

South Ayrshire Council

**Report by Executive Director - Economy, Neighbourhood and Environment
to South Ayrshire Council of 2nd March 2017**

**Subject: Proposed Town Centre and Retail Local Development
Plan Modifications and Adoption**

1. Purpose

- 1.1 The purpose of this report is to seek approval to modify the Proposed Town Centre and Retail Local Development Plan (RLDP) in line with Scottish Ministers' recommendations arising from the examination of the RLDP. The report also seeks approval to publish the modified Plan, and submit it to Scottish Ministers as the Local Development Plan the Council intends to adopt.
- 1.2 This report also seeks the approval of the Action Programme, which is associated with the RLDP and which sets out timescales and responsibilities for delivering the actions set out in the Plan.
- 1.3 In addition, the report seeks approval to retain the Local Development Plan Project Board as the mechanism to oversee implementation of the RLDP, including the post adoption Strategic Environmental Statement.

2. Recommendations

2.1 It is recommended that the Council:

- (i) Approves the modified Proposed Town Centre and Retail Local Development Plan for publication and submission to Scottish Ministers as the Council's intended subject specific adopted Local Development Plan; The Local Development Plan can be viewed [here](#) and a paper copy has been made available in the Members' Library.
- (ii) Approves the Strategic Environmental Assessment on the Plan contained in Appendix 2 to this report as modified for submission to the Scottish Ministers;
- (iii) Approves the Action Programme related to the Town Centre and Retail Local Development Plan, contained in Appendix 3 to this Report, for consultation and subsequent submission to the Scottish Ministers for approval; and
- (iv) Approves the retention of the Local Development Plan Project Board to oversee implementation of the RLDP.

3. Background

- 3.1 The Leadership Panel approved the commencement of work relating to a South Ayrshire Town Centre and Retail LDP, on 17th March 2015. The Council approved for consultation its Main Issues Report on 2nd September 2015, and approved the Proposed RLDP and its associated draft Action Programme on 17th December 2015.
- 3.2 Consultation on the Proposed Town Centre and Retail Local Development Plan took place in January 2016.
- 3.3 At the meeting of the 17th December, 2015, the Council also agreed that following the consultation period, subject to there being no representations that raised issues requiring fundamental change in direction to the proposed RLDP, that the LDP Board could oversee the consultation responses, any required actions and the submission of the proposed Plan to Scottish Ministers for examination. The report to the LDP Board of 23rd March 2016 can be found [here](#).
- 3.4 Having considered the consultation responses, 7 issues / themes were identified as requiring consideration by Scottish Ministers. The Plan was submitted to Scottish Ministers without fundamental change on 28th April 2016, together with details of the 7 issues for examination. The Reporter for the Scottish Ministers deemed that there was no requirement to hold any hearing or public inquiry sessions, with all matters being considered by means of written representations. The examination was completed in October 2016, and the Report of examination submitted to South Ayrshire Council on 11th October 2016.
- 3.5 The Scottish Ministers' examination report concluded that in taking into account the issues arising from representations on the Plan and the Council's response to those representations, that a number of modifications should be made to the Plan before it is formally adopted.
- 3.6 Modifications arising from 3 of the 7 issues are recommended, but the substance of the Reporter's modifications is minor in nature, concerning matters of clarity rather than of any policy significance. Modifications recommended by the Reporter are included in Appendix 1 to this report, and the full Report can be viewed [here](#). A copy of the Report has also been placed in the Members' Library.

4. Proposals

- 4.1 In line with Section 19 (10) of the Planning etc. (Scotland) Act, 2006, the modifications in the Reporter's examination report are binding, except for circumstances where to make those modifications:
- a) would make it inconsistent with the National Planning Framework;
 - b) would make it incompatible with the Conservation (Natural Habitats etc.) Regulations;
 - c) would make it unacceptable in terms of an environmental assessment; or
 - d) where modifications are based on conclusions that could not have been reached, based on the evidence presented at examination.

Having considered the proposed modifications, none of the above listed circumstances are applicable in this instance. Appendix 2 of this report provides the assessment of the implications arising relative to the previously submitted Strategic Environmental Assessment and Habitats Regulations Appraisal.

