

ANGUS COUNCIL

EXECUTIVE SUB-COMMITTEE – 9 JULY 2021

**IMPROVEMENTS TO COASTAL PATH AT ELLIOT LINKS ON NATIONAL CYCLE NETWORK
ROUTE 1 AND CORE PATH NETWORK**

REPORT BY THE DIRECTOR OF INFRASTRUCTURE

ABSTRACT

This report seeks approval of funding and delivery of improvements to the coastal path at Elliot Links on National Cycle Network Route 1 and Core Path Network to alleviate flood risk to the path.

1. RECOMMENDATION

It is recommended that the Executive Sub-Committee:

- (i) notes the urgent need for improvement works on the coastal path at Elliot Links to alleviate flood risk;
- (ii) notes that the improvement works were included on the pipeline of Active Travel projects reported to Council on 24 June 2021;
- (iii) notes the financial commitment and budget provision required from Angus Council as match funding for the project as set out in this report; and
- (iv) delegates authority to the Service Leader – Roads & Transportation, following consultation with the Director of Legal & Democratic Services, to negotiate the funding agreement with Sustrans on the basis of this report and thereafter for the Director of Legal & Democratic Services or her nominated representative to sign the agreement on behalf of the council; and
- (v) notes that the subject to approval of above recommendations, updates on these improvement works will be referred to the Road Safety Member Officer Working Group and included in subsequent reports to committee on the pipeline of Active Travel projects.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcomes contained within the Angus Local Outcomes Improvement Plan (LOIP) and Locality Plans:

ECONOMY

- An inclusive and sustainable economy

PLACE

- An enhanced, protected and enjoyed natural and built environment
- A reduced carbon footprint
- Safe, secure, vibrant and sustainable communities

3. BACKGROUND

- 3.1 Report No. 43/21 presented the pipeline of Active Travel projects, which was approved by Communities Committee on 23 February 2021.
- 3.2 Report No. 219/21 presented the programme of Cycling Walking Safer Routes (CWSR) projects, along with a list of other projects which form the pipeline of Active Travel projects, which was approved by Angus Council on 24 June 2021.
- 3.3 It was agreed in item 1(iii) of Report No. 219/21 that as funding opportunities are presented, the Service Leader – Roads & Transportation has delegated authority to make substitutions and to feed the others into the pipeline of Active Travel projects as funding opportunities are presented.
- 3.4 The coastal path at Elliot forms part of the National Cycle Network and is Route 1 of that network as well as being part of the core path network for Angus.

4. CURRENT POSITION

- 4.1 Reports of flooding on the coastal path at Elliot Links were reported by elected members to officers from January 2021 and over subsequent months. These reports have been investigated by officers. A location plan is provided in **Appendix 1**.
- 4.2 The flooding has over the winter period made the path impassable at worst and a major inconvenience for users at best. The path had dried out by early June 2021. However, without interventions it is considered that the path would again become impassable during the winter of 2021/22.
- 4.3 Sustrans, who oversee the National Cycle Network (NCN), and our officers responsible for our Core Path Network are aware of the issues and are wishing to find an urgent solution.
- 4.4 The flows were from a series of local burns running into the Tay Estuary or Elliot SSSI (Site of Special Scientific Interest). It is noted that the flows from these burns, which run underneath the East Coast Railway Line, are also causing flooding on the adjacent Arbroath Golf Links.
- 4.5 Clearance works were undertaken on the gravel bar where the Penstone Burn flows into the Tay Estuary. Further periodic works will continue here to lower the level of this burn.
- 4.6 The Dowrie Burn and an unnamed burn flow into the SSSI at Elliot. This effectively acts as a sponge with water levels rising and falling over the year. There is no direct outflow from this area and these burns to the Elliot Water towards Arbroath or the Tay Estuary. Further, any works in this area or close to this would be unlikely to be approved by NatureScot, who officers have been in dialogue with.
- 4.7 An outline solution of raising the path for the affected section onto a 'boardwalk' has been identified. This solution has been used elsewhere in the National Cycle Network through a SSSI. It is therefore considered that this same solution would be effective and approved for the Elliot Links.
- 4.8 The outline solution has been subject to discussion with Sustrans, who have indicated that they would be able to provide 50% funding towards the £200,000 estimated cost for a length estimated to be 270m for their NCN funding based on completion by the end of 2021.
- 4.9 Before entering into detailed design and seeking necessary approvals from NatureScot and others, a budget for the £100,000 match fund from the council is required to progress this project and given the gearing of the funding from Sustrans and the potential (to be confirmed) eligibility as in-direct match towards the Arbroath Places for Everyone project (6.7 below refers), it is recommended that this project is now funded and progressed.

