

The Highland Council

Agenda Item	8
Report No	NC/14/23

Committee: Nairnshire

Date: 7 August 2023

Report Title: Nairn Harbour Active Travel Footpath Link

Report By: Executive Chief Officer Infrastructure & Environment

1 Purpose/Executive Summary

1.1 This report presents the Nairn Harbour Active Travel Footpath Link to Committee.

2 Recommendations

2.1 Members are asked to:-

- i. **Note** the content of this report; and
- ii. **Approve** the development of the Nairn Harbour Active Travel Footpath Link upon Common Good Land.

3 Implications

3.1 **Resource** - Funding for the footpath will be provided through the Ian Findlay Path Fund (Paths for All) and UK Shared Prosperity Fund.

3.2 **Legal** - No implications (see paragraph 6.1 below).

3.3 **Community (Equality, Poverty, Rural and Island)** - The footpath aims to provide improved access to Nairn Harbour and Pier by walking, wheeling, cycling and to anyone with a mobility aid.

3.4 **Climate Change / Carbon Clever** – Improve active travel links to the harbour to encourage a reduction in vehicular journeys to benefit the environment.

3.5 **Risk** - No implications.

3.6 **Health and Safety (risks arising from changes to plant, equipment, process, or people)** – Project design and contract management is to be carried out by the Highland Council Project Design Unit in accordance with The Construction (Design and Management) Regulations 2015.

3.7 **Gaelic** – No implications.

4 Background

- 4.1 The Nairn Access Panel has identified a need to develop a footpath between the West Beach promenade footpath, from a point West of the Sundancer Restaurant, to improve inclusive access and active travel links to Nairn Harbour and Pier. Part funding has been secured by the Access Panel through “Paths for All” and the Highland Council Active Travel Team are providing a supporting role to the project and additional funding through the UK Shared Prosperity Fund.

5 Proposed Footpath

- 5.1 The main footpath is to follow the coastline, passing to the rear of the Sundancer Restaurant and Nairn Boat Yard, where it is to connect to the North-West corner of the Harbour Car Park. Construction along this section, approximately 250m long by 2.5 m wide, is to be from tarmac with edging boards. Parking bays on the North edge of the Harbour Car Park are to be removed and setback to allow a new thermoplastic green coloured footway, approximately 50m long by 2.5m wide, to be applied along its Northern boundary to the Pier. There will be a short footpath spur connecting to Harbour Street adjacent to the front entrance of the Sundancer Restaurant, that will also be constructed of tarmac. New benches, picnic tables, cycle storage and centralised hard standing area to accommodate an information board are included within the general design as in **Appendix 1**.

6 Land / Planning Matters

- 6.1 Highland Council Legal and Governance advise that the development of a footpath on Common Good Land will not constitute a ‘change of use’ of the land. The area of land in question is public access amenity land and will continue to be so after the footpath has been developed. As a result, it does not trigger the requirement to consult under section 104 Community Empowerment (Scotland) Act 2015 nor the requirement to seek Sheriff Court approval under section 75 Local Government (Scotland) Act 1973. The estimated cost of the development is £170,000 and within the £250,000 limit that would allow the Local Authority to carry out the work without Planning Permission in accordance with The Town and Country Planning (General Permitted Development) (Scotland) Order 1992. The Nairn Access Panel has notified surrounding land occupants of the proposed development.

Designation:	Executive Chief Officer Infrastructure & Environment
Date:	12 July 2023
Author:	Allan Bryce, Project Officer Active Travel
Background Papers:	None
Appendices:	Appendix 1 – General Design Drawing

General Design Drawing – Nairn Harbour Active Travel Footpath Link

