

**STATEMENT OF REASONS
ROADS (SCOTLAND) ACT 1984**

**THE ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT 1947
THE NORTH AYRSHIRE COUNCIL (B714 NO.1) COMPULSORY PURCHASE ORDER 2024**

**Brodies LLP
110 Queen Street
Glasgow G1 3BX
T: 0141 248 4672
F: 0141 221 9270
DX GW11
Glasgow-1
FAS (BCS)1169/(LR)5569
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ENLIGHTENED THINKING

STATEMENT OF REASONS

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THE NORTH AYRSHIRE COUNCIL (B714 NO.1) COMPULSORY PURCHASE ORDER 2024

1 Introduction

- 1.1 This is a Statement of Reasons on behalf of The North Ayrshire Council (the Council) in relation to The North Ayrshire Council (B714 No.1) Compulsory Purchase Order 2024 (the CPO).
- 1.2 The CPO has been promoted by The North Ayrshire Council in terms of Sections 103 to 106 and 110 of the Roads (Scotland) Act 1984.
- 1.3 On 1 November 2023 the Council resolved to make the CPO for Phase 1 of the B714 Improvement in respect of land required for the construction and improvement of a public road lying between Ardrossan and Dalry, subject to the carrying out of an equalities impact assessment (EqIA) in terms of the Equality Act 2010. The EqIA was completed in January 2024, as described at paragraph 4.8 below, allowing the Council to make the CPO.
- 1.4 Phase 1 (the Project) can be described in two main sections, these being:
 - 1.4.1 The realignment of approximately 3.5km of the existing B714 between Girthill Farm and Kilwinning Road. The single carriageway cross-section will be 9.3m wide (two 3.65m wide lanes with 1m hard strips on either side), in line with trunk road standards. A new roundabout will also be provided on Kilwinning Road, to the north of the existing Hillend Roundabout, connecting the B714 to the A737 Dalry Bypass and Dalry.
 - 1.4.2 Localised improvements to enhance visibility at Muirlaught Farm and Meiklelaught Farm. These sections would remain at 6m wide (two 3m wide lanes) with no hard strips.
- 1.5 The Council hopes to undertake Phase 2 of the B714 Improvement (which is not the subject of the CPO) in the future, subject to funding. (References in this Statement of Reasons to the B714 Improvement or upgrade relate to Phases 1 and 2 or versions of them).
- 1.6 The Project and its objectives (described in sections 2 and 3 below) are supported by or consistent with national, regional and local transport policy and the development plan.
- 1.7 The land and rights in land which are to be acquired by the CPO (the CPO Land) are reasonably required to deliver the Project, and there is a compelling case in the public interest for the use of compulsory purchase powers to deliver the Project.

- 1.8 This Statement of Reasons sets out, amongst other things, the background to, the purpose of, and the justification for making the CPO.

2 Land and Project Description

- 2.1 Online improvements to the B714 at Meiklelaught and Muirlaught Farms will be undertaken with associated alignment and junction improvements.
- 2.2 The realignment of the B714 starts to the southwest of Girthill Farm and follows a route parallel to the existing B714, as the road heads generally in a north easterly direction until it meets the existing B714 northeast of Tower Bungalow, Dalry.
- 2.3 The realignment continues from north of Tower Bungalow following the existing B714 generally in a north easterly direction to a point to the southwest of the Castlehill Stables access road. This area contains a mixture of residential and small farming units.
- 2.4 The route of the realignment continues to the northeast of the existing B714 before crossing it adjacent to Craigmill Farm and continuing in an easterly direction that meets Kilwinning Road to the north of the existing A737 Hillend roundabout. This section will generally run downhill and will involve reprofiling of the ground to ensure that a suitable gradient can be achieved prior to its junction with the existing road. A Differential Acceleration Lane is also proposed to provide better overtaking opportunities on the westbound uphill gradient.
- 2.5 The realigned B714 will join Kilwinning Road via a new roundabout to the north of the existing Hillend Roundabout, connecting the B714 to the A737 Dalry Bypass and Dalry.
- 2.6 The plots of land which are subject to the CPO are delineated in the schedule to the CPO (“the Map”). The plots of land to be acquired permanently are shown shaded pink and outlined in red on the Map and the plots of land over which servitudes or other rights in the land are to be acquired are shown shaded blue on the Map.
- 2.7 The CPO Land is mainly agricultural. There are a number of commercial farms which incorporate dwellings and agricultural out- buildings, however no residential buildings are proposed to be acquired.
- 2.8 The Council is confident that the CPO Land together with other land owned by or vested in the Council is sufficient to deliver the Project.

