

ANGUS COUNCIL

COMMUNITIES COMMITTEE – 25 FEBRUARY 2025

BOG ROAD BRIDGE, BRECHIN – PERMANENT PROHIBITION OF DRIVING

REPORT BY GRAEME DAILLY, DIRECTOR OF INFRASTRUCTURE AND ENVIRONMENT

1. ABSTRACT

- 1.1 The report details the previous Committee decision to manage the long-term future maintenance of Bog Road Bridge, Brechin and notes the current situation, recommending that a permanent prohibition of driving be promoted for the unadopted road crossing the bridge, as the bridge is no longer suitable for carrying traffic loading.

2. ALIGNMENT TO THE COUNCIL PLAN AND COUNCIL POLICIES

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

Caring for our People:

- improve physical, mental health and wellbeing.

Caring for our Place:

- We will protect and enhance our natural and built environment.
- We will maintain our roads, pavements, lighting, and other infrastructure efficiently and will focus on our priority routes and infrastructure.
- We will make our local services accessible.
- We will support the development of more active travel routes around Angus.
- Improve connectivity in and around Angus.

3. RECOMMENDATIONS

- 3.1 It is recommended that the Committee: -

- (i) notes the current closure to vehicle traffic of Bog Road Bridge following the recent inspection;
- (ii) approves the promotion, including consultation, of a permanent prohibition of driving order across Bog Road Bridge, Brechin;
- (iii) 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by the Council in response to the publication of the proposals, or if representations are received but are subsequently withdrawn; and
- (iv) 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report back to the Communities Committee if representations to the proposed order are received and are subsequently not withdrawn.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 Bog Road Bridge carries an unadopted road over the Caledonian Railway (Brechin) Ltd (Caledonian Railway) and is shown on the plan at the end of **Appendix 1**. The bridge is one of three bridges previously included as part of the lease of the Council owned asset to Caledonian Railway.

- 4.2 In August 2005, Report No 989/05 was agreed by the then Infrastructures Services Committee and the abstract to that report was:

“This report proposes a solution to a problem concerning the maintenance and repair of three road-over-rail bridges on the railway line between Brechin and Bridge of Dun. The railway is owned by the Council but the subjects are leased in their entirety to Caledonian Railway (Brechin) Ltd. As part of the lease the company is obliged to maintain and repair the associated structures. However the company has advised that it does not have the resources to fulfil this obligation for the three major structures, which carry public roads over the railway line. It is proposed to relieve the company of this obligation for these structures and amend the lease accordingly. It is further proposed to examine options for the long-term future of the bridges and report on these to a future meeting of this Committee.”

- 4.3 Having agreed to take back responsibility for the bridges the subsequent report on Bog Road Bridge was presented to Infrastructure Services Committee, 25 August 2009 in Report No 584/09, MA/36 Bog Road Bridge, Brechin - Funding Implications and Options for Long Term Future Maintenance. For ease of reference this archived report is reproduced in **Appendix 1**.
- 4.4 Report No 584/09 noted that the bridge was assessed in 2008 and found to be incapable of carrying vehicles weighing more than 3 tonnes. A weight restriction of 3 tonnes Gross Vehicle Weight (GVW) was put in place. A feasibility study into the potential engineering solutions for the bridge was completed in 2008. The assessment report noted severe deformation of the west edge girder, poor paintwork and signs of corrosion on the edge beams with only slight corrosion of the internal beams. There is a large crack in the north-east wingwall, which indicates possible movement of the north abutment.
- 4.5 In 2009 the Committee agreed to adopt in the long-term Option 2 set out in Report No.584/09, removal and closure, as the best course of action for Bog Road Bridge as and when the bridge deteriorates to the point that this is necessary together with the promotion of a permanent weight limit order in the interim period.
- 4.6 The details for Option 2 provided in Report No. 584/08 stated

“Option 2: Ongoing monitoring eventual removal when necessary

This solution involves removing the bridge deck when it reaches the end of its serviceable life, closing the unadopted road and signing a permanent diversion of traffic using Bog Road between Scott Street and Park Road via Commerce Street, A935 Montrose Street, and Park Road (approximately 1 km).

Such proposals would require consultation and if members are minded to agree to this option then appropriate consultation will be undertaken at the appropriate time. In addition there would be legal processes required to close the road and to extinguish any rights of access across it.

The bridge is currently capable of carrying a reduced load of 3t, and this capacity will only reduce after some considerable time, and at such time the bridge would be able to sustain pedestrian loading until it again deteriorates to a point at which it becomes potentially unstable under its own weight. Only at this point would it become necessary to implement this option and physically remove the bridge deck.

Advantages:

- *Maintenance liability of existing deck eliminated*
- *Removes risk of vehicles above the weight limit crossing the bridge, albeit that this remains a risk until the bridge is removed*
- *Lowest long-term cost option*

Disadvantages:

- *Removes direct access between Scott Street and Park Road*
- *Permanent traffic diversion for all vehicles and pedestrians when this becomes necessary”*

- 4.7 The bridge carries an unadopted road across the railway. To the south the unadopted road is initially in an acceptable condition before a section in a very poor condition and heavily potholed. Over the bridge and to the north the unadopted road is in an acceptable condition.
- 4.8 Due to the narrow width of the existing bridge, two-way traffic is not feasible and without a footway on the bridge or the adopted road there is potential conflict between pedestrians/cyclists and vehicular traffic albeit that this is similar to the situation on many rural roads in Angus.

