers <i>(Minority ethnic groups as a percentage of the defined population)</i>	5.5%	2.0%	1.9%	0.4%	0.5%	0.2%
People who affiliate with Christian Religions / No Religion / Other Religious Group <i>(Religious group as a percentage of the defined population – figures may not round 100% as Religion not stated is excluded)¹⁸</i>	53.8% are Christian	58.4% are Christian	71.14% are Christian	60.3% are Christian	57.1% are Christian	60.9% are Christian
	36.7% are not religious	33.6% are not religious	19.6% are not religious	31.0% are not religious	35.1% are not religious.	31.6% are not religious
	2.5% other religious groups	0.9% other religious groups	0.0% other religious groups	0.6% other religious groups	0.7% other religious groups	0.7% other religious groups

¹⁷ Scottish Government (2021) Scottish Surveys Core Questions 2019. Available at: <https://www.gov.scot/publications/scottish-surveys-core-questions-2019/documents/>

¹⁸ Scotland’s Census 2011 – Saltcoats Locality used instead of Three Towns.

Protected Characteristic Group	Scotland	North Ayrshire	Populations within the 2011 Census Output Area (S01011307)	Population within the 2011 Census Locality Areas (Three Towns, Kilwinning and Dalry)		
				Three Towns	Kilwinning	Dalry
Women and men/ boys and girls <i>(Sex as a percentage of the defined population)</i>	48.5% are male	47.6% are male	51.7% are male	47.6% are male	46.3% are male	47% are male
	52.5% are female	52.4% are female	48.3% are female	52.4% are female	52.7% are female	53% are female
Disabled people and people with long term health problems <i>(People whose day-to-day activities are limited a little or a lot by a long-term health problem or disability as a percentage of the defined population)</i>	19.7%	22.5%	19.5%	24%	11%	11.1%
Children (aged 0 to 15) and young people <i>(aged 16 to 24) as a percentage of the defined population.</i>	17.3% are children	17.8% are children	19.1% are children	18.4% are children	19.1% are children	18.2% are children
	11.9% are young people	10.8% are young people	6.1% are young people	11.8% are young people	11.7% are young people	10.3% are young people
Older people <i>(People aged 65 and older as a percentage of the defined population)</i>	16.8%	18.7%	19.3%	16%	14.5%	17.9%
Single / married or in a same-sex civil partnership / separated / divorced/ widowed residents <i>(People aged 16 and over belonging in each group as a percentage of the defined population)¹⁹</i>	35.4% are single	31.9% are single	28.75% are single	34.8%	32.5%	31.4%
	45.4% are married	46.4% are married	61.3% are married	41.6%	47.8%	46.2%
	3.2% are separated	3.5% are separated	1.3% are separated	3.6%	3.5%	4.0%
	8.2% are divorced	9.1% are divorced	3.8% are divorced	10.4%	8.1%	9.2%
	7.8% are widowed	8.9% are widowed	5.0% are widowed	9.3%	8.0%	9.2%

Source: National Records of Scotland (2011) Scotland's Census. Available at: <https://www.scotlandscensus.gov.uk/>

Overall, there is a significantly lower percentage of people from Black and Minority Ethnic backgrounds within the Study Area than the average for Scotland. Out of the geographies within North Ayrshire, the Output Area that directly covers the B714 has the highest proportion of ethnic minority residents, at 2.0%. The low proportion of Black and Minority Ethnic residents is to be expected as, with the exception of the white Polish population, ethnic minorities make up a higher proportion of the population in urban settings than rural settings (Rural and Environmental Science & Analytical Services (RESAS), 2021).

The Output Area has a significantly higher proportion of Christian residents, 71.14%, compared to the rest of the geographies, which range between 53.8% in Scotland and 60.91% in Dalry. The Output Area has no residents belonging to other religious groups, with 19.59% stating they did not affiliate with any religion.

¹⁹ Scotland's Census 2011 – Saltcoats Locality used instead of Three Towns.

The proportion of disabled residents varies across the geographies, being lowest in Kilwinning and Dalry, both 11%, and highest in Three Towns, at 24%. The Output Area has a near equal share of disabled residents as Scotland, at 19.5% and 19.7% respectively, with North Ayrshire being slightly higher at 22.5%.

The Output Area has a significantly lower proportion of young people aged 16-24, 6.1%, compared to the wider geographies which range between 10.3% in Dalry and 11.9% in Scotland. Moreover, the geographies all have broadly similar proportions of children aged 0-15 and old people aged over 65.

The Output Area has a significantly higher proportion of married residents, 61.25% compared to all the other geographies which have relatively similar proportions, ranging from 41.6% in Three Towns to 47.8% in Kilwinning.