3 Background to the Order

- 3.1 The upgrade of the B714 is identified as a strategic transport priority of the Council within the Local Transport and Active Travel Strategy 2023-2028.
- 3.2 North Ayrshire falls behind economically when compared to Scotland and the UK as a whole and suffers from high levels of deprivation. One of the primary barriers to economic growth in The Three

Towns (the collective name for the towns of Ardrossan, Saltcoats and Stevenston located on the North Ayrshire coast) is the poor transport connectivity between North Ayrshire and Glasgow and the rest of Scotland, particularly by strategic road routes. Local studies and analysis^{1,2} have identified the need to improve transport connectivity as a key factor in helping promote economic growth (including tourism, given Ardrossan's position as a key Scottish port and gateway from North Ayrshire's mainland to the outlying islands) and tackling local deprivation.

- 3.3 Currently the A737 (T) provides the most direct route between North Ayrshire and Glasgow. However, despite recent improvement schemes, including the Dalry Bypass and Den Realignment, the A737 remains largely sub-standard. It is single carriageway south of Dalry, and suffers from high levels of congestion, particularly in Kilwinning; the only alternative good standard trunk route between North Ayrshire and Glasgow is via the M77/A77 which involves a longer distance diversion via Kilmarnock.
- 3.4 South of Dalry, the B714 provides the most direct route to The Three Towns and the Garnock Valley area. However, the poor vertical and horizontal alignments on the B714 contribute to slower journey times and detract from the attractiveness of the route resulting in the majority of traffic travelling south from Dalry on the A737 through Kilwinning to the Pennyburn roundabout then north-west along the A78.
- 3.5 In addition to forming a barrier to economic growth, the poor strategic road connectivity within North Ayrshire creates a number of transport-related problems:
- 3.5.1 over-utilisation of the A737 through Kilwinning by HGV traffic, rather than other routes such as the B714;
 - 3.5.2 high levels of congestion and lack of road capacity in Kilwinning;
 - 3.5.3 proximity of A737 trunk road to four local schools;
 - 3.5.4 unreliable journey times;
 - 3.5.5 higher accident rates;
 - 3.5.6 poor air quality and noise pollution in built-up areas;
 - 3.5.7 excessive road maintenance costs.
- 3.6 The Council, as roads authority, has a duty under the Roads (Scotland) Act 1984 to keep under review the local road network in the North Ayrshire Council area and to manage and maintain the system of roads including, where appropriate, ensuring the provision of a safe and efficient network of roads.

¹ North Ayrshire Economic Review, Fraser of Allander Institute, University of Strathclyde, 2018

² Ayrshire – Transport and the Economy, SYSTRA (formerly MVA), 2006

- 3.7 Upgrade of the B714 would represent the final stage in improving the northern link between North Ayrshire and the Central Belt via Glasgow, providing a direct route between The Three Towns and Glasgow without passing through any major settlements. This would offer a faster and more reliable connection between the Three Towns and key markets, allowing the area to benefit from improved road connectivity, with increased potential for economic growth and tourism.
- 3.8 The development of a scheme for the improvement of the B714 began in 2016 via the North Ayrshire Strategic Routeing Study³ commissioned by the Council to identify and evaluate options for managing the strategic road network within North Ayrshire, focusing on the A737 trunk road route and connected arterial route (the Routeing Study). (The options assessment process is discussed in more detail at Section 8 (Alternatives) of this Statement of Reasons.) This recommended that various options for (i) a western Kilwinning bypass and (ii) the upgrade of the B714 were taken forward for further development and appraisal.
- 3.9 Subsequently, the COVID-19 pandemic (leading to increased home working) and the Ukrainian-Russian war significantly changed the economic and transport environment. As a result, a separate assessment exercise⁴ was conducted to revisit the previous road based options and non-highway-based options.
- 3.10 The specific objectives were:
- 3.10.1 to reduce the volume of strategic and HGV traffic passing through Kilwinning on the A737;
 - 3.10.2 to reduce journey times and improve journey reliability between The Three Towns towards Dalry, the Garnock Valley and beyond towards Glasgow;
 - 3.10.3 to reduce traffic emissions and improve local air quality within Kilwinning;
 - 3.10.4 to improve the resilience of the transport network in Dalry, Kilwinning and the Three Towns, and reduce pressure on road maintenance budgets;
 - 3.10.5 to reduce the number of accidents in urban areas such as Kilwinning, and the severity of accidents on rural roads between Dalry, Kilwinning and the Three Towns (e.g. the B714).
- 3.11 Of 6 options considered (discussed in more detail at Section 8 (Alternatives) at paragraph 8.6 of this Statement), Option 6 (B714 upgrade and realignment) was identified as the preferred option for the following reasons:

