

South Ayrshire Council

Joint Report by Director - Place  
and Head of Legal, HR and Regulatory Services  
to South Ayrshire Council (Special)  
of 28 April 2021

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**Subject: Station Hotel Update**

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**1. Purpose**

- 1.1 The purpose of this report is to update Members on the completion of the Feasibility Study Executive Summary, approve future funding implications and progress and seek instructions on a without prejudice offer made by the solicitors for Mr Ung, the owner of the Station Hotel.

**2. Recommendation**

**2.1 It is recommended that the Council:**

- 2.1.1 notes the contents of the Feasibility Study Executive Summary as attached in the Addendum (confidential) to this report;
- 2.1.2 agrees that the Option Review and Executive Summary be uploaded to the Council website following circulation to Members;
- 2.1.3 
- 2.1.4 agrees that the costs incurred by the Council will be sought to be recovered from the owner however should this prove unsuccessful, approves funding of  from reserves towards ongoing structural stabilisation and project development costs covering 1 year, as set out in [Appendix 1](#);
- 2.1.5 approves the discontinuation of the Council as Chair of the Strategic Governance Group;
- 2.1.6 considers the terms of the without prejudice offer set out in item 1 of Appendix A of the Addendum (confidential) to this report; and
- 2.1.7 confirms the response to the offer that officers should provide to the owner's solicitor, Mr Asim Khan, of D and F Lawyers.

**3. Background**

*Without Prejudice Offer*

- 3.1 The Station Hotel is adjacent to the railway station in Ayr and comprises the former hotel, as well as the station and offices used by Network Rail. ('the Building'). The Building is B listed and is comprised of two titles and has two owners, Mr Ung and Network Rail. Mr Ung owns the majority of the Building, being the former Station Hotel ('the Hotel'). His title is registered in the Land Register and Network Rail's title to its part of the Building is recorded in the General Register of Sasines. Network Rail's statutory predecessors formerly owned the whole of the Building.
- 3.2 The Building is referred to as comprising two 'wings', a north wing and a south wing. Network Rail accepts that it owns the ground floor of the north wing, which houses part of the Station. The Hotel element of the Building is housed in the remainder of the north wing and the whole of the south wing.
- 3.3 Mr Ung acquired his title to the Hotel part of the Building in March 2010. In the intervening period, the condition of the Building has seen substantial deterioration. Following a number of incidents of falling roof materials and masonry from the Building, the Council served Mr Ung and Network Rail with a Dangerous Buildings Notice on 25th July 2013 ('the 2013 Notice') under sections 29 and 30 of the Building (Scotland) Act 2003 ('the 2003 Act'). Within the 2013 Notice, the 'dangerous building' to which it relates is described as the 'Station Hotel, Burns Statue Square, Ayr KA7 3AT and includes the footprint of the Hotel, being the property owned by Mr Ung and the part of the Building that Network Rail accepts that it owns in the north wing of the Building'.
- 3.4 Network Rail carried out the work required in terms of the 2013 Notice. That allowed the 2013 Notice to be withdrawn. The Council understands that Network Rail has raised a Court of Session action against Mr Ung for recovery of approximately [REDACTED] in relation to those works.
- 3.5 Due to the deteriorating condition and further incidents of falling debris from the Building, the Council served both owners with a second Dangerous Building Notice on 28 March 2018 ('the 2018 Notice'). Within the 2018 Notice, the dangerous building covers the full extent of the footprint of the Building, being the properties owned by Mr Ung and Network Rail. The 2018 Notice specifies the steps that needed to be taken by the owners to reduce or remove the danger constituted by the Building. The works comprised within those steps were to have been commenced by 4 April 2018 and to have been completed by 25 April 2018. The works were not commenced nor completed in the required timescales. Neither of the owners challenged the 2018 Notice under the statutory appeal process provided in terms of section 47 of the 2003 Act.
- 3.6 In June 2018, the Council determined that there was an immediate danger presented by the Building that required further urgent attention - especially given the close proximity of the Building to places open to the public as well as structures and other property adjacent to the Building. Accordingly, the Council proceeded to exercise its statutory obligations under section 29(2) of the 2003 Act. In doing so, the Council instructed works to prevent unauthorised access to the Building by the installation of Permasteel screens to all ground floor openings as well as erecting perimeter fencing to the western, southern and eastern sides of the Building to protect members of the public. On the southern side, this has had the effect of closing that part of the A70 carriageway and public pavement that runs closest to the gable end of the Building. Also under the section 29(2), the Council appointed a contractor – Commercial Property Maintenance Services Limited ('CPMS') – to