5.4 Deprivation

The Scottish Index of Multiple Deprivation 2020 (SIMD) is a relative measure of deprivation across 6,976 small areas or 'data zones'²⁰. The overall SIMD is calculated by combining seven domains which are; income, employment, education, health, access, crime, and housing²¹.

According to the Scottish Index of Multiple Deprivation (SIMD) (Scottish Government, 2020a), the most overall deprived locality within North Ayrshire is the Three Towns which sees 39% of its 44 data zones in the 15% most deprived in Scotland. Kilwinning and the Garnock Valley (which includes the towns of Beith, Dalry, and Kilbirnie) are also more deprived than average with 27% and 26% respectively.

Four of the five most deprived data zones within North Ayrshire are located within the wider area of the Proposed Scheme. One is located within Saltcoats (Saltcoats Central (S01011240)), one is located within Stevenston (Stevenston Ardeer (S01011235)) and two are located within Ardrossan (Ardrossan Central (S01011243 and S01011244)).

The data zone within which the Proposed Scheme is located (Fairlie and Rural S01011307) is less deprived overall than the more urban surrounding areas, ranking in the 60% least deprived in Scotland. However, it ranks in the top 10% most deprived in Scotland in the "access to" domain, which is calculated using information including travel times to amenities such as GP surgeries, retail centres, and schools.

Table 5-4 below presents the car or van ownership rates across four relevant geographies; Fairlie and Rural S01011307 because the Proposed Scheme is within it, Saltcoats Central S01011240 given its proximity to the Proposed Scheme, and North Ayrshire and Scotland for regional and national comparison.

Table 5-4: Car or vans in household by geographical area

Cars or vans in household	Fairlie and Rural S01011307	Saltcoats Central S01011240	North Ayrshire	Scotland
No cars or vans	7.4%	58.2%	32.1%	30.5%
One car or van	39.9%	36.2%	42.5%	42.2%
Two or more cars or vans	52.7%	5.6%	25.4%	27.2%

Source: National Records of Scotland (2011) Scotland's Census. Available at: <https://www.scotlandscensus.gov.uk/>

At 52.7%, the percentage of households with two or more cars or vans in the Proposed Scheme area is significantly higher than the other geographies, with Scotland following at 27.2%. This high figure is likely due to the households in the area requiring multiple vehicles to support their farming activities, as is often the case in agricultural areas, but also out of necessity with local amenities not being accessible by public transport or active travel modes – as highlighted by the high level of access deprivation.

²⁰ Scottish Government (2020) Scottish Multiple Index of Deprivation. Available at: <https://www.gov.scot/collections/scottish-index-of-multiple-deprivation-2020/>

²¹ Scottish Government (2020) SIMD 2020 technical notes. Available at: <https://www.gov.scot/publications/simd-2020-technical-notes/>

6. Consultation and engagement

This section presents a summary of the consultation and engagement activities relevant to this EqIA that have been undertaken to date – it is primarily informed by EIA Chapter 15 Population.

6.1 EIA Scoping Consultation Responses

In March 2023, the AECOM project team submitted an EIA Scoping Report to North Ayrshire Council and Statutory consultees in line with EIA Regulations. Table 6-1 below highlights responses received to the Scoping Report deemed relevant to this EqIA.

Table 6-1: Summary of EIA Scoping consultation responses

Consultee	Summary of Response
North Ayrshire Outdoor Access Forum	The North Ayrshire Outdoor Access Forum note interest in the Proposed Scheme in particular the plans for an adjacent active travel link and highlight concerns that “increased costs of materials and no increase in budget may lead to the active travel element being watered down”.
North Ayrshire Council (Scoping Opinion)	North Ayrshire Council note that the southern section of the Proposed Scheme is not going to progress at this stage and has not been assessed within this EIA. As a result environmental impacts (including land take impacts) have been “reduced in comparison with a more extensive off-line scheme as originally envisaged”. North Ayrshire Council also note that the Proposed Scheme would “enhance safety for users of the road, including those who live alongside the road, for those who farm the land either side, and for non-motorised users”.
North Ayrshire Access Forum (NAAF) (North Ayrshire Council)	Date 21 March 2023 NAAF note the importance of ensuring existing network of active travel routes, core paths and well used trails are not impacted. NAAF further query how the area is used by ramblers and long-distance walkers utilising their access rights; noting that there may be informal walking routes in the area and that local Ramblers groups should be consulted. NAAF does not have any specific comments as to what should be included in the EIA over and above what would be included as standard practice.

