

ANGUS COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE

13 OCTOBER 2009

STOPPING UP OF ROAD AT 101 HIGH STREET, MONTROSE

REPORT BY DIRECTOR OF INFRASTRUCTURE SERVICES

ABSTRACT:

This Report proposes confirmation of an Order to stop-up a section of the public road outside 101 High Street, Montrose to facilitate the construction of a ramp to create a disabled access to the Royal Bank of Scotland premises.

1 RECOMMENDATION

- 1.1 It is recommended that the Committee approve confirmation of the Stopping-Up Order for part of the public footpath at High Street, Montrose to facilitate the provision of a disabled access ramp for the Royal Bank of Scotland premises at 101 High Street, Montrose and authorise the Head of Law and Administration to carry out the necessary statutory procedures.

2 BACKGROUND

- 2.1 On 3 June 2008 the Committee approved the making of an Order to stop-up part of the road at 101 High Street, Montrose subject to the Royal Bank of Scotland meeting all necessary costs and to their satisfying the Head of Law and Administration and the Head of Roads on ownership and indemnity issues. (Report 571/08 refers).

3 CURRENT POSITION

- 3.1 Following the advertising of the proposal one objection was received within the statutory period. The objection, from one of the utility companies, has subsequently been withdrawn and therefore the Order can be confirmed as an unopposed Order.
- 3.2 It is clear from an examination of the title of the Royal Bank of Scotland that it does not own, or claim to own, the section of footpath affected by the proposed Stopping-Up. Investigations at Register House have failed to disclose any Title Deed for that section of pavement. Satisfactory indemnity arrangements have been agreed with the Royal Bank.

4 FINANCIAL IMPLICATIONS

- 4.1 The Royal Bank have confirmed that they will meet the Council's costs in relation to the preparation of the Order and therefore there are no financial implications for the Council.

5 HUMAN RIGHTS IMPLICATIONS

- 5.1 The proposals have no direct Human Rights implications and are proposed by the Bank to fulfil the Bank's obligations to comply with the Disability Discrimination Act 1995.

6 EQUALITIES IMPLICATIONS

- 6.1 The issues contained in this Report fall within an approved category that has been confirmed as exempt from an equalities perspective.

7 SINGLE OUTCOME AGREEMENT

7.1 This report contributes to the following local outcome contained within the Single Outcome Agreement for Angus.

- We live in well-designed, sustainable places where we are able to access the amenities and services we need

8 CONSULTATION

8.1 The Chief Executive, Director of Corporate Services, Head of Finance, and Head of Law and Administration have been consulted in the preparation of this Report.

9 CONCLUSION

9.1 On the basis that there are no outstanding objections to the Stopping-Up Order for a section of the pavement outside 101 High Street, Montrose the Committee is requested to confirm the Order and to authorise the Head of Law and Administration to carry out the necessary statutory procedures.

**ERIC S LOWSON
DIRECTOR OF INFRASTRUCTURE SERVICES**

NOTE:

The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

- Report No 571/08 - Stopping-Up of Road at 101 High Street, Montrose - Infrastructure Services Committee 3 June 2008.