

PERTH AND KINROSS COUNCIL

Enterprise and Infrastructure Committee

28 August 2013

**REVIEW OF THE ONE WAY TRAFFIC SYSTEM IN
NEWHALL STREET, CROSS STREET AND CHURCH LANE, BANKFOOT**

Report by Depute Director (Environment)

PURPOSE OF REPORT

This report reviews the operation of the one-way traffic system in Newhall Street, Cross Street and Church Lane, Bankfoot and recommends that the sections of the Traffic Regulation Order (TRO) relating to the one-way in Newhall Street and Cross Street be revoked.

1. BACKGROUND / MAIN ISSUES

- 1.1 At its meeting on 26 January 2011 the Committee agreed to the promotion of a variation to the Traffic Regulation Order (TRO) for Bankfoot to revoke the one-way traffic restrictions on Newhall Street and Cross Street.
- 1.2 This was proposed to ensure that all vehicles can enter and exit the area on adopted roads and without the risk of large vehicles causing damage to buildings on Church Lane. It was proposed that the part of the TRO for Bankfoot relating to one-way traffic in Newhall Street and Cross Street should be revoked. The section of the TRO relating to one-way traffic in Church Lane would remain in force.
- 1.3 A resident objected to the proposal on the grounds that the proposed revocation would not alleviate the problems caused by large numbers of parked vehicles in the area, and it would still be dangerous for residents.
- 1.4 At the time of the objection it was understood that all objections to one-way traffic proposals would require the Authority i.e. the Council, to hold a Hearing. Given this requirement, and the likely costs involved, it was decided that efforts should be made to work with the objective to address their concerns. However, efforts to resolve the matter with the objector proved unsuccessful and the proposals were consequently put on hold.
- 1.5 The legislation surrounding the requirement to hold a Hearing (The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999) has recently been carefully re-examined in consultation with Legal Services and it would appear that a Hearing should only be held if an objection "...by a person who provides a relevant service on any road to which the Order

relates....” (e.g. bus operator) is received and not withdrawn. In this case the objector is a resident and there is therefore no requirement to hold a Hearing.

2. PROPOSALS

- 2.1 As a result of the re-examination of the legislation the Committee is asked to set aside the objection received and to proceed to implement the TRO such that the sections relating to the one-way in Newhall Street and Cross Street are revoked as advertised.

3. CONCLUSION AND RECOMMENDATION(S)

- 3.1 It is recommended that the Committee set aside the objection and proceed with the changes to the TRO as advertised.

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Approved

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Date 24 July 2013		

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes/No
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	Yes
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	Yes
Sustainability (community, economic, environmental)	None
Legal and Governance	Yes
Risk	None
Consultation	
Internal	Yes
External	Yes
Communication	
Communications Plan	Yes

1. Strategic Implications

Community Plan / Single Outcome Agreement

- 1.1 The Perth and Kinross Community Planning Partnership (CPP) brings together organisations to plan and deliver services for the people of Perth and Kinross. Together the CPP has developed the Perth and Kinross Community Plan which outlines the key things we think are important for Perth and Kinross.

- i) Giving every child the best start in life
- ii) Developing educated, responsible and informed citizens
- iii) Promoting a prosperous, inclusive and sustainable economy
- iv) Supporting people to lead independent, healthy and active lives
- v) Creating a safe and sustainable place for future generations

- 1.2 It is considered that the actions contained within this report contribute to all of the above objectives.

Corporate Plan

- 1.3 The Council's Corporate Plan 2013-2018 outlines the same five objectives as those detailed above in the Community Plan. These objectives provide a clear strategic direction, inform decisions at a corporate and service level and shape resource allocation.

- 1.4 It is considered that the actions contained in the report contribute to the objectives as outlined in paragraph 1.2 above. These objectives are met by implementing schemes which promote road safety.

2. Resource Implications

Financial

Capital

- 2.1 There are no capital resource implications arising directly from the recommendations in this report.

Revenue

- 2.2 There will be costs involved in advertising the variation to the Traffic Regulation Order. The indicative cost of £300 for this will be met from the Road Safety and Design Budget in 2013/14.

Workforce

- 2.3 There are no workforce implications arising from this report.

Asset Management (land, property, IT)

- 2.4 There are no land and property, or information technology implications arising from the contents of this report.

3. Assessments

Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 This section should reflect that the proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:
- (i) Assessed as **not relevant** for the purposes of EqIA.

Strategic Environmental Assessment

- 3.3 Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies, including policies (PPS).

- 3.4 The proposals have been considered under the Act and no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

Sustainability

- 3.5 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.
- 3.6 The proposals contained within the report are assessed to have a positive impact on sustainability, particularly with regard to encouraging sustainable modes of travel.

Legal and Governance

- 3.7 The Order will be promoted in accordance with The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999.

Risk

- 3.8 There are no significant risks associated with the implementation of this project.

4. Consultation

- 4.1 The Head of Legal Services, the Head of Democratic Services and the Head of Finance have been consulted in the preparation of this report.
- 4.2 The Police and Elected Members for the area have also been consulted and support the proposals.

5. Communication

- 5.1 The formal notice for the TRO will be published in the local press.

2. BACKGROUND PAPERS

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above Report:

- Report to Enterprise and Infrastructure Committee – 26 January 2011, Review of the One-way Traffic System in Newall Street, Cross Street and Church Lane, Bankfoot (11/32)

3 APPENDICES

The proposal is shown on the drawing at Appendix 1.