undertake preliminary remedial works on the Building itself, in line with the works specified in the 2018 Notice.

- 3.7 Simultaneously, and in order to inform discussions and the decision-making process moving forward, the Council instructed a structural engineer, Mott MacDonald ('Mott'), to undertake a survey and prepare a report on the condition of the Building. In Autumn 2018, Transport Scotland ('TS') established a task force comprising executive officers of the Council and representatives from Network Rail, Scotrail, Historic Environment Scotland ('HES') and the Scottish Government Planning and Architecture team. TS's strategic focus was on finding a solution that enabled Network Rail and Scotrail to recommence train operations south of Ayr Station which had been temporarily stopped as a result of the 2018 Notice and to determine longer term options for the building and potential regeneration of the area. After a series of task force discussions, on 20 September 2018 it was agreed that Network Rail would make payment of a sum of [REDACTED] for works considered to be necessary in accordance with the 2018 Notice, funded from the Scottish Stations Fund ('the SSF') which Network Rail administers on behalf of the Scottish Ministers.
- 3.8 Given the Building's listed status, the Council and its consultants in discussion with HES explored options for reducing or removing the danger presented to the public and adjacent property while, insofar as possible, preserving the Building in its current form until a more sustainable and permanent solution could be agreed upon. The encapsulation work was completed in late February 2019. The sums incurred by the Council in undertaking works pursuant to the section 29 intervention were approximately £384,000. This includes sums incurred to secure the property, carry out emergency safety works on the Building itself, design and CDM consultancy, and the Council staff costs.
- 3.9 Mott was subsequently commissioned by the Council to undertake a full structural condition survey to provide a detailed analysis of the building's condition and also to provide an estimate of the costs required to restore the building such that it would comply with baseline Building Standards requirements. Mott identified a large number of defects in the building and an extensive list of works to make the Building and the surrounding area safe.
- 3.10 Following a review of this structural condition report in December 2019, the Task Force concluded that further information was required and consequently an options appraisal, to help establish a better understanding of the economic viability and sustainability of the building, was commissioned by Transport Scotland in May 2020. Atkins was appointed to undertake this work and the resulting feasibility study was produced in January 2021 at a cost of [REDACTED] to Transport Scotland.
- 3.11 The outcome of this study is important in helping to identifying a clear way forward for the Station Hotel and will inform future discussions with the owner and any impending action by the Council and other stakeholders in relation to the recovery of costs, potential use, viability and ownership scenarios. Further information on this is provided from paragraph 3.15 onwards, below.
- 3.12 In order to protect its position the Council currently has secured (in favour of itself) three Charging Orders against the Hotel title. There is a pending appeal by the owner at the Sheriff court for the most recent of these. The Council has also raised two Ordinary Cause Payment actions against Mr Ung, in terms of which a warrant to inhibit on the dependence of each action was granted. Decrees have been granted in both (in the sums of £80,000 and £414,432.39) plus expenses, and the

inhibitions subsequently registered.

- 3.13 The Council has continued to incur costs to safeguard the public which include but are not limited to the costs of the hire and maintenance of the encapsulation and scaffolding, and total approximately £59,500 per month. The Scottish Government agreed on 12 May 2020 to make payment of [REDACTED], representing an approximate [REDACTED] contribution to the Council's costs from 1 May 2020 to 30 April 2021 in respect of ongoing hire and maintenance of the encapsulation scaffolding on the property. A further action and inhibition has been instructed at the Court of Session to cover the costs of approximately £616,738.95 that have accrued up to 30 April 2020 since the award of the decrees referred to in paragraph 3.12. Mr Ung resides in and is domiciled in Malaysia where an initial investigation has suggested that he may hold significant assets. A successful Court of Session payment action would allow the direct registration of any decree awarded by the Court of Session in Malaysia for diligence. This action has been prepared but awaits the outcome of the Council decision on the offer referred to in Section 4 below, before a final decision is taken by the Head of Legal, HR and Regulatory Services to proceed.
- 3.14 At the request of a prospective owner, discussions took place with officers in 2020 regarding the potential refurbishment of the building for student accommodation. [REDACTED] and [REDACTED] of Nathan Construction (UK) Limited, who acts for the prospective owner, met with the Group Leaders and Councillor Connolly on 17 December 2020 and [REDACTED] advised that the prospective owner was in the process of appointing a team that comprised of an architect and a firm of structural engineers. He advised the water damage was localised and manageable and it would take 26 weeks to reconstruct the building for intended use as student accommodation and a boutique hotel. He provided this detail in a letter dated 8 February to the Leader [REDACTED] [REDACTED] advised he would:
- prepare a Financial Impact analysis:
  - ask the owner's solicitor to present their financial offer for the discharge of the debt( item 1 of Appendix A of the Addendum (confidential) to this report); and
  - ask the prospective owner to present their proposals for the hotel.
- 3.15 The letter confirming these actions and the Financial Impact analysis are attached as items 2a and 2b of Appendix A of the Addendum (confidential) to this report.
- 3.16 The Head of Legal , HR and Regulatory Services wrote to [REDACTED] to request details of how the scaffolding costs would be met by the prospective owner.(item 4 of Appendix A). [REDACTED] confirmed that the prospective owner requires the building to be transferred 'without any incumbrances (ie – scaffolding, outstanding orders and any safeguarding measures. A building ready to renovate.)' (item 5 of Appendix A). Design practice, Scott Brownrigg have been appointed by the prospective owner, although no further detail has been provided at this stage in relation to the design, costings or timeline. The prospective owner has been encouraged to enter into pre-application discussions.

### ***Feasibility Study/ Option Review***

- 3.17 On 19 January and 16 March 2021, reports were presented to the Leadership Panel which outlined a Feasibility Study and an Option Review undertaken on the

former Station Hotel commissioned and funded by Transport Scotland on behalf of South Ayrshire Council, Network Rail and ScotRail/ Abellio at a cost of [REDACTED]

- 3.18 The feasibility work seeks to identify an economically viable use for the former Station Hotel and the Option Review provides a detailed evaluation of four viable/ preferred options or uses for the building based on the outcome of the findings of the Feasibility Study and all other relevant factors. Three of the options included reach a threshold of potential viability due to the inclusion of a new station within the development and propose either the partial or full demolition of the former Station Hotel.
- 3.19 A fourth option, which proposes the full retention of the former Station Hotel for student accommodation, was also agreed by the Strategic Governance Group in recognition of recent discussions with the owner/ prospective owner of the building which suggested a willingness to provide such investment.
- 3.20 In advance of the preparation of an Executive Summary, which is the concluding element of the feasibility work, Leadership Panel agreed on 16 March that the Council write to the existing and proposed owner to ask for firm confirmation of proposals and funding for the building. This would also afford a final opportunity for proposals to be submitted, before any preferred option for the building was identified by the consultants within their report.
- 3.21 A letter was issued by the Council to the owner, prospective owner and the Ayr Station Hotel Community Action Group on 19 March seeking the submission of detailed proposals by 2 April 2021. Responses were received from various parties and these together with the Council's request for information are attached in items 1 to 8 of Appendix B of the Addendum (confidential) to this report. This has been forwarded to the consultants to feed into their reports as appropriate.
- 3.22 As noted above, the prospective owner has appointed a design practice to develop proposals for the former Station Hotel and the Council will engage with them moving forward.

#### **4. Proposals**

##### ***Without Prejudice Offer***

- 4.1 Reference is made to the without prejudice offer dated 27 March 2021, made by Mr Ung's solicitor attached as item 1 of Appendix A of the Addendum (confidential) to this report. [REDACTED]

[REDACTED] These legal proceedings secure the costs the Council incurred in making the building safe in accordance with its statutory duties under the 2003 Act. The 2003 Act allows a Charging Order to be secured against the title of a building to ensure that – in the event the building changes ownership – liability for costs not only lies with the existing owner, but also transfers to the incoming owner. This protects the local authority's position and provides it with increased prospects for recovering the monies paid out. Charging Orders do not provide for the recovery of the costs themselves. Inhibitions are a separate protection and granted together with a payment decree. Once registered they prevent the seller from selling, transferring or otherwise disposing of the land to which they are attached until the debt is settled in full.

4.2 Mr Ung's solicitor requests in paragraph 8 of his offer, [REDACTED]

4.3 In exchange for the above, Mr Ung offers a payment of [REDACTED]  
[REDACTED] Mr Ung would continue to own the Hotel but the Council would be responsible for the costs required to keep the public and the adjacent property safe. Mr Ung has advised that he has agreed terms to sell the property to a new owner. The Council has not had sight of these terms. Mr Ung would receive the proceeds of this sale if he sold the Hotel after the discharge of the Inhibitions. [REDACTED]  
[REDACTED] and as explained in paragraph 3.14 above, the prospective new owner has confirmed he would expect the Council to meet the 'safeguarding costs' and that the building be provided to him without any incumbrances.. The Council would therefore remain responsible for all future costs associated with keeping the Hotel safe.

4.4 [REDACTED]  
[REDACTED] Furthermore, as the new owner has confirmed he is unwilling to meet the monthly costs then the Council would require to serve a Dangerous Building notice and seek further charging orders and/ or actions to secure these sums. The Council is unaware of the designation of the new owner but if it is a limited company then any ability to recover sums could be limited. [REDACTED]  
[REDACTED]

4.5 Neither the existing nor the new owner has made a written proposal for development of the Hotel or the site to the Council. The without prejudice offer is not linked in any way to the proposed development of the Hotel by the new owner. The information on the proposed future development is provided in paragraph 3.14 above. If the Council discharges the Charging Orders, decrees and inhibitions there is not any obligation placed on any new owner to develop the Hotel. If Network Rail wished to develop the site then they would need as part of any Compulsory Purchase to pay a sum to the owner of the Hotel that represented compensation which would put the owner in the same position after the compulsory purchase (as far as money can allow) as the owner was in before it, the main elements of compensation being likely to be (1) compensation equal to the sum payable for the market value of the owner's interest in the site and (2) disturbance, which is losses caused as a direct result of being disturbed from possession of the owner's property and other losses caused by the compulsory purchase process, such as legal fees and the costs of employing a professional to help that owner assess and negotiate the owner's compensation claim.

- 4.6 The above Offer is stated to remain open for a fourteen period that therefore expired on 10 April 2021. Officers have written to Mr Ung's solicitor advising that they would be unable to respond until Council met to consider the offer on 28 April 2021. Officers therefore now request Council to confirm how they wish officers to respond to the offer.
- 4.7 The Feasibility Study and Option Review have been undertaken in recognition of the pressing need to deliver a solution for the building, however it is also acknowledged that there is still ongoing and widespread interest in the building. Opportunities still remain for other interested parties to develop proposals and deliver alternative outcomes for the property not contained within the feasibility study or option appraisal. This will ensure that consideration continues to be afforded to other potential solutions but also allows progress to be made by the stakeholders towards a solution for the building and the extrication of the Council and Scottish Government from the ongoing financial burden associated with the dangerous building.
- 4.8 As the three most viable options identified in the Feasibility Study and Option Review comprise essentially the delivery of functionality outwith the normal remit of the Council, it is appropriate that they be developed by the Steering Group which deals with the direct operation and engagement with the consultants who have undertaken the various studies. It comprises members from the various stakeholders including the Council, Transport Scotland, Network Rail and ScotRail.
- 4.9 However, as previously agreed by Leadership Panel on 16 March, the composition of the Strategic Governance Group, which oversees the Steering Group, and in particular the Council's position as Chair of this Group should now be reviewed.
- 4.10 Agreement is sought through this report to remove the Council as Chair of the Strategic Governance Group to allow the Group to be led by another organisation with an operational stake in future proposals.
- 4.11 An Executive Summary has been prepared which sets out in more detail the final conclusions of the Feasibility Study and Option Review and is included as Appendix A of the Addendum (confidential) to this report. The Option Review and Executive Summary will shortly be circulated to members. Permission is now sought from members that on receipt, the documents they can be uploaded to the Council website.
- 4.12 As referred to in paragraph 3.15 above, the ongoing costs associated with the maintenance of the scaffolding and encapsulation have been met jointly by the Council and Scottish Government

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

4.16 Under the Building (Scotland) Act 2003 ('the 2003 Act'), the Council must carry out such work (including, if necessary, demolition) as it considers necessary to prevent access to a dangerous building and to any adjacent parts of any road or public place which appear to be dangerous by reason of the state of the building, and otherwise for the protection of the public and of persons or property in places adjacent to the dangerous building. The encapsulation and scaffolding has, and continues to fulfil this purpose however, the Council will consider and review whether the current solution remains fit for purpose. The Council would then take such further necessary steps as may be required in accordance with the statutory provisions.

4.17 It is recommended that the Council:

4.17.1 notes the contents of the Feasibility Study Executive Summary as attached in the Addendum (confidential) to this report;

4.17.2 agrees that the Option Review and Executive Summary be uploaded to the Council website following circulation to Members;

[REDACTED]

[REDACTED]

4.17.4 agrees that the costs incurred by the Council will be sought to be recovered from the owner however should this prove unsuccessful, approves funding of [REDACTED] from reserves towards ongoing structural stabilisation and project development costs covering 1 year, as set out in Appendix A of the Addendum (confidential) to this report;

4.17.5 approves the discontinuation of the Council's involvement in the Strategic Governance Group;

4.17.6 considers the terms of the without prejudice offer set out in item 1 of Appendix A of the Addendum (Confidential) to this report; and

4.17.7 confirms the response to the offer that officers should provide to the owner's solicitor, Mr Asim Khan, of D and F Lawyers.

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## **5. Legal and Procurement Implications**

- 5.1 The recommendations in this report are consistent with legal requirements and Legal will carry out work to discharge the decrees, charging orders and inhibitions if Council decide to accept the offer of settlement by the owner, Mr Ung. The Head of Legal, HR and Regulatory Services will continue to advise on debt recovery as it relates to the former Station Hotel and will work with the Building Standards service to provide advice on matters relating to the Council's statutory responsibilities in relation to the dangerous building.
- 5.2 There are no procurement implications arising from this report.

## **6. Financial Implications**

- 6.1 The ongoing costs associated with the former Station Hotel are predominantly those for the provision and maintenance of scaffolding and encapsulation necessary to ensure public safety and the continued operation of the rail line. To date the total cost of work undertaken is £3,088,937 and this has been borne by Scottish Government and the Council, with £1,111,171.34 of that incurred by the Council. This is made up of decrees for a total of £494,432.39 (plus expenses ) and a further sum of £616,738.95 where counsel has been instructed regarding a further debt action with associated inhibition at the Court of Session, and final confirmation to proceed is awaited from the Head of Legal, HR and Regulatory Services, following the decision of the meeting of Full Council regarding the without prejudice offer.
- 6.2 If the Council agreed to the without prejudice offer, then the Council would require to meet the costs incurred to date and would have no right of recovery against the existing or any new owner. The Council would require to budget for the potential future costs of the remedial works and the existing costs estimated to be [REDACTED] for the coming year.
- 6.3 Should the offer be accepted then the Council would receive a one-off payment of [REDACTED] from Mr Ung. This represents approximately [REDACTED] of the current costs incurred by the Council to date (less than [REDACTED] of the overall costs of £3.089m incurred to date) and it would leave the Council exposed to significant financial risk going forward.
- 6.4 There is a requirement to fund the additional cost to the Council of [REDACTED] over the coming 12 month period from 1 May 2021 until 30 April 2022. Whilst the cost associated with this and other costs already incurred by the Council will be sought from the owner, the timescale associated with this is unknown and, with no guarantee of success in obtaining repayment, it may ultimately require to be recovered through Council reserves.

## **7. Human Resources Implications**

- 7.1 There are no HR implications for the Council arising from this report other than considerable ongoing Council officers' time in dealing with this matter.

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## **8. Risk**

### **8.1 *Risk Implications of Adopting the Recommendations***

8.1.1 If the Council accepted the offer from the owner then the Council would receive a one off payment and then would require to write off approximately [REDACTED] and, in the absence of any proposals by the future owner, it would require to meet itself all future costs of keeping the Building safe. The Feasibility Study and Option Review present findings which improve understanding of the economic viability and sustainability of the building

### **8.2 *Risk Implications of Rejecting the Recommendations***

8.2.1 If the Council reject the offer of settlement this may mean that the Council are unable to recover any sums from the owner in terms of the decrees and charging orders it holds if no assets can be identified against which to exercise its rights.

## **9. Equalities**

9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as [Appendix 2](#).

## **10. Sustainable Development Implications**

10.1 ***Considering Strategic Environmental Assessment (SEA)*** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

## **11. Options Appraisal**

11.1 An options appraisal in the form of an Option Review has been carried out and has informed the Executive Summary which is attached in Appendix B of the Addendum (confidential) to this report.

## **12. Link to Council Plan**

12.1 The matters referred to in this report contribute to Commitments 4, 5 and 6 of the Council Plan: South Ayrshire Works/ Make the most of the local economy; Stand up for South Ayrshire/ Increase the profile and reputation of South Ayrshire and the Council; and A Better Place to Live/ Enhanced environment through social, cultural and economic activities.

## **13. Results of Consultation**

13.1 Public consultation was undertaken in the preparation of the Feasibility Study which informed the attached Option Review and attached Executive Summary.

13.2 Consultation has taken place with Councillor Ian Cochrane, Portfolio Holder for Environment, Councillor Brian McGinley, Portfolio Holder for Resources and

Performance, and Councillor Peter Henderson, Portfolio Holder for Corporate, and the contents of this report reflect any feedback provided.

#### 14. Next Steps for Decision Tracking Purposes

- 14.1 If the recommendations above are approved by Members, the Director – Place and the Head of Legal, HR and Regulatory Services 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:

<b>Implementation</b>	<b>Due date</b>	<b>Managed by</b>
Confirm the response confirmed by Council to the offer made by the owner's solicitor	28 April 2021	Head of Legal.HR and Regulatory Services
Uploading the Option Review and Executive Summary	28 May 2021	Service Lead Planning and Building Services

**Background Papers**    **None**

**Person to Contact**    **Donald Gillies, Director - Place**  
County Buildings, Wellington Square, Ayr, KA7 1DR  
Phone 01292 612839  
E-mail [donald.gillies@south-ayrshire.gov.uk](mailto:donald.gillies@south-ayrshire.gov.uk)

**Catriona Caves, Head of Legal, HR and Regulatory Services**  
County Buildings, Wellington Square, Ayr, KA7 1DR  
Phone 01292 612556  
E-mail [catriona.caves@south-ayrshire.gov.uk](mailto:catriona.caves@south-ayrshire.gov.uk)

**Julie Nicol, Service Lead – Planning and Building Standards**  
County Buildings, Wellington Square, Ayr, KA7 1DR  
Phone 01292 612963  
E-mail [julie.nicol@south-ayrshire.gov.uk](mailto:julie.nicol@south-ayrshire.gov.uk)

**Karen Briggs, Service Lead – Legal and Licensing**  
County Buildings, Wellington Square, Ayr, KA7 1DR  
Phone 01292 612  
E-mail [karen.briggs@south-ayrshire.gov.uk](mailto:karen.briggs@south-ayrshire.gov.uk)

**Date:** 21 April 2021

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

## South Ayrshire Council Equality Impact Assessment Scoping Template

Equality Impact Assessment is a legal requirement under the Public Sector Duty to promote equality of the Equality Act 2010. Separate guidance has been developed on Equality Impact Assessment's which will guide you through the process and is available to view here: <https://www.south-ayrshire.gov.uk/equalities/impact-assessment.aspx>

Further guidance is available here: <https://www.equalityhumanrights.com/en/publication-download/assessing-impact-and-public-sector-equality-duty-guide-public-authorities/>

The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. It places a legal responsibility on Councils to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions. See information here: [Interim Guidance for Public Bodies](#) in respect of the Duty, was published by the Scottish Government in March 2018.

### 1. Policy details

Policy Title	Without Prejudice Offer - Station Hotel
Lead Officer (Name/Position/Email)	Julie Nicol, Service Lead – Planning and Building Standards – <a href="mailto:julie.nicol@south-ayrshire.gov.uk">julie.nicol@south-ayrshire.gov.uk</a> ; and Karen Briggs, Service Lead – Legal and Licensing – <a href="mailto:karen.briggs@south-ayrshire.gov.uk">karen.briggs@south-ayrshire.gov.uk</a>

**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 policy? Please indicate whether these would be positive or negative impacts**

Community or Groups of People	Negative Impacts	Positive impacts
Age – men and women, girls & boys	-	-
Disability	-	-
Gender Reassignment (Trans/Transgender Identity)	-	-
Marriage or Civil Partnership	-	-
Pregnancy and Maternity	-	-
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	-	-
Religion or Belief (including lack of belief)	-	-
Sex – gender identity (issues specific to women & men or girls & boys)	-	-
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	-	-
Thematic Groups: Health, Human Rights & Children's Rights	-	-

**3. What likely impact will this policy have on people experiencing different kinds of social disadvantage? (Fairer Scotland Duty). Consideration must be given particularly to children and families.**

Socio-Economic Disadvantage	Negative Impacts	Positive impacts
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	-	-
Low and/or no wealth – enough money to meet Basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	-	-
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	-	-
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	-	-
Socio-economic Background – social class i.e. parent’s education, employment and income	-	-

**4. Do you have evidence or reason to believe that the policy will support the Council to:**

General Duty and other Equality Themes Consider the ‘Three Key Needs’ of the Equality Duty	Level of Negative and/or Positive Impact (High, Medium or Low)
Eliminate unlawful discrimination, harassment and victimisation	Low
Advance equality of opportunity between people who share a protected characteristic and those who do not	Low
Foster good relations between people who share a protected characteristic and those who do not. (Does it tackle prejudice and promote a better understanding of equality issues?)	Low
Increase participation of particular communities or groups in public life	Low
Improve the health and wellbeing of particular communities or groups	Low
Promote the human rights of particular communities or groups	Low
Tackle deprivation faced by particular communities or groups	Low

**5. Summary Assessment**

<p><b>Is a full Equality Impact Assessment required?</b> (A full Equality Impact Assessment must be carried out if impacts identified as <b>Medium and/or High</b>)</p>	<p><input checked="" type="checkbox"/> <b>YES</b></p> <p><input type="checkbox"/> <b>NO</b></p>
<p><b>Rationale for decision:</b></p> <p><b>This report seeks instructions on a without prejudice offer made by Mr Ung, the owner of the Station Hotel. Members’ decision on this has no specific equality implications.</b></p>	
<p><b>Signed :</b> Donald Gillies/ Catriona Caves      <b>Director/ Head of Service</b></p> <p><b>Date:</b> 12 April 2021</p>	