

CRWIA Stage 1

Screening - key questions

1. Name the policy, and describe its overall aims.

Following the end of the EU Exit implementation period, goods entering the UK from the EU are subject to the same border entry requirements and controls as rest of the world goods.

Scottish Ministers are responsible for the enforcement of checks on animals, plants, plant products, product of animal origin and high risk foods not of animal origin. Enforcement is delivered through inspection facilities located at Border Control Posts (BCP).

In most cases, BCP are being provided by port operators . However, the two ferry terminals at Cairnryan (the Port of Cairnryan and Loch Ryan Port) in Dumfries and Galloway do not have the necessary physical space to accommodate the required infrastructure and facilities within their boundaries. In accordance with the UK Border Operating Model, it is for government to provide facilities at an inland site in such circumstances. At the time of making the Order, it is understood that BCP need to be operational by 1 July 2021. Development of these facilities cannot commence until the necessary planning permission has been granted.

To support the timely delivery of this nationally important border infrastructure, this Special Development Order (SDO) grants temporary planning permission for their provision subject to a number of conditions. In doing so, the SDO is intended to limit disruption that may occur in and around Cairnryan if the required facilities are not developed, or if their operation is significantly delayed.

Powers for Scottish Ministers to grant planning permission by way of SDO are conferred by section 30(2)(b) of the Town and Country Planning (Scotland) Act 1997. The Order has been prepared as a contingency measure: it does not preclude planning permission for Cairnryan border infrastructure being sought through an application submitted to Dumfries and Galloway Council should such an approach be compatible with operational timescales of the BCP.

2. What aspects of the policy/measure will affect children and young people up to the age of 18?

Development authorised by an SDO is not subject to the usual consultation requirements that would apply to a planning application. Nevertheless, the SDO requires that before development can take place, the use of a specific site as a BCP must be expressly approved by Scottish Ministers. Prior to such site-specific approval being sought, various parties must be given the opportunity to comment on proposals. These include owners and occupiers adjacent to the proposed site and on access routes to the site, Dumfries and Galloway Council and the relevant community council(s). We anticipate that this process (and any additional, non-statutory consultation) will help to identify potential impacts on the local community including children and young people.

However, it should be noted that the SDO is required because the ports at Cairnryan do not have the necessary space to provide Border Control Posts within their boundaries. If they did, then it is likely to have been possible to develop the

necessary infrastructure without the need for a planning application because port operators have broad permitted development rights that apply to operational port land.

3. What likely impact – direct or indirect – will the policy/measure have on children and young people?

As highlighted in the EQIA no negative impacts have been identified. However specific impacts are uncertain at this time because a preferred site had not been selected at the time of drafting. The SDO requires the approval of site-specific detail prior to development commencing, which will provide an opportunity to consider further if there are any impacts which may affect children and young people – for example due to traffic increases.

4. Which groups of children and young people will be affected?

The provision of Border Control Posts are not expected to have any negative impacts on children. In the event that an urban location is identified for the provision of the BCP there is potential for children to be impacted – specifically school children as a result of increased traffic.

The SDO requires that prior to site-specific approval being sought from Scottish Ministers, various parties must be given the opportunity to comment on proposals. These include owners and occupiers adjacent to the proposed site and on access routes to the site, Dumfries and Galloway Council and the relevant community council(s). We anticipate that this process (and any additional, non-statutory consultation) will help to identify potential impacts on the local community including children and young people. Furthermore, applications for site-specific approval must be accompanied by a an assessment of traffic impacts. We anticipate that this process (and any additional, non-statutory consultation) will help to identify potential impacts and appropriate mitigation.

5. Will this require a CRWIA?

We do not consider that a CRWIA is required to be completed for the SDO. The SDO is being introduced to help ensure the timely delivery of border control infrastructure that is required at Cairnryan as a result of EU Exit. The SDO grants temporary planning permission but requires that further site specific approval is sought before development commences; the SDO prescribes the procedures for doing so. We anticipate that this process will help to identify and mitigate potential impacts on children and young people.

CRWIA Declaration

Tick relevant section, and complete the form.

Children's Rights and Wellbeing Impact Assessment

CRWIA required	CRWIA not required
	✓
Authorisation	
Policy lead Tom Winter Development Delivery Planning and Architecture Division	Date: 22/02/2021
Deputy Director or equivalent John McNairney Chief Planner Planning and Architecture Division	Date: 22/02/2021