

Item: 8

Development and Infrastructure Committee: 5 February 2019.

Proposed Prohibition of Waiting - Palace Road, 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 (Palace Road, 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 the north side of Palace Road, Kirkwall, be restricted to one hour, between 08:00 and 18:00, Mondays to Saturdays.

2.2.

That several letters of objection, from residents and users of facilities on Palace Road, were received during the consultation process in respect of the proposal referred to at paragraph 2.1 above, as summarised in Appendix 1 to this report.

2.3.

The proposal that waiting restrictions on Palace Road, Kirkwall, be amended as follows:

- The proposed single yellow line on the south side of Palace Road being amended to a double yellow line.
- Waiting on the north side of Palace Road being amended from one hour to two hours.

2.4.

That, should the proposal referred to at paragraph 2.3 above be agreed, a further period of consultation will require to be carried out, as it would introduce more stringent restrictions than previously proposed.

It is recommended:

2.5.

That the Executive Director of Development and Infrastructure undertake a further period of consultation in respect of the proposed amended waiting restrictions on Palace Road, Kirkwall, referred to at paragraph 2.3 above.

3. Background

3.1.

Concerns raised regarding parking on Palace Road, Kirkwall, relate to inconsiderate parking, obstruction of access and visibility, lack of parking provision and the lack of enforcement. These concerns have been echoed by elected members, local businesses and other road users.

3.2.

At its meeting held on 5 June 2018, the Development and Infrastructure Committee recommended that waiting on the north side of Palace Road, Kirkwall, be restricted to one hour, between 08:00 and 18:00, Mondays to Saturdays.

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.

Several objections were received. These are summarised and attached as Appendix 1 to this report.

4.5.

The objections predominately came from two different groups, firstly from users of the facilities on Palace Road, who were concerned that:

- One hour parking is not long enough and that this should be increased to two hours.
- The seven day restriction on parking should be reduced to six days, allowing parking on both the north and south sides on a Sunday.
- The parking restriction on a Sunday restricts access to the church for elderly people.

4.6.

The second of group of objections came from residents on Palace Road who expressed concerns, as follows:

- Parking on the south side of the road makes it difficult to cross the road and use driveways due to restricted visibility.
- The time limit restriction of 08:00 to 18:00 is not long enough. Palace Road is still congested until about 21:00.
- Double yellow line instead of single yellow line on the south side.
- One hour is not long enough for the designated parking spaces on the north side.
- Why is there a need for a bus stop on Palace Road? Remove the bus stop and add a further four to five parking spaces.

4.7.

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

- The parking layout and time limits will remain the same as shown on the original plan.
- The parking layout will remain the same as the original plan. However, the proposed single yellow line on the south side of Palace Road would be changed to a double yellow line and the parking time limits in the spaces on the north side of Palace Road would be extended from one hour to two hours.
- The parking layout will remain the same as the original plan. However, the proposed single yellow line on the south side of Palace Road would be enforced Monday to Saturday, 08:00 to 18:00, and the parking time limits in the spaces on the north side of Palace Road would be extended from one hour to two hours.

4.8.

Having considered the objections, it is proposed that the parking layout remain the same as the original plan; however the proposed single yellow line on the south side of Palace Road would be changed to a double yellow line and the parking time limits in the spaces on the north side of Palace Road would be extended from one hour to two hours, as shown on the drawing attached as Appendix 2 to this report. If agreed, this will require the consultation process to begin again as this option introduces more stringent restrictions than previously proposed. These proposals address concerns raised by both sets of objectors.

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 and start the consultation process again.
- Not to make the order, in which case the status quo is maintained.

5.2.

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

5.3.

