

Finance and Resources Committee

10.00 a.m., Thursday, 30 October 2014

Loanhead to Gilmerton Cycleway

Proposed Lease Extension – Land at Former Railway Line west of Lasswade Road

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| Item number | 8.1 |
| Report number | |
| Executive/routine | Routine |
| Wards | 16 – Liberton/Gilmerton |

Executive summary

The Council currently leases land from Railway Paths Limited, which forms part of the Loanhead to Gilmerton cycle scheme. The existing 5 year lease will be terminated and this report seeks Committee authority to grant a fresh 20 year lease at a rent of £1 per annum, to secure long term use of the Loanhead to Gilmerton cycle scheme.

Links

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| Coalition pledges | P45 |
| Council outcomes | CO4 , CO10 , CO19 , CO22 |
| Single Outcome Agreement | SO2 , SO4 |

Loanhead to Gilmerton Cycleway

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Recommendations

It is recommended that Committee:

- 1.1 Approves the extension of the existing five year lease to 20 years on the main terms and conditions as set out in this report and on the other terms and conditions to be agreed by the Director of Services for Communities and the Head of Legal, Risk and Compliance.

Background

- 2.1 The Loanhead to Gilmerton cycle scheme is an important development in improving the city's pedestrian and cycling network. This scheme is being delivered in line with the Council's policy to encourage active and environmentally-friendly travel, and also supports the core objectives of the Council's Active Travel Action Plan to increase the number of people in Edinburgh walking and cycling.
- 2.2 In June 2014, as part of the Loanhead to Gilmerton cycle scheme, the existing cycle path was connected to the Edinburgh cycle network by continuing the path along the disused railway line and connecting to Lasswade Road.
- 2.3 Between the City Bypass and Lasswade Road, the railway line is owned by Railway Paths Limited (RPL) and it was therefore necessary to enter into a lease agreement with RPL to deliver the cycle path.
- 2.4 RPL are an organisation which owns and manages a portfolio of former railway lines to provide routes, roads or paths suitable for cycling, walking, horse-riding and wheelchair use.
- 2.5 To support delivery timescales, an initial five year lease of the former railway line, as shown edged red on the attached plan, was agreed with RPL at a rent of £1 per annum under delegated powers.
- 2.6 It was agreed with RPL that, at some point during the term of the initial five-year lease, approval would be sought to enter into a longer-term 20 year lease. The purpose of this report is to seek approval to enter into the longer lease.

Main report

- 3.1 The Council, as tenant, and with the approval of the appropriate Council Committee, has an option during the five year lease term to extend the lease to 20 years. This would safeguard the cycle path and ensure that it can be used by pedestrians and cyclists for an extended period.
- 3.2 The following are the main terms and conditions of the lease which have been provisionally agreed:
- The lease will be 20 years from the Date of Entry of the 5 year lease (30 April 2014);
 - To pay the rent on demand (£1 per annum);
 - The Council will meet RPL's solicitors fees up to a cap of £500;
 - Not to develop the land in a way which would prejudice the reopening of the former railway line for public rail use (passenger services and freight);
 - If RPL should require the land for the reopening of the former railway line for public rail use, it shall give the Council nine months formal notice;
 - Should RPL require part of the land for redevelopment purposes, the Council shall be given formal advance notice and an alternative path would be provided at RPL's cost; and
 - The Council will keep the land in a good and safe state of repair, and remove rubbish, debris, litter etc on a regular basis.

Measures of success

- 4.1 A former railway line and disused piece of land has been improved and brought into use which will benefit the residents of both Edinburgh and Midlothian.
- 4.2 The measure of success for the Loanhead to Gilmerton cycle route will be increased levels of walking and cycling along the route.

Financial impact

- 5.1 The costs associated with the lease will be a rent of £1 per annum.
- 5.2 There will also be an ongoing costs associated with maintenance along the path for the duration of the lease term, although these costs will be minimal. This will be met from the local area team's annual maintenance budget.

Risk, policy, compliance and governance impact

- 6.1 There are not expected to be any risk, governance, compliance or regulatory implications arising from the proposals set out in this report.

Equalities impact

- 7.1 It is expected that the proposals set out in this report will advance equality of opportunity by improving the city's cycling infrastructure and making it more accessible for less confident cyclists, including children.
- 7.2 There may also be positive impacts on rights to standard of living and health by improving the attractiveness of walking and cycling routes, and promoting healthier forms of travel.

Sustainability impact

- 8.1 The impact of this report in relation to the three elements of the Climate Change (Scotland) Public Bodies Duties have been considered, and the outcomes are summarised below. Relevant Council sustainable development policies have been taken into account and are noted at Background Reading later in this report.
- 8.2 The proposals in this report:
- will reduce carbon emissions as they contribute to the core objective of the Council's Active Travel Action Plan to increase the number of people walking and cycling in Edinburgh, by improving the city's walking and cycling infrastructure;
 - will increase the city's resilience to climate change impacts as increased levels of walking and cycling in the city may reduce the need for motorised travel; and
 - will help achieve a sustainable Edinburgh through the promotion of healthier forms of travel.

Consultation and engagement

- 9.1 Not applicable.

