

<b>To : PLANNING AND ENVIRONMENT COMMITTEE</b>		<b>Subject : Unauthorised Blockage of Right of Way South of Croy Station Carpark</b>
<b>From : DIRECTOR OF PLANNING AND ENVIRONMENT</b>		
<b>Date : 1<sup>st</sup> May 2002</b>		<b>Countryside (Scotland) Act 1967</b>
<b>Ref : N/PL/39/03</b>		

### 1. Purpose of Report

- 1.1 The purpose of this report is to advise Committee that the right of way south of the Croy Station car park has been made impassible and to seek authority for appropriate action to require its reinstatement.

### 2. Background

- 2.1 The affected right of way runs from Constarry Road, Croy to Auchinstarry Road at the Four Arches Bridge. It was noted in March that a 150 metre stretch of the footpath had been made impassible through earth re-grading works to the south of the Croy Station Car Park.
- 2.2 The landowner has stated that the closure is for safety reasons due to the ongoing earth works. This is not however considered to be a legitimate reason for closure as the right of way could be protected by a construction fence or could be temporarily re-routed.
- 2.3 Despite correspondence and meetings there is no reasonable expectation that the right of way will be voluntarily reinstated. Landowners and planning authorities have a duty under the Countryside (Scotland) Act 1967 to ensure that rights of way remain open. It is therefore considered necessary to seek authority for appropriate legal, or other, action to require the reinstatement of the right of way.

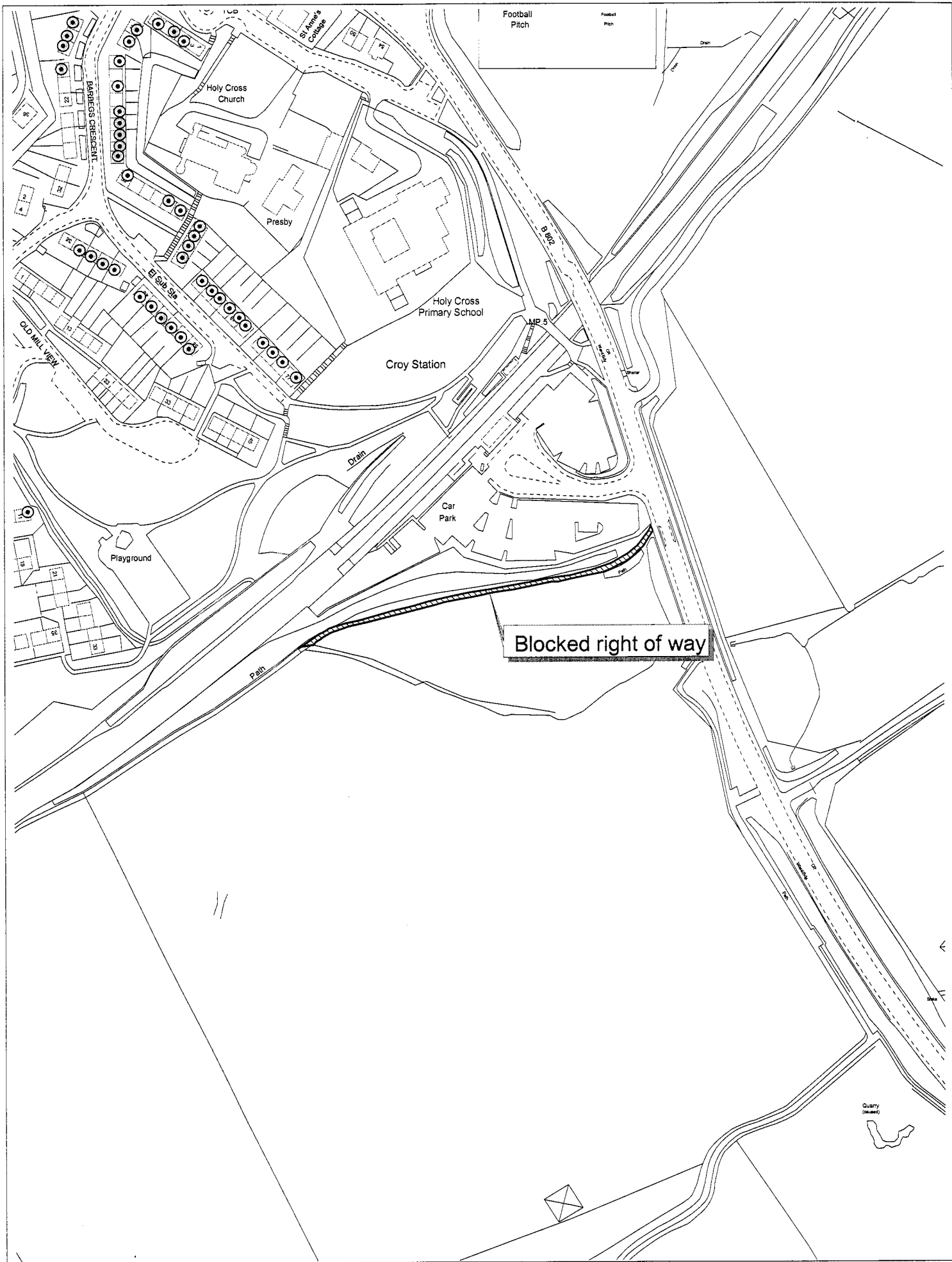
### 3. Recommendations

- 3.1 It is recommended that appropriate action be authorised under the Countryside (Scotland) Act 1967 to require that the landowner reinstate the right of way running to the south of Croy Station.



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**Blockage of right of way  
 South of Croy station  
 car park**



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