

Stopping Up – Hawkhill, Edinburgh

Development Quality Sub-Committee of the Planning Committee

28 March 2007

1 Purpose of report

- 1.1 To request that the Sub-Committee confirm The City of Edinburgh Council (Hawkhill, Edinburgh)(Stopping Up) Order 2007.

Main report

- 2 To facilitate implementation of a grant of planning permission to Barony Housing Association for proposed 24 hour accommodation and support facilities for people with community care needs (Class 8) (reference 06/00655/FUL), the Development Quality Sub-Committee at its meeting on 29 November 2006 authorised promotion of a Stopping Up Order in respect of sections of footpath linking Hawkhill to Hawkhill Court.
- 3 The Stopping Up Order was made on 19 January 2007 and advertised on 23 January 2007. A copy of the order is attached. No objections to the Order were received.

Financial Implications

- 4 Associated costs will be met by the Applicants.

Recommendations

- 5 That the Sub-Committee confirm The City of Edinburgh Council (Hawkhill, Edinburgh) (Stopping Up) Order 2007.


Jim Inch
Director of Corporate Services

15/3/07

Appendices	The City of Edinburgh Council (Hawkhill, Edinburgh)(Stopping Up) Order 2007.
Contact/tel	Alan Squair, Principal Solicitor – 0131 529 3670 E-mail alan.squair@edinburgh.gov.uk
Wards affected	38 – Restalrig
Background Papers	Report to Development Quality sub-Committee – 29 November 2006.

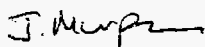
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

THE CITY OF EDINBURGH COUNCIL (HAWKHILL, EDINBURGH) (STOPPING UP)
ORDER 2007 - PO/07/1

The City of Edinburgh Council, in exercise of the powers conferred on them by section 207 of the Town and Country Planning (Scotland) Act 1997, ("the 1997 Act") and of all other powers enabling them in that behalf, and being satisfied that it has become necessary to authorise the Stopping Up of the footpath specified in the Schedule to this Order to enable development to be carried out in accordance with planning permission granted under Part III of the 1997 Act, and having complied with the provisions of Section 209 of and Schedule 16 to the 1997 Act, hereby make the following Order:-

1. This Order may be cited as "The City of Edinburgh Council (Hawkhill, Edinburgh) (Stopping Up) Order 2007".
2. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
3. The stopping up of the footpath in the City of Edinburgh local government area specified in the Schedule to this Order is hereby ordered.
4. Where there is immediately before the date on which the said footpath is stopped up under this Order, any apparatus belonging to any statutory undertakers under, in, or, over, along or across the footpath for the purpose of carrying on their undertaking, the said statutory undertakers shall after commencement of this Order continue to have all rights in respect of the said apparatus as they had immediately before that date.

Executed by The City of Edinburgh Council this Nineteenth day of January Two thousand and seven.



(witness)


Council Solicitor

SCHEDULE

FOOTPATH IN EDINBURGH TO BE STOPPED UP

Footpath linking Hawkhill to Hawkhill Court (running to the rear of Nos.5 to 23 Lochend Avenue)

From a point 3.5 metres or thereby north-east of the intersection of the south-east line of the footpath linking Hawkhill to Hawkhill Court and the extended south-west building line of No. 23 Lochend Avenue;

- (a) for a distance of 72 metres or thereby south-westwards and which has a width throughout of 2.1m or thereby and then,
- (b) for a distance of 4.5 metres or thereby south-eastwards and which has a width throughout which throughout of 1.2 metre or thereby,

to a point 9.5 metres or thereby north-west of the intersection of the rear of the north-east footway of Hawkhill and the extended north-west building line of No. 5 Lochend Avenue.