- 4.2 In light of the above, it is recommended that the Council accepts the modifications to the proposed RLDP; and approves the modified plan for submission to Scottish Ministers as the Council's intended adopted subject specific Local Development Plan.
- 4.3 As it is a statutory requirement that a modified Strategic Environmental Assessment is submitted to Scottish Ministers alongside the proposed RLDP, it is recommended that the Council approves the Strategic Environmental Assessment on the Plan as modified for submission to the Scottish Ministers (Appendix 2).
- 4.4 Subject to the Council's approval of the modified plan, Regulations require that it be published for public inspection, and that copies be placed in all South Ayrshire public libraries, Council Offices and on-line. An advert must also be placed in local newspapers. Following on from a 28 day period, the proposed plan could then be formally adopted, unless Ministers issue the Council with a direction indicating otherwise. It is understood that this would likely only be relevant if the Council were to reject modifications arising from the Examination.
- 4.5 Once the RLDP is adopted, it will supplement the South Ayrshire Local Development Plan's vision and spatial strategy, and supersede the town centre, sequential assessment and retail network policies within that Plan. All other elements of the adopted South Ayrshire Local Development Plan will remain unaltered as the Development Plan for South Ayrshire.
- 4.6 In adopting the Town Centre and Retail Local Development Plan, the Council must, within 3 months of that adoption, submit an action programme to manage the delivery of the Plan. The text of that Action Programme is appended to this report (Appendix 3) for approval, consultation with parties mentioned within it, and submission to Scottish Ministers following adoption of the Plan.
- 4.7 At a meeting of the Local Development Plan Project Board on 23rd March 2016 Members of the Board and Planning Officers considered the consultation responses to the proposed RLDP, modifications and approved the submission of the modified proposed Plan to Scottish Ministers for examination. It is considered that there is merit in retaining the Board as part of a project-managed approach to work associated with the implementation of the Town Centre and Retail Local Development Plan, including the publishing and submission to the SEA Gateway of the post-adoption Strategic Environmental Assessment Statement. Members are, therefore, asked to agree to the continuation of the Project Board for this purpose.

5. Legal and Procurement Implications

- 5.1 The recommendations in this report are consistent with legal requirements.
- 5.2 There are no procurement implications arising from this report.

6. Financial Implications

6.1 The costs of advertising the intention to adopt the Town Centre and Retail Local Development Plan will be met from existing budgets.

7. Human Resources Implications

7.1 None arising directly from this report.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

8.1.1 There are no risks associated with adopting the recommendations.

8.2 *Risk Implications of Rejecting the Recommendations*

8.2.1 The risks associated with rejecting the recommendations are the failure to comply with Scottish Government regulations on development plans.

9. Equalities

9.1 The proposals in this report were recently equality impact assessed and this Equality Impact Assessment still applies (Appendix 4).

10. Sustainable Development Implications

10.1 ***Considering Strategic Environmental Assessment (SEA)*** - The Scottish Government Gateway has been contacted regarding this plan, policy, programme or strategy, and it has been determined that an SEA has been completed, and the implications for the environment will continue to be monitored because implications of this decision are likely to be felt for 20 or more years.

11. Options Appraisal

11.1 An options appraisal has not been carried out in relation to the subject matter of this report because alternative policy options and development proposals were considered as part of the plan preparation process.

12. Link to Council Plan

12.1 The matters referred to in this report contribute to the Council strategic objective of 'Maximising the potential of our local economy and within that to the outcome SO1.4, whereby our town centres are encouraged to be more vibrant and adapt to change.

13. Results of Consultation

- 13.1 There has been public consultation on the contents of this report as required by Regulations and as set out in the Council's Development Plan Scheme (DPS). The Local Development Plan examination report concluded that the consultation exceeded the level anticipated in the DPS consultation strategy.
- 13.2 Consultation has taken place with Councillor Bill Grant, Portfolio Holder for Economic Development, Tourism and Leisure. Additionally, the Local Development Plan Project Board has been responsible for overseeing the production of the RLDP since its inception and considered the Reporter's Recommendations at its meeting of the 19th October, 2016 (see background papers).. The contents of this report reflect the feedback provided.

14. Next Steps for Decision Tracking Purposes

- 14.1 If the recommendations above are approved by Members, the Executive Director of Economy, Neighbourhood and Environment will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Leadership Panel in the 'Council and Leadership Panel Decision Log' at each of its meetings until such time as the decision is fully implemented:

| <i>Implementation</i> | <i>Due date</i> | <i>Managed by</i> |
|--|---------------------------|--|
| Adoption of Town Centre and Retail Local Development Plan. | May 31 st 2017 | Jill Cronin, Head of Enterprise, Development and Leisure |

Background Papers

- The Town and Country Planning (Development Planning)(Scotland) Regulations 2008 [here](#)
- Scottish Government Circular 6/2013 [here](#)
- South Ayrshire Local Development Plan [here](#)
- Report to South Ayrshire Council of 17th December 2015 "South Ayrshire Town Centre and Retail proposed Local Development Plan and Action Programme". [here](#)
- Report to South Ayrshire Council of 2nd September 2015 "Town Centre and Retail Local Development Plan: Main Issues Report". [here](#)
- Report to LDP Board of 23rd March 2016 [here](#)
- Report to LDP Board of 17th August 2015 [here](#)
- Report to LDP Board of 19th October 2016 [here](#)
- Schedule of Council Owned Land [here](#)

Person to Contact Jill Cronin, Head of Enterprise, Development & Leisure
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E-mail jill.cronin@south-ayrshire.gov.uk

