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## **REQUEST FOR THE INCLUSION OF A ROAD IN THE COUNCIL'S LIST OF PUBLIC ROADS**

**Report by Service Director Regulatory Services**

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### **EXECUTIVE COMMITTEE**

**7 JUNE 2016**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 This report seeks the approval for the causeway, serving Allanbrae and other properties, in Allanton to be added to the Council's List of Public Roads.**
- 1.2 The causeway, which serves a number of properties at the northern end of Allanton and is shown red on the plan in Annexe A, was originally private with a vehicular right of access over the causeway for the properties along this section.
- 1.3 In October 1964, the residents along the causeway entered into an agreement with Berwickshire County Council, whereby the residents along this private road would fully fund the upgrading of the road to a standard suitable for adoption, after which Berwickshire County Council would add the road to their List of Public Roads.
- 1.4 Upon receipt of the financial contribution, Berwickshire County Council carried out the agreed works, however it is unclear from the limited correspondence on record whether the road was formally added to the List of Public Roads at that time. There is currently no record of this road on the Council's List of Public Roads.

#### **2 RECOMMENDATIONS**

- 2.1 I recommend that the Executive Committee agrees to the inclusion of the causeway in question on the Council's List of Public Roads.**

### **3 BACKGROUND**

- 3.1 Prior to 1964 the causeway was private with a vehicular right of access for the property known as Allanbrae, along with other properties along this section.
- 3.2 In 1964, a number of residents along the causeway requested that the private road was made public. Berwickshire County Council agreed to this request subject to upgrading works being carried out at the expense of the residents.
- 3.3 Upon receipt of the agreed amount, the works were undertaken by Berwickshire County Council. The works included the erection of a retaining wall to reduce the cross-fall from the properties to the public road.
- 3.4 Once the works were satisfactorily completed, it is unclear from the correspondence available whether the causeway was formally adopted as part of the public road network at that time.
- 3.5 With the residents having fulfilled their obligations, the formal adoption of the causeway will remove any ambiguity over the status of the road.

### **4 IMPLICATIONS**

#### **4.1 Financial**

- (a) There may be some financial outlay to bring the section of road up to a satisfactory standard given the lack of maintenance over the years. The road will have to be inspected by the Council's Asset Management section and any identified works against other similar identified works across the Council area and to meet available budgets.
- (b) The costs associated with the advertising of this addition would be met from the relevant Regulatory Services budget.

#### **4.2 Risk and Mitigations**

There is a risk that this proposal may encourage similar requests. However, this specific request is unique in the fact that the upgrading works were paid for at the time and the work was carried out. Should any such requests come forward, they will be assessed individually on merit and actioned accordingly.

#### **4.3 Equalities**

Following the completion of an Equality Scoping, it was determined that no Equality Impact Assessment was required.

#### **4.4 Acting Sustainably**

There will be no economic, social or environmental effects of carrying out this proposal.

#### 4.5 **Carbon Management**

There are no effects on carbon emissions as a result of this proposal.

#### 4.6 **Rural Proofing**

There are no rural proofing implications arising from this proposal.

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

There will be no changes to the Scheme of Administration or the Scheme of Delegation as a result of the proposal.

### 5 **CONSULTATION**

5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council are being consulted and any comments received have been incorporated into this report.

5.2 The Council's Asset Manager (Place) has been consulted on this matter and has raised no objections.

#### **Approved by**

**Brian Frater**

**Service Director Regulatory Services**

**Signature .....**

#### **Author(s)**

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#### **Background Papers:**

#### **Previous Minute Reference:**

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