

ANGUS COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE

21 APRIL 2009

DON STREET/CARSEBURN ROAD, FORFAR –
STOPPING UP OF FOOTWAY

REPORT BY THE DIRECTOR OF INFRASTRUCTURE SERVICES

ABSTRACT

This report deals with the proposed Stopping up of a section of footway at Don Street/Carseburn Road Forfar.

1. **RECOMMENDATIONS**

- 1.1 The Committee is asked to agree to the promotion of a Stopping Up Order in respect of a section of footway at Don Street/Carseburn Road Forfar for the reason that said section has become unnecessary.

2. **INTRODUCTION**

- 2.1 The junction of Don Street with Carseburn Road was historically a large open junction which was not conducive with pedestrian and traffic safety.
- 2.2 Some years ago the junction was upgraded to a more appropriate layout for modern traffic and as a result an extremely wide footway was created to the southeast of the junction.

3. **DETAILS**

- 3.1 Servite Housing Association proposes to develop the former workshop site on the southeast corner of Don Street and Carseburn Road for housing.
- 3.2 Angus Council has agreed to sell a portion of the footway to allow the development to proceed. (Report No 1035/08 considered by Corporate Services committee at its meeting of 23 October 2008).
- 3.3 A minimum 1.8 metre wide footway adjacent to the carriageways of Don Street and Carseburn Road ex adverso the site will be retained in order to maintain continuous pedestrian provision.
- 3.4 The affected remaining section of footway is considered unnecessary in terms of pedestrian provision and junction visibility sightlines.
- 3.5 The Committee is therefore asked to agree to the promotion of a Stopping Up Order in respect of a section of footway at Don Street/Carseburn Road, Forfar. The affected area of footway is shown on the attached plan.

4 FINANCIAL IMPLICATIONS

- 4.1 The disposal of the land will result in a capital receipt for the Forfar Common Good Account, as detailed in Report No 90/09 to the Corporate Services Committee of 29 January 2009.
- 4.2 The disposal of the land will only marginally reduce future maintenance costs for the Council by circa £180 per annum. The costs of relocating any Public Utilities plant within the affected area of footway and the costs of promoting and advertising the Stopping Up Order would be met by the developer of the site.

5 HUMAN RIGHTS IMPLICATIONS

- 5.1 There are no human rights implications arising from the proposals in this report.

6 EQUALITIES IMPLICATIONS

- 6.1 The issues dealt with in this Report have been the subject of consideration from an equalities perspective (as required by legislation). An equalities impact assessment is not required.

7 CONSULTATION

- 7.1 The Chief Executive, Director of Corporate Services, Head of Finance and Head of Law and Administration and the Chief Constable were consulted in the preparation of this report.

8 CONCLUSION

- 8.1 The section of footway in question is no longer required as public road and in order to extinguish public right of passage over it requires the promotion of a formal Stopping Up Order.

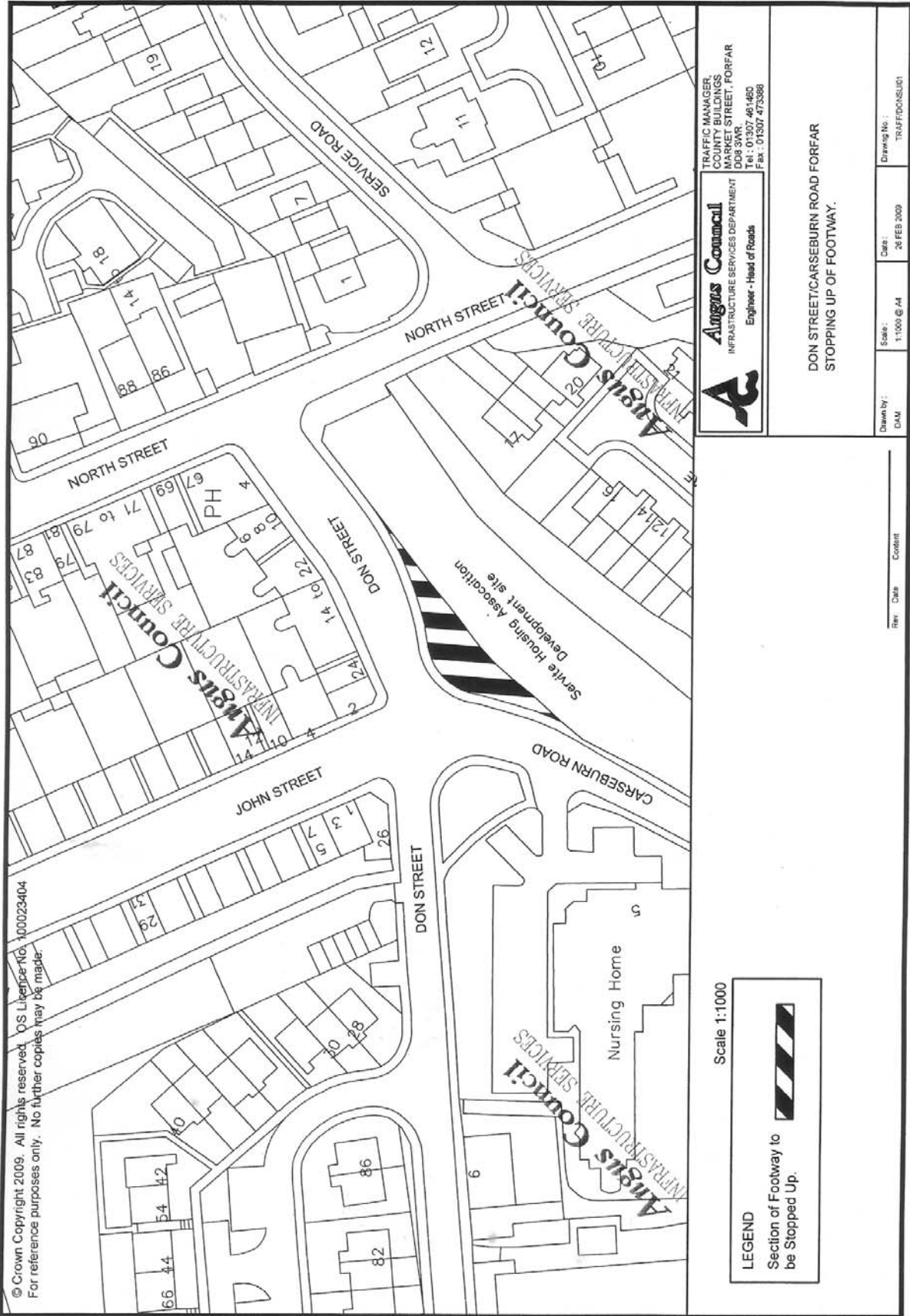
ERIC S LOWSON
DIRECTOR OF INFRASTRUCTURE SERVICES

NOTE:

The following 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 this Report:-

Corporate Services Committee – 23 October 2008 (Report No 1035/08)
Corporate Services Committee – 29 January 2009 (Report No 90/09)

Roads/DAM/PP
6 March 2009
REPORTS/don.street.carseburn



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Argus Council
 INFRASTRUCTURE SERVICES DEPARTMENT
 Engineer - Head of Roads

TRAFFIC MANAGER,
 COUNTY BUILDINGS
 MARKET STREET, FORFAR
 DD8 3RS
 TEL: 01307 461460
 FAX: 01307 473388

Scale: 1:1000 @ A4
 Date: 20 FEB 2009
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LEGEND
 Section of Footway to be Stopped Up.

DON STREET/CARSEBURN ROAD FORFAR
 STOPPING UP OF FOOTWAY.