Date: 1st February 2017

Appendix 1

Proposed South Ayrshire Town Centre & Retail Local Development Plan Examination
Report to South Ayrshire Council – 11 October 2016

| ISSUE | REPORTER'S RECOMMENDATION | REPORT PAGE NO | COUNCIL'S MODIFICATION | PLAN PAGE/PARA NO |
|--|---|----------------|---|--|
| 1 - Vision | <p>Modify the local development plan by:</p> <p>1. On page 4, removing bullet point four that refers to Heathfield retail park.</p> | 4 | <p>Agree modification:</p> <p>Remove bullet point four.</p> | Page 4 |
| 2 - LDP Policy: Town Centre First Principle | No modifications. | 10 | No modification | 10 |
| 3 - LDP Policy: General Retail (Sequential Approach) | <p>Modify the local development plan by:</p> <p>1. On page 7, amending the title of the policy to "LDP Policy: General Retail".</p> <p>2. On page 7, under part (1) 'Sequential approach', criterion (c), removing the words "Heathfield Retail Park" in brackets.</p> <p>3. On page 7, under part (2) 'Retail outside of the town centre', replacing criterion (c) with the following: "c. where there is clear evidence that the proposal will meet a quantitative or qualitative deficiency".</p> <p>4. On page 7, under part (3) 'Agreed out of centre retail', moving the second point under 'Note' referring to commercial centres i.e. Heathfield, to become a second footnote to the entire policy.</p> <p>5. On page 8, under part (4) 'Retail development outwith settlements', replace the final sentence with the following: "Retail development in the Heathfield Commercial Centre shall also require to comply with LDP Policy: Commercial Centres</p> | | <p>1 Agree modification. Title of policy to read "LDP Policy: General Retail".</p> <p>2 Agree modification. Remove "Heathfield Retail Park" from criterion (c)</p> <p>3 Agree modification. Replace criterion (c) text with: "where there is clear evidence that the proposal will meet a quantitative or qualitative deficiency".</p> <p>4 Agree modification. Remove second point under note, and replace as second footnote to entire policy.</p> <p>5 Agree modification. Replace final sentence underpart 4 with: ""Retail development in the Heathfield Commercial Centre shall also require to comply with LDP Policy: Commercial Centres (Heathfield)" and move the sentence to be a footnote to the entire policy.</p> | <p>7</p> <p>7</p> <p>7</p> <p>7</p> <p>8</p> |

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|---|--|----------------|--|--|
| | <p>(Heathfield)" and move this sentence to become a footnote to the entire policy.</p> <p>6. On page 18, within the glossary, adding the following term and definition: "Local neighbourhood needs – Retailing of convenience goods with a local catchment profile".</p> | | <p>6 Agree modification Add to the glossary: "Local neighbourhood needs – retailing of convenience goods with a local catchment profile".</p> | 18 |
| 4 - LDP Policy: Town Centre (Guiding land use) | No modifications. | 18 | No modification | |
| 5 - LDP Policy: Ayr Town Centre (Supporting the LDP Vision) | No modifications. | 20 | No modification | |
| 6 - LDP Policy: Commercial Centres (Heathfield) | <p>Modify the local development plan by:</p> <p>1. On page 5, LDP Policy: Network of Centres, modifying the third bullet point to read: "Heathfield commercial centre has an important role for bulky goods retailing, selling items that are not suited to selling in town centre units."</p> <p>2. On page 16, Heathfield Strategy Map, replacing the label 'Heathfield Retail Park' with "Heathfield Commercial Centre" and label Site A as "Retail Park".</p> <p>3. On page 16, Heathfield Strategy Map (text box alongside), replacing the words 'Heathfield Retail Park: Retail' with the words "Heathfield Commercial Centre".</p> <p>4. On page 16, Heathfield Strategy Map (text box alongside), adding titles to the two columns as</p> | 26 | <p>1 Agree modification. Modify 3rd bullet point to read: "Heathfield commercial centre has an important role for bulky goods retailing, selling items that are not suited to selling in town centre units."</p> <p>2 Agree modification. Replace the label 'Heathfield Retail park' with "Heathfield Commercial Centre, and label Site A as "Retail park".</p> <p>3 Agree modification. In the text box, replace the words 'Heathfield Retail Park: Retail' with the words "Heathfield Commercial Centre".</p> <p>4 Agree modification</p> | <p>5</p> <p>16</p> <p>16</p> <p>16</p> |

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| ISSUE | REPORTER'S RECOMMENDATION | REPORT PAGE NO | COUNCIL'S MODIFICATION | PLAN PAGE/ PARA NO |
|---------------------------------|---|----------------|---|--------------------|
| | <p>follows: first column be titled "Sub areas within Heathfield" and second column be titled "Preferred uses within sub areas".</p> <p>5. On page 16, Heathfield Strategy Map (text box alongside), moving the third paragraph under Heathfield Commercial Centre dealing with references to LDP Policy: General Retail, to the beginning of this section so that it is clearly applicable to Sites A, B and C.</p> | | <p>In the text box, add titles to the two columns as follows: first column be titled "Sub areas within Heathfield" and second column be titled "Preferred uses within sub areas".</p> <p>5 Agree modification In the text box, move the 3rd paragraph under Heathfield Commercial Centre dealing with references to LDP Policy: General Retail, to the beginning of this section so that it is clearly applicable to Sites A, B and C.</p> | 16 |
| 7 - Low Green Conservation Area | No modification. | 37 | No modification | |

