



AGENDA ITEM

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**THE FALKIRK COUNCIL
(A993 DEAN ROAD, BO'NESS)
(PROHIBITION OF WAITING)
ORDER 2015**

FALKIRK COUNCIL

Subject: THE FALKIRK COUNCIL (A993 DEAN ROAD, BO'NESS)
(PROHIBITION OF WAITING) ORDER 2015
Meeting: PLANNING COMMITTEE
Date: 21 JUNE 2016
Author: DIRECTOR OF DEVELOPMENT SERVICES

Ward: Bo'ness

Local Members: Councillor Adrian Mahoney
Councillor Ann Ritchie
Councillor Sandy Turner

Community Council: Bo'ness Community Council

Council Officer: Russell Steedman – Network Co-ordinator

1. INTRODUCTION

- 1.1 This report seeks a decision on The Falkirk Council (A993 Dean Road, Bo'ness)(Prohibition of Waiting) Order 2015, the purpose of which is to prevent parking on Dean Road in the vicinity of its junction with Dugald Stewart Avenue as shown on drawing referenced TRO/15/027/1. In terms of the Council's Scheme of Delegation, this decision requires to be made by Committee as an unresolved objection has been received to the making of the Order. In terms of the relevant legislation, the authority requires to consider all objections made and not withdrawn before making the Order.
- 1.2 Members should be aware that it is available to them to call for a hearing on the Order should they find themselves unable to determine whether the Order should be made or not at this stage. Such a hearing would be conducted by an independent person (referred to as "the reporter") appointed by the Council from a list of persons compiled by the Scottish Ministers for that purpose. Members would then need to consider the report and recommendation of the reporter before making a determination.

2. BACKGROUND

- 2.1 Development Services has received correspondence from a local resident raising road safety concerns regarding parked vehicles on Dean Road.
- 2.2 Observations indicate that the parked cars on Dean Road reduce visibility for drivers exiting from Dugald Stewart Avenue on to Dean Road and may adversely affect road safety.

3. PROPOSAL

- 3.1 The provision of double yellow line waiting restrictions on Dean Road would assist the passage of traffic and maintain adequate visibility for drivers when exiting Dugald Stewart Avenue.

3.2 In accordance with Local Authorities Traffic Orders (Procedure) (Scotland) Regulations, 1999, notices of intention were posted on-street and in the local press in the prescribed manner in January 2016.

4. CONSULTATION

4.1 One letter of objection was received. The unattributed content of this objection and Development Services' response is attached as Appendix A.

4.2 Development Services responded to the objector on 08 March 2016 firstly detailing the background behind the Order. The objector was advised that parking close to the junction of Dugald Stewart Avenue restricted visibility for drivers attempting to turn onto Dean Road from Dugald Stewart Avenue. The objector was advised that the proposed Order is intended to address a road safety issue.

4.3 The objector was asked to withdraw their objection, if minded to do so, to allow the Order to progress.

4.4 The objection has not been withdrawn.

5. CONCLUSION

5.1 The purpose of the proposal is to improve road safety in the vicinity of the junction between Dugald Stewart Avenue and Dean Road. The proposed order is considered beneficial in terms of improving road safety.

6. RECOMMENDATION

6.1 **Members are asked to consider the terms of the report including the objection and determine whether the Order should be made.**

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Director of Development Services
Date: 8 June 2016

Contact Officer: Russell Steedman, Network Co-ordinator Tel: Ext 4830

LIST OF BACKGROUND PAPERS

1. The Falkirk Council (A993 Dean Road, Bo'ness)(Prohibition of Waiting) Order 2016
2. Letter of objection and correspondence



DUGALD STEWART AVENUE

A 993 DEAN ROAD

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18

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32

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25

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LEGEND



No waiting at any time

TITLE OF ORDER

**THE FALKIRK COUNCIL (DEAN ROAD, BO'NESS)
(PROHIBITION OF WAITING) ORDER 2015**



Falkirk Council
Development Services (Roads)
Engineering Design
Abbottford House, Devil's Loan
Falkirk FK2 7YZ
Tel: 01324 804880 Fax: 01324 804880
Director: Rhona Gelsler

SCALE
1:500@A4

DRAWN
DS
DATE
18/11/15

CHECKED
DEHG
DATE
18/11/15

APPROVED
RS
DATE
18/11/15

DRAWING NO.

