

# Perth And Kinross Council

## Environment, Infrastructure and Economic Development Committee

7 February 2024

### PROPOSED LIMITED WAITING RESTRICTIONS

#### Report by Head of Environmental & Consumer Services

(Report No. 24/50)

#### 1. PURPOSE

- 1.1 The purpose of this report is to advise Committee of the proposed Traffic Regulation Order to introduce limited waiting restrictions in Florence Place, Muirton Bank, Harley Terrace, Harley Place and Waiting Restrictions on the Access Road to Leading to Muirton Cottage. The Council received many responses to the consultation with the majority being objections. The Committee is asked to consider the objections and set them aside so that the Order can be made in part, in line with the Ward 12 members' views.

#### 2. RECOMMENDATIONS

- 2.1 It is recommended that Committee:
- i) considers the objections received.
  - ii) notes the Ward 12 Elected Members views in paragraph 4.6 and sets aside the objections; and
  - iii) proceeds to make the Order in part to promote the Waiting Restrictions on Harley Place, Harley Terrace and the Access Road

#### 3. STRUCTURE OF REPORT

- 3.1 This report is structured over the following sections:

- Section 4: Background/ Main Issues
- Section 5: Proposals
- Section 6: Conclusion
- Appendices

#### 4. BACKGROUND/MAIN ISSUES

- 4.1 Parking restrictions in the Muirton area had been looked at on three previous occasions. The request for parking restrictions at the various locations were requested previously by a Local Elected Member and the Community Council. On each occasion, during informal consultation, the Council failed to get a consensus from the residents of that area. While some councillors had stated that they do not consider the restrictions necessary, they did not object to their

installation. However, due to the lack of wider community support, and the inability to address objections, the proposals were dropped each time.

- 4.2 In 2023, an Elected Member and the Community Council requested that this matter be considered again. It was suggested that there was community support this time, and, as a result, officers progressed the necessary Traffic Regulation Order on that understanding.
- 4.3 As part of the legal process, officers were required to carry out statutory consultation to promote the Perth and Kinross Council (Perth Traffic Management) (Variation) (No 24) Order 2023, to include parking restrictions in the Muirton area of Perth. The Order seeks to introduce limited waiting restrictions on Muirton Bank, Florence Place, Harley Terrace and Harley Place with a short section of “No Waiting at Any Time” restrictions proposed on the Access Road off Muirton Bank leading to the North Inch.
- 4.4 The proposed restrictions can be seen in Appendix 1.
- 4.5 During the statutory consultation process, 136 responses were received. They were as follows:
  - 102 objections
  - 22 responses in support
  - 12 letters requesting similar restrictions on other sections of Florence Place.
- 4.6 The responses were discussed at a meeting with three of the four ward members, with one unable to attend the meeting. The responses to the consultation were discussed with the ward members and it was agreed that, due to the level of objections, that the Order should not be made as advertised. It was agreed that Muirton Bank and Florence Place should be withdrawn from the proposal. However, due to the access issues that have been experienced on Harley Terrace, Harley Place and the Access Road, the members present felt that the proposed restrictions on these streets should be included and be progressed.
- 4.7 During the statutory advertisement period, 136 responses were received, and copies of full objections and responses are contained in Appendix 2.
- 4.8 A number of similar objections were received from residents and groups to the proposed Traffic Regulation Order. A summary of these objections are as follows:
  - residents parking at properties would be negatively impacted. Residents thought the proposal would make it difficult for them to park close to their properties.
  - visitors to properties would be negatively impacted. This included tradesmen, carers, family and friends finding it difficult to park closer to desired properties and having to walk long distances from available parking.

- the golf clubs would be negatively impacted through a reduction in members and visitors, resulting in lost income.
- visitors to the North Inch would not be able to find suitable parking and not be able to use the facility for exercise etc.
- competitors in the Parkrun would not be able to find suitable parking and result in a negative impact on the Parkrun.
- residents did not think the described issues existed and it was a perceived issue.
- not having adjacent on-street parking would have a negative impact on property value.
- residents parking permit scheme is not included within the proposal.
- difficulty for users to access the Strathmoor Centre which is a key location for Services for Children, Young People and Families. This centre holds family change, therapeutic services for children experience trauma, Family support team and COPE team who work around the clock until 10pm. This centre is also used for statutory contact.

