

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

THE HIGHLAND COUNCIL (WEST LINK ROAD (A6128), STAGE 1 - VARIOUS FOOTPATHS, INVERNESS) (STOPPING UP) ORDER 2014

The Highland Council, in exercise of the powers conferred on them by Section 208 of the Town and Country Planning (Scotland) Act 1997 (“the Act”), being satisfied that it is necessary to authorise the stopping up of sections of the footpaths hereinafter specified in Part I of the Schedule to this Order, for the construction of the West Link Road (A6128), Stage 1, a 2.2km new single carriageway road, 4 No. roundabouts, and a new bridge over the River Ness, with associated drainage, earthworks, fencing, landscaping, new access tracks/paths, street lighting and all ancillary works, between Dores Road and Torvean, Inverness, to be carried out in accordance with planning permission 13/03825/FUL granted under Part III of the said Act (“the West Link Road”), and that suitable alternative footpaths hereinafter specified in Part II of the Schedule to this Order will exist, hereby make the following Order:-

1. This Order may be cited as “The Highland Council (West Link Road (A6128), Stage 1 - Various Footpaths, Inverness) (Stopping Up) Order 2014” and shall come into operation when the alternative footpaths specified in Part II of the Schedule to this Order are completed and open for use.
2. The stopping up of the sections of the footpaths specified in Part I of the Schedule to this Order is hereby authorised.
3. The creation of the alternative footpaths specified in Part II of the Schedule to this Order is hereby authorised.
4. Where there is, immediately before the date on which the said footpaths are stopped up under this Order, any apparatus belonging to any statutory undertakers under, in, on, over, along or across the footpaths for the purpose of carrying on their undertaking, the said statutory undertakers shall after the commencement of this Order continue to have all rights in respect of said apparatus as they had immediately before that date.

Sealed with the Common Seal of The Highland Council and subscribed for them and on their behalf by Stewart David Fraser, Head of Corporate Governance and Proper Officer, at Inverness on 3rd December Two thousand and fourteen.

.....Proper Officer

This is the Schedule referred to in the foregoing The Highland Council (West Link Road (A6128), Stage 1 - Various Footpaths, Inverness) (Stopping Up) Order 2014.