6.2 Agricultural landholder consultation

A representative of Walker Scott Ireland Ltd. carried out interviews and site meetings with the following agricultural landholders who may be impacted by the Proposed Scheme in September 2023:

- Meiklelaught Farm;
- Muirlaught Farm;
- Girthill Farm;
- Caddell Farm (including Land at Hawhill);
- Yonderhouses Farm and Land at Craighead;
- Bankhead Farm;
- Land at Tower Farm (Gowanlea Farm);
- Craigmill Farmland at Hillend (including Coalhill Farm and Land at High Lynn); and
- Land at Hillend (Wilson’s Auctions Ltd)

The following were not considered further for agricultural assessment as they were not considered to be agricultural holdings (holdings which practice the cultivation of the land or rearing stock solely in the commercial production of food), however, were engaged with in semi-structured telephone interviews as outlined under section 6.3.

- Land at Tower Farm (Gowanlea Farm);
- Craigmill Farm; and

- Land at Hillend (Wilson's Auctions Ltd).

A full summary of all of the above agricultural holdings and the potential temporary and permanent agricultural impacts of the Proposed Scheme can be found in EIA Appendix 15.1 'Summary of impacts on Agricultural Holdings'. Relevant to this EqIA, potential impacts included loss of grazings and silage production, reduction in viability of field areas, disruption to field gate access, and field severance.

6.3 Further engagement with affected land holders

In December 2023 and January 2024, the AECOM project team reached out via phone call and email to all of the landholders listed under section 6.2 and were able to speak to all but one. The purpose of the phone calls was to gather supporting information for this EqIA in relation to the potential CPO, in particular around the nature of the land ownership, land use, and perceived potential impacts and opportunities of the CPO with regards to any protected characteristics of those living, working or visiting the affected properties. A questionnaire template and conversation document was put together to guide the conversations and can be found in Appendix A. Due to the small number of landowners the request for confidential data was kept to a minimum so that individuals could not be identified in the reporting.

At the time of calling, a total of 34 people lived at the affected properties engaged with (one of which on an informal ad-hoc basis). Five of the residents were aged 16 or under, and 13 were aged 65 or over. In comparison to the geographies reviewed in the equalities baseline, the demographic of the landholders is significantly older with 38.2% being over 65 (the local Output Area had the second highest proportion with 19.3% of residents in this age category, followed by North Ayrshire at 18.7%). None of the residents reported that themselves or anyone living at the properties has a recognised disability. Key points raised were:

- Loss of grazings and silage production caused by CPO land take was noted as a point of concern by multiple land holders - in particular in relation to consequent lower Government subsidy payments which are calculated based on the area of agricultural land under actively farmed²², and also because it may not be possible to rent or buy a suitable new piece of land.
- The likely increased traffic speed and flow has resulted in safety concerns, especially with children and young people living at the property who have been involved with collisions on the road previously.
- Significant diversion caused by changes to field access points required for moving cattle is a concern, especially given the likely increased speed of traffic resulting from the improved road alignment.
- Relocation of utility pipes, such that they are further away from property, was highlighted as a point of concern as it may require crossing the new road to reach a meter. This may be more difficult for older people.
- Where partial areas of fields are to be taken, the proposed remaining land parcels are inaccessible.
- Loss of some private land used for recreation, not farming, may have an impact on the wellbeing of children and young people as it was a designated space intended to be used for hobby purposes.

²² Scottish Government (2023) Basic Payment Scheme. Available at: <https://www.ruralpayments.org/topics/all-schemes/basic-payment-scheme/>

7. Assessment of equality impacts

7.1 Introduction

The assessment considers the potential impacts on affected people sharing protected characteristics arising from the exercise of CPO powers to acquire agricultural, residential, and community land holdings required to facilitate construction and operation of the Proposed Scheme. It comprises:

- Potential direct adverse impacts of the CPO; and
- Potential indirect beneficial and adverse impacts for local residents, businesses and communities in the wider project area.

This is a high-level impact assessment based on the review of policy and legislation, secondary data sources, and consultation and engagement information contained in the previous sections of this report. Relevant chapters from the EIA for the project have also been used to inform and undertake the assessment. In particular 'Chapter 15 Population', which provides a detailed population breakdown as well as potential individual impacts on the land holdings affected by the CPO.

7.2 Direct impacts of the CPO

7.2.1 Potential adverse impacts

7.2.1.1 Non-viability of business following permanent loss of agricultural land

Where possible the Council are negotiating with existing landholders to acquire land prior to the construction of the Proposed Scheme. However, the CPO process could result in the compulsory purchase of agricultural land for six landowners, ranging between a 0.72% and 15.42% land take as a proportion of the overall agricultural land owned. This loss of land has the potential to impact significantly on the affected business' viability as it will result in loss of grazings, silage production, and viable field space. Furthermore, the reduction in land area will result in the land holders receiving lower annual subsidy payments under the Scottish Government's Basic Payment Scheme, which is calculated based on the area of land farmed and the farming activity undertaken.

