

ANGUS COUNCIL

PLANNING AND TRANSPORT POLICY COMMITTEE

24 JANUARY 2002

SUBJECT: ANGUS PATHS FOR ALL NETWORKS

REPORT BY DIRECTOR OF PLANNING AND TRANSPORT

Abstract: This report updates members on progress made to date in relation to Path Networks and proposes a way forward.

1 RECOMMENDATION

It is recommended that the Committee –

1. note progress with the Forfar and Arbroath Path Networks;
2. authorise a contribution of up to £4,500 towards Phase 2 of the Forfar Path Network and up to £7,500 towards Phase 1 of the Arbroath Path Network, this expenditure to be met from the Planning and Transport Department's Capital Programme for 2001/2002;
3. authorise the Director of Roads to let a contract for a first phase of the Arbroath Path Network, subject to confirmation of partnership funding as outlined in this report.

2 INTRODUCTION

- 2.1 Members will recall that the Committee at their meeting on 23 August 2001 noted progress with the Forfar Path Network, authorised the Director of Roads to let a contract for Phase 2 of the Forfar Path Network and agreed to initial consultation and design work for an Arbroath Path Network.

3 FORFAR PATH NETWORK

- 3.1 Path Access Agreements with landowners are now nearing completion. There are a number of path sections where ownership has not been confirmed or where the owner is unwilling to enter into an Access Agreement but where these are probable rights of way it is envisaged that they will be signposted as part of the Network. Physical path works involving capital outlay other than for signposting will be restricted to paths which are subject to Access Agreements or which are asserted public rights of way.
- 3.2 Due to the delay in implementing Phase 2 of the Network, further consultation has taken place. Path user groups and previously involved individuals were written to and a presentation was made to the October Forfar Area Forum.
- 3.3 Design work has been completed for Phase 2 of the Network and it is expected that the contract will be awarded shortly.

- 3.4 A signposting schedule is currently being developed for the Network. It is anticipated that signposting will be in place soon after completion of path works.

4 ARBROATH PATH NETWORK

- 4.1 Initial consultation has taken place with all the main landowners surrounding Arbroath. Public consultation was conducted through a presentation to the October Arbroath Area Forum and a follow up workshop session. Further consultation is ongoing with community and youth groups in the town.
- 4.2 Once public consultation has been completed a draft Network Plan will be prepared following further discussion with affected landowners. This will be the subject of a further Committee report.
- 4.3 There are a number of currently well used routes within Arbroath which are either already maintained by the Council or for which agreement from the landowners can be readily obtained. It is proposed that work be undertaken on these paths during the current financial year in order to utilise external funding available from Scottish Natural Heritage. Paths proposed for inclusion in this first phase are shown on Appendix 1

5 FINANCIAL IMPLICATIONS

Forfar Phase 2

- 5.1 The costs of Phase 2 of the Forfar Path Network will be contained within the estimate of £55,000 previously reported to Committee. It became clear from further discussion with Scottish Natural Heritage that their contribution would be restricted to 50% of the Phase 2 cost, i.e. £27,500. Scottish Enterprise Tayside and the Paths for All Partnership have agreed to additional funding as outlined below. The £4,500 shortfall can be met from the allocation within the Planning and Transport Department's 2001/2002 Capital budget for Paths for All (£12,000). The contribution from Scottish Natural Heritage will be split between the financial years 2001/02 and 2002/03. Angus Council's contribution will be incurred during the current financial year. The Angus Environmental Trust has agreed to transfer the £15,000 funding allocation initially intended for Forfar Phase 2 to Phase 1 of the Arbroath Network (see below). The breakdown of the funding allocations is:-

Scottish Natural Heritage	£27,500
Scottish Enterprise Tayside	£13,000
Paths for All Partnership	£10,000
Angus Council	<u>£ 4,500</u>
Total	£55,000

It is expected that the majority of signposting costs associated with the Phase 2 network can be contained within the £55,000 funding package available. It is expected that any shortfall in funding for signposting the Forfar Network will be met by Angus Environmental Trust.

Arbroath – Phase 2

- 5.2 The estimated cost of the first phase of the Arbroath Network is £45,000. Angus Environment Trust has offered a £15,000 contribution (transferred from Forfar Phase 2) and it is expected that a further £22,500 will be offered by Scottish Natural

Heritage, i.e. 50%. The remaining £7,500 can be met from the allocation within the Planning and Transport Department's 2001/2002 Capital budget for Paths for All (£12,000). The contribution from Scottish Natural Heritage will be split between the financial years 2001/02 and 2002/03. Angus Council's contribution will be incurred during the current financial year. The breakdown of the funding allocations is:-

Scottish Natural Heritage	£22,500
Angus Environmental Trust	£15,000
Angus Council	<u>£ 7,500</u>
Total	£45,000

- 5.3 The revised phasing of expenditure and income on both the above projects will be reflected in the Planning and Transport Department's Financial Plan 2001/2005 due to be considered at the Special Budget meetings on 14 February 2002.
- 5.4 As previously reported the Director of Recreation Services has agreed to maintain the Forfar Path Network. The majority of paths within Phase 1 of the Arbroath Network are currently maintained by the Council. Work proposed for the privately owned path on Seaton Cliffs will have no maintenance implications.

6 HUMAN RIGHTS IMPLICATIONS

- 6.1 The creation of Path Networks has potential human rights implications in terms of Article 1 of the First Protocol (Protection of Property) and Article 8 (Right to Respect for Private and Family Life) of the Human Right Act 1998. Given the proposed use of Access Agreements and the wider public benefits, including enhancement of the rights and freedoms of others to enjoy the countryside and outdoor recreation, it is not considered that the Council would be infringing these Articles as a results of this report. In any event, the proposed actions is legitimate as it is within the Council's powers (in particular Sections 2 and 3 of the Local Government (Development and Finance) (Scotland) Act 1963 and Section 30 of the Countryside (Scotland) Act 1967) and proportionate.

7 CONSULTATION

- 7.1 The Chief Executive, Director of Finance, Director of Law & Administration, Director of Recreation Services and Director of Roads have been consulted in the preparation of this report.

NOTE

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.

AA/PC/IAL
17 January 2002

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