SCHEDULE

PART I

SECTIONS OF FOOTPATHS TO BE STOPPED UP

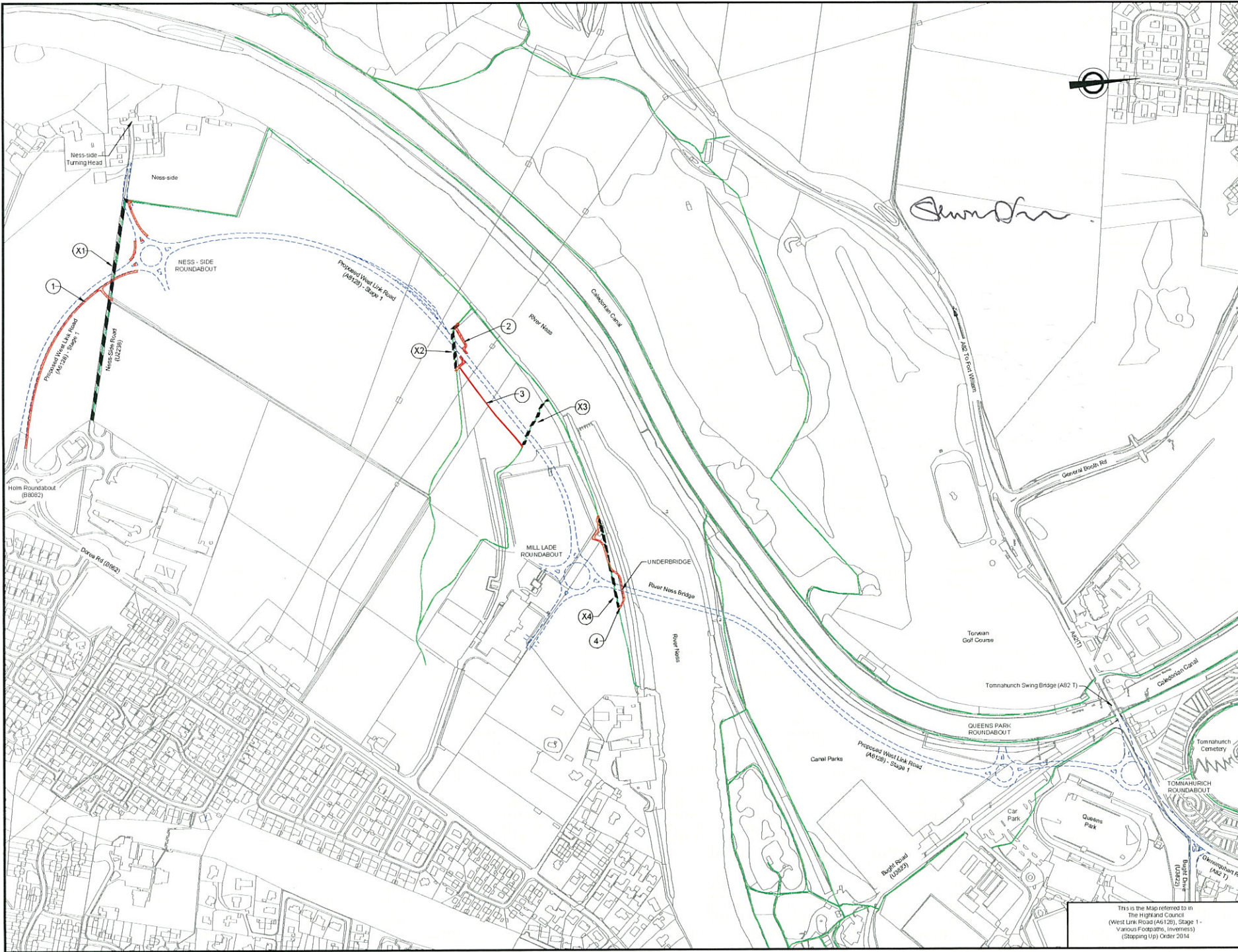
1. That part of the footpath known as Ness-Side Circuits (IN19.36), extending to 330 metres or thereby as shown by zebra hatching in black, reference X1 on the plan HRS7126/FSU1/A, annexed and executed as relative to the Order.
2. That part of the footpath known as Ness-Side Circuits (IN19.36) extending to 66 metres or thereby as shown by zebra hatching in black, reference X2 on the plan HRS7126/FSU1/A, annexed and executed as relative to the Order.
3. That part of the footpath known as Ness-Side Circuits (IN19.36), extending to 82 metres or thereby as shown by zebra hatching in black, reference X3 on the plan HRS7126/FSU1/A, annexed and executed as relative to the Order.
4. That part of the footpath known as Ness-Side Circuits (IN19.36), extending to 134 metres or thereby as shown by zebra hatching in black, reference X4 on the plan HRS7126/FSU1/A, annexed and executed as relative to the Order.

