

Item: 7

Development and Infrastructure Committee: 5 February 2019.

Proposed Prohibition of Waiting – Waterfront Area, Kirkwall.

Report by Executive Director of Development and Infrastructure.

1. Purpose of Report

To consider objections following statutory and public consultation in relation to The Orkney Islands Council (Waterfront Area, Kirkwall) (Prohibition of Waiting) Order 2019.

2. Recommendations

The Committee is invited to note:

2.1.

That, in July 2018, the Council agreed that waiting on Harbour Street and Shore Street, Kirkwall, be restricted to 30 minutes, between 08:00 and 18:00, Mondays to Saturdays, and loading within the marked loading bays on Harbour Street restricted to 20 minutes.

2.2.

That one letter of objection, signed by six business owners, a summary of which is attached as Appendix 1 to this report, was received during the consultation process in respect of the proposal referred to at paragraph 2.1 above.

2.3.

The proposal that waiting on Harbour Street and Shore Street, Kirkwall, be amended from 30 minutes to two hours, as shown on the drawing attached as Appendix 2 to this report.

It is recommended:

2.4.

That waiting on Harbour Street and Shore Street, Kirkwall, be restricted to two hours, between 08:00 and 18:00, Mondays to Saturdays, and loading within the marked loading bays on Harbour Street restricted to 20 minutes.

2.5.

That the Executive Director of Development and Infrastructure make the appropriate Traffic Regulation Order, incorporating the proposal referred to at paragraph 2.4 above.

3. Background

3.1.

A review of the current Traffic Regulation Orders was carried out for Harbour Street and Shore Street following completion of the Kirkwall Harbour Flood Prevention Scheme. Alterations were made to the parking layout to reflect the changes to parking, loading and waiting times.

3.2.

At its meeting held on 5 June 2018, the Development and Infrastructure Committee recommended that waiting on Harbour Street and Shore Street, Kirkwall, be restricted to 30 minutes, between 08:00 and 18:00, Mondays to Saturdays, and loading within the marked loading bays on Harbour Street restricted to 20 minutes.

4. Engagement and Consultation

4.1.

Consultation on the proposals has taken place with the following:

- Police Scotland.
- Road Haulage Association Limited.
- Freight Transport Association.
- Scottish Fire and Rescue Service.
- Disabled Drivers' Association.
- Orkney Disability Forum.
- Scottish Ambulance Service.
- NHS Orkney.
- HM Coastguard.
- Orkney Tourism Group.
- Kirkwall BID Limited.
- Stromness Community Business Forum.
- Local bus operators.
- Relevant Community Councils.

4.2.

The proposals were advertised publicly in accordance with the statutory requirements to consult.

4.3.

Police Scotland has confirmed its support for the proposals in the interests of road safety.

4.4.

One letter of objection, signed by six business owners, was received. These are summarised and attached as Appendix 1 to this report.

4.5.

Three valid objections were raised in the letter.

4.5.1.

The first objection relates to the 30 minutes time restriction, which, after consideration and to assist the Harbour front businesses provide a facility more suited to their customers' needs, officers would propose to extend the time limit in these spaces to two hours.

4.5.2.

The second point related to the taxi rank, which has been in place for many years and was implemented, as part of the current Traffic Regulation order, through the Civic Government (Scotland) Act 1982 following consultation with local taxi operators and businesses. It is therefore proposed to retain the rank in its current form.

4.5.3.

Finally, there are three designated loading areas along the harbour front with a 20 minute time limit which can be used for loading and deliveries, removing the need for permit parking.

4.6.

The objectors were advised that following the consultation and the objections raised, officers would consider the following:

- The parking layout and time limit remain the same as shown in the original plan.
- The parking layout remain the same as the original plan, however parking in a marked space would be extended to two hours instead of 30 minutes.

4.7.

Having considered the objections, it is proposed that waiting on Harbour Street and Shore Street, Kirkwall, be amended from 30 minute waiting to two hours, as shown on the drawing attached as Appendix 2 to this report. This will allow the Order to be made and implemented at the earliest opportunity.

5. Options

5.1.

The options open to the Council are:

- To proceed with original proposals and make the order,
- To make the order with modifications.
- Not to make the order, in which case the status quo is maintained.

5.2.

The Council is permitted to make this order with modifications, provided these do not extend the application of the order or impose more stringent restrictions.

5.3.

It is recommended to make the proposed order with modifications for the reasons outlined at section 4.7 above.

6. Equalities Impact

An Equality Impact Assessment has been undertaken and is attached as Appendix 3 to this report.