During engagement with landholders, it was highlighted that an option to maintain the scale of existing farming activity is to buy or rent equivalent agricultural land in a different location. However, finding suitable areas can be difficult given there are specific requirements the land must meet to match the intended farming use. Furthermore, limited availability of suitable land in the surrounding area would require driving to different locations in order to farm, with associated costs incurred by travel and time, especially those who are owner occupiers.

The potential loss of land could generate disproportionate and differential equality impacts on the affected owner occupier landholders who are older or elderly as they may struggle to access new areas of land that are suitable for their farming activities and which match the scale of existing farming infrastructure. The ability to drive to a different location may be more of a barrier for those over 65 year olds²³ as well as the fact that in most cases agricultural land holdings are currently located directly next to, or within walking distance, of the owners residence. Therefore, the affected land holders aged over 65 may be at a greater risk of not being able to maintain their existing business activities and viability due to the CPO.

Land agents have been appointed by the Council to engage with landowners and negotiate compensation for the land. During engagement with the affected land holders, it was highlighted that timely payment of compensatory money for lost land would be a positive measure that would help to foster good relations between the affected landowners and the Council. An Agricultural Management Plan for each farm will also be developed in consultation and agreement with the contractor to mitigate the potential impact of land loss, and an agricultural liaison officer will be made available during the construction of the Proposed Scheme.

7.2.1.2 Residential land take causing permanent loss of recreational space

Where possible the Council are negotiating with existing residents to acquire private residential land prior to the construction of the Proposed Scheme. However, where agreement can't be reached through negotiations to acquire land, the CPO process could result in compulsory residential land take at three of the nearby residences. The potential loss of residential land, especially that used for recreation, has the potential to

²³ Schouten, A. and Blumenberg, E. (2022) Why Older Adults Stop Driving. Available at: <https://transfersmagazine.org/magazine-article/issue-9/why-older-adults-stop-driving/>

cause disproportionate and differential equality impacts on affected residents who are children or young people as these age groups are primary users of such spaces.

Loss of residential land used for private equestrian activities was identified as a significant potential negative impact during engagement with one of the land holders, who stated that the space is frequently used by her children. The importance of recreation, outdoor space, and time in nature is significant for children and young people as it can improve their physical strength, provide opportunity for social interaction, and is associated with mental wellbeing benefits²⁴.

Land agents have been appointed by the Council to engage with residential owners and negotiate compensation for any lost land, which will support mitigating the potential negative equality impacts.

7.3 Indirect impacts of the CPO

This section details the potential indirect equality impacts that may be realised as a result of the proposed CPO, and consequent construction and operation of the Proposed Scheme.

7.3.1 Potential beneficial impact

7.3.1.1 Improved safety for B714 road users

The construction of the Proposed Scheme, geometry and alignment improvements to the B714 alongside a new differential acceleration lane between Kilwinning Road and Craigmill for better overtaking opportunities will generate safety improvements. Currently, the alignment of the B714 comprises elements that lead to safety concerns and cause collisions. Accident analysis presented in the draft Transport Assessment shows that there were 14 collisions on the B714 and 16 on the A737 between 2016 - 2020, despite the A737 experiencing over 3,000 more daily two-way traffic movements. Analysis of the B714 contained in North Ayrshire's Strategic Routeing Study 2016 identified poor visibility, lack of safe overtaking locations, and sub-standard horizontal and vertical alignments as key reasons behind the high proportion of accidents and collisions.

Improved safety for road users would have a positive equality impact on groups which are more vulnerable to road accidents. For example, those who are in the younger (under 24 years old) or older (over 65 years old) age groups. In Scotland, young male drivers aged 17-25 had the highest rate for car driver accidents in 2021, at 1.9 per thousand population compared to 1 for the overall population aged over 17²⁵. Moreover, although older people are less likely to be involved in a road traffic collision, when collisions do occur, they are at greater risk of experiencing more severe injury due to pre-existing medical conditions and heightened frailty²⁶.

The proposed new road alignment to the south of Dalry could potentially have positive equality impacts on nearby residents who currently live in direct proximity of the road. As highlighted in the Transport Assessment, residents living at St Andrews Gardens and Trinity Drive will benefit from the diversion of traffic and congestion away from their properties, and consequent improved safety. Review of the two Scottish Census Output Areas which cover these roads, S00122887 and S00122888 respectively, highlights that there are a high proportion of elderly residents, 25% and 29% aged over 65 years.

7.3.1.2 Improved connectivity to local facilities, and between local and regional centres

Upgrading the B714 will provide drivers with an alternative and more direct north-south route to the west of Kilwinning, improving connectivity locally between the Three Towns (Androssan, Saltcoats, and Stevenston) and Dalry, and also further afield to North Ayrshire and the wider Glasgow City Region.

