

**APPLICATION FOR ACCESS RIGHTS EXEMPTION ORDERS UNDER SECTION 11 OF THE  
LAND REFORM (SCOTLAND) ACT 2003**

**Part 1: Applicant's Contact Details**

Name of Organisation: West Lothian Council

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**Part 2: Closure Details**

Name of Event: Mid Calder Weir Fish Pass Construction

Date: 05 July 2021

Period of Closure (Start date and time, and end date and time): 5<sup>th</sup> July 2021 08.00hrs to 16.00hrs 5<sup>th</sup> November 2021

*Please note that exemptions requested for 6-days or more will require to be considered by Scottish Ministers and will require a longer period for consultation. No exemption can extend beyond 2-years.*

Please provide justification that the exemption is for the minimum duration and area necessary.

RiverLife: Almond & Avon project is funded by the National Lottery Heritage Fund (NLHF) and the Scottish Government) with support from Forth Rivers Trust, City of Edinburgh Council and West Lothian Council and the Scottish Environment Protection Agency. It is hosted by Forth Rivers Trust (RFFT). In addition to undertaking an ambitious programme of works in both the River Almond and Avon catchments to improve these rivers for wildlife and communities, the project seeks to educate and engage with communities along the rivers creating a sense of community ownership and stewardship of the rivers and tributaries.

RiverLife through the Almond Barriers projects aims to mitigate the negative effects of physical barriers across the River Almond to improve the opportunities for migrating and resident fish species and enhance the biodiversity of the river corridor as a whole through a series of works to weirs along the watercourse.

Mid Calder Weir is the last of the five weirs across the River Almond within West Lothian Council's area to be addressed. The duration of construction works is estimated at approximately 16-weeks.

The location of the weir where work will be carried out is directly adjacent to National Cycle Route 75 in Mid Calder between Pumpherston Road and the east end of East Calder Wastewater Treatment Works, where the successful tenderer will be working. There insufficient space for segregation of footpath / cycle route users from the contractor's works. For the safety to both the contractor and members of the public, the NCN75 cycle path requires to be closed for the duration of the works.

The estimate period for construction is based on recent previous works and the scope to compress the programme is limited.

Location of Event: Please provide address and provide an Ordnance Survey map showing the land outlined in red to scale 1:1250 for urban residential areas or 1:2,500 for rural areas. This map should also show the north point, scale and sufficient surrounding features to identify the location of the land.

The section of the footpath / National Cycle Route 75, which will be closed will be between Pumpherston Road, Mid Calder and the east end of East Calder Wastewater Treatment Works.

Plans are attached.

Map enclosed      Yes ()      No ()

Reason for Closure

The proposed closure is to be made in the interests of safety, that of the public and that of contractor's personnel, who will be working in the vicinity of the footpath / cycle route and will be crossing the route with plant, equipment and materials.

Are you, as the applicant (please tick the appropriate box)

The landowner ()      the tenant ()      the land manager ()      other ()

If other please detail, \_\_\_\_\_

If you are not the landowner have you consulted them?      Yes ()      No ()

If yes, what was the outcome?

Sustrans has been contacted regarding the closure of the NCN75 and is happy with the arrangement to allow the works to be carried out at the weir.

The Council's NETs, Land and Countryside team, who manage Almondell and Calderwood Country Park, has been contacted regarding closure of the NCN75 and is comfortable with the arrangement to allow the work to be carried out.

Where the requested exemption is for 6-days or more and you are not the landowner, please provide the landowner's name and address.

The land affected is owned by West Lothian Council.

### Part 3: Justification for Closure

Please highlight the reasons why no alternative provision could be made.

It is not possible to safely segregate users of the footpath / cycleway from construction works due to the narrowness of the route and extent of the works. The closure is required in the interests of safety, that of both the public and of the contractor's personnel who will be operating plant, equipment and materials over the footpath / cycle route

A diversion route will be put in place for the users to re-join the NCN75 further along the path.

Is there local or public support for the event? Yes (√) No ( )

If yes, please highlight below,

Public consultations were carried out via open days at Mid and East Calder Community Centres in relation to proposals to improve the passage of migrating fish species to quality habitat. Direct consultation has taken place with other stakeholders locally, including Mid Calder Community Council, West Lothian Council and its partners Forth Rivers Trust, SEPA, the Scottish Government, City of Edinburgh Council each support the proposal.

Please detail the proposals for diversion of access users.

Pedestrians and cyclists can follow the diversion signs at the car park on Pumpherston Road, Mid Calder to Almondell Country Park, South Car Park on Main Street, East Calder.