5. CURRENT POSITION

- 5.1 Caledonian Railways have reported that there is debris occasionally falling from the underside of the structure on to the railway tracks and potentially on to trains being shunted beneath the bridge or their operatives. The bridge has metal beams which are rusting and delaminating, encased in part with concrete infill which is cracking and falling from the structure.
- 5.2 To date the falling debris has not interrupted the activities of Caledonia Railway but has the potential to do so.
- 5.3 In light of the concerns officers arranged for an inspection of the structure to investigate the issue, advise on any protective measure that could be in place and consider the longer term serviceability of the bridge.
- 5.4 The inspection was carried out on 11 February 2025 and found that the bridge has reached a stage where it should be closed to all vehicular traffic. It was also recommended that any track operatives who may need to access the track below the structure wear appropriate head protection to protect from any further spalling concrete. As a consequence, a road closure was put in place as a matter of urgency along with media releases to inform the public of the closure. The bridge remains open to pedestrian and cyclists.
- 5.5 Caledonian Railways have reported that very few vehicles utilise the bridge due to the poor condition of the unadopted road, but that those vehicles that do use the route are larger, potentially in excess of the existing weight of 3t and includes tractors and delivery vehicles. The use by vehicles greater than the weight restriction is considered to be contributing to the debris falling from the structure.
- 5.6 Caledonian Railway are installing a new footbridge, compliant with disability accessibility under the Equality Act 2010, to the west of the existing Bog Road bridge which will allow access for all to their platform to the west of the bridge (see **Appendix 2**). The new footbridge is funded on a 50/50 basis between Caledonian Railway and UK Shared Prosperity fund administered by the Council. There is no restriction on that funding that requires the closure of the Bog Road bridge.
- 5.7 As well as the new compliant footbridge to the platform, Caledonian Railways are to construct a path to the rear of Andover Primary School to Bog Road, which is also shown in **Appendix 2**. Caledonian Railways have advised that funding for these works is from Paths4All on the condition of the council's agreed position regarding the future management of the Bog Road bridge as outlined in Report No. 584/08, and the intention to recommend the permanent prohibition of driving, as outlined in this report.
- 5.8 Caledonian Railways have confirmed that funding from Paths4All has been agreed for the Andover Primary School to Bog Road project.

6. PROPOSALS

- 6.1 The condition and ongoing deterioration of the bridge is as anticipated in the 2009 report (No. 584/09), having now come to the stage where the bridge has had to be restricted to pedestrian/active travel only, which has the benefit of removing any traffic conflict with pedestrians/active travel on both the existing bridge and the new route promoted by Caledonian Railways.
- 6.2 This will also reduce the likely occurrence of debris falling from the bridge and thereby reduce the overall risk of any injury for activities under the bridge. The bridge will, however, continue to deteriorate through weather related issues, and the position set out in Report No. 584/09 will at some stage be reached where the bridge will need to be removed, although this is anticipated not to be required for some years.
- 6.3 Following the emergency closure of the bridge to vehicles, there are two legal options for permanently restricting traffic, either stopping up the road using the Roads (Scotland) Act 1984 or use a permanent prohibition of driving under the Road Traffic Regulation Act 1984. The latter is considered more appropriate in this case as the road would remain available for pedestrians/active travel, and whilst both processes include consultation, and then reporting any objections to Committee, it falls to the Council/Committee to make their decision. The alternative of a Stopping Up Order, if objections are unresolved, requires to be referred for Scottish Ministers to make the decision which may result in a time delay.

- 6.4 In due course, and subject to the Committee's approval of this report, and the outcome of the consultation/subsequent report, the Bog Road route may be feasible to develop as an active travel route for potential inclusion in future council projects.
- 6.5 The Committee are asked to agree to this approach, and thereafter the Director of Infrastructure and Environment, or his nominated officer, will commence the consultation and bring a further report to Committee, if required, in due course.

7. FINANCIAL IMPLICATIONS

- 7.1 The advertising of the proposed restrictions, the consultation and any further reporting to Committee will incur staff and advertising costs anticipated to be in the order of £1,000. In due course if the outcome of the process was to restrict the bridge to active travel only, permanent bollards would be required at an estimated costs of a further £1,000, and revenue implications of £100. These costs would need to be contained with the Roads Revenue Budget and 2025/26 Roads (Traffic) Capital Budget.

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 and ensure legislative compliance in the following areas:

- improved options for active and sustainable travel via protection and enhancement of the current footways/footpath.

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

- 10.1 An Equality Impact Assessment has been carried out and is attached at **Appendix 3**.

11. CHILDREN'S RIGHTS AND WELLBEING IMPACT ASSESSMENT

- 11.1 A Children's Rights and Wellbeing Impact Assessment has been carried out within the EIA.

12. CONSULTATION

- 12.1 The Chief Executive, Acting 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: 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 989/05, Caledonian Railways – Maintenance Liabilities Infrastructures Services Committee, 25 August 2005

Report No 584/09, MA/36 Bog Road Bridge, Brechin - Funding Implications and Options for Long Term Future Maintenance, Infrastructure Services Committee, 25 August 2009

REPORT AUTHOR: Graeme Dailly, Director of Infrastructure & Environment

EMAIL DETAILS: Communities@angus.gov.uk

List of Appendices:

Appendix 1	Report No 584/09 and plan of Bog Road
Appendix 2	Caledonian Railways footbridge and footpath project
Appendix 3	EIA