Appendix 2

South Ayrshire Council

Proposed Town Centre and Retail Local Development Plan

Environmental Assessment on Reporter's Modifications

1 Introduction

- 1.1 South Ayrshire Council approved a Proposed Town Centres and Retail Local Development Plan (TCRLDP) for consultation on 17th December 2015 and following consultation through February 2016, submitted the proposed LDP to Scottish Ministers for examination on 29th April 2016. A corresponding Environmental Report identifying the environmental implications of implementing the plan, prepared in accordance with the Environmental Assessment (Scotland) Act 2005, was also submitted as part of the examination process.
- 1.2 Scottish Ministers issued their examination report on 11th October 2016 in which the Reporter recommends certain modifications to the Proposed TCRLDP.
- 1.3 The Planning etc. (Scotland) Act 2006 states that the local planning authority may – prior to making such modifications, publishing same and the proposed plan as modified, and advertising their intention to adopt it – secure the carrying out of an environmental assessment of the proposed plan as so modified. If the local planning authority does so, its subsequent making of such modifications must therefore be on the qualification that said modifications are, in the opinion of the authority, acceptable with regard to that environmental assessment.
- 1.4 As provided for above, this document comprises South Ayrshire Council's environmental assessment with regards to the Strategic Environmental Assessment (SEA) and Habitats Regulations Appraisal (HRA) implications of the modifications recommended by the Scottish Ministers' Reporter.

2 Findings

- 2.1 The assessment set out below finds that due to the clarifying, non-substantive nature of the modifications recommended there are no environmental implications which would entail outcomes or effects at variance to those duly assessed in the Environmental Report previously submitted. The Environmental Report should therefore be referred to for the corresponding assessments on the policies to which the modifications pertain.

SEA and HRA implications as a result of Reporters' report

| Modified policy | Would the modification give rise to likely significant environmental effects? | New assessment required? | Comments | LDP response | HRA implications |
|--|---|--------------------------|---|--------------|--|
| 1. Vision | No | No | The modification deletes reference to relaxation of retailing restrictions at the Heathfield Commercial Centre as an element which contributes to delivery of the vision. Notwithstanding, neither the vision itself nor the Commercial Centres policy are materially affected as a result. As there is no consequent change in policy direction, the modification's omission will not give rise to likely significant environmental effects. | N/A | None |
| 2. General Retail (Sequential Approach) | No | No | Various modifications alter policy labelling, propose minor rewording of policy text, reformatting of certain explanatory sentences as policy footnotes and provide an addition to the glossary. As there is no consequent change in policy scope or direction, the modifications' clarifications will not give rise to likely significant environmental effects. | N/A | This policy was screened out under step 3c of the HRA screening process. As there is no change in policy scope or direction consequent to the modifications, there is no likely significant environmental effect which would change this screening outcome and warrant appropriate assessment. |
| 3. Commercial Centres (Heathfield) | No | No | Various modifications propose minor policy rewording and site re-labelling which relate to the accompanying strategy map. As there is no | N/A | This policy was screened out under step 3c of the HRA screening process. As there is no change in policy scope or direction |

| Modified policy | Would the modification give rise to likely significant environmental effects? | New assessment required? | Comments | LDP response | HRA implications |
|-----------------|---|--------------------------|---|--------------|--|
| | | | consequent change in policy scope or direction, the modifications' clarifications will not give rise to likely significant environmental effects. | | consequent to the modifications, there is no likely significant environmental effect which would change this screening outcome and warrant appropriate assessment. |

Appendix 3

**South Ayrshire Council
Town Centre and Retail Proposed Plan
Draft Action Programme**

1. Introduction

1.1 This document sets out the action programme for the implementation of the South Ayrshire Town Centre and Retail Local Development Plan, to fulfil Section 21 of the Planning etc. (Scotland) Act 2006. Scottish Government Planning Circular 6/2013 provides more detailed guidance, where it states that action programmes must set out:

- a list of actions required to deliver each of the plan's policies and proposals;
- the name of the person who is to carry out the action; and
- the timescales for carrying out each action.

1.2 The action programme will assist in the delivery of the policies and proposals of the local development plan by specifically identifying actions required to implement the various elements of the plan. The action programme is not restricted to identifying actions to be undertaken by the local authority, but will also consider the roles of other stakeholders in the realisation of the policies and proposals of the plan. All stakeholders identified in the Action Programme should be fully aware and committed to achieving the identified actions.

2. Context

2.1 The Town Centre and Retail proposed plan is a result of the Council undertaking a full review of evidence on changes in retailing trends and the resilience of Ayr town centre. This review was undertaken because Ayr town centre has been experiencing pressures as a result of increasing trends associated with internet shopping and more shopping being undertaken in out of centre locations. Additionally, the Council's retail policies have been put under pressure as a result of planning applications for out of centre retailing activity. A single issue local development plan was considered to be the most effective means of addressing this issue.

