

ANGUS COUNCIL

COMMUNITIES COMMITTEE – 17 NOVEMBER 2015

DRIVING RESTRICTION AT BEECHWOOD PLACE KIRRIEMUIR

REPORT BY THE HEAD OF TECHNICAL & PROPERTY SERVICES

ABSTRACT

This report relates to a proposal to introduce a driving restriction on a section of Beechwood Place Kirriemuir.

1. RECOMMENDATION

It is recommended that the Committee agrees to the promotion of the necessary Traffic Order to introduce a driving restriction on a section of Beechwood Place Kirriemuir.

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/COPORATE PLAN

This report contributes to the following local outcome contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our communities are safe and strong.

3. BACKGROUND

Beechwood Place is a residential road located in the Southmuir area of Kirriemuir linking between Forfar Road at its east end with Glamis Road at its west end. Beechwood Place comprises of an adopted section and a short unadopted section at its eastern end. There are several cul-de-sacs on the north side of Beechwood Place which are adopted with the exception of Muirhead Place, which takes access from the unadopted section of Beechwood Place.

Beechwood Place has been commonly used not only by residents but also other general road users including drivers of large vehicles to travel between Forfar Road and Glamis Road, avoiding the busier and narrower Morrison Street to the north. This has resulted in the unadopted section of Beechwood Place falling into disrepair to the extent that it is currently considered to be dangerous for road users and has been closed as a result.

4. CURRENT POSITION

Angus Council has closed off the unadopted section of road under a temporary traffic order in the interest of pedestrian and traffic safety, pending a more permanent solution to this problem. Access for directly affected residents has been maintained.

Following examination of title deeds and historic mapping of the area it is the opinion of Angus Council that the whole road known as Beechwood Place (including the unadopted section) is legally a 'road' ie a way over which there is public right of passage.

On that basis, the unadopted section of Beechwood Place falls under the provisions of the Roads (Scotland) Act 1984 that relates to unadopted roads and apply in this instance, including the potential to bring it up to standard or stopping it up.

The cost of bringing the unadopted section of Beechwood Road up to adoptable standard is estimated to be in the region of £63,500. Angus Council would look to the owners of the land fronting or abutting that section to meet the costs involved, all in accordance with the provisions governing such matters under section 13 of the Roads (Scotland) Act 1984. Those owners would include the owners of the properties in Muirhead Place.

It is understood from contact with at least some of the property owners that this approach is unlikely to be supported.

A further option was to explore the potential for any upgrade of the road in association with a wider traffic management scheme, including a one-way traffic arrangement using Beechwood Place and Morrison Street. However investigations into this traffic arrangement have shown that physically this would not be possible due to the inability of long vehicles to be able to make turns into Beechwood Place in certain directions.

Any work funded by the council would have to be considered against other priorities and the Council introduced a policy in report 735/02 (Roads Committee, 13 June 2002, Article 7 refers), noted at Committee on 26 May 2015 Report No 207/15 Schedule 9 where physical maintenance of unadopted roads is not funded.

5. PROPOSALS

Given the above the only option available would appear to be for Angus Council to make permanent the current traffic restrictions by way of a permanent traffic order. Such an Order would require to be published in the press inviting objections leading to a further report to Committee for determination in due course.

It is intended that any permanent traffic order would prevent traffic flow along Beechwood Place but allow access to the Scottish Water Treatment Plant from Forfar Road. Residents of Muirhead Place and Beechwood Place would access the street to and from Glamis Road. Legal advice is to make the closure on the Forfar Road side of Muirhead Place allowing access to the Scottish Water premises from Forfar Road. Muirhead Place residents as well as Beechwood Place residents, as with the residents along with the rest of those served from the adopted section of Beechwood Place will then consistently all access via Glamis Road as originally intended by the planning authority (see plan – **Appendix 1**). This complies with planning requirements for Muirhead Place not to directly access Forfar Road and is also evidenced by the junction with Forfar Road not having been brought up to the required standard by any of the developers of houses served by the road in the past. It is understood that some residents would prefer the closure to be in the position of the temporary closure at the start of the unadopted section closest to Glamis Road but this would not comply with the above.

Provision would be made to maintain access along the whole length of the street for pedestrians and horses. Signs would be erected at the end of the adopted section of Beechwood Place to warn drivers and cyclists of the uneven condition of the unadopted section.

The local Members are supportive of the proposed restrictions.

6. FINANCIAL IMPLICATIONS

The estimated cost of implementing the proposals is around £2,500 which would be met from the 2015/2016 Roads Revenue Budget.

7. CONSULTATION

The Chief Executive, Strategic Director - Resources, the Head of Corporate Improvement & Finance, Head of Legal and Democratic Services and the Local Police Commander of Tayside Division were consulted in the preparation of this report.

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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Appendix 1 - : Plan of Beechwood Place, Kirriemuir

