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**RE-DETERMINATION OF PUBLIC RIGHTS OF PASSAGE OF  
MELGUND BRIDGE, HAWICK – DH15/3**

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**Report by Service Director Commercial Services  
TEVIOT AND LIDDESDALE AREA FORUM**

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**17 JUNE 2014**

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**1 PURPOSE AND SUMMARY**

- 1.1 **This report proposes to re-determine the public rights of passage to Melgund Bridge, Hawick from carriageway to footway so as to prevent use by vehicular traffic but allow continued use by pedestrians.**
- 1.2 Melgund Bridge is situated in the town of Hawick and forms part of the DH15/3 public road. The road links the town centre with the "Terraces" area of the town and is currently used by both vehicular and pedestrian traffic.
- 1.3 Due to identified deterioration to part of the bridge structure it has been closed to vehicular traffic since early November 2013. During this time, however, it has been possible to cordon off part of the bridge to allow continued pedestrian use.
- 1.4 During the time the road has been closed to vehicular traffic no complaints have been received by Scottish Borders Council. Local residents and pedestrian users of the bridge, have intimated that their preference is for the bridge to be permanently closed to vehicular traffic. The Asset Manager and Network Manager of the Council's Commercial Services section support this view.
- 1.5 Police Scotland and The Scottish Fire and Rescue Service have been consulted regarding the proposal and have raised no objections.

**2 RECOMMENDATIONS**

- 2.1 **I recommend that the Teviot and Liddesdale Area Forum:-**
  - (a) Approves the re-determination of the public rights of passage to Melgund Bridge from carriageway to footway so as to prevent use by vehicular traffic but allow continued use by pedestrians;**
  - and**
  - (b) Delegate authority to instruct the confirmation of the order to the Council's Commercial Services Director - Place, provided there are no substantive objections.**

### **3 BACKGROUND**

- 3.1 The unclassified public road DH15/3 Brougham Place is situated in the town of Hawick. Melgund Bridge is within Brougham Place and spans over the disused Waverley rail line. The bridge is situated adjacent to the junction of Melgund Place, see location plan in ANNEX A.
- 3.2 The DH15/3 Melgund Bridge forms part of one of four link routes between the town centre and the area of Hawick known as the "Terraces". The other three routes being, Cross Wynd and Wellogate Brae; O'Connell Street and Lochpark Road; Linden Crescent.
- 3.3 Of the four links, the route using Melgund Bridge is the least used and, at the bridge location, only provides single file use for vehicles. Due to the vertical road alignment on the north west side of the bridge, access and egress to the bridge can be difficult and visibility is poor for vehicular traffic. If Melgund Bridge was closed to vehicular traffic, the closest alternative route, by O'Connell Street and Lochpark Road, is less than 100 metres to the south west of the bridge location.
- 3.4 The section of road across the bridge has no footway provision and this gives the potential for conflict between vehicular and pedestrian users on that section of road. The closure of the bridge to vehicles would mean that pedestrian use could continue more safely than at present.
- 3.5 The main section of Brougham Place, (which is situated on the north west side of Melgund Bridge), has an "Access Only" restriction for use by residents living in that street. This restriction has been, and continues to be, ignored by some road users, and the closure of Melgund Bridge to vehicular traffic would reduce traffic movements in this area with the likelihood that the number of non residential users would reduce.
- 3.6 Since the deterioration of Melgund Bridge was discovered in November 2013, Officers of the Council's Asset Management section have been investigating and considering a number of options for the existing bridge structure. However, the presence of existing high and low voltage power cables, located within the road construction of the bridge, has meant that any significant alterations are not possible. This means that the bridge will be repaired to its original condition that would allow it to be used by both vehicular and pedestrian traffic. However, Officers recommend that due to the issues raised, and the available alternative routes between the town centre and the "Terraces", that the bridge should be permanently closed to vehicular traffic.
- 3.7 Police Scotland has been consulted on this proposal and responded as follows:-

"Over a number of years there have been problems with drivers using Brougham Place as a short cut to and from the High Street and the fact that this bridge has been out of use for vehicles has assisted in reducing this issue. We have also not received any adverse comment from vehicle users regarding their need to use a different route rather than coming over the bridge. Police Scotland would have no objection to the current traffic

plan for Melgund Bridge being implemented on a permanent basis."

- 3.8 The Scottish Fire and Rescue Service have been consulted on this matter and have intimated that they do not use the bridge for vehicular access so the change would not impact on their operational activities.

#### **4 PROPOSED OPTION OF THE RE-DETERMINATION OF THE PUBLIC RIGHTS OF PASSAGE OF MELGUND BRIDGE, HAWICK – DH15/3**

- 4.1 The temporary closure of Melgund Bridge has allowed a situation where vehicular traffic has been prevented from using the bridge but allowed continued pedestrian use.
- 4.2 During the period of temporary closure no complaints have been received and local residents and pedestrian users have intimated their preference for the bridge to be permanently closed to vehicular traffic.
- 4.3 It is proposed to make this temporary situation permanent by the re-determination of the public rights of passage to Melgund Bridge, Hawick, from carriageway to footway so as to prevent use by vehicular traffic but allow continued use by pedestrians.

#### **5 OTHER OPTIONS FOR CONSIDERATION**

- 5.1 On completion of the repairs to the bridge it could be re-opened to allow both vehicular and pedestrian use.

#### **6 IMPLICATIONS**

##### **6.1 Financial**

The closure of the bridge to vehicular traffic would require the installation of measures to prevent vehicle access but allow continued pedestrian use. This would be in the form of a "stepped" pedestrian barrier; extending existing road kerbing and footway. There would also be a requirement for associated signage to inform road users that the bridge was not available for vehicular use. It is estimated that the cost of these measures would be approximately between £5 - £10k and would be met from existing budgets.

##### **6.2 Risk and Mitigations**

There is a risk that should Melgund Bridge continue to be used by both vehicular and pedestrian traffic that, due to there being no footway, the two may come into conflict.

##### **6.3 Equalities**

There will be no adverse impact on any of the equality strands as a result of the proposed changes.

##### **6.4 Acting Sustainably**

There are no significant economic, social or environmental issues associated with this report.

## 6.5 **Carbon Management**

It is anticipated that there are no significant implications from the proposals contained in this report.

## 6.6 **Rural Proofing**

As this report is not a new or updated policy or strategy document it does not require to be rural proofed.

## 6.7 **Changes to Scheme of Administration or Scheme of Delegation**

There are no changes which are required to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in this report.

## **7 CONSULTATION**

- 7.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR, the Service Director Interim Capital Projects, the Clerk to the Council, and Corporate Communications have previously been consulted and their comments have been incorporated into this report.

### **Approved by**

**Commercial Services Director - Place**

**Signature.....**

### **Author**

Name	Designation and Contact Number
David Richardson	Asset Manager

**Background Papers: None**

**Previous Minute Reference: None**

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

Contact us at Jacqueline Whitelaw, Environment and Infrastructure, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 01835 825253, Fax 01835 825071, email [JWhitelaw@scotborders.gov.uk](mailto:JWhitelaw@scotborders.gov.uk).

Location Plan:  
Melgund Bridge, Hawick

## Annex A

