

Report

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Report to:	Planning Committee
Date of Meeting:	28 August 2018
Report by:	Executive Director (Community and Enterprise Resources)

Subject:	Proposed alteration of Rights of Way SC79 and SC4 and core paths CR/125/1 and 125/2 under Sections 206, 207 and 208, Town and Country Planning (Scotland) Act 1997
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ Seek Committee approval for arrangements to promote a diversion of Rights of Way SC79, and SC4 and core paths CR/125/1 and CR/125/2 at Newton Community Growth Area. Approval is sought to prepare the Order, carry out the necessary statutory procedures and, if confirmed, divert the Core Paths to the altered routes and extinguish the right of way over the current route of the Core Paths. This would include approval to refer the appropriate diversions under Section 206, 207 and 208 of the Town and Country Planning (Scotland) Act 1997 to the Scottish Government. In the event of any objections being received and a Public Inquiry or Hearing being necessary, the planning applicant shall be responsible for all costs (including the Council's legal fees) associated with this

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) Note the requirement to alter Rights of Way SC79, and SC4 and core paths CR/125/1 and 125/2 to those shown on the attached plan on the basis that that alternative rights of way will be provided over the altered routes.
- (2) Authorise the preparation and promotion of the diversions and all actions necessary to achieve the confirmation of the Orders.
- (3) Authorise the referral of any of the Orders to the Scottish Government for determination if objections to any of the Orders are received.
- (4) Authorise all actions necessary to secure confirmation of the Order at any Public Inquiry or Hearing held by the Scottish Government

3. Background

3.1 In 2014, planning permission was granted for the extension of the Newton Community Growth Area (CGA) (CR/09/0139). This CGA included Rights of Way SC79, and SC4 and core paths 125/1 and 125/2 within the proposed housing developments. The developer, Taylor Wimpey, has now applied to divert the Rights of Way and Core Paths outwith the housing areas to facilitate development. The

diverted routes will still reach the same terminus and there will be rights of public access over the diverted routes.

- 3.2 The diversion of the Rights of Way and Core Paths will be undertaken through Sections 206, 207 and 208 of the Town and Country Planning (Scotland) Act 1997 which grant local authorities powers to extinguish divert and stop up the right of public access over roads and footpaths.

4. Employee Implications

- 4.1 There are no implications for staff resources within this Service.

5. Financial Implications

- 5.1 All publications and staffing costs arising from the recommendations of this report are accounted for within established budgets.

6. Other Implications

- 6.1 None

7. Equality Impact Assessment and Consultation Arrangements

- 7.1 This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and, therefore, no impact assessment is required.
- 7.2 The proposed documents will be available on the Council's web site and at the Council's Planning Offices and Q&As. Notices will be placed in the Rutherglen Reformer and the Edinburgh Gazette to inform the public of the promotions.
- 7.3 No consultation was required for this report. However consultation was undertaken during the processing of the respective planning applications and it is noted that there were no objections at that stage.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

2 August 2018

Link(s) to Council Values/Ambitions/Objectives

Work with Communities and Partners to Promote High Quality, Thriving and Sustainable Communities

Previous References

CR/09/0139
CR/14/0155
CR/17/0165

List of Background Papers

None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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**Newton Farm
Cambuslang
Core Path Realignment
Existing A Alignment**

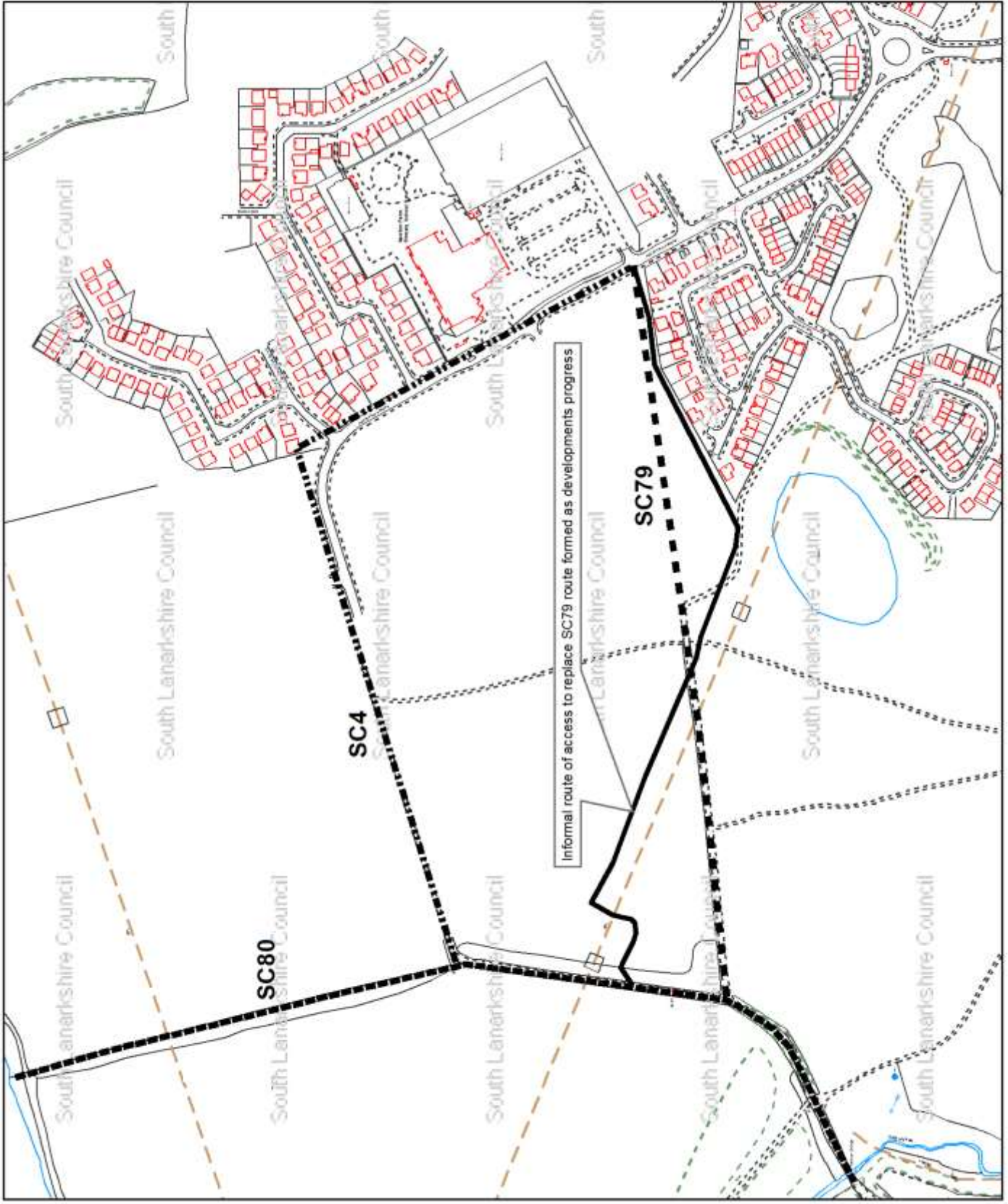


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**Newton Farm
Cambuslang
Core Path Realignment
Proposed Alignment**



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