

ANGUS COUNCIL

COMMUNITIES COMMITTEE – 16 APRIL 2024

**REDETERMINATION OF EXERCISE OF PUBLIC RIGHT OF PASSAGE ON THE LINK ROAD
BETWEEN LINKS PARADE AND SOUTH TAYMOUTH STREET, CARNOUSTIE**

REPORT BY GRAEME DAILLY, DIRECTOR OF INFRASTRUCTURE AND ENVIRONMENT

1. ABSTRACT

- 1.1 This report relates to the promotion and making of a redetermination order in respect of the conversion of a section of carriageway to cycle track and bridleway between Links Parade and South Taymouth Street, Carnoustie.

2. ALIGNMENT TO THE COUNCIL PLAN AND COUNCIL POLICIES

This report contributes to the following priorities contained within the Angus Council Plan 2023-2028:

Our Place:

- We will take action to mitigate against climate change by delivering our Transition to Net Zero Action Plan: 2022 to 2030 and leading on the delivery of a Sustainable Energy Climate Action Plan (SECAP) for Angus to reduce area wide emissions.
- We will maintain our roads, pavements, lighting, and other infrastructure efficiently and will focus on our priority routes and infrastructure.
- We will support the development of more active travel routes around Angus.

3. RECOMMENDATIONS

It is recommended that the Committee:

- (i) approves the preparation of a redetermination order under Sections 1(1) and 152(2) of the Roads (Scotland) Act 1984, to redetermine the exercise of the public right of passage along the link road between Links Parade and South Taymouth Street, Carnoustie and to thereafter publish the proposals in accordance with The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999;
- (ii) approves the making and confirmation of the order if no representations are received by the Council in response to the publication of the proposals, or if representations are received but are subsequently withdrawn; and
- (iii) instructs the Director of Infrastructure and Environment to report back to the Communities Committee if representations to the proposed order are received and are subsequently not withdrawn.

4. BACKGROUND

- 4.1 The determination or redetermination of the public right of passage is regulated by order under sections 1(1) and 152(2) of the Roads (Scotland) Act 1984.
- 4.2 If confirmed the order would restrict the use of the road to pedestrians, cyclists and equestrians only.
- 4.3 The proposals contained in this report arise as a result of improvements made by the Council to the National Cycle Route Network 1 between Barry Station and Links Parade, Carnoustie.

5. CURRENT POSITION

- 5.1 The link road between Links Parade and South Taymouth Street is a private road, located at the south-west end of Links Parade and runs north-west/south-eastwards between the Burnside Golf Course starter's box and the properties at 20 and 21 Links Parade.
- 5.2 The carriageway of the road is approximately 4 metres wide.
- 5.3 The current public right of passage along the road is exercised by all classes of traffic.

6. PROPOSALS

- 6.1 The creation of a shared use cycle track and bridleway on an existing carriageway requires that carriageway to be legally converted to a cycle track and bridleway under Section 152(2) of the Roads (Scotland) Act 1984.
- 6.2 A plan indicating the extents of the proposed cycle track and bridleway is shown in **Appendix 1** to this report.

7. FINANCIAL IMPLICATIONS

- 7.1 The estimated cost of implementing the proposals is £950 which will be met from the 2024/25 Communities Roads & Transportation (Traffic) Revenue Budget. Additional maintenance costs will amount to £100 per annum and this will require to be provided for in future years' Roads Asset Management Revenue Budgets.

8. RISK MANAGEMENT

- 8.1 There are no specific risks in the Corporate Risk Register that would impact on these proposals. Ensuring commitment of external funding to deliverable projects ensures we are able to fully maximise opportunities.

9. ENVIRONMENTAL IMPLICATIONS

- 9.1 The proposals within this report will lead to positive impacts that will enhance the environment and that support the Council's environmental targets and outcomes in the following areas:
- (i) a reduction in carbon emissions by removing motorised traffic from the link road.
 - (ii) an improvement in air quality from a reduction in motorised traffic on the link road.
 - (iii) improved options for active and sustainable travel via protection and enhancement of options for active and sustainable travel.

10. EQUALITY IMPACT ASSESSMENT, HUMAN RIGHTS AND FAIRER SCOTLAND DUTY

- 10.1 An Equality Impact Assessment has been carried out and is attached as **Appendix 2** to this report.

11. CONSULTATION

- 11.1 The Chief Executive, Director of Legal, Governance & Change, Director of Finance and the Local Police Commander of Tayside Division have been 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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List of Appendices:

Appendix 1 – Plan indicating the extents of the proposed cycle track.
Appendix 2 – Equality Impact Assessment