

PERTH AND KINROSS COUNCIL

Environment, Enterprise and Infrastructure Committee

14 June 2017

RE-DETERMINATION OF NORTH MUIRTON, PERTH - FOOTWAYS FOR SHARED USE

Report by Director (Environment)

This report seeks approval to commence the legal process to propose to re-determine the footpath at North Muirton, Perth to shared use for pedestrians and cyclists. The report indicates where shared use is proposed and seeks approval to commence the legal process required to implement this.

1. BACKGROUND

- 1.1 Over a number of years, the Council has developed a network of cycle routes in and around Perth. In Perth, the National Cycle Network Route 77 runs along the North Inch and the Tay and Almond rivers. Paths along the Scouring Burn and Craigie Hill golf course have also been upgraded. By joining this network of paths together, a Round Perth Cycle Route is being developed, and will be further progressed over the coming years.
- 1.2 In addition to the Round Perth Cycle Route, work has been carried out to develop a network of routes to link key destinations. Some of this work has included the upgrading and widening of a number of existing paths.
- 1.3 In some places where this work has been undertaken, the footways have required to be re-determined for shared use by pedestrians and cyclists. This has required the promotion of a Redetermination Order.

2. PROPOSALS

- 2.1 It is proposed that the following footpath/footway at North Muirton are re-determined as shared use for pedestrians and cyclists:

LOCATION	DESCRIPTION
Lewis Place, Perth	Footway to the rear of numbers 57-62 Lewis Place, for a distance of 45m or there by.

- 2.2 It is proposed to include the sections of footpaths/footways listed in the above table in the Redetermination Order to allow for shared use, as shown in Appendix 1.

3. CONCLUSION AND RECOMMENDATION

- 3.1 The report outlines the background to the introduction of shared use for pedestrians and cyclists. It also proposes that part of Lewis Place, Perth is redetermined for this purpose.
- 3.2 It is recommended that the Committee approves the legal process for the promotion of a Redetermination Order under Section 152(2) of the Roads (Scotland) Act 1984 to allow the footways identified in Appendix 1 to be converted to shared use for pedestrians and cyclists.

Author

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Approved

Name	Designation	Date
Barbara Renton	Director (Environment)	1 May 2017

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

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

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 the listed location. The estimated cost of advertising an Order is £300. These costs will be met from the Road Safety and Design budget in 2017/18.
- 2.3 The estimated costs of £500 for all new posts and signs will be met from the Road Safety and Design budget in 2017/18.

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, local 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. If objections are raised, these will be reported back to Committee, with appropriate recommendations.

2. BACKGROUND PAPERS

- 2.1 None.

3. APPENDICES

- 3.1 The proposal is shown at Appendix 1.