4.9 A number of similar responses in support were received from residents and groups to the proposed Traffic Regulation Order. A summary of the reasons are as follows:

- residents experienced obstructive parking blocking them in or out of their driveways/access to property.
- difficulties with obstructive parking preventing access to the streets.
- abuse received when challenging drivers who park inappropriately.
- allegations that vehicles with No MOT or Tax are being parked on the street for lengthy periods of time.
- the area is being used as a free car park for commuters.
- parking has caused issues with waste collection resulting in residents moving bins.

4.10 A breakdown of objections and support is shown in the table below:

<b>Breakdown of Responses to the Proposed Restrictions</b>			
<b>Residents of</b>	<b>Number of Objections</b>	<b>Number in Support</b>	<b>Total</b>
<b>Residents directly affected by proposed restrictions</b>			
Florence Place	17	3	20
Muirton Bank	14	8	22
Harley Place	4	5	9
Harley Terrace	1	4	5
<b>Total</b>	<b>36</b>	<b>20</b>	<b>56</b>
<b>Responses not directly affected by proposed restrictions</b>			
Muirton Place	8	1	9
Non-Residents	58	1 (Community Council)	59
<b>Total</b>	<b>66</b>	<b>2</b>	<b>68</b>
			<b>124</b>

Note 1: in some cases, multiple objections were received from a single property. However Legal Services have advised that legally we must consider each as an individual objection.

Note 2: 12 letters were received requesting similar restrictions on other sections of Florence Place.

4.11 Under the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999, local authorities are permitted to make a Traffic Regulation Order in part while deferring or withdrawing one or more items of the proposed Traffic Regulation Order.

4.12 As there is limited support to introduce the Limited Waiting Restrictions on Muirton Bank and Florence Place, it is proposed that these are withdrawn from the TRO and the TRO made in part.

## **5. PROPOSALS**

5.1 The revised proposal, agreed with the ward members who attended the meeting, is shown in Appendix 3.

## 6. CONCLUSION

- 6.1 This report provides an update on the consultation for limited waiting restrictions proposed for the Muirton Bank area. The report details the responses received and provides an insight into the reasoning behind the objections and support. The report recommends that the objections are set aside and that the Order is promoted in part, to alleviate obstructive parking on Harley Terrace, Harley Place and the Access Road leading to the North Inch.

### Author

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### Approved

Name	Designation	Date
Barbara Renton	Executive Director (Communities)	26 January 2024

## APPENDICES

- Appendix 1 Drawings and Variation Order
- Appendix 2 Objections and Responses

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

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

### 1. Strategic Implications

#### Community Plan/Single Outcome Agreement

1.1 This report supports one of the priorities within the Community Plan 2022-27.

(i) *Mental and physical wellbeing.*

#### Corporate Plan

1.2 This report supports the objectives within the draft new Corporate Plan:-

- (i) *Children and young people grow up safe, respected, well-educated, and confident in their ability to realise their full potential;*
- (ii) *People and businesses are increasingly able to prosper in a local economy which support low carbon ambitions and offers opportunities for all;*
- (iii) *People can achieve their best physical and mental health and have access to quality care and support when they need it;*
- (iv) *Communities are resilient and physically, digital and socially connected;*
- (v) *Perth and Kinross is a safe and vibrant place, mitigating the impact of climate and environmental change for this and future generations.*

## 2. Resource Implications

### Financial

#### Capital

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

#### Revenue

- 2.2 The financial implications of advertising and implementing the new speed limits are covered within existing Traffic and Network revenue budgets.

#### 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).

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

- 3.4 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.
- 3.5 The proposals contained within the report are assessed to have a positive impact on sustainability, particularly with regard to encouraging road safety.

### Legal and Governance

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

### Risk

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

## **4. Consultation**

- 4.1 The Head of Legal and Governance and the Head of Finance have been consulted in the preparation of this report.
- 4.2 Police Scotland, local Elected Members, residents and Community Councils have also been consulted.

## **5. Communication**

- 5.1 None.

## **2. BACKGROUND PAPERS**

- 2.1 Not applicable.