

## **Item: 8**

**Development and Infrastructure Committee: 14 November 2023.**

**Finstown Traffic Management Study.**

**Report by Corporate Director for Neighbourhood Services and Infrastructure.**

### **1. Purpose of Report**

To consider introduction of new and extended speed limits in Finstown, following statutory and public consultation.

### **2. Recommendations**

The Committee is invited to note:

#### **2.1.**

That, following receipt of a petition in 2021 from the Finstown local community raising road safety concerns a traffic management study was carried out.

#### **2.2.**

That, on 8 November 2022, the Development and Infrastructure Committee subsequently recommended the introduction of new and extended speed limits on various roads in and around Finstown.

#### **2.3.**

That, on 6 December 2022, when considering the recommendations of the Development and Infrastructure Committee referred to above, the Council resolved that the sections of road to which the speed limits were to apply be reduced in length, together with the installation of speed indication devices at five separate locations.

#### **2.4.**

The outcome of statutory and public consultation on the revised proposals, as detailed in sections 4 and 5, together with Appendix 2, of this report.

**It is recommended:**

## **2.5.**

That the Council make The Orkney Islands Council (Variable 20mph Speed Limit and 30 mph Speed Limit Extension) (Finstown) Order 2023, attached as Appendix 3 and outlined on the plans attached as Appendix 4 to this report, as follows:

- Extend the 20 mph speed limit on the following sections of public road:
  - A966 from its junction with the A965 for 518 metres.
  - A965 from its junction with the A966 in an easterly direction for 215 metres.
  - A965 from its junction with the A966 in a westerly direction for 290 metres.
- Extend the 30 mph speed limit on the following sections of public road:
  - A966 from the existing 30 mph speed limit to the property known as Heddon House for 600 metres.
  - A965 from the existing 30 mph speed limit to the property known as Marsdene, for 675 metres.
  - C1 Old Finstown Road from the existing 30 mph speed limit to the property known as Lindean, for 200 metres.

## **3. Background**

### **3.1.**

Following receipt of a petition in 2021 from the Finstown local community raising road safety concerns, the Council engaged Systra UK Ltd to undertake a Traffic Management Study to determine what, if any, traffic management solutions would be required to improve current traffic conditions and alleviate road safety concerns.

### **3.2.**

Previous decisions of the Council on this topic are detailed in Appendix 1 to this report.

### **3.3.**

In summary the Council resolved that revised speed limits be introduced in Finstown to extend the existing part-time 20 mph limit on the A966 to cover a section of the A965, and to extend the 30mph speed limits on the Old Finstown Road, A966 and A965 East.

### **3.4.**

The introduction of lower speed limits will improve road safety for pedestrians, cyclists, walkers, and all other road users for all of the roads specified within the Order.

## **4. Engagement and Consultation**

### **4.1.**

Statutory Consultation on the proposals originally took place with the following, with three responses received:

- 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 also advertised publicly in accordance with the statutory requirements to consult. There were six responses, one of which included a petition with 93 signatories.

### **4.3.**

The responses received to both the statutory and public consultations are detailed in Appendix 2 to this report.

## **5. Objections**

### **5.1.**

During the statutory consultation two responses requested that the 30mph speed limit on the A965 to the east of Finstown be reduced in length.

### **5.2.**

The responses to the public consultation objected to the proposed extension of the 30 mph speed limit on the A965 but supported a reduction in the length of the limit.

### **5.3.**

The 93 signatories to the petition objected to the extension of the speed limits on the A965 and A966 because there are no street lights or no footway on these sections of road.

### **5.4.**

The objection based on there being no street lights or no footway on these sections of road is not deemed a valid objection as there is no requirement to provide either street lighting or a footway within a 30 mph speed limit. Where street lighting is not present then repeater signs should be used.

### **5.5.**

All responses to the public consultation supported the proposal to extend the 20 mph speed limit.

## **6. Options**

### **6.1.**

The options open to the Council are:

- Do nothing.
- To make The Orkney Islands Council (Variable 20mph Speed Limit and 30 mph Speed Limit Extension (Finstown) Order 2023, attached as Appendix 3 to this report (incorporating the maps attached as Appendix 4).
- To make the Order with modifications, i.e. to reduce it in scope. It cannot be made more onerous at this stage.

### **6.2.**

In deliberating these options, the following considerations should be taken into account:

- The clearly stated concerns of Finstown residents regarding the speed of vehicles in the village, as detailed in the petition submitted in 2021.
- The recommendations of the Traffic Management report which was carried out in response to these concerns, which were to introduce extended speed limits on the approaches to the village in order to slow traffic down well before it reached the centre.
- The responses to the consultation, the vast majority of which expressed some form of objection to extension of the 30mph limits on the approaches. However, there is no clear consistency in these responses as to which limits should be amended and at what location.
- The need to ensure that objections are considered to be valid, that is, they must identify clear concerns regarding safety and/or practicality of implementation.

### **6.3.**

Taking all of the above into account, the recommendation from Officers is that the Traffic Order be made. Whilst there are clearly concerns from a section of the community with regards to the extension of the 30mph limits this must be considered in the context of the previously expressed concerns of a significant number of the inhabitants of Finstown regarding the speed of traffic in the town. Slowing traffic down earlier on approach is a well-recognised and proven technique to ensure appropriate speeds within the built-up area and the locations identified for the extension of the 30mph limits are considered to be appropriate given the nature of the road layout at those locations. Members may wish, however, to consider whether they would prefer to reduce the extent of these limits at one or more of the entrances to Finstown.

### **6.4.**

As no concerns were noted regarding the proposals to extend the extent of the part-time 20mph speed limits, any modification to the Traffic Order would be expected to retain this component.

## **7. Corporate Governance**

### **7.1.**

This report relates to the Council complying with 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.

### **7.2.**

In terms of the Scheme of Administration, amending or making new traffic orders, whether permanent or experimental, where any objection has been raised through statutory consultation procedures, is delegated to the Development and Infrastructure Committee.

## **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.

## **9. Legal Aspects**

If the Council wishes to introduce new speed limit 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**

Hayley Green, Corporate Director for Neighbourhood Services and Infrastructure, extension 2309, Email [hayley.green@orkney.gov.uk](mailto:hayley.green@orkney.gov.uk)

Lorna Richardson, Head of Neighbourhood Services, extension 2322, Email [lorna.richardson@orkney.gov.uk](mailto:lorna.richardson@orkney.gov.uk)

Kenneth Roy, Roads Support Manager, extension 2326, Email [kenny.roy@orkney.gov.uk](mailto:kenny.roy@orkney.gov.uk)

## **11. Appendices**

Appendix 1: Previous Council Decisions.

Appendix 2: Consultation Responses.

Appendix 3: The Orkney Islands Council (Variable 20 mph Speed Limit and 30 mph Speed Limit Extension) (Finstown) Order 2023.

Appendix 4: Location Plans.

## Appendix 1

### Finstown Traffic Management Study – Previous Council Decisions

#### 1. Development and Infrastructure Committee – 6 September 2022

The Committee noted:

- That, following receipt of a petition in 2021 from the Finstown local community raising road safety concerns, the Council engaged Systra UK Limited to undertake a Traffic Management Study to determine what, if any, traffic management solutions would be required to improve current traffic conditions and alleviate road safety concerns.
- That the Traffic Management Study, attached as Appendix 1 to the report by the Corporate Director for Neighbourhood Services and Infrastructure, provided options for improvements to the current traffic management within Finstown.
- The proposal to introduce the following new and revised speed limits, with the aim to deliver those measures within the current financial year, the process for which took three to four months to complete:
  - New 40mph transitional speed limits on A965 East, A965 West, Old Finstown Road and Heddle Road.
  - Extension of the 40mph transitional speed limit on the A966.
  - Extension of the existing part-time 20mph speed limit on the A966 to cover a section of the A965.
  - Extension of the existing 30mph speed limits on the Old Finstown Road, A966 and A965 East.
- The cost of introducing new speed limits and installing necessary signage, estimated at £40,000, which could be met from the Cycling, Walking and Safer Routes grant for 2022/23.
- That works associated with the following additional measures would be progressed as resources permitted:
  - Within 12 to 18 months – upgrade existing village gateways.
  - Within 2 to 3 years – introduce speed indication devices, upgrade existing and introduce new uncontrolled pedestrian crossings.
  - Within 3 to 5 years – introduce traffic calming measures and widen a section of footway on the east side of A966.

The Committee resolved to recommend to the Council:

- That new and revised speed limits be introduced in Finstown at the following locations:
  - New 40mph transitional speed limits on A965 East, A965 West, Old Finstown Road and Heddle Road.
  - Extension of the 40mph transitional speed limit on the A966.

- Extension of the existing part-time 20mph speed limit on the A966 to cover a section of the A965.
- Extension of the existing 30mph speed limits on the Old Finstown Road, A966 and A965 East.

## **2. General Meeting of the Council – 4 October 2022**

When considering the recommendations of the Development and Infrastructure Committee referred to above, the Council resolved that the outcome of, and options relating to, the Finstown traffic management study be referred back to the Development and Infrastructure Committee for further consideration.

A seminar was held on 4 November 2022 to allow elected members to discuss the options set out in the Finstown Traffic Management Study. This was attended by a representative from the external consultants.

## **3. Development and Infrastructure Committee – 8 November 2022**

When reconsidering the outcome of, and options relating to, the Finstown traffic management study, the Committee resolved to recommend to the Council:

- That new and revised speed limits be introduced in Finstown at the following locations:
  - New 40mph transitional speed limits on A965 East, A965 West, Old Finstown Road and Heddle Road.
  - Extension of the 40mph transitional speed limit on the A966.
  - Extension of existing part-time 20 mph limit on the A966 to cover a section of the A965.
  - Extension of the existing 30mph speed limits on the Old Finstown Road, A966 and A965 East.
- That the costs in respect of introducing new speed limits in Finstown, estimated at £40,000, be funded from the Cycling, Walking and Safer Routes grant for 2022/23.
- That the impact of the new and revised speed limits in Finstown detailed above be reviewed following installation, following which the Corporate Director for Neighbourhood Services and Infrastructure should submit a report, to the Committee in due course, together with recommendations for implementing the additional measures set out at above (noted at meeting held on 6 September 2022).

## **4. General Meeting of the Council – 6 December 2022**

When considering the recommendations of the Development and Infrastructure Committee referred to above, the Council resolved:

- That revised speed limits be introduced in Finstown at the following locations:
  - Extension of existing part-time 20 mph limit on the A966 to cover a section of the A965.



- Extension of the existing 30mph speed limits on the Old Finstown Road, A966 and A965 East.
- That speed indication devices be installed at the following locations:
  - One at each of the entrances to Finstown on the A965.
  - One at the entrance to Finstown on the A966.
  - One at the entrance to Finstown on the Old Finstown Road.
  - One in the centre of Finstown, in the vicinity of Esson's Garage.
- That the costs in respect of introducing revised speed limits in Finstown, estimated at £38,000, be funded from the Cycling, Walking and Safer Routes grant for 2022/23.
- That the costs in respect of installing speed indication devices, estimated at £25,000, be funded from the Local Works and Services Contingency Fund.
- That the impact of the revised speed limits, together with the introduction of speed indication devices, in Finstown, as detailed above, be reviewed following installation, following which the Corporate Director for Neighbourhood Services and Infrastructure should submit a report, to the Development and Infrastructure Committee in due course.

Statutory Consultation Responses			
Name	Date Received	For / Against Proposal	Details of response
NHS Orkney	29/05/2023	For	I can confirm that I am in full support of the outlined proposal.
Firth Community Council	22/06/2023	Objection	The 30mph limit should start at Sidney cottage not Marsdene.
Stromness Community Council	22/06/2023	Objection	The 30mph limit should only be extended to the exit of Atlantis Lodges
Public Consultation Responses			
Name	Date Received	For / Against Proposal	Details of response
Response 1	25/08/2023	For	What you are proposing is fine and I agree with the measures. I'd also suggest backing this up with speed indicator devices and possibly average speed cameras, lane narrowing, traffic islands and other traffic calming measures. Speeding through Finstown is a genuine problem and many people simply ignore the speed limit.
Response 2	24/08/2023	Objection	<p>I'd like to register an objection to one aspect of this combined Order. I support the 20mph variable school zone and have no issue with the broadened 30mph areas on the other roads, but I object to the 675m of additional 30mph zone on the main road between Finstown and Kirkwall. My rationale is as follows:</p> <p>* Extending the 30mph zone by this distance would increase journey times for drivers who follow all speed limits by approx. 1 minute, which is roughly a 10% increase to Finstown-Kirkwall and a 5% increase to Stromness-Kirkwall - one of the most common journeys in the county.</p> <p>* If the reason for doing this is to reduce the amount of speeding in the town centre, then I do not think this will achieve that. If the newish countdown signs and the (as yet untried) speed indicator signs don't work, then the people who are speeding don't care that they are speeding. And that means that they won't care about speeding for another 675m. I think those who ignore the limits will continue to ignore them, while those who obey them will (as noted) have their journey times increased to no gain. The solution here must lie in enforcing the existing limits rather than making new ones.</p>

			* If the reason for doing this is to protect the small number of houses between the existing and proposed 30mph limits, then I have some sympathy with this: But please consider whether an intermediate limit of e.g. 40 mph would be more appropriate.
Response 3	19/09/2023	Objection	<p>With reference to this consultation, I am happy to endorse much of what is proposed to reduce traffic speed and behaviour within Finstown.</p> <p>However, I wish to register my objection to the extent to which the 30 mph is to be extended in the proposal:</p> <p>Extension of the existing 30mph speed limits on the 'Kirkwall side' of the Stromness to Kirkwall road, extending the limit from The Boathouse to Marsdene.</p> <p>In objecting, I believe the extent of the proposed 30mph extension is unnecessary to meet the Finstown traffic calming project and well beyond the Finstown boundary, furthermore beyond the Boathouse visibility is very good.</p> <p>I would suggest a rethink on the extent of the 30mph extension up to the Boathouse exit and no further.</p> <p>If further traffic measures are required, for example the introduction of 40mph zone, then they can be considered in the context of wider road safety and not the current project to reduce speed within Finstown.</p>
Response 4	20/09/2023	Objection	<p>I would like to record my objection to the proposed extension of the A965 eastward to the house called Marsdene. This is a ridiculous suggestion by all means move the limit to the 200m countdown marker, which would be reasonable.</p> <p>Please reconsider this part of the proposals.</p> <p>The other changes are acceptable.</p>

Response 5	20/09/2023	Objection	<p>With reference to this consultation, I am happy to endorse most of what is proposed to reduce traffic speed and behaviour within Finstown.</p> <p>However, I wish to register my objection to the extent to which the 30 mph is to be extended on the 'Kirkwall/east side' of the Stromness to Kirkwall road, that is, extending the limit from The Boathouse to Marsdene.</p> <p>In objecting, I believe the extent of the proposed 30mph extension is unnecessary to meet the Finstown traffic calming project as it is well beyond the Finstown boundary. I would suggest a rethink on the extent of the 30mph extension and instead to extend it up to the Kirkwall end of the Atlantis chalets.</p> <p>If further traffic measures are required, perhaps a 40mph zone could be made from the Kirkwall end of the Atlantis chalets out to Marsdene?</p>
Response 6 Including petition with 93 signatures	22/09/2023	Objection	<p>Submitted 3 page PDF objection and petition with 94 responses.</p> <p>PDF Summary - Questions the accuracy of the traffic data used in the decision making process as they do not perceive Finstown to have a speeding issue. Does not feel that the 30mph should be extended out to Marsdene on A965 and Heddon on A966 as there is no street lighting or footway and make it difficult for motorists to judge the speed limit by road make up.</p> <p>Supports the variable 20mph proposal.</p>



**ORKNEY**  
**ISLANDS COUNCIL**

**THE ORKNEY ISLANDS COUNCIL (VARIABLE  
20 MPH SPEED LIMIT AND 30 MPH SPEED LIMIT  
EXTENSION) (FINSTOWN) ORDER 2023**

# Contents

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## **Introduction**

Orkney Islands Council in exercise of its powers under Section 84 of the Road Traffic Regulation Act 1984 (“the Act”), and of all other enabling powers, and after consultation with the chief officer of police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order: -

## **Citation and Commencement**

1. This Order may be cited as The Orkney Islands Council (Variable 20 mph Speed Limit and 30 mph Speed Limit Extension) (Finstown) Order 2023 and shall come into operation on the **XXX day of XXX** Two Thousand and Twenty Three.

## **Interpretation**

2. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

## **Speed Limit**

3. (a) No person shall drive or cause or permit to be driven any motor vehicle in any of the lengths of road specified in Schedule 1 to this Order at a speed exceeding:
  - (i) Twenty miles per hour at a time when such a speed limit is indicated by a traffic sign in accordance with Article 3(b) hereof; or
  - (ii) Thirty miles per hour at any other time.(b) Such an indication may be given between the hours of 7:30am and 5:00pm on Mondays to Fridays inclusive, and at no other time.
4. No person shall drive or cause or permit to be driven any motor vehicle at a speed exceeding thirty miles per hour in any of the lengths of road specified in Schedule 2 to this Order.

## **Road Traffic Regulation Act 1984**

5. The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under Road Traffic Regulation Act 1984 or by and under any other enactment.

## **Superseded Provisions**

6. This Order, where its provisions conflict, supersedes: -
  - a) The Orkney Islands Council (Variable 20 mph Speed Limit) (Schools in Evie and Firth) Order 2007 which came into operation on the First day of April Two Thousand and Seven.

Given under the seal of Orkney Islands Council on the **XXX** Two Thousand and Three.

Head of Legal and Governance



## **Schedule 1**

1.

- a) That part of the public road A966 from its junction with the A965 in Finstown village centre, proceeding firstly in a northerly direction and thereafter in a northeasterly direction to a point at the southwestmost corner of the property known as Govilon, a total distance of five hundred and eighty metres or thereby.

All as shown in red on Plan 1 annexed and executed as relative to this order.

2.

- (a) That part of the public road A965 from its junction with the A966 in Finstown village centre, proceeding in a southeasterly direction, to a point five metres or thereby southeast of the northeastmost corner of the garden of the property known as Tigh-Na-Mara, a total distance of two hundred and fifteen metres or thereby.

All as shown in red on Plan 1 annexed and executed as relative to this order.

3.

- a) That part of the public road A965 from its junction with the A966 in Finstown village centre, proceeding firstly in a northwesterly direction and thereafter in a westerly direction, to a point five metres or thereby west of its junction with Grandon Road, a total distance of two hundred and ninety metres or thereby.

All as shown in red on Plan 1 annexed and executed as relative to this order.

Head of Legal and Governance

## **Schedule 2**

1.

- a) That part of the public road A966 from the existing point nine metres or thereby, northeast of the northwestmost corner of the Telephone Exchange, Finstown, in a northeasterly direction to a point five metres or thereby northeast of the entrance to the property known as Heddon House, a total distance of six hundred or thereby.

All as shown in red on Plan 2 annexed and executed as relative to this order.

2.

- (a) That part of the public road A965 from the existing point forty six metres or thereby of southeastmost corner of the entrance to the property known as The Boathouse, proceeding in a southeasterly direction, to a point five metres or thereby east of the entrance to the property known as Marsdene, a total distance of six hundred and seventy five metres or thereby.

All as shown in red on Plan 3 annexed and executed as relative to this order.

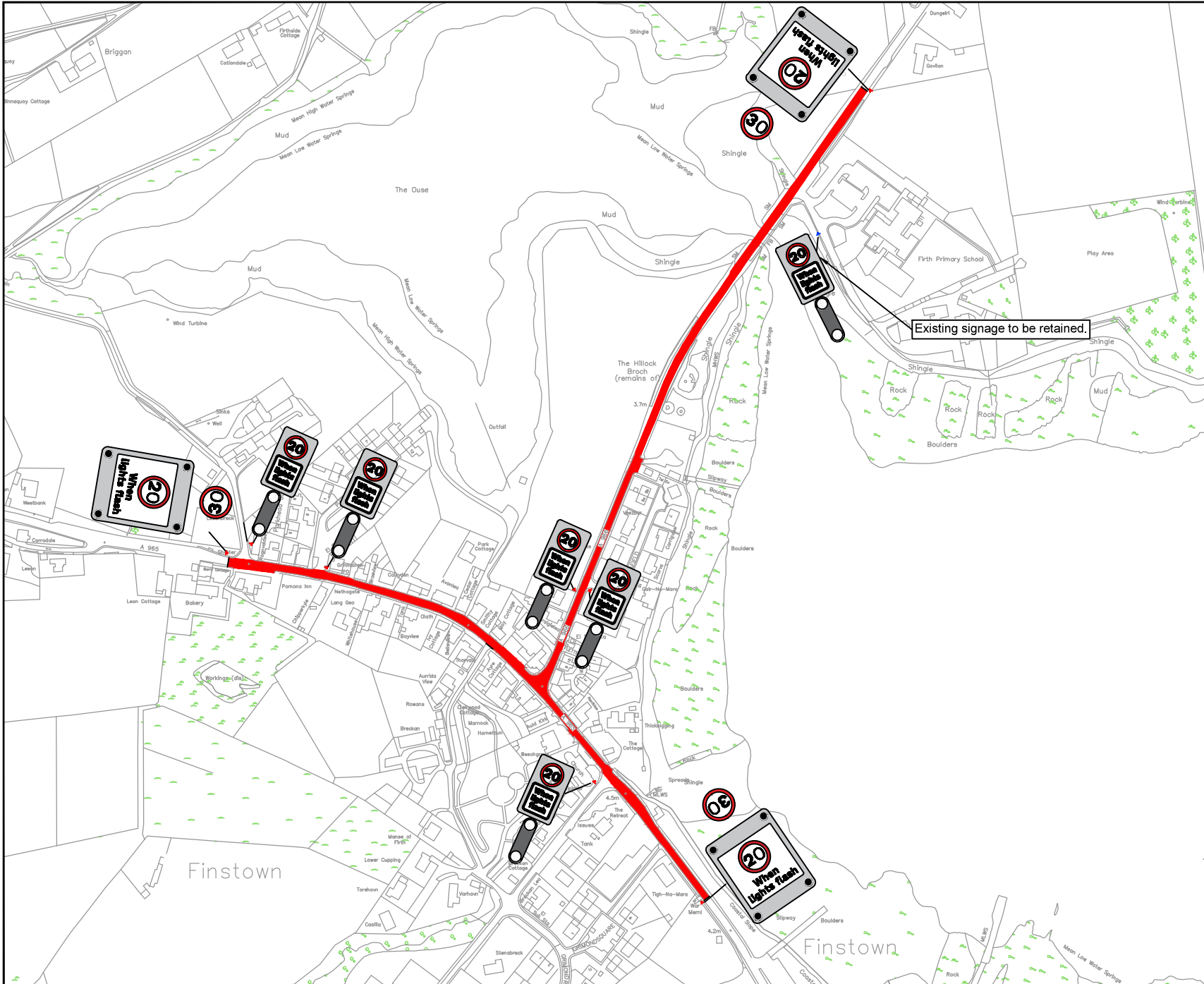
3.

- a) That part of the public road C1 Old Finstown Road from a point at the northwestmost corner of the entrance to the property known as Avallon, proceeding in a southeasterly direction to a point five metres or thereby southeast of the entrance to the property known as Lindean, a total distance of two hundred metres or thereby.

All as shown in red on Plan 4 annexed and executed as relative to this order.

Head of Legal and Governance

# Appendix 4



- Notes:**
1. Do not scale from this drawing.
  2. All dimensions are in metres unless otherwise noted.
  3. All proposed signage shall be erected within the existing highway boundary.

**Key:**

█ Extent of proposed part time 20mph speed limit.

## PLAN 1

A	26/02/23	Changed the position of ordered signs after comments from the client	SH	SL
Rev	001	Issue issued	SH	SL

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Centrum House,  
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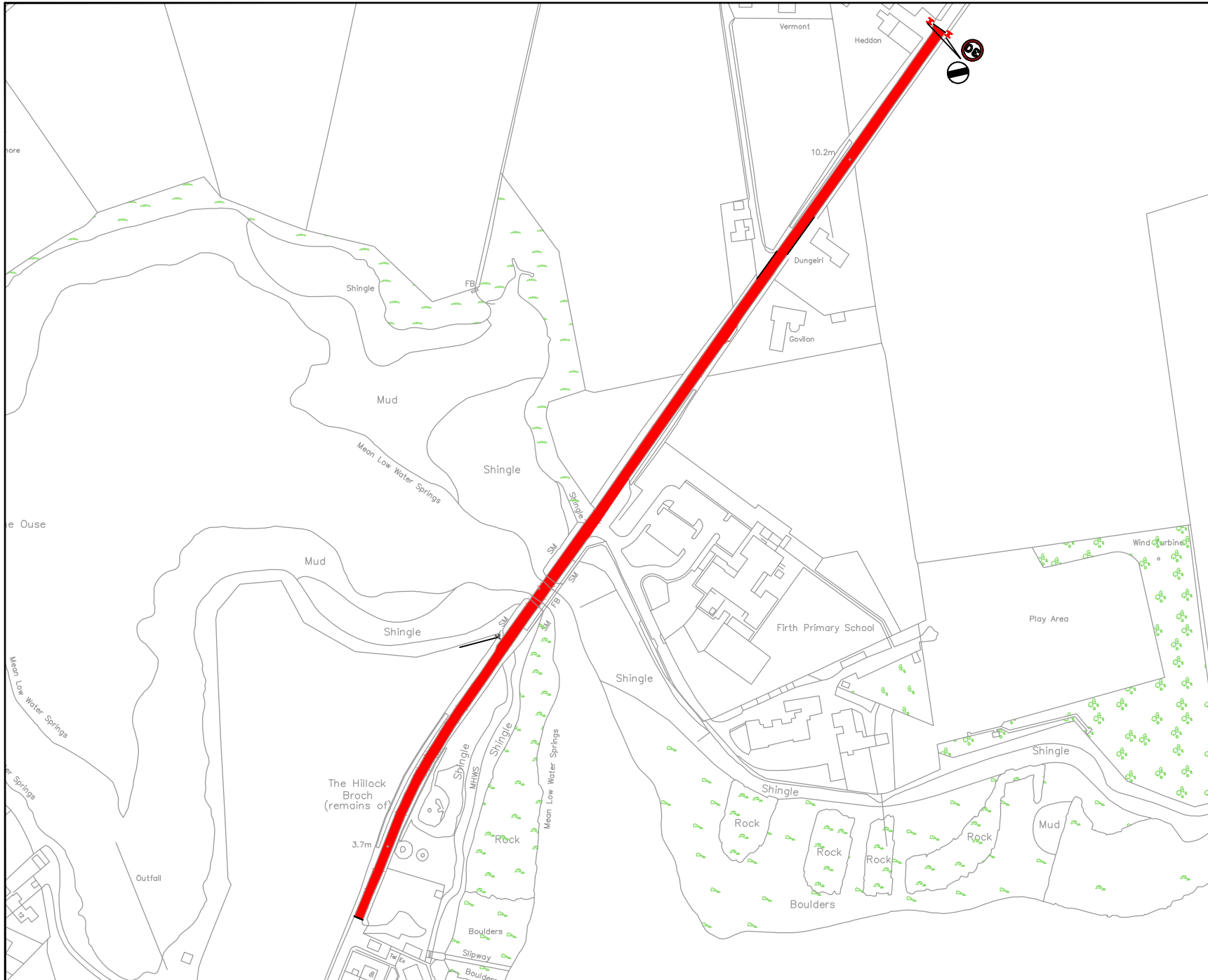
T 0141 468 4265  
F 0800 955 4357  
E UK\_Scotland@systra.co.uk

Client: Orkney Islands Council

Project: Finstown Traffic Management Study

Title: Proposed Speed Limits  
Part Time 20mph  
Sheet 1 of 3

Drawn	SH	Checked	SL	Approved	SL
Original drawing	A3	Date	Sep22	Scale	1:3000
Drawing Status	Preliminary	Drawing Number	GB01T21F18P/GL/20/01	Rev	A



- Notes:**
1. Do not scale from this drawing.
  2. All dimensions are in metres unless otherwise noted.
  3. All proposed signage shall be erected within the existing highway boundary.

**Key:**

Extension of 30mph speed limit on A966 by approximately 600m.

# PLAN 2

A	28/02/23	Changed the position of the sign after comments from the client	SH	SL	SL
BY	SH	SH	SH	SH	SH

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Client: Orkney Islands Council

Project: Finstown Traffic Management Study

Title: Proposed 30mph Speed Limits  
A966  
Sheet 1 of 3

Drawn	SH	Checked	SL	Approved	SL
Original date	A3	Date	Feb '23	Scale	1:2000
Drawing Status	Preliminary	Drawing Number	GB01T21F18/P/GL/30/01	Rev.	A



- Notes:**
1. Do not scale from this drawing.
  2. All dimensions are in metres unless otherwise noted.
  3. All proposed signage shall be erected within the existing highway boundary.

**Key:**

Extension of 30mph speed limit on A965 East by approximately 675m.

# PLAN 3

Rev	Desc	Issue date	Drawn	Checked	Approved

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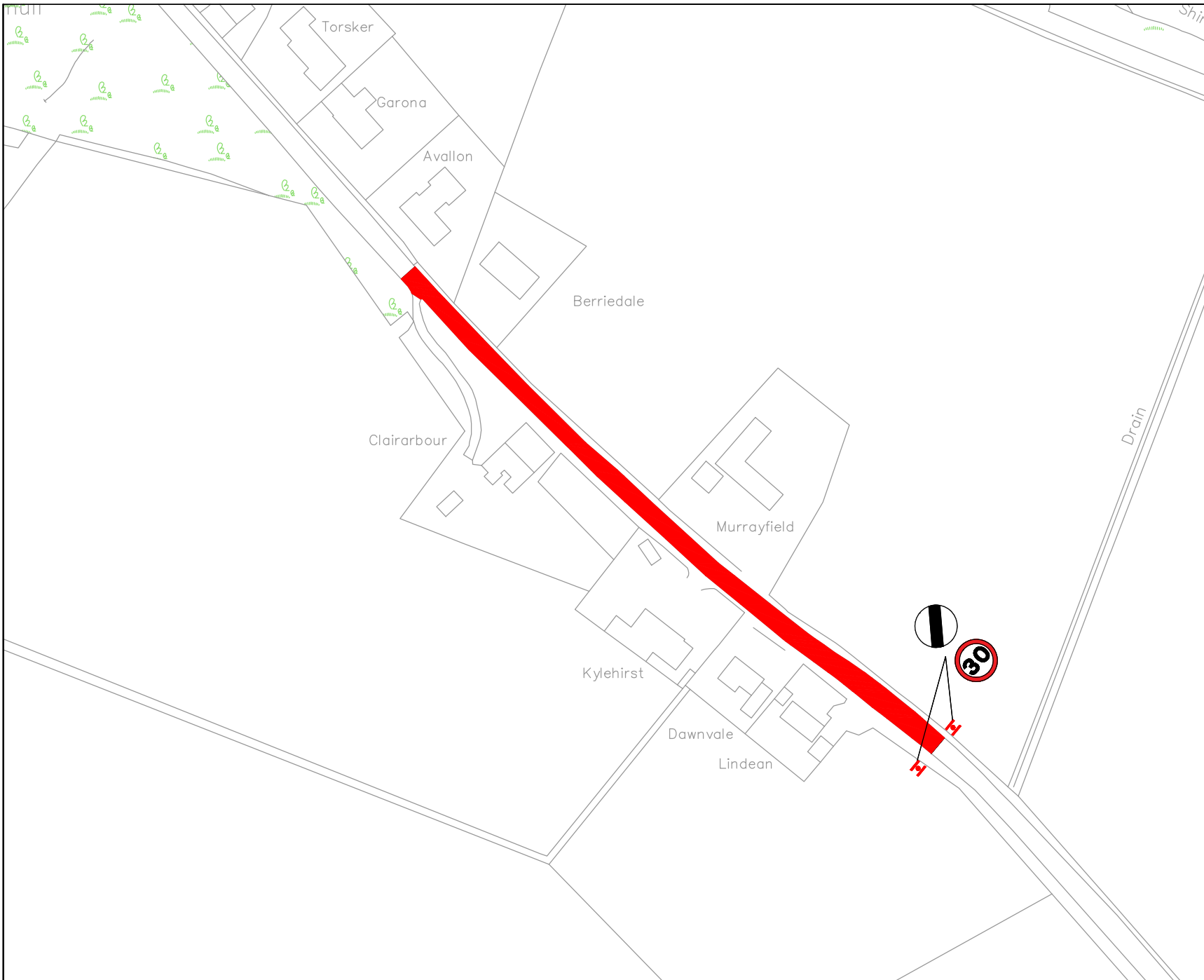
T 0141 468 4205  
F 0800 956 4367  
E UK\_Scotland@sysstra.co.uk

Client: Orkney Islands Council

Project: Finstown Traffic Management Study


Title: Proposed 30mph Speed Limits  
A965 East  
Sheet 2 of 3

Drawn	SH	Checked	SL	Approved	SL
Original size	A3	Date	Sep'22	Scale	1:2000
Drawing Status	Preliminary	Drawing Number	GB01T21F18/P/GL/30/02	Rev.	-



- Notes:**
1. Do not scale from this drawing.
  2. All dimensions are in metres unless otherwise noted.
  3. All proposed signage shall be erected within the existing highway boundary.

**Key:**

 Extension of 30mph speed limit on Old Finstown Rd by approximately 200m.

# PLAN 4

Scale	1:2000	Date	Sep'22	Drawn	SL	Checked	FS	Approved	SL
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Client: Orkney Islands Council

Project: Finstown Traffic Management Study

Title: Proposed 30mph Speed Limits  
Old Finstown Road  
Sheet 3 of 3

Drawn	SH	Checked	FS	Approved	SL
Original drawing	A3	Date	Sep'22	Scale	1:2000
Drawing Status	Preliminary	Drawing Number	GB01T21F18/P/PL/GL/30/03	Rev.	-