Improved connectivity has the potential to positively impact certain equality groups. At a local level, lack of quick access to local facilities such as schools and GPs can disproportionately impact young and older people respectively, who are more likely to be frequent users. Furthermore, transport barriers such as traffic that prevent or deter people from travelling to regional urban centres can drive social exclusion and economic deprivation, in particular for disabled and minority groups who are at greater risk of being marginalised.

²⁴ Lucchetti, L. (2023) Benefits of outdoor play for children. Available at: <https://www.medicalnewstoday.com/articles/outdoor-play-children>

²⁵ Transport Scotland (2022) Finalised road casualty statistics for 2021. Available at: <https://www.transport.gov.scot/news/finalised-road-casualty-statistics-for-2021/#:~:text=In%202021%2C%20the%20overall%20rate,1.1%20per%20thousand%20in%202021>).

²⁶ Lee, H. et al. (2019) Relationship between age and injury severity in traffic accidents involving elderly pedestrians. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6774005/>

The Outline Business Case highlights that one of the primary barriers to economic growth in the Three Towns is the poor transport connectivity with North Ayrshire, Glasgow City Region, and the rest of Scotland, particularly by strategic road routes. Local studies have identified improving transport connectivity as being a key factor in helping promote economic growth and tackle local deprivation²⁷, particularly in the Three Towns which is the most deprived locality in North Ayrshire.

For the residents living along the B714 the Proposed Scheme will improve journey times and reliability, allowing for quicker access to local amenities and services which will help to reduce the high level of access deprivation currently experienced. The older residents along the B714 may benefit from quicker access to medical facilities, such as the Dalry, Kilwinning, or Three Towns medical practices²⁸, whilst the school aged children may benefit from the same improved journey times to reach school.

7.3.1.3 Reduce traffic impacts on health and wellbeing

The Proposed Scheme's improvement to journey speed and traffic flows on the B714 will alleviate existing traffic issues on nearby roads, in particular the A737. Traffic issues, such as congestion, can cause disproportionate and differential impacts for local residents in urban areas where there may be nearby sensitive receptors such as schools and hospitals. Currently, the A737 accommodates over 11,000 daily two-way traffic flows and is heavily used by residents living in Kilwinning, Three Towns and other nearby urban areas because it is more convenient and quicker than the B714. During peak traffic hours, congestion is significantly greater along the A737 due to its high usage rate.

The Transport Assessment predicts that by 2040 the Proposed Scheme will result in the B714 experiencing 11,330 daily two-way traffic movements, whilst the A737 will see a fall to 10,180. The diversion of traffic onto the new B714 route will benefit sensitive receptors in Kilwinning and Dalry that are currently impacted by traffic and congestion. In particular, children attending Kilwinning Academy and Abbey Primary School which are located directly adjacent to the A737 will benefit in terms of better safety, and also due to less vehicular pollution and air quality impacts nearby. Safety is also a key issue for children with regards to transport - there were 434 child pedestrian casualties recorded in Scotland in 2021, accounting for 28% of all pedestrian casualties²⁸.

7.3.1.4 Employment generation during construction

The construction of the Proposed Scheme has the potential to generate new employment opportunities. Currently, it is predicted that the Proposed Scheme will create (i.e., jobs that wouldn't otherwise exist) up to 2 full time equivalent (FTE) jobs from the contractor. Furthermore, another job has already been realised as a result of the Proposed Scheme within the consultancy design team.

Within the wider Proposed Scheme area, the Three Towns comprise some of North Ayrshire's most deprived neighbourhoods with several areas ranking in Scotland's top 5% most deprived in both the income and employment domains. New job opportunities for local residents would help in tackling employment deprivation. Further positive equality impacts may be achieved if fair employment practices are adopted that include targets on hiring young people, people from minority ethnic backgrounds, and disabled people – as these groups are more likely to be unemployed or on lower incomes^{29,30}.

7.3.2 Potential negative impacts

7.3.2.1 Traffic impacts and severance during construction and operation

Following the CPO being confirmed, construction and operation of the Proposed Scheme will cause temporary and permanent changes to traffic movements along the B714 as well as the local road network. Severance will also affect households on the B714 during both stages of the Proposed Scheme.

Closures to the B714 to facilitate construction will divert traffic onto the surrounding road network as alternative routes are required, which may lead to equality impacts on sensitive receptors for a temporary period. Operation of the Proposed Scheme will alleviate traffic issues on the surrounding network, but impact the residents along the B714 who will be living alongside a busier, faster road. The change in traffic volume and speed on the B714 may have a disproportionate impact on the young people living there. During

²⁷ Fraser of Allander Institute (2018) North Ayrshire Economic Review. Available at: <https://fraserofallander.org/wp-content/uploads/2021/02/2018-12-11-North-Ayrshire-Economic-Review.pdf>

²⁸ Transport Scotland (2021) Reported Road Casualties Scotland 2021. A National Statistics Publication for Scotland. Available at: <https://www.transport.gov.scot/media/52395/reported-road-casualties-scotland-2021-full-pdf-version-including-datasets.pdf>

