

# **PERTH AND KINROSS COUNCIL**

## **Environment and Infrastructure Committee**

**30 October 2019**

### **Active Travel Strategy - Re-Determination of Front Row, Aberargie – Footway for Shared Use**

**Report by Depute Director (Housing & Environment) (Report No. 19/315)**

This report seeks approval to commence the legal process to propose to re-determine the footway at Front Row, Aberargie (Ward 9) 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. By expanding these routes, the Council is developing sustainable transport links between communities and points of interest, as well as other establishments such as schools. Some of this work has included the upgrading and widening of a number of existing paths.
- 1.2 In some locations where this work has been undertaken, the footways have been re-determined for shared use by pedestrians and cyclists. This has required the promotion of a Redetermination Order, under Section 152(2) of the Roads (Scotland) Act 1984. This legal reference is lifted from the recommendation. The legal reference in para 3.6 in the Annex.
- 1.3 Perth & Kinross Council has developed an Active Travel Strategy (Report 18/90 refers) and the proposal detailed in this report will contribute to achieving the various aims identified in the strategy. Active travel can have a significant impact on the lives of local residents for public health, as well as reducing the impact of motorised travel methods on the road infrastructure.

#### **2. PROPOSALS**

- 2.1 It is proposed that the following footway at Front Row, Aberargie is re-determined as shared use for pedestrians and cyclists:

LOCATION	DESCRIPTION
Front Row, Aberargie	Footway on the north side of Front Row from a point 105 metres or thereby east of the junction with Back Row south-westwards to a point 10 metres or thereby east of the junction with U65, a distance of 780 metres or thereby.

- 2.2 It is proposed to include the sections of footways listed in the above table in the Redetermination Order to allow for shared use, as shown in Appendix 1. This would then create a link from the Morrison and MacKay Whisky Distillery to an existing Green Route that links to Bridge of Earn.

### 3. CONCLUSION AND RECOMMENDATION

- 3.1 The report outlines the background to the introduction of shared use footways for pedestrians and cyclists. It also proposes that part of the footway at Front Row, Aberargie is re-determined for this purpose.
- 3.2 Approval will allow a start to be made to the formal procedure to vary the relevant Traffic Regulation Order (TRO). This procedure will involve statutory consultation, preparation of draft TRO and advertising in the press. It 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.
- 3.3 It is recommended that the Committee approves the legal process for the promotion of a Redetermination Order to allow the footway at Front Row, Aberargie (Appendix 1) to be converted to shared use for pedestrians and cyclists.

#### Author

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#### Approved

Name	Designation	Date
Keith McNamara	Depute Director (Housing & Environment)	20 September 2019

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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 that 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 2018-2022 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 1.1 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 revenue budget in 2019/20.
- 2.3 The estimated costs of £500 for all new posts and signs will also be met from the Road Safety and Design revenue budget in 2019/20.

#### 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 that 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, and the Head of Finance have been consulted in the preparation of this report.
- 4.2 Police Scotland, local elected members, Earn Community Council and Abernethy and District 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 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.