7. Corporate Governance

The report relates to governance and procedural issues and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

8. Financial Implications

As Roads Authority, the cost of any Traffic Regulation Order, estimated at about £1,000, will be borne by the Council under the relevant section of the roads revenue budget. In this instance given the complexity of the review there have been additional costs due to the increased amount of time Roads officers have spent on the project.

9. Legal Aspects

If the Council wishes to introduce new parking restrictions, it must obtain a traffic regulation order under the Road Traffic Regulation Act 1984. The requirements of The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 have been observed as regards the form of the order and the procedure to date.

10. Contact Officers

Gavin Barr, Executive Director of Development and Infrastructure, extension 2301,
Email gavin.barr@orkney.gov.uk

Darren Richardson, Head of Infrastructure and Strategic Projects, extension 2310,
Email darren.richardson@orkney.gov.uk

John Wrigley, Roads and Environmental Services Manager, extension 2725,
Email john.wrigley@orkney.gov.uk

Kenneth Roy, Roads Support Manager, extension 2326,
Email kenny.roy@orkney.gov.uk

11. Appendices

Appendix 1: Summary of objections to the proposals


Appendix 2: Drawing no. WFATRO-02 Waterfront Area, Kirkwall

Appendix 3: Equality Impact Assessment


Order	Name of objector	Brief Description of objection	Response
Waterfront Area	Objector 1	Who does 30 minutes benefit? Very few of our customers or staff require 30 minutes. Customers looking to dine, consult or peruse will not find 30 minutes to be sufficient.	<p>The parking time limit on Harbour Street has always been 30 minutes. To assist local businesses on the Harbour front, Roads Services would be prepared to extend the time limit in these spaces to 2 hours. The taxi rank has been in place for many years and was implemented following discussion with the local taxi operators and agreed through licencing. It is therefore proposed to retain the rank in its current form. There are 3 designated loading areas along the harbour front with a 20 minute time limit which can be used for loading and deliveries.</p>
Waterfront Area	Objector 2	The taxi rank is under-utilised for much of the week and when required at busy times is not enough. OIC should consult with local stakeholders for a better solution to this issue. It has been suggested to move the rank on to the pier. All businesses along the shorefront have need of a working vehicle. Could a permitted parking space per business be made available. There are simply not enough parking spaces in the town.	
Waterfront Area	Objector 3	What parking there is insufficient or not fit for purpose. OIC through the intended implementation of various traffic orders throughout the town in no way resolve this issue. These traffic orders whilst alleviating specific problems, will only move the general problem to other areas of the town. What actions are OIC taking/plan to address this most fundamental of issues. The business community through endeavour and enterprise are working very hard to continue to provide our services and continue growth in employment in Kirkwall. There are many options available to OIC to create more parking – Buy land to create a car park/multi storey car park (the old Jewson's yard) Opportunity to create more parking along the harbour front. Do away with the junction onto the pier and use the access of the roundabout for pier traffic, fill the previous space then with more spaces for parking (or new taxi rank). The marina, there is a large area too shallow for boats, fill this in for more parking. Create a multi storey in large carpark on/in the Great Western Rd park. Return carparks at north end of Great Western Road/Burnmouth Rd to being free for folk working within Kirkwall. Create east & west park & ride facilities for OIC workers.	
Waterfront Area	Objector 4		
Waterfront Area	Objector 5		
Waterfront Area	Objector 6		

**The Orkney Islands Council
 (Waterfront Area, Kirkwall)
 (Prohibition of Waiting) Order 2018**

Key:

 No Waiting at anytime

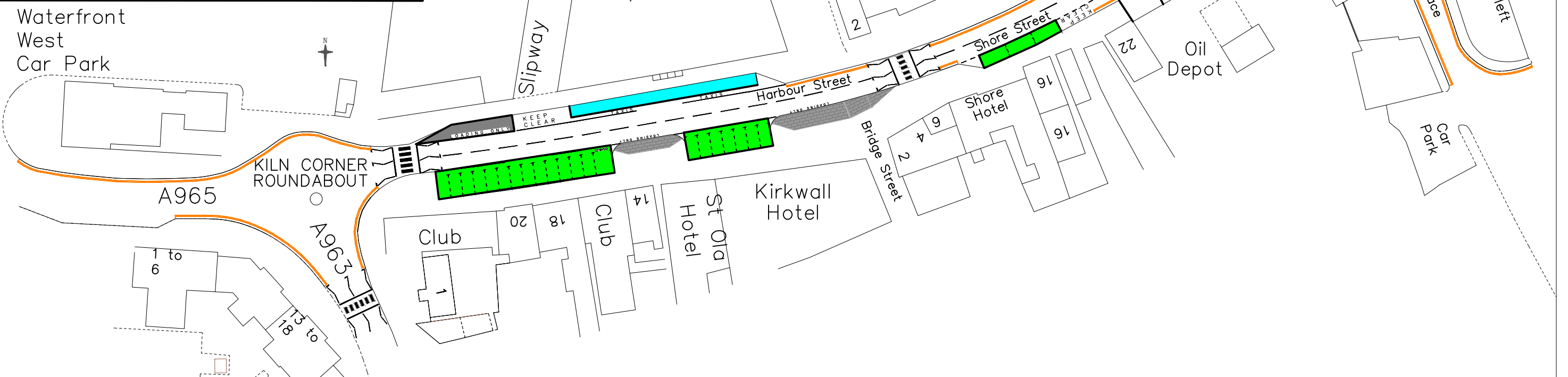
 Marked parking space

 Loading Area maximum stay 20 minutes

 Taxis only space

Maximum stay in marked space 2 hours
 Mon - Sat 8am - 6pm.
 No return within 3 hours.

**23 Parking Spaces Provided
 1 Disabled Space Provided**



File Ref. R3.27.03 . ?????	Drawing No. WFATRO-02
Revision	
Date 15 November 2018	Drawn <i>J.Coyle</i>
Scale NTS	Checked <i>K.D.Roy</i>

**Waterfront Area,
 Kirkwall**

Proposed TRO Layout

**Roads
 Services**

DEVELOPMENT AND INFRASTRUCTURE
 Council Offices, Kirkwall
 Orkney, KW15 1NY
 tel (01856) 873535
 fax (01856) 876094



**ORKNEY
 ISLANDS COUNCIL**

Executive Director :-
 Gavin Barr
 BSc Hons MSc URP MRTPI

Equality Impact Assessment

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a function, policy or plan by anticipating the consequences, and making sure that any negative impacts are eliminated or minimised and positive impacts are maximised.

1. IDENTIFICATION OF FUNCTION, POLICY OR PLAN	
Name of function/policy/plan to be assessed	Review of On-Street Parking, Kirkwall.
Service/service area responsible	Development and Infrastructure
Name of person carrying out the assessment and contact details	Kenneth Roy, Roads Support Manager Ext 2326 Email: kenny.roy@orkney.gov.uk
Date of assessment	04 January 2019
Is the function/policy/plan new or existing? (Please indicate also if the service is to be deleted, reduced or changed significantly)	New Traffic Regulation Order to control on-street parking.

2. INITIAL SCREENING	
What are the intended outcomes of the function/policy/plan?	On-street parking restrictions that will control waiting on Harbour Street and Shore Street, Kirkwall
State who is, or may be affected by this function/policy/plan, and how	All road users
How have stakeholders been involved in the development of this function/policy/plan?	Formal statutory and public consultation will be carried out
Is there any existing data and/or research relating to equalities issues in this policy area? Please summarise. e.g. consultations, national surveys, performance data, complaints, service user feedback, academic/consultants'	N/A

reports, benchmarking (see equalities resources on OIC information portal)	
Could the function/policy have a differential impact on any of the following equality strands?	(Please provide any evidence – positive impacts/benefits, negative impacts and reasons)
1. Race: this includes ethnic or national groups, colour and nationality	No
2. Sex: a man or a woman	No
3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	No
4. Gender Reassignment: the process of transitioning from one gender to another	No
5. Pregnancy and maternity	No
6. Age: people of different ages	Yes
7. Religion or beliefs or none (atheists)	No
8. Caring responsibilities	No
9. Marriage and Civil Partnership	No
10. Disability: people with disabilities (whether registered or not)	Yes

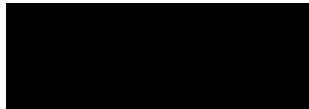
3. IMPACT ASSESSMENT

Does the analysis above identify any differential impacts which need to be addressed?	No
How could you minimise or remove any potential negative impacts?	Ensure adequate parking provision where possible
Do you have enough information to make a judgement? If no, what information do you require?	Yes

4. CONCLUSIONS AND PLANNED ACTION

Is further work required?	yes
What action is to be taken?	A report will be presented to a future meeting of the Development and Infrastructure Committee
Who will undertake it?	Executive Director of Development and Infrastructure
When will it be done?	05 February 2019
How will it be monitored? (e.g. through service plans)	Through traffic order progress report

Signature



Date 04 January 2019

Name KENNETH ROY
(BLOCK CAPITALS)

Please sign and date this form, keep one copy and send a copy to Corporate and Community Strategy. It should also be emailed to Corporate and Community Strategy.