

**PERTH AND KINROSS COUNCIL**

**Enterprise and Infrastructure Committee**

**11 January 2017**

**RE-DETERMINATION OF FOOTWAYS FOR SHARED USE**

**Report by Director (Environment)**

This report seeks approval to commence the legal process to propose to re-determine a number of existing footways adjacent to the A85/A90 Perth to Dundee Trunk Road in the Council area to shared use for pedestrians and cyclists.

**1. BACKGROUND**

- 1.1 Over a number of years, the Council has developed a network of cycle routes in and around Perth. The Council continues to take the opportunity to create further cycling routes to improve our cycling network infrastructure.
- 1.2 In conjunction with Perth & Kinross Council, Bear Scotland is proposing to provide a cycle route from the Barnhill Interchange at Perth East to St Madoes, by upgrading the existing footway along the south side of the A90. The footway will be re-determined as a shared-use facility for pedestrians and cyclists. Some minor construction work, such as dropped kerbs, will be required at the intersection with the public road network. All construction work will be undertaken by Bear Scotland.
- 1.3 To support this project, Perth & Kinross Council will be required to re-determine four sections of footway at the intersection with the trunk road boundary.

**2. PROPOSALS**

- 2.1 It is proposed that the following are redetermined as shared use for pedestrians and cyclists:

<b>LOCATION</b>	<b>DESCRIPTION</b>
Footway adjacent to A90 Trunk Road, Kinfauns Slip Road	South side of the A90 Trunk Road near Kinfauns slip road southwards for a distance of 50 metres or thereby as shown in Appendix 1.
Footway adjacent to A90 Trunk Road Slip Road, U202 Walnut Grove east side	South side of the A90 Trunk Road at the Walnut Grove junction with the A90 southwards on the U202 then westwards for a distance of 50 metres or thereby as shown in Appendix 2.
Footway adjacent to A85 Perth - Dundee Road Slip Road, U202 Walnut Grove	South side of the U202 from its junction with the A85 Perth - Dundee Road

LOCATION	DESCRIPTION
west side	eastwards for a distance of 40 metres or thereby as shown in Appendix 3.
Footway adjacent to A85 Perth – Dundee Road, Barnhill Interchange	South side of the A85 from its junction with A85 Perth-Dundee Road north-westwards for a distance of 385 metres or thereby as shown in Appendix 4.

### 3. CONCLUSION AND RECOMMENDATIONS

- 3.1 As well as the road user and road safety benefits, there are clearly economic benefits which may be realised by providing a more cycle and walker-friendly network. Areas across Perth and Kinross and other authorities have shown that visitor numbers increase where cycle networks and cycling infrastructure have been provided.
- 3.2 It is recommended that the Committee approves the promotion of a Re-determination Order under Section 152(2) of the Roads (Scotland) Act 1984 to allow footways listed in this report to be converted to shared use for pedestrians and cyclists.

#### Author

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#### Approved

Name	Designation	Date
Barbara Renton	Director (Environment)	17 November 2016

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes/No</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>Yes</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>None</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>Yes</b>
Sustainability (community, economic, environmental)	<b>Yes</b>
Legal and Governance	<b>Yes</b>
Risk	<b>None</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>Yes</b>
<b>Communication</b>	
Communications Plan	<b>Yes</b>

### 1. Strategic Implications

#### Community Plan / Single Outcome Agreement

- 1.1 The Perth and Kinross Community Planning Partnership (CPP) brings together organisations to plan and deliver services for the people of Perth and Kinross. Together the CPP has developed the Perth and Kinross Community Plan which outlines the key things we think are important for Perth and Kinross.
- i) Giving every child the best start in life
  - ii) Developing educated, responsible and informed citizens
  - iii) Promoting a prosperous, inclusive and sustainable economy
  - iv) Supporting people to lead independent, healthy and active lives
  - v) Creating a safe and sustainable place for future generations
- 1.2 It is considered that the actions contained within this report contribute to all of the above objectives.

## Corporate Plan

- 1.3 The Council's Corporate Plan 2013-2018 outlines the same five objectives as those detailed above in the Community Plan. These objectives provide a clear strategic direction, inform decisions at a corporate and service level and shape resource allocation. It is considered that the actions contained in the report contribute to the objectives as outlined in paragraph 1.2 above. These objectives are met by implementing schemes which promote road safety.

## **2. Resource Implications**

### Financial

#### Capital

- 2.1 There are no capital resource implications arising directly from the recommendations in this report.

#### Revenue

- 2.2 There will be costs for advertising the necessary Order in the press. It is proposed that one Order be promoted to cover all the listed locations. The estimated cost of advertising an Order is £300. These costs will be met from the Road Safety and Design budget in 2016/17.
- 2.3 The costs for the construction of the footways and all new posts and signs will be met by Bear Scotland.

#### Workforce

- 2.4 There are no workforce implications arising from this report.

#### Asset Management (land, property, IT)

- 2.5 There are no land and property, or information technology implications arising from the contents of this report.

## **3. Assessments**

### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

3.2 This section should reflect that the proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- (i) Assessed as **not relevant** for the purposes of EqIA.

#### Strategic Environmental Assessment

3.3 Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies, including policies (PPS). The proposals have been considered under the Act and no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

#### Sustainability

3.4 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.

3.5 The proposals contained within the report are assessed to have a positive impact on sustainability, particularly with regard to encouraging lower traffic speeds.

#### Legal and Governance

3.6 The Order will be promoted in accordance with The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999.

#### Risk

3.7 There are no significant risks associated with the implementation of this project.

### **4. Consultation**

4.1 The Head of Legal and Governance, the Head of Democratic Services and the Head of Finance have been consulted in the preparation of this report.

4.2 Police Scotland, the Elected Members and Community Councils have also been consulted and support the proposal.

**5. Communication**

- 5.1 Approval will allow a start to be made to the formal procedure to vary the Traffic Regulation Order. This procedure will involve statutory consultation, preparation of a draft TRO and advertising in the press. This will provide an opportunity for additional comments to be made or objections to be raised. Should objections be raised, these will be reported back to Committee, with appropriate recommendations.

**2. BACKGROUND PAPERS**

- 2.1 No background papers as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

**3. APPENDICES**

- 3.1 The proposal is shown at Appendices 1-4.