3. Action programme

- 3.1 The size of this document reflects that the action programme relates to a single issue local development plan, meaning that there are considerably less actions than would be contained with an action programme associated with a local development plan. Table 1-1 sets out the action programme in full, identifying each of the policies within the plan and the actions which ensue from the content of the policies. It also sets out timescales, who is responsible for the implementation of an action and any constraints in attempting to implement the action.
- 3.2 It should be noted that whilst Table 1-1 simplifies the actions required to implement the policies of the plan, many of the processes associated with implementation are complex and can therefore take considerable periods of time. The number of uncertainties associated with the identified actions has made timescales difficult to estimate and it is highly likely that some actions will exceed the lifespan of the plan.
- 3.3 The action programme will be reviewed and updated by the Council on a regular basis in order to ensure that it is reflective of current circumstances. There is a requirement to publish the action programme every two years, however, it is likely that the details of this action programme will be merged with the action programme for the full local development plan, resulting in a single document, due for publication in September 2016.

4. Redevelopment opportunities

- 4.1 The proposed plan provides clear support for the redevelopment of specific sites within the town centre. The redevelopment of each of these sites or the re-use of the buildings within them will contribute towards the growth of a more vibrant and viable town centre which will have benefits extending beyond Ayr itself. Although the proposed plan assists in the

promotion of these sites, their delivery will be more reliant upon the content of the town centre strategy.

4.2 A town centre strategy will be prepared by Ayr Renaissance LLP, in conjunction with the Council. The strategy will guide investment opportunities to appropriate locations, seek to capitalise upon opportunities for environmental improvements and promote the cultural dimension of the town centre. The strategy will prioritise the redevelopment opportunities within the proposed plan in terms of timescales for redevelopment. The strategy will identify the actions to be undertaken in the delivery of each of these sites, as well as the organisations or individual involved in the progression of these sites. It is therefore considered unnecessary and inappropriate to identify these actions within this draft action programme when they can be more suitably taken forward by the content of the strategy. Once the strategy has been prepared, there will be clearer information on the lead delivery partners and timescales for town centre developments. Once this is published, future revisions of the action programme, including the published finalised version, published post-LDP adoption, will include further information on delivery.

Table 1-1: Action Programme

| Action | Related LDP Vision Objective | Related LDP Policy | Who? | When? | |
|--------|---|--|---|--|--|
| 1 | To prepare a town Centre Strategy – prioritise delivery of vision for Ayr town centre | <ul style="list-style-type: none"> • Promote town centre first principle • Ayr as a shopping, cultural, leisure destination • Spatial framework to capitalise on town assets | <ul style="list-style-type: none"> • LDP Policy: Town Centre First • LDP Policy: Ayr Town Centre | Ayr Renaissance | 2016-2018 |
| 2 | To maximise economic impact of retail investment and expenditure in South Ayrshire | <ul style="list-style-type: none"> • Promote town centre first principle • Ayr as a shopping, cultural, leisure destination • Modernised role for Heathfield commercial centre | <ul style="list-style-type: none"> • LDP Policy: Town Centre First Principle • LDP Policy: Network of Centres • LDP Policy: General Retail • LDP Policy: Town Centres • LDP Policy: Ayr Town Centre • LDP Policy: Commercial Centres (Heathfield) • LDP Policy: Small Town Centres and Local/Neighbourhood Centres | Council (planning) | Ongoing – through determining planning applications in line with LDP |
| 3 | To promote and encourage the development of “Redevelopment of Opportunities” <u>(NOTE: priority set through town centre strategy)</u> | <ul style="list-style-type: none"> • Promote town centre first principle • Ayr as a shopping, cultural, leisure destination • Supporting Council offices in town centre locations | <ul style="list-style-type: none"> • LDP Policy: Ayr Town Centre | Various – Council, Ayr Ren., Private Sector | Plan period and beyond |
| 3a | To promote and encourage the development of Redevelopment of Kyle Centre | | <ul style="list-style-type: none"> • LDP Policy: Town Centre First • LDP Policy: Ayr Town Centre | Alloway (Scotland) LLP | Plan period |
| 3b | To promote and encourage the development of Redevelopment of Riverside Block | | <ul style="list-style-type: none"> • LDP Policy: Town Centre First • LDP Policy: Ayr Town Centre | Ayr Renaissance, Council (office project) | Plan period |
| 4 | To prepare public realm supplementary guidance; to link Ayr town centre with town assets (e.g. UWS, seafront, racecourse) through signage and paths strategy | Spatial framework to capitalise on town assets | <ul style="list-style-type: none"> • LDP Policy: Ayr Town Centre | Council (planning), Ayr Renaissance, Ayrshire Roads Alliance | 2017-2018 |
| 5 | To prepare town centre guidance for Girvan, Maybole, Prestwick & Troon | <ul style="list-style-type: none"> • Promote town centre first principle | <ul style="list-style-type: none"> • LDP Policy: Town Centre First • LDP Policy: Town Centres | Council (planning), (communities) | 2017-2018 |
| 6 | Continue to review traffic options for Ayr town centre and implement approved schemes (incl. open River Street, road sign rationalisation programme, conclude review of High Street traffic options) | <ul style="list-style-type: none"> • Ayr as a shopping, cultural, leisure destination | <ul style="list-style-type: none"> • LDP Policy: Ayr Town Centre | Ayrshire Roads Alliance | Plan period |