³ North Ayrshire Strategic Routeing Study – STAG Report (Pre- and Part 1 Appraisal), SYSTRA, 2016

⁴ B714 Upgrade Levelling-Up Fund Outline Design Options 1-15 Report, AECOM June 2021

- 3.11.1 an upgrade of the B714 was a significantly cheaper option being largely online improvements (rather than a wholly offline link) and therefore, represented better value for money;
 - 3.11.2 an upgraded B714 would offer a quicker route between the Three Towns and Dalry, thereby maximising connectivity between these settlements and reducing pressure on the road network within and around Kilwinning;
 - 3.11.3 upgrading the B714 would be least disruptive to local residents;
 - 3.11.4 the B714 upgrade could be delivered relatively quickly and
 - 3.11.5 the B714 upgrade had the most support from elected members of the Council and local stakeholders.
- 3.12 Option 6 (B714 Upgrade and realignment) was then developed and consisted of:
- 3.12.1 10 online improvement sections from the A78 roundabout to Dalry, which would improve the geometric standard of the route with realignment of certain sections
 - 3.12.2 a new offline link between the B714 and the A737 at the Hillend roundabout at the northern end of the corridor - 5 route alignments (options 11-15) were considered for the offline link, with options 13-15 initially selected for further assessment and development (as discussed at Section 8 (Alternatives) at paragraphs 8.8 – 8.10).
- 3.13 Alignment option 14 formed the basis of an application by the Council to UK Government's Levelling Up Fund (LUF) in June 2021 to fund the B714 upgrade, which was approved in October 2021 to the extent of £23.7million. The Council committed to provide match funding of £3million.
- 3.14 Construction costs for the Original Project substantially increased following the submission of the initial LUF application due to the impact of the COVID-19 pandemic and economic climate. In November 2022, it became necessary to revise the scope of the Original Project as the amount awarded from the LUF would not increase. Cost engineering and value management work was carried out to identify a scheme which could be delivered to budget and still meet the original scheme objectives.
- 3.15 This revision process resulted in the Project being identified as a first phase of a phased upgrade of the B714. As compared with the Original Project, the Project now starts at Girthill farm rather than the Sharpill roundabout on the A78 and now follows the alignment of option 13 at its northern end, meeting a new roundabout on Kilwinning Road to the south-east of Dalry.
- 3.16 The Council hopes to deliver Phase 2 of the B714 Improvement at a later date, subject to funding.

4 Justification For Making the Compulsory Purchase Order

- 4.1 The Project will provide substantial benefits between Dalry and the Three Towns Area and the wider North Ayrshire beyond including:
- 4.1.1 improved journey time and safety outcomes,
 - 4.1.2 improved connectivity between North Ayrshire and Glasgow, the central belt and wider motorway network, increasing the potential for economic growth including tourism.
 - 4.1.3 enhanced links to the Arran and Cumbrae ferry services from Ardrossan and Largs.
 - 4.1.4 it will ensure that those living in rural, remote and island communities are well connected and have equitable access to services as those living in the rest of Scotland.
 - 4.1.5 reducing congestion within Kilwinning as it will also divert a significant volume of traffic accessing the A78 away from Kilwinning as traffic will connect directly to the A78 via the newly upgraded B714.
- 4.2 The Project is supported by or consistent with relevant planning, transport and other policy and strategies at a national, regional and local level.
- 4.3 The CPO is required as it is unlikely that all land will be acquired voluntarily and /or within a reasonable timeframe.
- 4.4 There is therefore a compelling case in the public interest for both the Project and the CPO.
- 4.5 The Council is aware that it is a public authority for the purposes of the Human Rights Act 1998 and that it may not act in a manner that is incompatible with the European Convention on Human Rights (ECHR). The Council acknowledges that Article 1 Protocol 1 (protection of property) of the ECHR is engaged where powers of compulsory purchase are exercised. It also acknowledges that Article 8 of the ECHR (right to respect for private and family life) may be engaged where powers of compulsory purchase are engaged. It is acknowledged that as a consequence of the CPO landowners and occupiers will be deprived of their land and/or rights in land. However, there are compelling arguments in favour of the Project that outweigh the interests of the individual landowners who will be affected by it, thereby justifying the use of powers of compulsory purchase.
- 4.6 Additionally, the Project is the Council's preferred option for the reasons that are set out in this Statement of Reasons. Affected landowners and occupiers will receive appropriate compensation in accordance with the provisions of the statutory code. A number of landowners will benefit from the Project.
- 4.7 In the event that any surplus land is identified following the construction of the Project, it will be offered back to its former owners in line with the Crichton Down Rules, in accordance with the guidance set out