5. PROPOSALS

- 5.1 It is proposed that a budget of £100,000 for the match funding to the Sustrans NCN £100,000, making up the project budget of £200,000, be committed for the council's own resources. Further details of the financial commitment required is given in Section 6 of this report.
- 5.2 With a budget commitment, detailed negotiations on an agreement with Sustrans on the funding would be undertaken by the Service Leader – Roads & Transportation and the Director of Legal & Democratic Services. The agreement if acceptable would then be signed on behalf of the council by Director of Legal & Democratic Services or her nominated representative.
- 5.3 Subject to approval of the funding and signing of the agreement, the improvement works will be procured. Updates on these improvement works will be referred to the Road Safety Member Officer Working Group and included in subsequent reports to committee on the pipeline of Active Travel projects.

6. FINANCIAL IMPLICATIONS

- 6.1 There is currently no budget allocation for this project.
- 6.2 The funding offer presented would provide the council with £200,000 of benefit from the improvement works from an investment of £100,000 as a direct match to the Sustrans NCN Development Fund amount of £100,000. It is therefore considered reasonable that the £100,000 contribution to match the Sustrans NCN Development Fund amount be allocated from an appropriate council budget.
- 6.3 There are a number of possible appropriate council budgets that have been given consideration to provide the £100,000 match funding required. These are using existing Roads & Transportation budget allocations; using other active travel funding available, such as CWSR; seeking to access Capital Contingencies through consideration by the Policy & Budget Strategy Group (and subsequent committee approval); and using the Covid recovery funding, which may be available.
- 6.4 It is considered that that availability of the above options to provide the £100,000 match funding required, presents confidence that the match is affordable and available under current delegated authorities to officers. This would allow the negotiations on an agreement with Sustrans on the funding to be undertaken, as outlined in section 5.3 of this report. The choice of budget or combination of budgets, and an update on the agreement will be reported to committee in due course.
- 6.5 There will be revenue implications for maintain the proposed boardwalk solution. The design life for such a timber/composite structure are estimated at 15-25 years. Over this period there will be requirement for maintenance. It is considered that the cost of maintenance in the first instance can be contained within existing budget provisions, which will be kept under review to ensure that there is a plan for the refurbishment and renewal of the boardwalk in future years.
- 6.6 As reported to Angus Council on 27 February 2020 (reference Report No. 86/20), it was considered reasonable that a target of £500,000 be set for in-direct match funding towards the Arbroath Places for Everyone project from sources other than Angus Council.
- 6.7 The £200,000 improvement works may be eligible as an in-direct match towards the Arbroath Places for Everyone project, as the NCN Development Fund is a separate Sustrans funding stream. If this were to be approved by Sustrans as an eligible in-direct match towards the Arbroath Places for Everyone project, this would result in Sustrans increasing their contribution to the Arbroath Places for Everyone project by £200,000 with an equal reduction in the amount of direct contribution made by Angus Council.

7. RISK IMPLICATIONS

- 7.1 The risks of the NCN Route 1 being impassable for periods over another winter are highlighted in this report. These risks are financial from the officer time spent dealing with complaints as well as reputational. The active travel benefits to health and wellbeing from using this path, which is on the Core Path Network would also be at risk during times of flooding.

- 7.2 There are construction risk associated with the improvement works, which can lead to delays in time for completion of the project and outturn costs may be different from the budget estimate of £200,000. Invariably, construction costs rise and do not fall. The relative risk share between Sustrans and the council would be subject to review as part of the funding agreement.
- 7.3 There are also risks from the proximity of the path to the Elliot SSSI and the East Coast Mainline railway, for which dialogue with and permissions from NatureScot and Network would be necessary. Conditions attached may impact on the timing and cost of delivery of the improvement works.

8. EQUALITY IMPACT ASSESSMENT & FAIRER SCOTLAND DUTY ASSESSMENT

- 8.1 It is considered that the Equality Impact/Fairer Scotland Duty Assessment undertaken for Report Nos. 219/21 and 43/21 cover the impacts. These assessments concluded that there were either neutral or positive impact on protected characteristic groups.
- 8.2 As noted in the Equality Impact/Fairer Scotland Duty Assessment Form for Report No. 43/21, the importance of monitoring and evaluating positive outcomes from the Strategy, Action Plan and deliverables is noted and will be undertaken. These will be reported to committee with subsequent updates on the pipeline of Active Travel projects.

NOTE: The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

Report No. 219/21 – Cycling Walking Safer Routes Update and 2021/22 Programme of Projects – Angus Council on 24 June 2021

Report No. 43/21 – Angus Active & Sustainable Travel Strategy - Communities Committee on 23 February 2021

Report No. 86/20 – Arbroath Active Travel Active Town – Update & Budget Proposals – Angus Council on 27 February 2020

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Appendices:

Appendix 1 – Location Plan

Appendix 1 – Location Plan

The following image shows the location of the project is on the shared coastal path 600m south of Elliot, to the south-west of Arbroath. The path runs parallel to the coastline and sits to the west of the dune system and Elliot SSSI, immediately to the east of the East Coast Railway Line and the Arbroath Golf Links.