PART II

ALTERNATIVE FOOTPATHS

1. Commencing at Holm Roundabout (B8082), 426 metres or thereby east of Ness-Side, extending in a westerly direction for a distance of 320 metres or thereby, crossing the proposed Ness-Side Roundabout (A6128), in a south westerly direction, extending in north westerly direction for a distance of 20 metres or thereby, crossing the proposed Ness-Side roundabout (A6128), extending in a south westerly direction for a distance of 70 metres or thereby to Ness-Side Circuits (IN 19.36), as shown by dotted hatching in red, reference 1 on the plan HRS7126/FSU1/A, annexed and executed as relative to the Order.
2. Commencing at a point on the Ness-Side Circuits (IN19.36), 450 metres or thereby north east of the proposed Ness-Side Roundabout (A6128), extending in a easterly direction for a distance of 90 metres or thereby crossing the proposed West Link Road (A6128), tying into the existing Ness-Side Circuits (IN19.36) as shown by dotted hatching in red, reference 2 on the plan HRS7126/FSU1/A, annexed and executed as relative to the Order.
3. Commencing at a point on the Ness-Side Circuits (IN19.36), 500 metres or thereby east of the proposed Ness-Side Roundabout (A6128), extending in a north easterly direction for a distance of 148 metres or thereby tying into the existing Ness-Side Circuits (IN19.36) as shown by dotted hatching in red, reference 3 on the plan HRS7126/FSU1/A, annexed and executed as relative to the Order.
4. Commencing at a point on the Ness-Side Circuits (IN19.36), 70 metres or thereby north west of the proposed Mill Lade Roundabout (A6128), extending in south easterly direction for a distance of 35 metres or thereby, turning in an easterly direction for a distance of 125 metres or thereby passing under the proposed River Ness Bridge tying into the existing Ness-Side Circuits (IN19.36) as shown by dotted hatching in red, reference 4 on the plan HRS7126/FSU1/A, annexed and executed as relative to the Order.

.....Proper Officer



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 The Highland Council: 2014 100223360

- CORE PATH CODES (AS SEEN ON MAP 10, INVERNESS SOUTH - INVERNESS & NAIRN CORE PATH PLAN)
 X1 TO X4 IN 1936
- THIS PLAN DOES NOT SHOW WIDTHS OR CONSTRUCTION DETAILS

Key

- ROUTE OF NEW ROAD: - - - - -
- EXISTING CORE FOOTPATH: ———
- ALTERNATIVE FOOTPATH: - - - - -
- FOOTPATH TO BE STOPPED UP: - - - - -

Order No	Reviewed By	NO and Details	DATE	BY	DATE	BY
1						

Revision Details

Drawn	Checked	Drawn	Checked
ARM	JAS	20/09/14	20/09/14

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The Highland Council
 Inverness West Link

Project: The Highland Council
 (West Link Road (A6128) - Stage 1 - Various Footpaths, Inverness) (Stopping Up) Order 2014

Scale (at A1): 1 : 2500

Drawn	Checked	Date
ARM	JAS	20/09/14

Project No: HRS7126

Drawing No: FSU1 Rev: A

This is the Map referred to in
 The Highland Council
 (West Link Road (A6128) - Stage 1 - Various Footpaths, Inverness) (Stopping Up) Order 2014

STATEMENT OF REASONS

As a result of granting planning permission in respect of the West Link Road development (“the development”) under planning application reference 13/03825/FUL, the Highland Council (“the Council”) is satisfied that it is necessary to authorise the stopping up of those sections of existing footpaths specified in Part I of the Schedule to the Order and shown in zebra hatching in black on the plan annexed and executed as relative to the Order, in order to allow the development to be carried out.

Stage 1 of the development involves a 2.2km new single carriageway road, 4 No. roundabouts, and a new bridge over the River Ness, with associated drainage, earthworks, fencing, landscaping, new access tracks/paths, street lighting and all ancillary works, between Dores Road and Torvean, Inverness. In order to facilitate the construction and, once built, the operation of the development, various existing roads and private accesses require to be stopped up by orders promoted under the Roads (Scotland) Act 1984 and various sections of existing footpaths require to be stopped up under the Town and Country Planning (Scotland) Act 1997.

The various footpaths that are the subject of this Order are also Core Paths included in the Council’s Core Path Plan. Once the various footpaths are stopped up, the Council shall amend their Plan in accordance with section 20(4) of the Land Reform (Scotland) Act 2003.

Suitable alternative footpaths will be constructed as part of the development. These are specified in Part II of the Schedule and shown by dotted hatching in red on the plan annexed and executed as relative to the Order. This Order shall come into operation when the said alternative footpaths are completed and open for use.