in Scottish Government Circular 5/2011: Disposal of Surplus Government Land – the Crichele Down Rules. For these reasons the impact of the Project on the interests of affected landowners and occupiers is considered to be proportionate to the benefits that the Project will deliver.

- 4.8 An Equalities Impact Assessment (EqIA) was carried out by AECOM on behalf of the Council and was completed in January 2024. Based on an assessment of the CPO details, project related information and primary research with affected parties, the EqIA concluded that there is likely to be limited direct impacts on groups with protected characteristics. Such impacts are associated with deprivation of their land and/or rights in land used for agriculture and recreation purposes for which landowners and occupiers will receive appropriate compensation. However, the CPO will enable the Project which in turn will result in indirect beneficial impacts for protected groups including landowners.

5 Use of the Land After Acquisition

The CPO Land is to be used for the purposes of the Project including improving the existing road through widening and localised realignment, providing new sections of road, junction improvements, drainage, working space, access, accommodation works and mitigation measures together with a new roundabout.

6 Description Of Land Made For Any New Rights Being Created

The CPO provides for the creation of the new rights which are necessary for the delivery of the Project. These consist of servitude rights of drainage to convey road and other drainage from the B714 including new SUDS ponds at various locations along the route together with all necessary rights of access for the purposes of constructing, inspecting, repairing, maintaining, renewing, replacing, connecting and/ or altering any drainage apparatus.

7 Use Of Enabling Act

- 7.1 The CPO is promoted by the Council as the roads authority using the powers contained in Sections 103 to 106 inclusive and 110 of the Roads (Scotland) Act 1984 to compulsorily acquire land for the purposes of carrying out construction and improvement of a public road, including the power to acquire a servitude or other right in or over land by creation of a new right and for the purpose of mitigating any adverse effect which the existence or use of a road constructed or improved by them, or proposed to be constructed or improved by them, has or will have on the surrounding road.
- 7.2 As set out in this Statement of Reasons, the Council considers that the powers under the Roads (Scotland) Act 1984 are the most relevant powers to use to secure the CPO Land and there are no other most specific or appropriate powers which ought to be used.

8 Alternatives

- 8.1 Throughout the process of developing the Project, a number of options have been considered by the Council, as already referred to in Section 3 (Background) of this Statement.
- 8.2 The Routeing Study (referred to in Section 3 (Background) involved:
- 8.2.1 An unconstrained option generation exercise at a pre-appraisal stakeholder workshop. This resulted in 34 options.
 - 8.2.2 An option sifting exercise in conjunction with the Council to identify and remove options that would clearly not achieve the intended transport planning objectives and/or address the problems identified. This resulted in a set of 13 options that were taken forward to a STAG⁵ Part 1 Appraisal.
- 8.3 Of the 13 options taken forward, five were considered to address the key aim (i.e., improving the strategic road connectivity to/from The Three Towns), these being:
- 8.3.1 a western Kilwinning Bypass from a point north of the A737(T)/A738(T) junction in Kilwinning, with a route to the north-west of the town connecting near to the A78(T) at Pennyburn Roundabout;
 - 8.3.2 as per option 1, but connecting to the A78(T) at Sharphill Roundabout;
 - 8.3.3 as per option 1, but connecting to a new junction on the A78(T) between Sharphill and Pennyburn Roundabouts;
 - 8.3.4 an eastern Kilwinning Bypass from a point north of the A737(T)/A738(T) junction in Kilwinning, with a route to the east of the town connecting into the A78(T) at either Eglinton Interchange or a new junction on the A78(T) to the south-east of Kilwinning, possibly using the old railway line;
 - 8.3.5 an upgrade of the B714.
- 8.4 The STAG Part 1 Appraisal involved a generally qualitative assessment of the options against:
- 8.4.1 the Study Transport Planning Objectives (TPOs) which were to –
 - 8.4.1.1 Reduce HGV and strategic through traffic in the built up areas of Kilwinning, Gateside and Barrmill

⁵ Scottish Transport Appraisal Guidance.