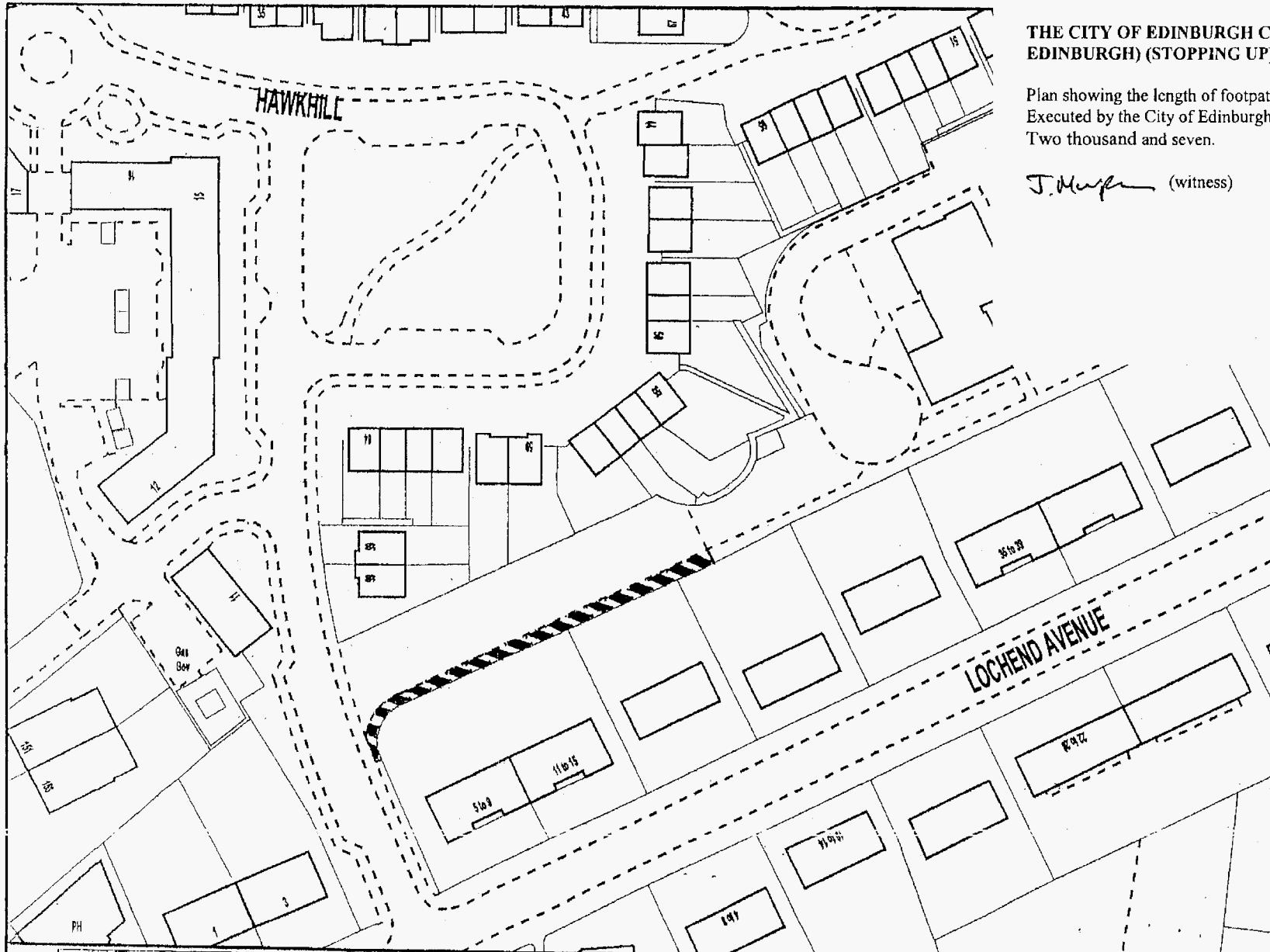
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

THE CITY OF EDINBURGH COUNCIL (HAWK HILL,
EDINBURGH) (STOPPING UP) ORDER 2007 - PC/07/1

Plan showing the length of footpath stopped up in terms of the above Order.
Executed by the City of Edinburgh Council on the Nineteenth day of January
Two thousand and seven.

J. Mullen (witness)

[Signature]
Council Solicitor



EDINBURGH
THE CITY OF EDINBURGH COUNCIL

STOPPING UP OF FOOTPATH
HAWKHILL TO HAWKHILL COURT

1:1000



Date: 27/12/2006

Drawn By:

Dwg No:

The material contained in this plan has been reproduced from an Ordnance Survey map with the permission of the Controller of HMSO, Crown Copyright.