

**ANGUS COUNCIL**

**COMMUNITIES COMMITTEE – 16 AUGUST 2022**

**STOPPING UP OF FORMER A92 ARBROATH – MONTROSE ROAD AT COURTHILL,  
INVERKEILOR**

**REPORT BY ACTING DIRECTOR OF INFRASTRUCTURE (ROADS & TRANSPORTATION)**

**ABSTRACT**

This report relates to a request to stop up a section of the former A92 Arbroath to Montrose Road at Courthill, Inverkeilor.

**1. RECOMMENDATIONS**

It is recommended that the Committee:

- (i) notes the request to stop up a section of the former A92 at Courthill, Inverkeilor; and
- (ii) agrees to the promotion and making of a Stopping Up Order to extinguish the public right of passage over a section of the former A92 Arbroath to Montrose road at Courthill, Inverkeilor if unopposed, or submission to Scottish Ministers for confirmation if opposed.

**2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/CORPORATE PLAN**

This report contributes to the following local outcomes contained within the Angus Community Plan:

**ECONOMY**

- An inclusive and sustainable economy

**PEOPLE**

- We will work collaboratively for and with our citizens to keep them safe in resilient communities.

**PLACE**

- Safe, secure, vibrant and sustainable communities

**3. BACKGROUND**

3.1 A number of years ago the A92 Arbroath to Montrose road was realigned to the north of Inverkeilor to remove a number of tight bends north-east of Courthill and Hawkhill farms. In association with the realignment works a section of the road to the south-west of Courthill was stopped up as it became severed by the newly aligned road and by implication was no longer necessary as a road.

3.2 A copy of the previous Stopping up Order is included in **Appendix 1** of this report.

#### **4. CURRENT POSITION**

- 4.1 An additional, residual section of the public road to the south-west of the access to Courthill is no longer necessary as it is a no-through road having been severed by the realignment of the A92 road.
- 4.2 A request has been received from a local farmer for the disused section of road to be stopped up over a further length. If stopped up the solum of the road would revert to become under the farmer's control as title holder.
- 4.3 A suitable alternative route exists via the realigned A92 and therefore no alternative road is necessary.

#### **5. PROPOSALS**

- 5.1 It is proposed that a Stopping Up Order to extinguish the public right of passage over a section of the former A92 Arbroath to Montrose road at Courthill, Inverkeilor be promoted as requested by the local farmer.
- 5.2 A copy of the request to stop up the section of unnecessary road is reproduced in **Appendix 2** of this report.
- 5.3 A plan indicating the extents of the proposed stopping up is included in **Appendix 3**.
- 5.4 If the above order is promoted it will then be made if unopposed through noticing process. If the order is opposed, then a submission to Scottish Ministers for confirmation would be required.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1 Future maintenance cost savings would arise from the successful stopping up of the subject section of road as it would no longer be a roads asset managed and maintained by the council.
- 6.2 Additional processing time and costs for officers would be incurred if the order was opposed and a submission to Scottish Ministers for confirmation was required. However, these would be accommodated within existing staffing revenue budgets.

#### **7. EQUALITY IMPACT ASSESSMENT**

- 7.1 An Equality Impact Assessment has been completed for this report and is provided in **Appendix 4**.
- 7.2 The Assessment concludes that impacts on protected characteristic groups arising from the proposals contained in this report are neutral.

**NOTE:** No 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:

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#### **List of Appendices:**

- Appendix 1 – The Angus Council (Former A92 Arbroath – Montrose Road and Arbikie Road, Inverkeilor)(Stopping Up) Order 2015
- Appendix 2 – Request to Stop Up Road
- Appendix 3 – Proposed Order Plan
- Appendix 4 – Equality Impact Assessment