- 8.4.1.2 Reduce council maintenance costs for local roads (specifically the B777, B706 and C80) by reducing strategic traffic (including HGV traffic) on local routes and
 - 8.4.1.3 Improve accessibility into and within North Ayrshire on the A737(T) by (a) reducing HGV journey times between key nodal points to be defined based on business needs and (b) reducing commuter and business travel journey times between key nodal points to be defined based on business needs;
 - 8.4.2 STAG criteria (Environment, Safety, Economy, Integration, Accessibility, and Social Inclusion);
 - 8.4.3 established policy directives;
 - 8.4.4 feasibility, affordability, and public acceptability.
- 8.5 This recommended that options 1 to 3 (western bypass) and option 5 (B714 upgrade) should be taken forward for further development and appraisal. Option 4 (eastern bypass) was discounted on the basis that it was judged to have a 'high' deliverability risk compared to the other options.
- 8.6 Subsequently, the 2021 options assessment (referred to at 3.9 above) considered a long-list of options, including non-road based options:
- 8.6.1 active travel improvements (Option 1);
 - 8.6.2 rail-based public transport improvements (Option 2);
 - 8.6.3 bus-based public transport improvements (Option 3);
 - 8.6.4 Kilwinning bypass western alignment (Option 4);
 - 8.6.5 Kilwinning bypass eastern alignment (Option 5) and
 - 8.6.6 B714 upgrade and re-alignment (Option 6).
- 8.7 An initial sifting process in line with TAG guidance⁶ and the UK Government's Department of Transport Levelling Up Toolkit discounted options 1 – 3 and option 5.
- 8.8 Option 6 (B714 upgrade and realignment) was identified as the preferred option for the reasons set out at paragraph 3.11 of this Statement of Reasons.

⁶ Transport Analysis Guidance

- 8.9 For the offline link element, a further 5 route alignment options were developed and subsequently sifted down to 3 being:
- 8.9.1 option 13 - connecting to the A737 Hillend roundabout via an improved intermediate roundabout with the B714
 - 8.9.2 options 14 and 15 - connecting directly in to the new at-grade A737 Hillend roundabout with Option 14 passing north of Craighead Farm and Option 15 passing south of it.
- 8.10 Of these, option 14 was selected as the preferred option taking account of local access requirements and minimising the risk posed by abandoned mine workings south of Craighead Farm. However as a result of the cost engineering and value management work referred to at paragraph 3.14 above, the Project now starts at Girthill farm rather than the Sharphill roundabout on the A78 and follows the alignment of option 13 at its northern end, meeting a new roundabout on Kilwinning Road to the south-east of Dalry.

9 Engagement

- 9.1 An extensive programme of stakeholder engagement has been undertaken in the development of the B714 upgrade dating back to 2016.
- 9.2 As part of the 2016 Routeing Study, a stakeholder workshop was held including representatives from the Council, Transport Scotland, the Freight Transport Association, local businesses (e.g., Hunterston B Powerstation), and local bus operators (e.g., Stagecoach). The objectives of the workshop were to:
- 9.2.1 analyse existing and potential problems, opportunities, issues and constraints
 - 9.2.2 set transport planning objectives and ensure these addressed the problems identified
 - 9.2.3 generate options to take forward to the STAG Part 1 Appraisal.
- 9.3 Following the awarding of LUF funding, a series of workshops were held in October and November 2021 with the following key stakeholder groups:
- 9.3.1 Elected Members of the Council;
 - 9.3.2 landowners along the B714 who would potentially be affected by the scheme
 - 9.3.3 community groups
 - 9.3.4 transport groups
 - 9.3.5 local businesses and business groups.
- 9.4 The objectives of each workshop were to:

- 9.4.1 validate the existing issues along the A737 corridor, and highlight the scale of these issues in light of changes over recent years;
 - 9.4.2 discuss and collect views on the B714 upgrade as the proposed solution to the issues;
 - 9.4.3 for landowners, understand how they could be impacted by the scheme;
 - 9.4.4 identify further opportunities to maximise the benefits of any scheme introduced.
- 9.5 Letters were sent to potentially affected landowners in September 2021 and October 2021 providing updates, inviting the recipients to attend a workshop and providing details of the appointed consultants for the preparation of the required Outline Business Case and land agents who would shortly make contact to discuss the B714 Improvement.
- 9.6 Face to face meetings took place with stakeholders in June and July 2022. The purpose of the meetings was to advise them of the appointment of consultants for the technical design and environmental assessment of the B714 Improvement, and to update them on the anticipated programme for delivery.
- 9.7 In 2022, to support the development of the Outline Business Case (required for the purposes of the LUF application), the Council conducted a public consultation on the B714 Improvement with local residents and stakeholders.
- 9.8 The consultation sought to inform the public and stakeholders of the developing design for the B714 Improvement, linking the A78 Sharphill Roundabout with the A737 Hillend Roundabout. It consisted of the following activities and events:
- 9.8.1 three public exhibitions held in November 2022 in Kilwinning, Saltcoats and Dalry
 - 9.8.2 online consultation event
 - 9.8.3 a questionnaire – this received 94 responses and showed a very high level of support for the Project
 - 9.8.4 information on the scheme online via the Council website.
- 9.9 The public exhibitions and online consultation event were attended by over 100 people who had the opportunity to view information about the proposal and ask questions to representatives from the Council and staff from consultancies supporting the Council in the design and business case development.
- 9.10 All stakeholder engagement and public consultation undertaken to date has shown broad support from local residents and businesses for schemes that would address the road congestion issues, particularly in Kilwinning.

- 9.11 In addition, the Council maintains a webpage relating to the Project (and its evolution from the Original Project). This includes frequently asked questions and has been kept under regular review. The webpage has been used to raise awareness of the Project and to encourage participation in the public exhibition and consultation process.
- 9.12 The webpage has included information about the cost engineering and value management work which has led to the Project being identified. These changes have also been discussed with affected parties during site visits. Any interested party will also have the opportunity to make representations in relation to the planning application for the Project when submitted in early 2024 (see section 12 (Planning Permission) of this Statement).
- 9.13 The Council's appointed land agents have visited all affected landowners to discuss proposed terms for voluntary acquisition of the land required for the Project as well as accommodation works. The Council will continue to pursue negotiations for voluntary acquisition where that is of interest, notwithstanding the CPO.

10 Planning Policy

- 10.1 The development plan for North Ayrshire comprises the National Planning Framework 4 and the North Ayrshire Local Development Plan 2.

National Planning Framework 4 (NPF) (2023)

- 10.2 NPF is a long-term plan for Scotland that sets out where development and infrastructure is needed.
- 10.3 Urban accessibility is one of the focuses for the Central area of Scotland, including North Ayrshire. NPF4 recognises that accessibility and transport affordability can support more resilience which benefits communities who are less well connected.
- 10.4 The Project aligns with NPF4's overarching spatial principles -
- 10.4.1 Sustainable Places - the environmental impacts of the Project are expected to be largely localised and temporary, bringing biodiversity enhancement and the Project is not expected to have a material impact on the ability of the UK or Scotland to meet respective carbon reduction targets;
 - 10.4.2 Local Living - by improving accessibility and safer access between local centres and rural communities and businesses, reducing severance, and
 - 10.4.3 Productive Places – the Project will support rural revitalisation by improving rural connectivity and providing access to supporting services and markets in nearby local centres and further afield. The Project will also help provide improved access to the Hunterston Strategic Asset national development.

- 10.5 Given the conclusions of the EIA carried out in relation to the Project, the Project is compliant with or neutral in terms of the technical policies of NPF4.

North Ayrshire Local Development Plan 2 (LDP) (2019)

- 10.6 The LDP sets out how the Council aims to guide development and investment in the area over the next 20 years. The Vision of the LDP is for North Ayrshire to become Healthier, Working, Thriving and Safer. The LDP sets out 35 detailed policies which are categorised into 4 chapters, one of which is A More Connected Place which includes policies designed to support better transport connectivity and recognises transport as an economic driver.
- 10.7 Policy 28 states that the Council wants a transport network that, amongst other things, delivers economic growth by strengthening North Ayrshire's connectivity to Glasgow and the rest of Scotland and supporting proposals for the enhancement of transport infrastructure.
- 10.8 Given the conclusions of the EIA carried out in relation to the Project, the Project is compliant with the technical policies of the LDP.
- 10.9 The Project is therefore supported by or consistent with the development plan.

11 Transport and Other Policy.

National Transport Strategy 2 (NTS) (2020)

- 11.1 The NTS sets out the vision for Scotland's transport system for the next 20 years: to have a sustainable, inclusive, safe and accessible transport system, helping deliver a healthier, fairer and more prosperous Scotland for communities, businesses and visitors. The Vision of the NTS is underpinned by four Priorities, which include:
- 11.1.1 reducing inequality
- 11.1.2 helping deliver inclusive economic growth and
- 11.1.3 improving health and wellbeing.