²⁹ The Scottish Parliament (2020) Race Equality, Employment and Skills: Making Progress? Available at: <https://sp-bpr-en-prod-cdnep.azureedge.net/published/EHRiC/2020/11/15/Race-Equality--Employment-and-Skills--Making-Progress-/EHRiCS052020R3.pdf>

³⁰ Scottish Government (2021) Fairer Scotland for disabled people – employment action plan. Available at: <https://www.gov.scot/publications/fairer-scotland-disabled-people-employment-action-plan-year-2-progress-report/pages/4/>

engagement, multiple local land holders living along the B714 stated they had safety concerns in relation to the changing nature of traffic that will come as a result of the Proposed Scheme. This concern was highlighted by the residents who had children or young people living at their property in particular, one of whom stated that their children had already been involved in collisions on the B714 and fears the Proposed Scheme will increase the risk of it happening again.

During the construction phase, there will be severance impacts on several properties along the B714 as access onto the road will not be possible and temporary diversions will be in place which will increase travel distances to nearby services. Severance, and consequent dependence on longer diversions to access nearby services and amenities, will have similar negative impacts on young and older people as outlined above. Although no specific equality evidence has been found that would make the impact significantly disproportionate or differential, longer journeys and use of unfamiliar routes can cause discomfort and inconvenience for older people, disabled people, and pregnant women.

Traffic changes and severance affecting the properties along the B714 should be mitigated through standard measures applied in the Construction Environmental Management Plan (CEMP), and through preparation of a Transport Management Plan. Furthermore, ongoing engagement should be carried out with affected properties to detail the severance impacts and diversions that will be provided, as well as to gather further information on any protected characteristic groups who may be vulnerable to the changes.

7.3.2.2 Air quality and noise and vibration impacts during construction and operation

The construction and operation stages of the Proposed Scheme will result in air quality and noise and vibration changes that may impact the surrounding area, in particular residential properties within close proximity of the B714.

Construction activities can lead to the emission of pollutants, particulate matter and dust, as well as increased noise and vibration caused by vehicles (particularly Heavy Duty Vehicles, HGVs) and machinery. These changes can have disproportionate and differential impacts on protected characteristic groups including young, elderly, pregnant, and disabled people. During operation, the predicted increase in traffic flow along the B714 will also cause air quality and noise changes, that can have similar negative impacts on said protected characteristic groups. EIA Chapter 8 Air Quality highlights the potential for adverse effects of dust emissions during construction on receptors within 200m of the Proposed Scheme. EIA Chapter 14 Noise and Vibration highlights that several of the agricultural land holdings will be subject to increased impacts caused by construction vehicles and activity, as well as during operation due to the new road alignment being closer to the properties and therefore subject to greater traffic noise.

Evidence shows that traffic-related noise is correlated more broadly with lower health-related quality of life in children³¹ and increased health risks for older people³². Air pollutants produced during construction by heavy machinery, land clearing, and demolitions³³ as well as by vehicles during operation of roads, can differentially impact on children who can be more susceptible due to physiological reasons and because they may spend more time outdoors. Elderly people may also face potential negative disproportionate and differential impacts in the Proposed Scheme area due to air pollution; evidence outlines that decreased air quality caused by vehicular exhaust fumes can exacerbate pre-existing chronic diseases in the elderly as well as cause new respiratory problems³⁴.

Mitigation of air quality impacts outlined in EIA Chapter 8 are the application of industry standard measures as set out in the Institute of Air Quality Management (IAQM) Guidance, and in relation to noise and vibration EIA Chapter 14 outlines that preparation of a Construction Environmental Management Plan (CEMP) for the Proposed Scheme would include a requirement for a Noise and Vibration Management Plan (NVMP). The NVMP would include a range of industry standard best practice construction phase noise and vibration mitigation measures.

³¹ Hjortberg, D., et al. (2015) 'Exposure to Road Traffic Noise and Behavioral Problems in 7-Year-Old Children: A Cohort Study'. Available online at: <https://pubmed.ncbi.nlm.nih.gov/26126294/>

³² Jaana, I. H. (2015) Road traffic noise is associated with increased cardiovascular morbidity and mortality and all-cause mortality in London. Available online at: <https://doi.org/10.1093/eurheartj/ehv216>

³³ Guzder, K. (2019) Pollution from construction: What are the types & how can we prevent it. Available online at: <https://www.highspeedtraining.co.uk/hub/pollution-from-construction/#:~:text=As%20a%20lot%20of%20this,Land%20clearing%20and%20demolition.>

³⁴ Simoni, M. et al., (2015) Adverse effects of outdoor pollution in the elderly. Available online at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4311079/>

7.4 Summary of potential impacts

Table 7-1 provides a summary of direct and indirect effects of the CPO. This describes each potential impact alongside the potentially effected groups with protected characteristics. Details of embedded mitigation measures are provided, and in some instances potential actions to further a positive equality impact.

