

Agenda Item	16
Report No	ECI/37/22

THE HIGHLAND COUNCIL

Committee: Economy and Infrastructure

Date: 10 November 2022

Report Title: Inshes Junction Improvements – Stopping Up of U4403 Beechwood House Road

Report By: Executive Chief Officer Infrastructure, Environment and Economy

1. Purpose/Executive Summary

1.1 Inshes Corridor is one of the busiest parts of the city's transport network and as a result has Capital Programme funding allocated toward making improvements. Members gave an approval to proceed with the detailed design of the scheme based on a revised Option 1 at City of Inverness Area Committee on 18 November 2021.

1.2 Part III, page 50, paragraph 2.33 of The Scheme of Delegation states that the function:-

“to approve the stopping up of roads and private means of access and the deletion of roads from the list of public roads and the adoption of roads (that are not constructed under the Road Construction Consent procedure) onto the list of public roads” sits with the Economy and Infrastructure Committee.

This report invites Members to approve the making of the Stopping Up Order at the U4403 Beechwood House Road to which there have been no objections.

2. Recommendations

2.1 Members are asked to:-

- i. **Note** the background to the making of the Stopping Up Order at the U4403 Beechwood House Road; and
- ii. **Approve** the making of the Stopping Up Order at the U4403 Beechwood House Road as in **Appendix 1**.

3. Implications

3.1 **Resource** - The stopping up of the U4403 Beechwood House Road is part of the Inshes Road Corridor Improvements scheme which is funded through the Council's capital programme. The works to stop up the road have already been carried out.

- 3.2 **Legal** - The “U4403 Beechwood House Road Stopping Up Order 2022” is required to be approved by the Economy and Infrastructure Committee. This report confirms that no objections were received and is seeking approval to make this Traffic Order permanent.
- 3.3 **Community (Equality, Poverty, Rural and Island)** – the proposal reserves a means of passage for pedestrians and pedal cyclists over the section of road subject to the stopping up order.
- 3.4 **Climate Change / Carbon Clever** - the overall Inshes Road Corridor Improvement scheme provides improved infrastructure for public transport and active travel.
- 3.5 **Risk** - If approval is not given the Order will not be made.
- 3.6 **Gaelic** - there are no Gaelic implications in this stopping up order.

4 Background

The stopping up of the U4403 is part of the improvements to the Inshes Corridor. Removing the access from Old Perth Road results in an improved traffic flow. Access to Beechwood House is maintained via the U4704 Beechwood Park North road.

Statutory consultations were carried out and the notice was advertised in the Inverness Courier and the Edinburgh Gazette on 4 February 2022. No objections to the proposed stopping up were received.

Designation: Executive Chief Officer Infrastructure, Environment & Economy

Date: 4 October 2022

Author: Carolyn Smith, Senior Technician

**THE HIGHLAND COUNCIL ROADS (SCOTLAND) ACT 1984
THE HIGHLAND COUNCIL (U4403 BEECHWOOD HOUSE ROAD)
STOPPING UP ORDER 2022**

NOTICE IS HEREBY GIVEN THAT on [date] The Highland Council in exercise of the powers conferred on them by section 71(2) of the Roads (Scotland) Act 1984 confirmed the above-mentioned order.

A copy of the order as confirmed and of the accompanying plan may be found at <https://www.highland.gov.uk/roadsafety> and selecting Road Safety Team Consultations. Paper copies can be requested free of charge by writing to Adam Sutherland (Engineer), The Highland Council, Infrastructure and Environment, Project Design Unit, Drummie Office, Golspie, KW10 6TA or emailing adam.sutherland@highland.gov.uk.

The effect of the order is stated in Notice 3979102 in the Edinburgh Gazette Number 20607 dated 04/02/2022 and in the Inverness Courier dated 04/02/2022.
The order comes into operation on [date].

Date 2022

**THE HIGHLAND COUNCIL
(U4403 BEECHWOOD HOUSE ROAD) STOPPING UP
ORDER 2022**

STATEMENT OF REASONS

As a result of the construction of the alternative road (commencing at the north east corner of the U4403 Beechwood House Road (Old Perth Road, CUL-DE-SAC to Nos. 69 -79) and extending in a north easterly then easterly direction for a total distance of 64 metres or thereby to its junction with the U4704 Beechwood Park North road), the section of the U4403 Beechwood House Road (Old Perth Road, CUL-DE-SAC to Nos. 69 -79), commencing at its junction with Old Perth Road (B9006) at a point 120 metres or thereby north west of the Inshes Roundabout (B8082) and extending in a north easterly direction for a distance 217 metres or thereby to its termination has become unnecessary and requires to be stopped up.

ROADS (SCOTLAND) ACT 1984

The Highland Council (U4403 Beechwood House Road) (Stopping Up) Order 2022

The Highland Council, in exercise of the powers conferred on them by section 68(1) of the Roads (Scotland) Act 1984 and of all other powers enabling them in that behalf, and having considered that the road specified in Part I of the Schedule to this order has become unnecessary and being satisfied that a suitable alternative road exists, hereby make the following order:-

1. This order may be cited as “The Highland Council (U4403 Beechwood House Road) (Stopping Up) Order 2022” and shall come into operation on 2022.
2. The stopping up of the road in the Beechwood area of Inverness specified in Part I of the Schedule to this order is hereby ordered subject to the reservation of a means of passage for pedestrians and pedal cyclists specified in that part of the Schedule.
3. Where there is, immediately before the date on which the said road is stopped up under this order, any apparatus belonging to any statutory undertakers under, in, on, over, along or across that length of road 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 the said apparatus as they had immediately before that date.

Sealed with the Common Seal of The Highland Council and signed for them and on their behalf at Dingwall on 2022 by Shona Anne Pottinger Solicitor and Proper Officer.

Proper Officer

THIS IS THE SCHEDULE REFERRED TO IN THE FOREGOING THE HIGHLAND COUNCIL (U4403 BEECHWOOD HOUSE ROAD) (STOPPING UP) ORDER 2022

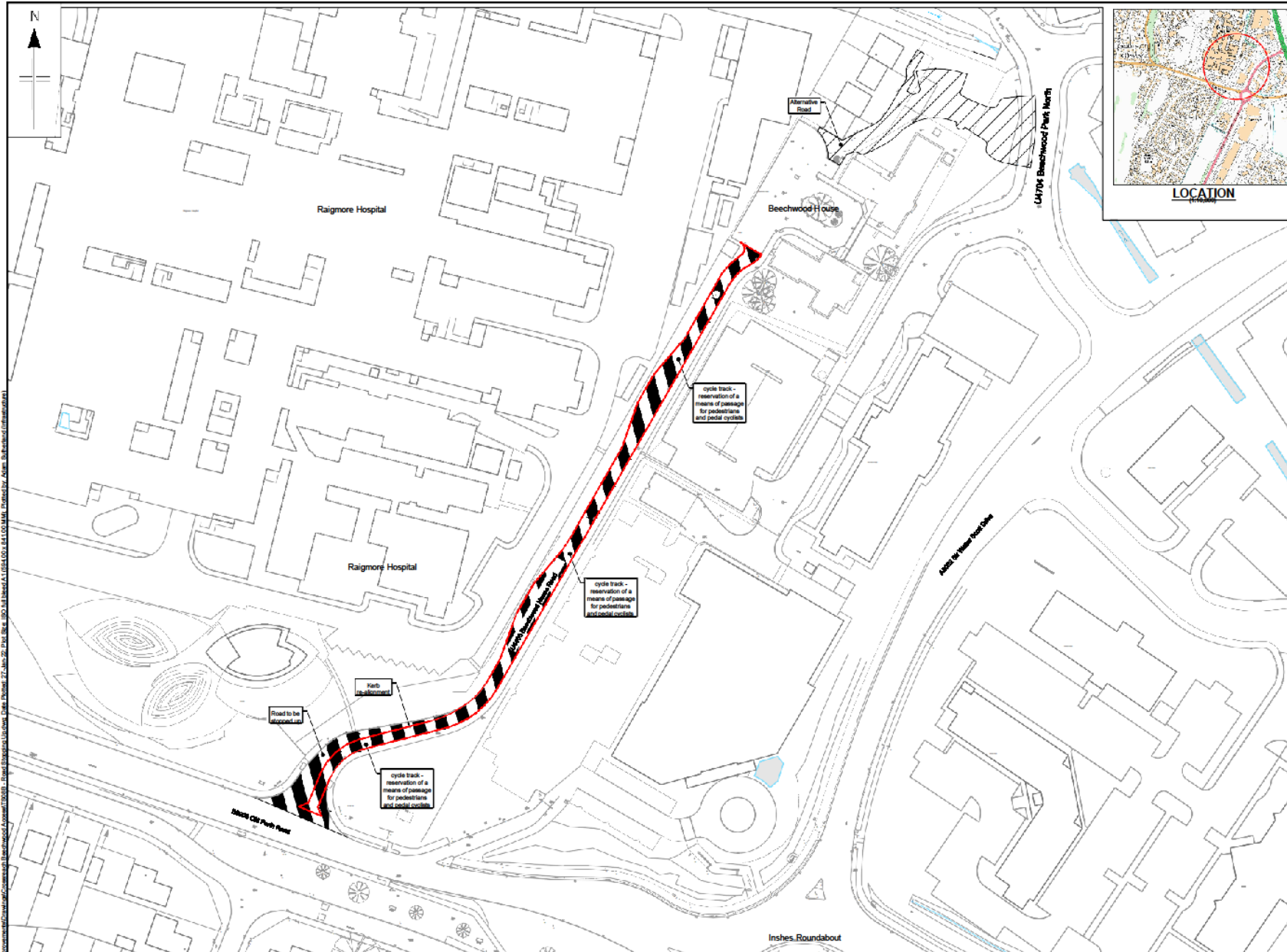
**PART 1
ROAD TO BE STOPPED**

That section of the U4403 Beechwood House Road (Old Perth Road, CUL-DE-SAC to Nos. 69-79), Inverness, commencing at its junction with Old Perth Road (B9006) at a point 120 metres or thereby north west of the Inshes Roundabout (B8082) and extending in a north easterly direction for a distance 217 metres or thereby to its termination as shown in zebra hatching and marked "Road to be stopped up" on the plan annexed and signed as relative hereto.

There is a reservation of a means of passage for pedestrians and pedal cyclists as shown outlined in red and marked "cycle track" on the said plan.

**PART 11
ALTERNATIVE ROAD**

That section of road (consisting of a shared surface with 3.0metres wide contiguous footways on both sides for the latter 7.0metres) commencing at the north east corner of the U4403 Beechwood House Road (Old Perth Road, CUL-DE-SAC to Nos. 69 -79) and extending in a north easterly then easterly direction for a total distance of 64 metres or thereby to its junction with the U4704 Beechwood Park North road as shown in thin diagonal hatching and marked "Alternative Road".



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Key:

- Road to be stopped up
- Alternative Road

Terms of annotations amended in line with construction of new road.	AS	JC	27.10.20	B
Annotations amended in line with legal terminology Cycle track (red) outline added. <td>AS <td>JC <td>27.10.20 <td>A</td> </td></td></td>	AS <td>JC <td>27.10.20 <td>A</td> </td></td>	JC <td>27.10.20 <td>A</td> </td>	27.10.20 <td>A</td>	A



INFRASTRUCTURE & ENVIRONMENT PROJECT DESIGN UNIT
Dumais
Gairloch
KW10 6TA
Phone: 01408 635313
Email: design@thhighland.gov.uk

Project: **Inshes Junction Improvements Beechwood Access**

The Highland Council
(U4403 Beechwood House Road)
(Stopping Up) Order 2021

Scale: **As Shown** (@ A1)
Drawn: JFC Date: 14/11/2020
Checked: AS Date: 25/02/21
Project No.: **YEHRS7133**
Drawing No.: **TS08** Rev: **B**

PLAN
(1:500m)

L:\Inshes Junction Improvements\Comhairle na Gàidhealtachd\Beechwood Access\TS08 - U4403 Beechwood House Road - Stopping Up Order 2021 - 27.10.20 - JFC Date: 2021-11-14 10:00:00 AM Drawn by: Admin, Subcontractor: Infrastructure