Strategic Transport Projects Review 2 (STPR) (Ongoing)

- 11.2 A review of Scotland's strategic transport network's performance, which will support transport investment in Scotland from 2022-2042 by providing evidence-based recommendations to inform future transport investment decisions.
- 11.3 STPR has 5 key objectives which include addressing inequalities and accessibility; improving health and wellbeing; supporting sustainable economic growth and increasing safety and resilience.

A Call to Action: The Regional Transport Strategy for the West of Scotland 2023-2038 (RTS) (2023)

- 11.4 Sets out SPT's vision for transport, the goals shared with its 12 west of Scotland councils, transport objectives and its strategic priorities. One of the Key Issues identified by the RTS is Regional Connectivity.
- 11.5 The RTS notes that congestion and capacity constraints on the transport network can lead to unreliable journey times, increased costs for people and business, and adverse impacts on the regional economy, and that transport connectivity has a critical role in the performance of the regional economy.
- 11.6 RTS objectives include improving the accessibility and safety of the transport system and improving regional and inter regional connections to key economic centres.

Ayrshire Growth Deal (AGD) (2019)

- 11.7 The AGD contains a commitment to create a growing, innovative, more productive and inclusive economy, developing Ayrshire's core strengths and ensuring that communities benefit from economic growth. Its vision is for Ayrshire to be 'a vibrant, outward looking, confident region, attractive to investors and visitors, making a major contribution to Scotland's growth and local well-being, and leading the implementation of digital technologies and the next generation of manufacturing.'

Local Transport and Active Travel Strategy 2023-2028

- 11.8 The strategy sets out the Council's vision, objectives and proposals for local transportation in North Ayrshire. It recognises that the B714 is a key route connecting Dalry to Saltcoats, and notes the funding secured for the B714 through the LUF, stating that it will significantly improve connectivity between North Ayrshire and Glasgow, the Central Belt and wider motorway network. This will substantially increase the potential for tourism and economic development and provide enhanced links to the Arran and Cumbrae Ferry services. The improved alignment of the road and removal of bends will also provide road safety benefits.

Ayrshire Regional Economic Strategy (ARES) (2023)

- 11.9 The ARES sets out a bold 10-year vision for the Ayrshire Economy with a key priority of improving physical infrastructure addressing poor road linkages.

Regeneration Delivery Plan (RDP) (2021)

- 11.10 The RDP sets out the priorities for delivering on the Council's ambitions to redevelop strategic regeneration sites and places, working in partnership with communities focusing on the delivery of physical regeneration across North Ayrshire.

11.11 Key priorities of the RDP include Enabling Infrastructure. Key Outcomes include:

11.11.1 Our area is well-connected with effective infrastructure

11.11.2 Travel is resilient, reliable and inclusive

11.11.3 Substantial levels of investment have been secured in transport, digital and low carbon delivery.

Road Asset Management Plan (RAMP) (2019)

11.12 The RAMP sets out the Council's approach for the management and maintenance of its road assets. It notes that since the opening of the Three Towns bypass, the B714 has deteriorated significantly as a result of increased traffic. This was exacerbated further when traffic management was put in place in Kilwinning, and heavy traffic used the B714 as an alternative route and would be repeated as a result of any work carried out to realign the A737.

11.13 The Project is therefore supported by or consistent with transport and other relevant policies and strategies.

12 Planning Permission

12.1 The Council submitted a planning application for the Project to the Council as planning authority on 7 February 2024. The planning application was validated on 14 February 2024 and has been assigned planning reference number 24/00099/PP. The Project is categorised as a "local" development in terms of the Town and Country Planning (Hierarchy of Development) Regulations 2009 therefore statutory pre-application consultation is not required. However extensive engagement more generally has taken place as described in section 9 above.

12.2 Pre-application enquiries have been made with the Council's Planning service, and no significant concerns were raised. In addition, while they were not brought forward to construction, two earlier planning applications for the realignment of sections of the B714 at Girthill were approved in 2008 (08/00858/PP) and 2016 (16/00311/PP).

12.3 An Environmental Impact Assessment (EIA) has been carried out and an EIA Report has been submitted as part of the application for planning permission. The EIA Report sets out the environmental effects of the construction and operation of the Project and details the measures proposed to reduce or eliminate those effects.

12.4 An EIA is required for certain major developments in Scotland under The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 (the EIA Regulations). The Project is considered to constitute a relevant project as defined by the EIA Regulations under Schedule 2, Section 10(f) 'Construction of Roads'.