The diversion route will allow pedestrians/cyclists to continue along Main Street (B7015), East Calder, via the footpath or carriageway (for cyclists), to Almondell Country Park South Car Park, following the road/path to Nasmith Bridge back onto the NCN75 cycle path.

Please detail the proposals for signage of closure.

NCN75 Cycle Path closed signs will be erected at the car park, Pumpherston Road, Mid Calder and Nasmith Bridge advising of the closure of the NCN75 and encouraging users to follow the diversion signs.

Diversion signs will be erected along Main Street (B7015), East Calder.

Please detail the proposals for the re-instatement of any footpaths or access rights affected by the closure

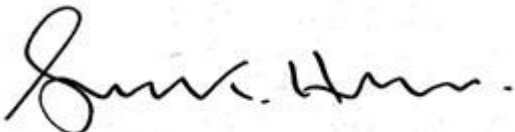
It is incumbent on the contractor to reinstate any damage that is caused to the NCN 75 during construction works.

The Council's longer-term aspiration is to construct a new route

#### Part 4: Declaration

I confirm that the details provided above are correct

Signed:



Dated: 07 June 2021

FOOTPATH/ CYCLE  
ROUTE 75 CLOSED  
EASTBOUND FOLLOW  
DIVERSION

PUMPHERSTON ROAD

90.6m

Car Park

94.0m

Linhouse Water

Nursery

Telephone Exchange

105.3m

103.5m

102.4m

100.9m

FOOTPATH CLOSED

98.6m

Broombank Birches

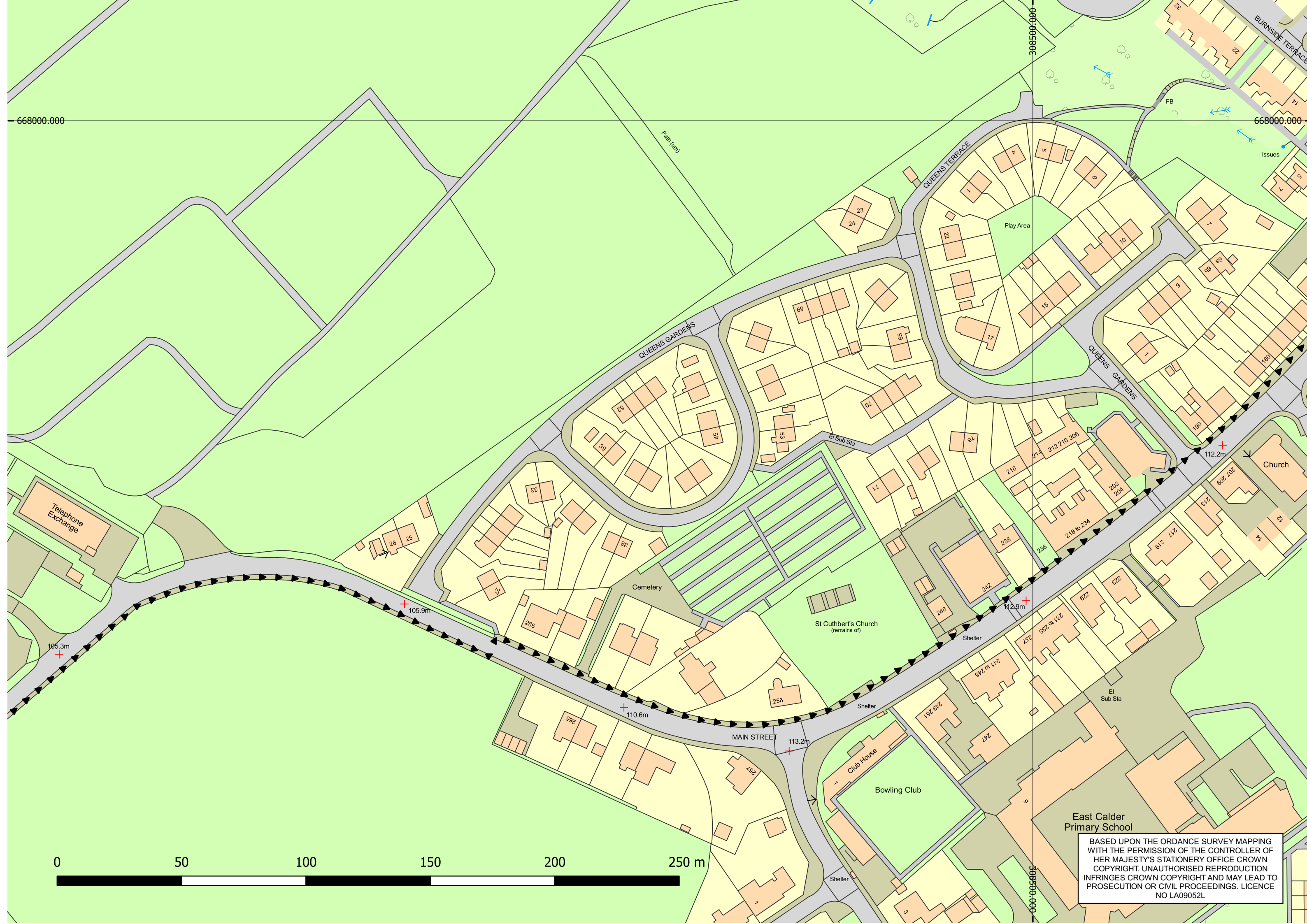
99.6m

Dreghorn Lodge

Linhouse Cottage

0 50 100 150 200 250 m

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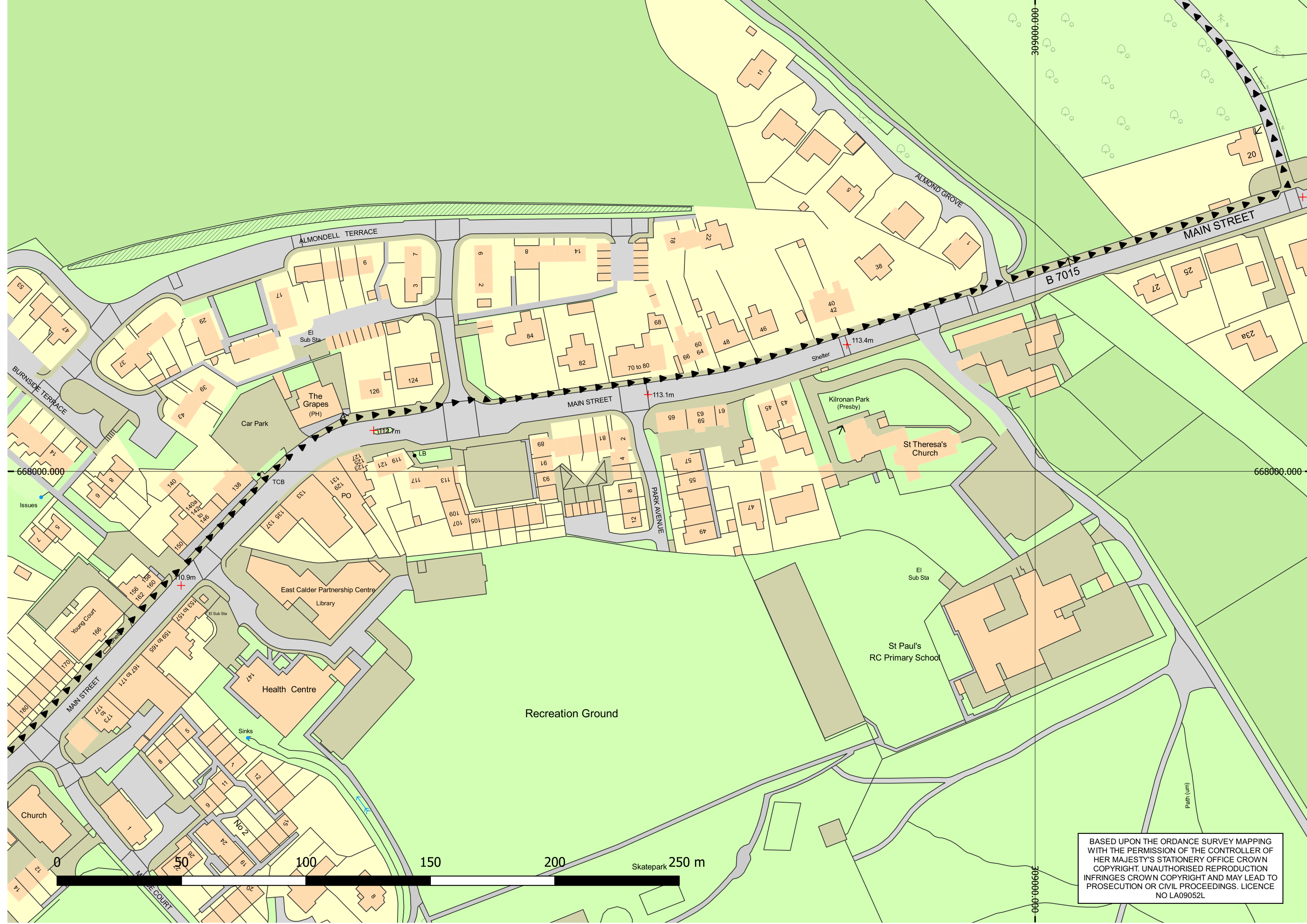
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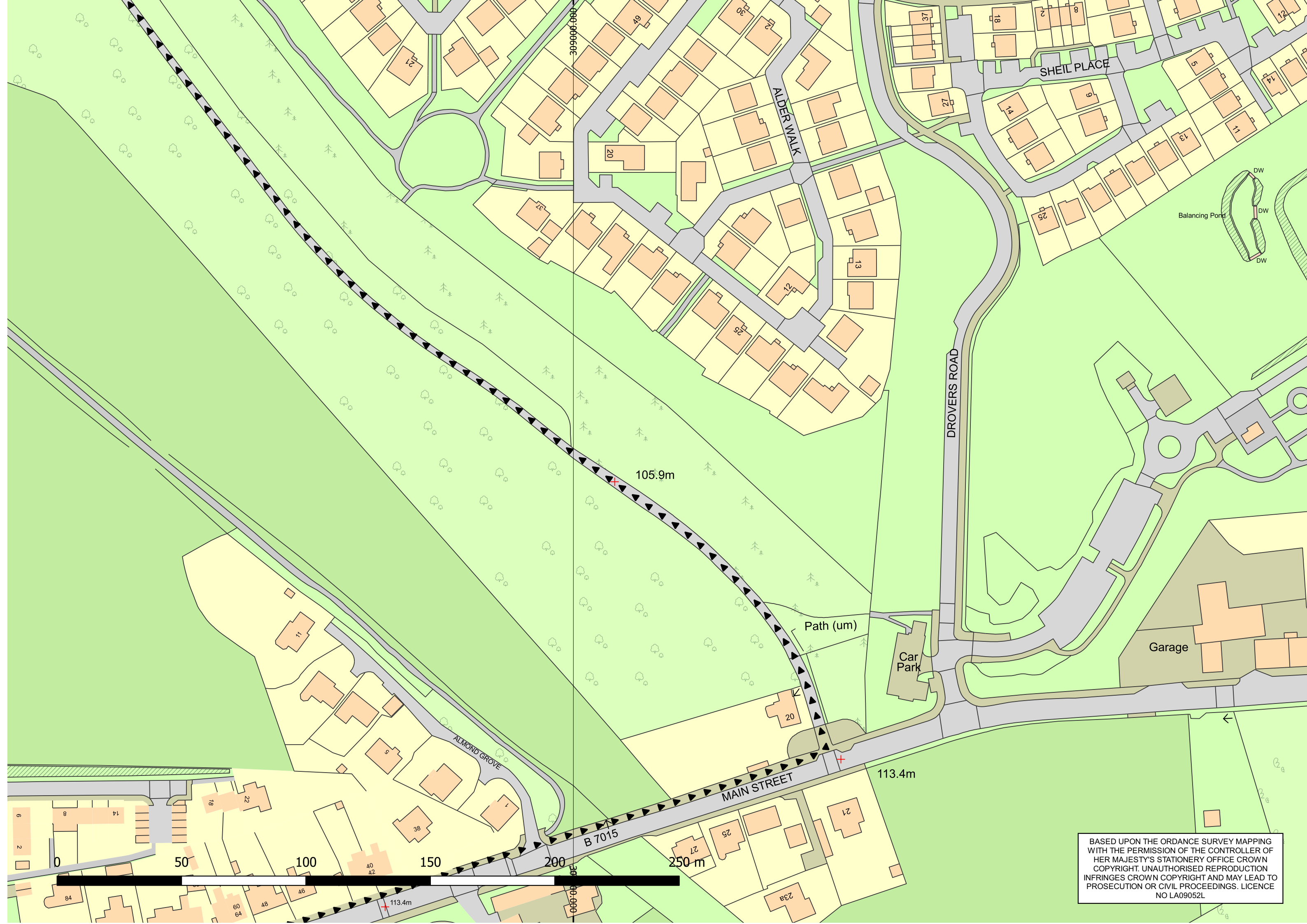
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90.1m

