

PERTH AND KINROSS COUNCIL

Environment, Enterprise and Infrastructure Committee

8 November 2017

**RE-DETERMINATION OF FOOTWAY FOR SHARED USE AT MORAY STREET,
BLACKFORD**

Report by Director (Environment)

PURPOSE OF REPORT

This report seeks approval to commence the legal process to propose to re-determine the footpath at Moray Street, Blackford to shared use for pedestrians and cyclists.

1. BACKGROUND

- 1.1 As part of the School Travel Planning programme, and in an effort to reduce dependence of vehicular transport, Perth & Kinross Council has been keen to develop facilities for pedestrians and cyclists around local schools. The redevelopment of the public playground in Blackford in 2017/18 by Community Greenspace is expected to see additional use of the playground and playing field.
- 1.2 The Traffic & Network Team proposes to widen the footway across the frontage of the park. Re-determination of this footway will provide a shared use path between Blackford Primary School and the park. This has required the promotion of a re-determination Order.

2. PROPOSALS

- 2.1 It is proposed that the footway on the southeast side of Moray Street, Blackford is re-determined as shared use for pedestrians and cyclists in order to connect Blackford Primary School with the playpark, 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 Moray Street, Blackford is re-determined 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 footway 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)	21 September 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 The estimated costs of £5,500 for the widening of the footway will be met from the New Rural Footways capital budget in 2017/18.

Revenue

- 2.2 There will be costs for advertising the necessary Order in the press. It is proposed that an Order be promoted to cover 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 2017/18.

Workforce

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

Asset Management (land, property, IT)

- 2.4 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 local elected members and Community Council 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 generate a 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 The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above Report;

- Report to Enterprise and Infrastructure Committee 14 June 2017, Cycling, Walking and Safer Streets (CWSS) Projects 2017/18

3. APPENDICES

3.1 The proposal is shown in Appendix 1.