Background reading/external references

Appendix 1 – Plan of land included in lease agreement

Active Travel Action Plan

http://www.edinburgh.gov.uk/info/20171/council-wide_services/341/transport_policy

John Bury

Acting Director of Services for Communities

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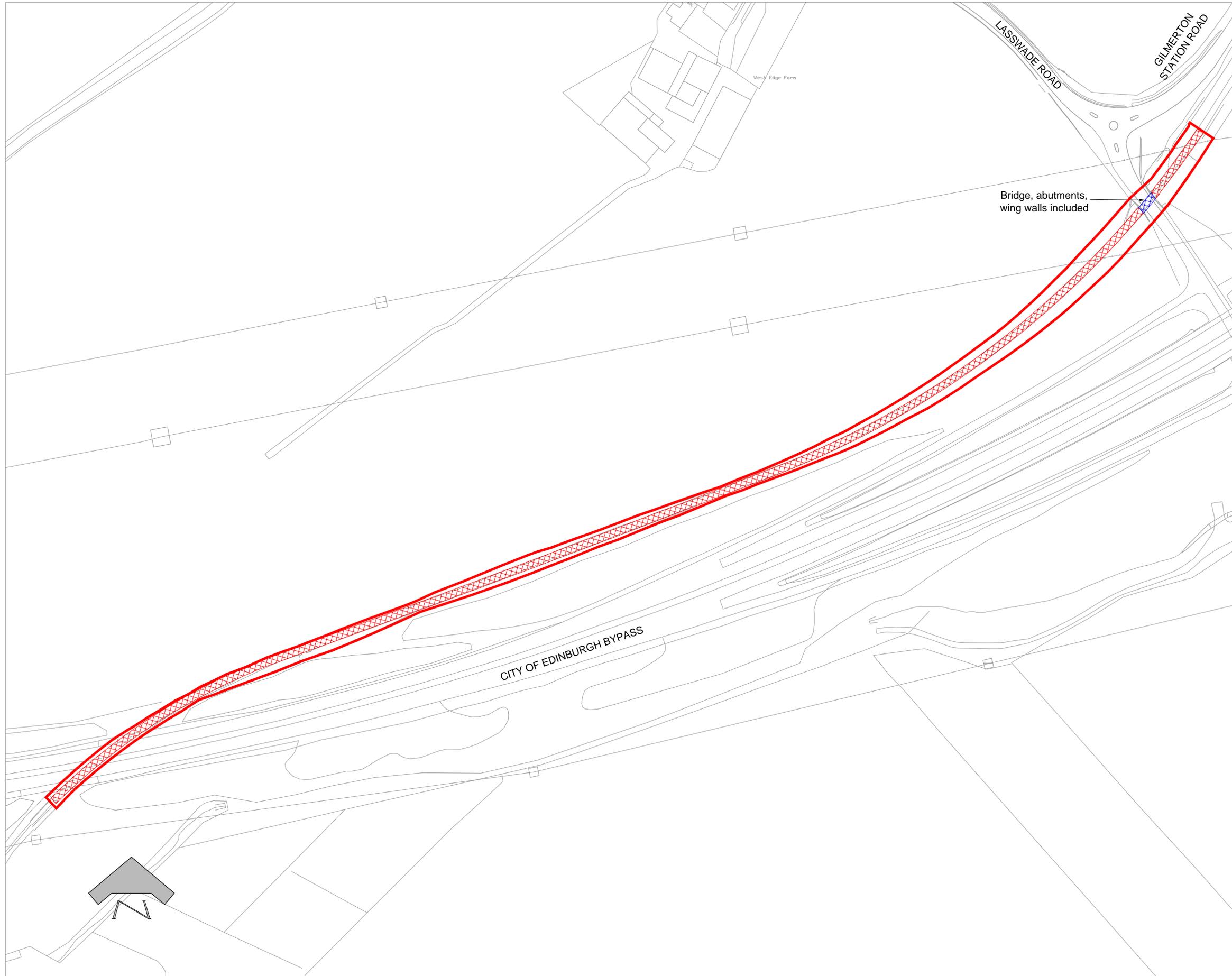
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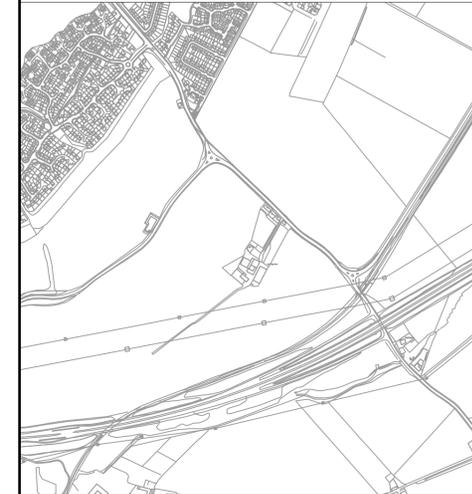
Links

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| Coalition pledges | P45 – spend 5% of the transport budget on provision for cyclists. |
| Council outcomes | CO4 – our children and young people are physically and emotionally healthy. CO10 – improved health and reduced inequalities. CO19 – Attractive and Well-Maintained – Edinburgh remains an attractive city through the development of high-quality buildings and places, and the delivery of high standards and maintenance of infrastructure and public realm. CO22 – Moving Efficiently – Edinburgh has a transport system that improves connectivity and is green, healthy and accessible. |
| Single Outcome Agreement | SO2 – Edinburgh’s citizens experience improved health and wellbeing, with reduced inequalities in health. SO4 – Edinburgh’s communities are safer and have improved physical and social fabric. |
| Appendices | Appendix 1 – Plan of land included in lease agreement. |



NOTES:

-  Area to be leased
-  Bridge
-  Land boundary



Location plan
Scale 1:10000

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Loanhead to Gilmerton Cycle Link
RPL Lease Agreement
Title Plan

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|------------------------|-----------------|-----------------------|
| Date: 24 February 2014 | Job No.: 636210 | Drawn by: A Parkinson |
| Scale: 1:1250 | | Checked by: C Smith |

Drawing Name: G:\City\Transport\Glenview\30210\Station Cycle Link Design\CADD\www.town.plans\RTD-636210-3-02_3/14/10-24.dwg