- 12.5 In light of the planning and transport policy position as discussed at sections 10 and 11 above, and the significant benefits flowing from the Project, which will be material considerations in support of the planning application, the Council considers that there are reasonable prospects of the planning application being granted.

13 Funding

- 13.1 Costs for delivery of the Project are currently estimated at £31.7million, inclusive of contingency and inflation allocations.
- 13.2 The Council made a funding application in respect of the Original Project to the UK Government's Levelling Up Fund in June 2021, which was approved in October 2021 to the extent of £23.7million. At that time, the Council committed to provide match funding of £3million from the Council's Recovery and Renewal Fund. On 29 August 2023 the Council agreed to the delivery of the Original Project across two phases (leading to the identification of the Project as the first phase), agreed to the submission of an updated Outline Business Case (OBC) to the Department for Transport (DfT) and agreed the reallocation of Council funding (£5million) to support the delivery of the Project.
- 13.3 The final award of the LUF funding is contingent on the approval of the revised OBC and the Full Business Case (FBC). The Council and its consultants have been in regular dialogue with the DfT since the submission of the initial OBC and initial funding award.
- 13.4 Feedback obtained since the submission of the revised OBC, which has been prepared in line with the HM Treasury's Green Book's five-case model and the DfT's Transport Analysis Guidance, has been positive and constructive, with no significant concerns or "showstoppers" being identified. Based on that feedback, the Council reasonably anticipates that the OBC will be approved by May 2024.
- 13.5 The DfT has advised that the contract for the Project must be awarded by the end of March 2025, subject to approval of the FBC by DfT by March 2025.

14 Barriers

- 14.1 As described above at sections 12 and 13, planning permission for the Project and final confirmation of the LUF funding have yet to be obtained. For the reasons outlined in sections 11, 12 and 13 of this Statement, the Council considers that there are reasonable prospects of both being secured within a reasonable timeframe. The exercise of compulsory purchase powers will also assist the Council in meeting the funding deadline identified at paragraph 13.5 above.
- 14.2 There are no other known barriers to the delivery of the Project.

15 Related Orders and Applications

Aside from the matters discussed above, no other orders require to be obtained and no other applications require be made in order to deliver the Project.

16 Unknown Owners

- 16.1 It has not been possible to identify the owner(s) of plots 1-07, 1-12, 1-20, 2-10, 2-13, 2-15, 3-04, 3-07 and part of plot 1-15, which largely consist of parts of the solum of the existing B714 and other roads.
- 16.2 Professional searchers were instructed by the Council to investigate the position but despite thorough investigations the position remains unknown. In the circumstances, site notices and newspaper advertisements will be placed to publicise the making of the CPO.

17 Special Considerations

There is no special category land and no other special considerations known to the Council.

18 INSPECTION OF DOCUMENTS

A copy of the CPO, the Map, and the documents referred to in the documents list appended to this Statement of Reasons have been deposited at Cunninghame House, Friarscroft, Irvine, KA12 8EE and may be seen there without payment of fee between the hours of 9.00am – 4.45pm on Mondays – Thursdays, and between the hours of 9.00am – 16.30 on Fridays.

19 CONTACT DETAILS FOR FURTHER INFORMATION

- 19.1 For further information regarding the CPO and the Project, please contact -
- 19.2 Arthur Cowley, Senior Manager - arthurcowley@north-ayrshire.gov.uk
- 19.3 Martin Miller, Team Leader - martinmiller@north-ayrshire.gov.uk or
- 19.4 Jean Law, Solicitor - jhlaw@north-ayrshire.gov.uk

THE NORTH AYRSHIRE COUNCIL (B714 No.1) COMPULSORY PURCHASE ORDER 2024**ROADS (SCOTLAND) ACT 1984****THE ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT 1947****LIST OF DOCUMENTS ACCOMPANYING STATEMENT OF REASONS**

- 20 The North Ayrshire Council (B714 No.1) Compulsory Purchase Order 2024
- 21 CPO Map
- 22 Statement of Reasons
- 23 Equalities impact assessment dated January 2024, AECOM
- 24 North Ayrshire Cabinet Report dated 29 August 2023 and related Minute
- 25 North Ayrshire Council Report dated 01 November 2023 and related Minute
- 26 Environmental Impact Assessment Report - available electronically only at <https://www.eplanning.north-ayrshire.gov.uk/OnlinePlanning/applicationDetails.do?activeTab=documents&keyVal=S8HG0XLELLN00>