Appendix 4

EQUALITY IMPACT ASSESSMENT

Town Centre and Retail Local Development Plan

November 2015

South Ayrshire Council Equality Impact Assessment Scoping

1. Proposal details

| | |
|--|-------------------------------|
| Proposal Title Town Centre and Retail Local Development Plan | Lead Officer Neale McIlvanney |
|--|-------------------------------|

2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this proposal? Please indicate whether these would be positive or negative impacts

| Community, Groups of People or Themes | Negative Impacts | Positive impacts |
|---|-----------------------|--|
| The whole community of South Ayrshire | No anticipated impact | Yes - - potential positive impact to the whole community of South Ayrshire |
| People from different racial groups, ethnic or national origin. | No anticipated impact | Yes |
| Women and/or men (boys and girls) | No anticipated impact | Yes |
| People with disabilities | No anticipated impact | Yes |
| People from particular age groups for example Older people, children and young people | No anticipated impact | Yes |
| Lesbian, gay, bisexual and heterosexual people | No anticipated impact | Yes |
| People who are proposing to undergo, are undergoing or have undergone a process to change sex | No anticipated impact | Yes |
| Pregnant women and new mothers | No anticipated impact | Yes |
| People who are married or in a civil partnership | No anticipated impact | Yes |
| People who share a particular religion or belie | No anticipated impact | Yes |
| Thematic Groups: Health, Human Rights, Rurality and Deprivation. | No anticipated impact | Yes |

3. Do you have evidence or reason to believe that the proposal will support the Council to:

| General Duty and other Equality Themes | Level of Negative and/or Positive Impact (high, medium or low) |
|---|--|
| Eliminate discrimination and harassment faced by particular communities or groups | Positive - Low Promotes access to a variety of retail/office services within town centre which is easily accessed by public transport |
| Promote equality of opportunity between particular communities or groups | Positive - Medium |
| Foster good relations between particular | Positive - Low |

| | |
|---|--|
| communities or groups | |
| Promote positive attitudes towards different communities or groups | Positive - Low |
| Increase participation of particular communities or groups in public life | Positive - Medium |
| Improve the health and wellbeing of particular communities or groups | Positive – Medium Promotes access to a variety of services within the town centre and within walking distance of public transport |
| Promote the human rights of particular communities or groups | Positive - Low |
| Tackle deprivation faced by particular communities or groups | Positive – High Provides access to employment opportunities and economic growth |

4. Summary Assessment

| | |
|---|--|
| Is a full Equality Impact Assessment required? (A full EIA must be carried out on all high and medium impact proposals) | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| Rationale for decision: A full EQIA has already been undertaken in relation to the South Ayrshire Local Development Plan and the Main Issues Report preceding this policy. This policy will provide a framework for a range of retail/commercial and leisure facilities in order to protect the vitality and viability of Ayr town centre as well as the vitality and viability of the core town centres within South Ayrshire and to maximise the potential of the local economy of South Ayrshire. | |
| Signed :Jill Cronin.....Head of Service | |
| Date: 22 February 2017 | Copy to equalities@south-ayrshire.gov.uk |

**SOUTH AYRSHIRE COUNCIL
EQUALITY IMPACT ASSESSMENT**

Section One: Proposal Details*

| | |
|---|---|
| Name of Policy | Town Centre and Retail Local Development Plan |
| Lead Officer (Name/Position) | Neale McIlvanney, Supervisory Planner |
| Proposal Development Team (Names/Positions) | Development Planning and Customers Team, Planning |
| Critical friend (s) | Ben Horwill |

*This could include strategy, project or application: see guidance attached.

| | |
|---|--|
| What are the main aims of the proposal? | <ul style="list-style-type: none"> • to provide a vision for Ayr town centre to ensure its future vitality and resilience • to maximise the net economic and community benefit arising from investment in new retail and leisure development, including providing a framework that allows appropriate out of town retailing without damaging town centres. |
| What are the intended outcomes of the proposal | <ul style="list-style-type: none"> • Vibrant and resilient town centres, particularly Ayr as the main urban centre in South Ayrshire. • Reduced leakage of retail expenditure to other retail centres outwith South Ayrshire. |

Section Two: What are the Likely Impacts of the Proposal?

| | |
|---|--|
| Will the proposal impact upon the whole population of South Ayrshire <i>or</i> particular groups within the population (please specify) | It is predicted that the policy will have a positive impact on the whole population of South Ayrshire by creating more employment opportunities, maximising impact of commercial investment, improving town centre environments, and ensuring that town centres provide a wide range of uses, facilities and amenities at a highly accessible location to prevent any individuals from being denied easy access to shops and other commercial and public facilities. |
|---|--|

Considering the following Protected Characteristics and themes, what likely impacts or issues does the proposal have for the group or community?