It is recommended to commence a further consultation process on the proposed amended waiting restrictions on Palace Road, Kirkwall, for the reasons outlined at section 4.8 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 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

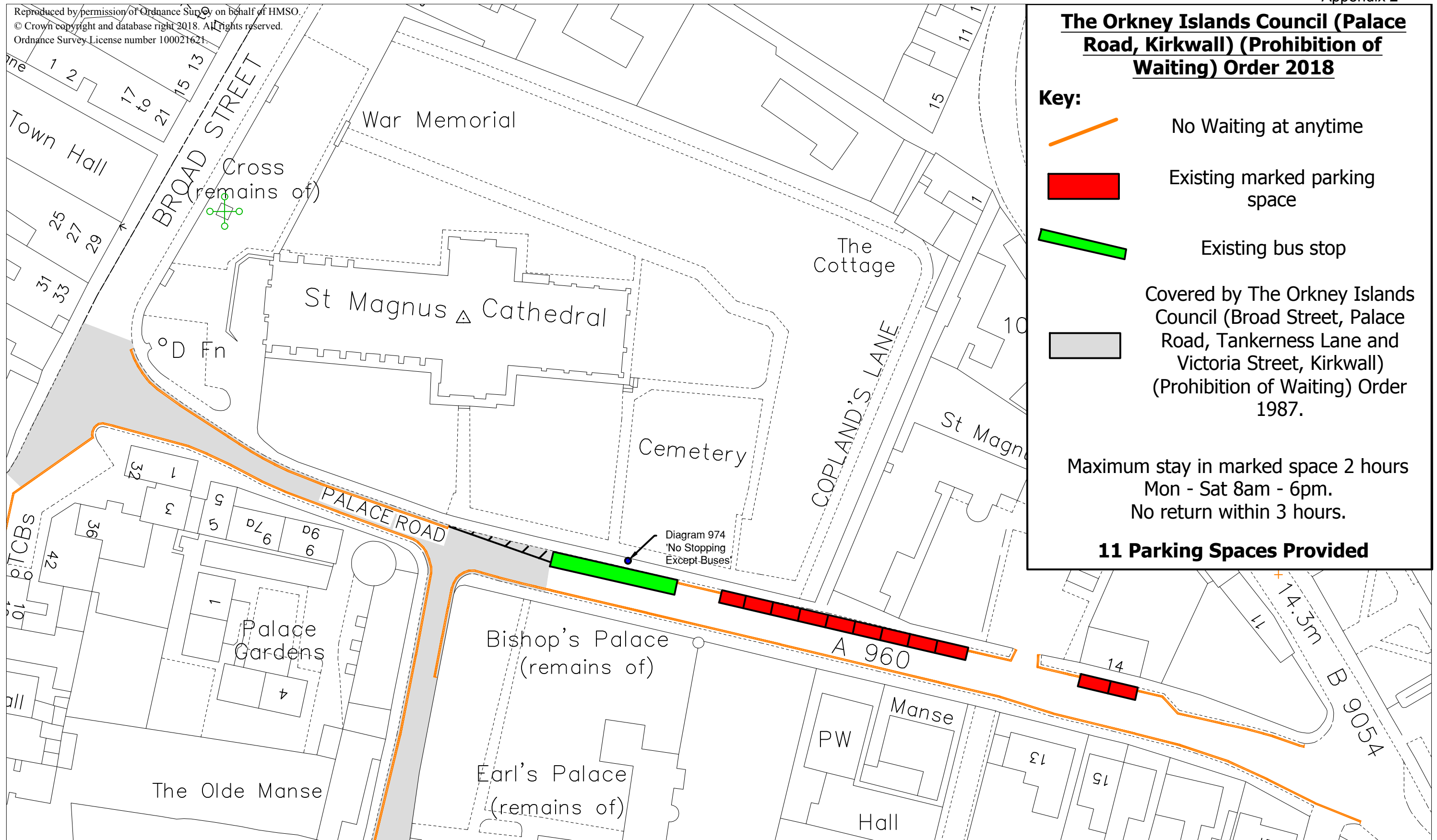
Appendix 2: Drawing no. PRTRO-02 Palace Road, Kirkwall

Appendix 3: Equality Impact Assessment

Appendix 1





Order	Objector	Brief Description of objection	Response
Palace Road	Objector 1	1 hour parking is not long enough. Requesting 2 hours minimum. Also requesting that the 7 day parking restriction of single yellow line on south side of palace road is made 6 days (mon - sat).	<p>Three options will be presented to the Development and Infrastructure Committee for consideration at its next meeting on 5 February 2019. Option 1 - The parking layout and time limits will remain the same as shown on the original plan.</p> <p>Option 2 - The parking layout will remain the same as the original plan. However, the proposed single yellow line on the south side of Palace Road would be changed to a double yellow line and the parking time limits in the spaces on the north side of Palace Road would be extended from 1 hour to 2 hours. Option 3 - The parking layout will remain the same as the original plan. However, the proposed single yellow line on the south side of Palace Road would be enforced Monday to Saturday 8am – 6pm and the parking time limits in the spaces on the north side of Palace Road would be extended from 1 hour to 2 hours. Roads Services will be recommending Option 2 to the Committee. If the Committee agree to this proposal the consultation process will begin again as this option introduces more stringent restrictions than previously proposed. Please note that the proposals to restrict parking on the south side of Palace Road has received backing from Police Scotland in the interests of road safety</p>
Palace Road	Objector 2		
Palace Road	Objector 3	Stating there is very little traffic on a Sunday and the single yellow line should not be enforced on a Sunday.	
Palace Road	Objector 4	Parking on the north side should be 2 hours to give people time to attend St Magnus centre and Peedie Kirk.	
Palace Road	Objector 5		
Palace Road	Objector 6		
Palace Road	Objector 7		
Palace Road	Objector 8		
Palace Road	Objector 9		
Palace Road	Objector 10		
Palace Road	Objector 11		
Palace Road	Objector 12		
Palace Road	Objector 13		
Palace Road	Objector 14	Restriction to south side palace road should not apply on a Sunday as it restricts elderly peoples access to the church service.	
Palace Road	Objector 15		
Palace Road	Objector 16		
Palace Road	Objector 17		
Palace Road	Objector 18		
Palace Road	Objector 19		
Palace Road	Objector 20		
Palace Road	Objector 21		
Palace Road	Objector 22		
Palace Road	Objector 23		
Palace Road	Objector 24		
Palace Road	Objector 25		
Palace Road	Objector 26	Restricting parking outside of her house will compromise her independence due to no alternative parking place nearby and would potentially mean losing her car. Would like to see the old parking arrangement from 30 years ago return. Remove the bus stop from here and put the single yellow on the north side, with parking spaces on the south side. Permit parking / Residents only parking spaces?	
Palace Road	Objector 27	Parking on the southside makes it difficult to cross the road and enter / exit their driveway due to restricted visibility. The time limit restriction of 8am - 6pm is not long enough. Palace Road is still congested until about 9pm. 1 hour is not long enough for the designated parking spaces on the north side. There is a bus stop on Broad St, why is there another one so close by on Palace Road? During days when liners are in this causes mayhem. Remove the bus stop and add a further 4 / 5 parking spaces. Double yellow line instead of single yellow line on the south side. Restricting the parking spaces to 1 hour (predominantly used by council workers) would just cause congestion on other nearby streets as they more for all day parking. Two cyclists have already been knocked off their bikes on Palace Road recently. Changes are needed to prevent further incidents. Who is going to enforce the time restrictions?	
Palace Road	Objector 28		
Palace Road	Objector 29		
Palace Road	Objector 30		

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The Orkney Islands Council (Palace Road, Kirkwall) (Prohibition of Waiting) Order 2018

Key:

-  No Waiting at anytime
-  Existing marked parking space
-  Existing bus stop
-  Covered by The Orkney Islands Council (Broad Street, Palace Road, Tankerness Lane and Victoria Street, Kirkwall) (Prohibition of Waiting) Order 1987.

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

11 Parking Spaces Provided

File Ref. R3.27.03 . 0118	Drawing No. PRTRO-02
Revision	
Date 29 march 2018	Drawn J.Coyle
Scale NTS	Checked K.D.Roy

Palace Road, Kirkwall

Proposed TRO Layout

Roads Services

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



Executive Director :-
 Gavin Barr
 BSc Hons MSc URP MRTPI

ORKNEY ISLANDS COUNCIL

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 Palace Road, 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

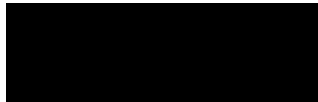
3. IMPACT ASSESSMENT

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.