Table 7-1: Summary of potential impacts

Impact		Affected Protected Characteristic Groups											Overview of Potential Effects	Planned Mitigation / Action
		Age			Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership		
		Children	Young People	Older People										
Direct impacts of CPO														
Adverse	Non-viability of business following permanent loss of agricultural land			✓									The Proposed Scheme's potential compulsory land acquisition may harm business viability. Particularly for the older or elderly owner-occupiers who could face a more significant barrier trying to access new suitable farmland required to maintain their existing scale of farming activity.	Land agents have been appointed for the affected landholders and negotiations are ongoing for compensation. An Agricultural Management Plan will also be developed in consultation with each landholder to mitigate the impact of land-take.
	Residential and community land take causing permanent loss of recreational space	✓	✓										The Proposed Scheme's potential compulsory land acquisition would affect some residential properties. Specifically, spaces at the properties that are used by children and young people for recreation which supports their physical and mental wellbeing; loss of this space would therefore have a disproportionate and differential negative effect.	Land agents have been appointed for the affected landholders and negotiations are ongoing for compensation.

Impact		Affected Protected Characteristic Groups											Overview of Potential Effects	Planned Mitigation / Action	
		Age			Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership			
		Children	Young People	Older People											
Indirect impacts of CPO															
Beneficial	Improved safety for B714 users		✓	✓	✓									Improvements to the alignment of the B714 will generate safety improvements along the route, which currently experiences a disproportionately high level of road traffic collisions compared to the A737. Road safety is an issue for young male drivers who are more likely to be involved in a collision, as well as older people who are more likely to be significantly injured as a result of collisions.	N/A
	Improved connectivity to local facilities, and between local and regional centres	✓	✓	✓		✓		✓						Upgrading the B714 will provide an alternative, more direct north-south route between the local towns and facilities, as well as wider employment centres in North Ayrshire Glasgow City Region. Quicker access to local facilities such as schools and GP surgeries will benefit children, young people, older and disabled	N/A

Impact	Affected Protected Characteristic Groups											Overview of Potential Effects	Planned Mitigation / Action
	Age			Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership		
	Children	Young People	Older People										
												people who are more likely to be frequent users. Better access to employment opportunities would also benefit disabled and minority ethnic people who are at greater risk of being unemployed or on low incomes.	
Reduce traffic impacts on health and wellbeing	✓	✓										The Proposed Scheme's improvement to journey speed and traffic flows will alleviate traffic issues on nearby roads. In Kilwinning, two schools are located in proximity to the A737 which currently experiences significant congestion at peak hours; alleviating this congestion will benefit the children and young people going to school here by reducing their exposure to harmful pollution.	N/A

Impact		Affected Protected Characteristic Groups											Overview of Potential Effects	Planned Mitigation / Action	
		Age			Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership			
		Children	Young People	Older People											
	Employment generation during construction		✓			✓								Construction of the Proposed Scheme has the potential to generate local employment opportunities. If realised, this may help mitigate high levels of local deprivation, particularly for young people, disabled people, and ethnic minority groups who are at greater risk of being unemployed or on lower incomes.	Although not currently planned, fair employment practices and/or targets on hiring people from underrepresented/marginalised groups would maximise the positive impact of employment generation.
Adverse	Traffic impacts and severance during construction and operation	✓	✓	✓									✓	Construction and operation of the Proposed Scheme will cause temporary and permanent changes to traffic movements along the B714 and local road network, as well as severance to households on the B714. Increased traffic speed along the B714 causes safety concerns for residents with young children, and severance can cause discomfort and inconvenience for older and disabled people, and pregnant women.	Measures to reduce traffic impacts should be included in the Construction Environmental Management Plan (CEMP), as well as through introduction of a Transport Management Plan. Engagement should be undertaken with those potentially affected to detail the impacts and gather information on any protected characteristic groups or vulnerable people.

Impact		Affected Protected Characteristic Groups											Overview of Potential Effects	Planned Mitigation / Action	
		Age			Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership			
		Children	Young People	Older People											
	Air quality and noise and vibration impacts during construction and operation	✓		✓				✓				✓		The construction and operation of the Proposed Scheme will cause air quality and noise and vibration changes that may impact the surrounding area, in particular residential properties within close proximity of the B714. These changes can have disproportionate and differential impacts on protected characteristic groups including young, elderly, pregnant, and disabled people, who may be more vulnerable or have greater sensitivity to changes.	Application of industry standard measures as set out in the Institute of Air Quality Management (IAQM) Guidance, as well as a requirement for a Noise and Vibration Management Plan (NVMP).

8. Conclusions

8.1 Overview

The exercise of compulsory purchase powers will enable the Council to acquire land and enable the construction and operation of the B714 realignment. The CPO will help move the project forward towards realising the identified positive equality effects arising from the Proposed Scheme, including:

- Improved access from The Three Towns and North Coast to job opportunities in Glasgow and the Central Belt;
- Increased road safety for local residents and users of the B714; and
- Enhanced quality of life in the built-up areas of Kilwinning, the Three Towns, and Dalry facilitated by reduced congestion.
- Creation of job opportunities during construction of the B714.

However, the assessment of impacts shows that there are some **direct** potential negative effects associated with the CPO:

- Loss of agricultural land resulting in non-viability of agricultural businesses. This may have potential disproportionate and differential equality effects on older landholders given the high proportion of landowners over 65 and the additional burden to this group of seeking new alternative replacement land and the travel implications associated with managing land offsite; and
- Loss of residential land used for recreational and leisure purposes. This may have potential disproportionate equality effects on children and young people who currently use the land.

This EqIA has identified measures to mitigate the potential negative equality impacts, and in some instances actions to improve positive impacts, associated with the Proposed Scheme. Some are already embedded and others are recommendations, they include:

- Continued appointment of land agents to engage with affected residential properties and negotiate compensation.
- Development and implementation of Agricultural, Air Quality, Noise and Vibration, and Construction Management Plans to ensure industry standards and adhered to and impacts on affected groups are reduced as far as possible.
- Fair employment practices, or targets for hiring people from underrepresented or marginalised groups, may be introduced for the construction workforce to help tackle deprivation in the project area.

The EqIA is a predictive assessment and considers the effects of the CPO on groups of people rather than on individuals. The recommendations outlined are therefore suggested to minimise effect on recognised groups with protected characteristics living, working and visiting the area at the time of the assessment.

This EqIA should be considered as a live document, and should be updated, refreshed and the actions within it monitored on a regular basis. This should include a monitoring update on the status of identified potential impacts and associated mitigation. This may result in updates both to assessment of the impacts and to the recommendations relating to the proposed mitigation measures.

Appendix A – EqlA primary research topic guide

A.1 Questionnaire for engagement with landholders

Questionnaire – B714 CPO

My name is [] and I am from AECOM working on the B714 improvement scheme. Do you have 10 mins to answer some questions that will support my team who are completing an Equality Impact Assessment of the Compulsory Purchase Order of the project?

If no, is there a date and time that is best to call back before Friday or else on the first week of January?

If yes, thank you,

As mentioned I'm calling to get some supporting information for an Equalities Impact Assessment of the Compulsory Purchase Orders (CPO). We essentially want to get a better understanding of the ownership and use of land and to determine the potential impacts and opportunities of the CPO on vulnerable groups.

An Equality Impact Assessment is a structured assessment my team at AECOM often completes on behalf of public sector bodies (in this case North Ayrshire Council). The aim of the assessment is to assess the potential impact of policies, projects, or actions (in this case the B714 project) on people who share protected characteristics. Protected characteristics are things such as age, gender, race, disability etc. We have no direct involvement with North Ayrshire Council, or the Council's CPO process or decision-making - we are simply trying to assess the potential equality impact of the CPO.

All responses are confidential, and no individual will be identified in our reporting. All records will be kept in line with GDPR guidelines. You can refuse to answer any of the questions by simply saying 'prefer not to answer'. Are you happy to proceed with the questions?

After the call:

Thank you for your time. Land agents will be contacting you separately to talk about the CPO and compensation agreements. If you have any further questions then you can also contact the AECOM project team. You can withdraw your responses at any time by contacting us.

Property:

Name of land holder/contact:

Name of AECOM Rep:

Date:

Time:

Questions		Response	Pre-call notes
1	Do you live or work on the property, or both?		
2	How many people live in your property?		
3	How many of these are: a) Aged over 65? b) Aged under 16? c) Have a recognised disability? If yes, ask if they are willing to elaborate on nature of disability.		
4	How many people work on your property?		
5	Will the proposed Scheme result in: a) Loss of land? b) Changes in access to your property?		
6	Is anyone working or living in your property likely to experience disadvantage or benefit due to the loss of land required for the scheme? If yes, why is that? (try and determine if this is due to a protected characteristic)		
7	Is anyone working or living in your property likely to experience disadvantage or benefit due to access changes to the property? If yes, why is that? (try and determine if this is due to a protected characteristic)		
8	Would your business be impacted by loss of land or change of access? For example, longer distances?		
9	Do you have any other comments on how vulnerable groups (for example, elderly or disabled people, children)		

	may be impacted by the changes?		
10	Do you have any further comments to make on the B714 scheme?		