List any likely positive and/or negative impacts

| Protected Characteristics | Positive and/or Negative Impacts |
|---|--|
| Race: Issues relating to people of any racial group, ethnic or national origin, including gypsy travellers and migrant workers | There is no evidence of any specific impacts of the LDP on people within this protected characteristic group. |
| Sex: Issues specific to women or men | There is no evidence of any specific impacts of the LDP on people within this protected characteristic group. |
| Disability: Issues relating to disabled people | <p>The LDP seeks to improve town centre environments, and ensures that town centres provide a wide range of uses, facilities and amenities at a highly accessible location to prevent any individuals from being denied easy access to shops and other commercial and public facilities.</p> <p>It is considered this is likely to have positive impacts on disability protected characteristic by ensuring high accessibility including access to local centres. There is also a widened scope of goods allowed at Heathfield which allows accessibility to food and bulky goods shopping at an accessible commercial centre, with good parking facilities. There is no evidence of any other specific impacts of the LDP on people within this protected characteristic group.</p> |
| Age: Issues relating to a particular age group e.g. older people or children and young people | The LDP seeks to improve town centre environments, and ensures that town centres provide a wide range of uses, facilities and amenities at a highly accessible location to prevent any vulnerable individuals from being denied easy access to shops and other commercial and |

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| | <p>public facilities.</p> <p>It is considered this is likely to have a positive impact on this protected characteristic group by ensuring accessibility to a variety of retail and leisure facilities by public transport to both town centre and Heathfield.</p> |
| <p>Religion or Belief: issues relating to a person's religion or belief (including non-belief)</p> | <p>There is no evidence of any specific impacts of the LDP on people within this protected characteristic group.</p> |
| <p>Sexual Orientation: Issues relating to a person's sexual orientation i.e. lesbian, gay, bi-sexual, heterosexual</p> | <p>There is no evidence of any specific impacts of the LDP on people within this protected characteristic group.</p> |

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| <p>Marriage and Civil Partnership: Issues relating to people who are married or are in a civil partnership.</p> | <p>There is no evidence of any specific impacts of the LDP on people within this protected characteristic group.</p> |
| <p>Gender Reassignment: Issues relating to people who have proposed, started or completed a process to change his or her sex.</p> | <p>There is no evidence of any specific impacts of the LDP on people within this protected characteristic group.</p> |
| <p>Pregnancy and Maternity: Issues relating to the condition of being pregnant or expecting a baby and the period after the birth.</p> | <p>The LDP seeks to improve town centre environments, and ensures that town centres provide a wide range of uses, facilities and amenities at a highly accessible location to prevent any individuals from being denied easy access to shops and other commercial and public facilities.</p> <p>It is considered this is likely to have a positive impact on this protected characteristic group by ensuring accessibility to a variety of retail and leisure facilities by public transport to both town centre and Heathfield.</p> |

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| <p>Multiple / Cross Cutting Equality Issues Issues relating to multiple protected characteristics.</p> | <p>There is no evidence of any specific impacts of the LDP on people within this protected characteristic group.</p> <p>It is considered that the LDP shall be beneficial, to the population of South Ayrshire, creating more employment opportunities, maximising impact of commercial investment, improving town centre environments, and ensuring that town centres provide a wide range of uses, facilities and amenities at a highly accessible location to prevent any vulnerable individuals from being denied easy access to shops and other commercial and public facilities.</p> |
| <p>Equality and Diversity Themes Particularly Relevant to South Ayrshire Council</p> | |
| <p>Health Issues and impacts affecting people's health</p> | <p>Improved town centre environment with improved public realm may have positive impacts on health; also the role of local centres – for example, discouraging car borne trips to out of centre shopping locations, improving path networks for walking and cycling in and around town (particularly those connecting to other town assets, such as UWS).</p> |
| <p>Human Rights: Issues and impacts affecting people's human rights such as being treated with dignity and respect, the right to education, the right to respect for private and family life, and the right to free elections.</p> | <p>No predicted impacts.</p> |
| <p>Rurality Impacts relating to living and working in a rural community</p> | <p>It is considered that the LDP is beneficial, to the population of South Ayrshire, including those living in rural South Ayrshire creating more employment opportunities, maximising impact of commercial investment, improving town centre environments, and ensuring that town centres provide a wide range of uses, facilities and amenities at a highly accessible location to prevent any vulnerable individuals from being denied easy access to shops and other commercial and public facilities. It is considered this is likely to have positive impacts on rurality themes by ensuring high accessibility.</p> |

Deprivation

Issues relating to poverty and social exclusion, and the disadvantage that results from it.

It is considered that the LDP shall be beneficial, to the population of South Ayrshire, creating more employment opportunities, maximising impact of commercial investment, improving town centre environments, and ensuring that town centres provide a wide range of uses, facilities and amenities at a highly accessible location to prevent any vulnerable individuals from being denied easy access to shops and other commercial and public facilities. It is considered this is likely to have positive impacts on deprivation themes by ensuring high accessibility to shops including local centres, commercial and public facilities; and by maximising the impact of investment, thereby potentially maximising resulting job opportunities.