99.3m

0 50 100 150 200 250 m

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Aerial Ropeway

Weir

PCs

FB

Aqueduct

FB

668500.000

668500.000

Path

Path

Camps Viaduct

Weir

SM

FB

SM

Issues

Canal Feeder

Drain

SNOWDROP PATH

DAFFODIL WAY

FERN WAY

FOREST GLADE

69

28

4

2

42

85

13

24

3

1

8

16

10

13

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21

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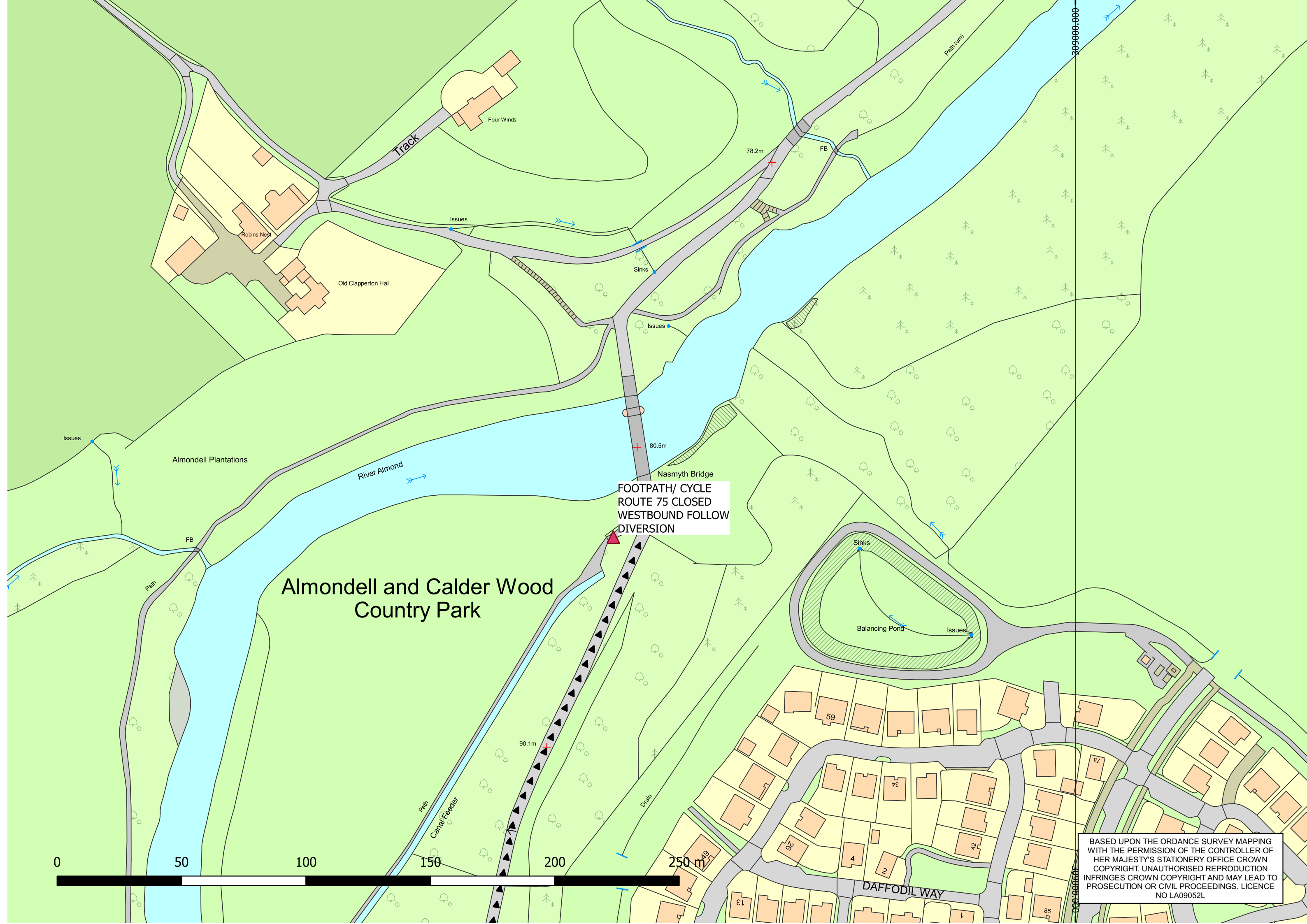
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FOOTPATH/ CYCLE  
ROUTE 75 CLOSED  
WESTBOUND FOLLOW  
DIVERSION

# Almondell and Calder Wood Country Park

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