TRO/15/027/1

APPENDIX A

**OBJECTIONS (UNATTRIBUTED) AND
DEVELOPMENT SERVICES RESPONSE**

**OBJECTIONS (UNATTRIBUTED) AND DEVELOPMENT
SERVICES RESPONSE**

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| <p>Objection 1</p> | <p>I have just noticed the a4 sheets of paper you have placed in Dugald Stewart Avenue regarding parking restrictions to be imposed on Dean road. I wish to severely complain about this as first you have taken part of my garden already on a compulsory purchase order and now you want to put down yellow lines to prohibit parking. Has anyone with any sense actually came out and looked at this problem or spoke to people in the area as I feel this is going to make parking a real problem and increase the likely hood of an accident as there will be cars parked next to driveways on opposite side of Dean road. If the problem is because of traffic coming from Dugald Stewart then why don't you make Dugald Stewart a 1 way street going down the way and actually eliminate the problem altogether. If this is too hard for you to understand I suggest you come out and look again. I can't believe that you have not informed any houses in the vicinity of Dean road or actually put up notices there either. I will be contacting my local councillor and my M.P. regarding this matter. Not a fan of the council.</p> |
| <p>Development Services Response</p> | <p>I refer to your objection dated 16 February 2016 to the above Traffic Regulation Order (TRO).</p> <p>Falkirk Council has received correspondence from local residents raising road safety concerns and requesting that waiting restrictions be provided. The TRO that is currently being promoted is intended to address an evident road safety issue with restricted visibility on Dean Road due to parked vehicles within 10 metres of the junction.</p> <p>The detail of the compulsory purchase of part of your garden is not considered relevant to the above TRO.</p> <p>Dean Road is approximately 9.5m wide in the vicinity of Dugald Stewart Avenue, this width is considered adequate for vehicles to park on both sides of the road whilst allowing traffic to pass in both directions. It is therefore not considered an issue for vehicles to park opposite driveways.</p> <p>Introduction of a northbound one-way system on Dugald Stewart Avenue would indeed alleviate the visibility issues associated with exiting on to Dean Road. However, the introduction of one-way systems in residential areas can have significant detrimental implications for road safety.</p> <p>It is widely accepted that the introduction of a one-way system tends to have the effect of increasing vehicles speeds. Any increase of vehicle speeds in residential areas has unwelcome road safety implications, especially for vulnerable road users. In addition, some residents may find that a one-way system is inconvenient as it may result in reduced levels of access to their homes. The presence of private driveways at residential properties also raises issues regarding effective signing of the one-way system that has the potential to lead to its non-compliance.</p> |

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| | <p>The success of a one-way system relies on enforcement by the Police. Due to the residential nature of both Dugald Stewart Avenue it is unlikely that Police Scotland will be able to commit sufficient resources to its enforcement. It is for these reasons that one-way systems are not, as a matter of principle, implemented in residential areas.</p> <p>Falkirk Council has a statutory responsibility to advertise its TRO notices in a local newspaper and also on street in the vicinity of the proposed restrictions. The notice for the above order was published in the Falkirk Herald on Thursday 28 January 2016 with notices posted in the vicinity of the proposed restrictions on 29 January 2016. By following this procedure it is not considered necessary to carry out further consultation with local residents.</p> <p>In order for local authorities to implement a TRO they must follow statutory procedures laid down in the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999, as amended. Before making a TRO the local authority must consider all objections made and not withdrawn.</p> <p>In view of the above, I would respectfully ask you to withdraw your objection, if you are minded to do so, by returning the attached pro-forma.</p> <p>I would advise you that should you decide not to withdraw your objection, a report will be submitted to the Council's Planning Committee requesting this matter be determined. The report will summarise your reasons for objecting and you would be advised of the outcome of the committee's decision.</p> |
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