Section Three: Evidence Used in Developing the Proposal

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| <p>Involvement and Consultation In assessing the impact(s) set out above what evidence has been collected from involvement, engagement or consultation? Who did you involve, when and how?</p> | <p>Extensive consultation with Councillors, involving presentations and workshops through April – June 2015; industry seminar including small and large scale retail professionals (including land agents and individual retailers), community council representatives, public sector organisations participated in a presentation and seminar – 19th May 2015; and a public exhibition day was held in the town centre to allow members of the public to participate on 20th May.</p> <p>These sessions were informed by early findings from evidence and allowed participants to shape the outcome of the policies.</p> <p>The consultation sessions were advertised more than once in local press, online and targeted to known interested parties.</p> <p>Analysis was considered in outcome reports and represented in the MIR.</p> <p>All work has been carried out in close working partnership with the Ayr Renaissance LLP as the body leading regeneration work in the town centre.</p> |
| <p>Data and Research In assessing the impact set out above what evidence has been collected from research or other data. Please specify <i>what</i> research was carried out or data collected, <i>when</i> and <i>how</i> this was done.</p> | <p>The monitoring statement contains significant evidence on the health of Ayr town centre as the main urban centre in South Ayrshire, by undertaking a health check and full town centre health audit. It also reviews how successful current policies have been at achieving their objectives. It is also analysing demand for retail space in Ayr and shopping patterns of users of the town centre. This gives extensive evidence on how to maximise economic benefit of future commercial investment and how to ensure that the social, economic and environmental potential of the town centre can be realised for the widest possible benefit.</p> <p>The information was gathered during Spring 2015, through existing planning data and commissioning studies on retail market intelligence, shopper survey and Ayr health audit.</p> <p>Analysis was considered in engagement events (as above) to understand whether the evidence matched aspirations/expectations</p> |

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| | <p>of stakeholders. Analysis was also partly undertaken working with consultants; and by the LDP project board.</p> <p>All outcomes are represented in the MIR.</p> |
| <p>Partners data and research In assessing the impact set out above what evidence has been provided by partners. Please specify partners</p> | <p>As noted above.</p> |
| <p>Gaps and Uncertainties Have you identified any gaps or uncertainties in your understanding of the issues or impacts that need to be explored further?</p> | <p>Proportionality of consultative input from public as compared to stakeholders. Liaison with voluntary groups undertaken.</p> |

Section Four: Detailed Action Plan to address identified gaps in:

a) evidence and

b) to mitigate negative impacts

| <u>No</u> | <u>Action</u> | <u>Lead Officer(s)</u> | <u>Timescale</u> |
|------------------|--|---|---|
| 1 | Preparation of Supplementary Guidance for Signage within Ayr Town Centre | Ayr Renaissance | Spring/Autumn 2016 or following adoption of the LDP |
| 2 | Preparation of Supplementary Guidance for Public Realm Works within Ayr Town Centre | Ayr Renaissance LLP/Ayrshire Roads Alliance (ARA) | Spring/Autumn 2016 or following adoption of LDP |
| 3 | Liaise with Work with Ayr Renaissance LLP to produce a Town Centre Strategy to deliver regeneration priorities for Ayr Town Centre | Ayr Renaissance LLP | TBC |
| 4 | | | |
| 5 | | | |

Note: Please add more rows as required.

Section Five - Performance monitoring and reporting

Considering the proposal as a whole, including its equality and diversity implications:

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| When is the policy intended to come into effect? | December 2015 |
| When will the proposal be reviewed? | Following adoption of LDP – potentially autumn 2016 |
| Which Scrutiny Panel will have oversight of the proposal? | Development and Environment Standing Scrutiny Panel |

Summary Equality Impact Assessment Implications & Mitigating Actions

Name of Policy: Town Centre and Retail Proposed Local Development Plan.....

This proposal will assist or inhibit the Council's ability to eliminate discrimination; advance equality of opportunity; and foster good relations as follows:

Eliminate discrimination

By promoting the town centre first principle to maximise the role of town centres, and capture the full economic benefit of retail and commercial investment at locations that are most accessible to the widest range of population groups.

Advance equality of opportunity

By promoting the town centre first principle to maximise the role of town centres, and capture the full economic benefit of retail and commercial investment at locations that are most accessible to the widest range of population groups.

The LDP provides a framework within which the Council's Planning Service will promote sustainable economic development whilst protecting the built and natural environment for future generations.

The LDP advances equality for opportunity for all by promoting sustainable economic development in appropriate locations which protects our environmental assets which make a significant contribution to the quality of life within South Ayrshire.

Foster good relations

By promoting the town centre first principle to maximise the role of town centres, and capture the full economic benefit of retail and commercial investment at locations that are most accessible to the widest range of population groups. The policy fosters good relations between the Council and all its communities both urban and rural by aiming to ensure that development promotes economic development, sustainable communities whilst protecting the environmental and landscape quality of South Ayrshire.

Summary of Action Plan to Mitigate Negative Impacts

| <u>Actions</u> | <u>Timescale</u> |
|--|----------------------------------|
| Prepare Supplementary Guidance for signage within Ayr Town Centre | <u>Spring/Autumn 2016</u> |
| Prepare Supplementary Guidance for public realm works within Ayr Town Centre | <u>Spring/Autumn 2016</u> |

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| Work with Ayr Renaissance LLP to produce a Town Centre Strategy to deliver regeneration priorities for Ayr Town Centre | <u>TBC</u> |
| | |

Signed:**Head of Service**

Date: