

**ANGUS COUNCIL**

**COMMUNITIES COMMITTEE – 18 APRIL 2023**

**STOPPING UP OF PART OF THE PUBLIC ROAD AT ROUNDYHILL, MONIFIETH**

**REPORT BY GRAEME DAILLY, DIRECTOR OF INFRASTRUCTURE & ENVIRONMENT**

**ABSTRACT**

This report relates to a proposal to stop up a part of Roundyhill, Monifieth following a formal request for the removal of the turning head by the title holder.

**1. RECOMMENDATIONS**

It is recommended that the Committee agrees to:

- (i) note the request to stop up a part of Roundyhill, Monifieth;
- (ii) the promotion and making, if unopposed, of a Stopping Up Order to extinguish the public right of passage over a part of Roundyhill, Monifieth;
- (iii) the Director of Infrastructure and Environment bringing a report back to Communities Committee if there are any objections to the Stopping Up Order that can't be resolved and there is the requirement to submit to Scottish Ministers for confirmation; and
- (iv) deletion of the stopped up part of the road from the list of public roads if the Stopping Up Order is confirmed.

**2. ALIGNMENT TO THE COUNCIL PLAN**

This report aligns with the Council Plan 2023-2028 priorities as follows:

Caring for our Place – Enable inclusive, empowered, resilient and safe communities across Angus.

**3. BACKGROUND**

- 3.1 The road at Roundyhill, Monifieth is a public road which was added to the list of public roads on an unknown date believed to be around the latter half of the 20<sup>th</sup> century.

**4. CURRENT POSITION**

- 4.1 A part of the road, approximately 130 metres south-west of the junction of Roundyhill with Malcolm Crescent forms a turning head.
- 4.2 A formal request for the removal of the turning head has been made by the title holder, a resident of Roundyhill.
- 4.3 The road at Roundyhill forms a circular route, meeting itself before re-joining its junction with Malcolm Crescent. The circular route forms a suitable alternative route, thereby, rendering the turning head unnecessary.

## **5. PROPOSALS**

- 5.1 A copy of the request to stop up the section of unnecessary road is reproduced in **Appendix 1** of this report and includes an undertaking to provide a compensatory footway and meet the council's costs in promoting the stopping up order.
- 5.2 A plan indicating the extents of the proposed stopping up is included in **Appendix 2**.
- 5.3 That part of the road required to form the compensatory footway will not be stopped up.
- 5.4 Other regulatory procedures are in place to ensure that the new footway is formed and constructed to the council's required standards, all works to be carried out by, and the costs to be met by the applicant.
- 5.5 A formal agreement between the council and the applicant will be prepared to ensure the footway works are completed to adoptable standards.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 Future maintenance cost savings from reduced road maintenance would arise from the successful stopping up of the turning head.

## **7. EQUALITY IMPACT ASSESSMENT**

- 7.1 An Equality Impact Assessment has been completed for this report and is provided in **Appendix 3**.
- 7.2 The Assessment concludes that impacts on protected characteristic groups arising from the proposals contained in this report are neutral.

## **8. CONSULTATION**

- 8.1 The Directors of Finance and Legal & Democratic Services were consulted in the preparation of this report.

**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 – Request to Stop Up Road
- Appendix 2 – Proposed Order Plan
- Appendix 3 – Equality Impact Assessment