

Transport and Environment Committee

10.00am, Tuesday 15 January 2013

Proposed Waiting Restrictions – Spylaw Bank Road

Item number	8.1
Report number	
Wards	8 – Colinton/Fairmilehead

Links

Coalition pledges	
Council outcomes	CO21
	CO22
Single Outcome Agreement	SO4

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Executive summary

Proposed Waiting Restrictions – Spylaw Bank Road

Summary

Proposed Traffic Regulation Order (TRO) for double yellow line waiting restrictions in Spylaw Bank Road. (See [Appendix 1](#) for location plan).

Recommendations

The Transport and Environment Committee set aside the remaining objections to the TRO and approve the implementation of the parking restrictions.

Measures of success

Improved traffic flow.

Improved safety of residents as a result of Emergency Services access.

Financial impact

Financial implications include the cost of making the order, installing double yellow lines and signage at the location described. This can be met within the existing revenue budget and it is anticipated to be in the region of £2000.00.

Equalities impact

An Equality and Rights Impact Assessment has been carried out indicating that the negative impact on disabled access to local businesses due to removal of some parking amenity is mitigated by the enhancement of physical safety.

Sustainability impact

The recommendations within this report do not have any adverse carbon impacts, adaptation to climate change or sustainable development.

Consultation and engagement

During the formative stage of this proposal, a public meeting was arranged to address concerns before re-commencing the statutory procedure. The local residents chose two representatives to attend a further meeting where they presented their collated concerns to the Area Roads Manager who, in turn, presented the rationale for the proposed restrictions. The concerned members of the public remained vehemently opposed to the introduction of restrictions at this location, irrespective of the safety concerns that it is felt necessitate this proposal. The statutory consultation process then began and did not yield any further concerns that would justify amending the proposed order.

Background reading / external references

None

Proposed Waiting Restrictions – Spylaw Bank Road

1. Background

- 1.1 Representation was made in July 2009 by a local Councillor on behalf of a local resident regarding the passage of emergency vehicles, specifically fire appliances, from Dell Road onto Spylaw Bank Road, due to parked vehicles restricting the available width of carriageway.
- 1.2 Following assessments, proposals were drawn up for parking restrictions from 50 Spylaw Street to 20 Spylaw Bank Road. During the initial consultation period, support for the restrictions was received from the local Fire Station Commander.
- 1.3 TRO/09/48 was advertised for public consultation in April 2010. Fourteen objections were received to this proposal. These objections were not resolved and no committee report was presented to convey professional recommendations within the statutory time-frame. Accordingly, TRO/09/48 was annulled.

2. Main report

- 2.1 The same local Councillor re-iterated his constituent's concerns in October 2011 and the issues at this location were re-examined and traffic-modelling software was used to assess where restrictions were required and plans were drawn up to reflect this requirement.
- 2.2 A public meeting was arranged to address concerns before re-commencing the statutory procedure. At this meeting, two residents asserted that a fire appliance was unable to attend their property in response to a recent fire. This was then discussed by the attendees. The local residents then chose two representatives to attend a further meeting where they presented their collated concerns to the Area Roads Manager who, in turn, presented the rationale for the proposed restrictions.
- 2.3 This meeting did not yield any compromise as the proposed restrictions were as minimal as possible, as indicated by Auto-Track, the transportation analysis and design programme used to model the passage of a fire appliance at this

location. The residents' representatives maintained that the restrictions were unnecessary and unwanted.

- 2.4 This TRO was advertised in June 2012 and 96 objections and a petition containing a further eight objections were received to the proposals.
- 2.5 The objections were broadly similar, being based on a document produced by a local resident and circulated throughout the community. The main concerns were that:
- Access to the local parish church would be adversely affected. [83% of the objections made reference to this issue]
 - The concerns of one person outweighed the concerns of the whole community. [15% of the objections made reference to this issue]
 - The fire service does not support the proposals. [11% of the objections made reference to this issue]
 - Traffic speeds will increase [10% of the objections made reference to this issue]
 - There is no footway on Spylaw Bank Road to facilitate pedestrian traffic from alternative parking areas. [10% of the objections made reference to this issue]
 - Road markings would be unsightly. [4% of the objections made reference to this issue]
 - Road markings would not be enforced. [4% of the objections made reference to this issue]
 - The traffic modelling exercise was flawed. [3% of the objections made reference to this issue]
- 2.6 A specific request was also made to have community representation at the Transport and Environment committee meeting.
- 2.7 A response was sent to the objectors addressing the above points and asking if, on the basis of the explanation contained therein, the objections might be withdrawn. See [Appendix 2](#). Three objectors wrote to withdraw their objection.
- 2.8 The current local Elected Members for ward 8 were notified in writing of our intention to introduce double yellow line parking restrictions and no objections to this course of action have been received.
- 2.9 It is not considered that the objections to the proposed waiting restrictions are sufficient to ignore the safety implications of no proceeding with this order.

3. Recommendations

- 3.1 It is acknowledged that a high number of objections based on loss of parking amenity have been received. However due to the reasonable risk of fire appliances being obstructed should the situation remain unchanged, we suggest that the mitigation of this safety risk is paramount and therefore recommend that the objections be set aside and the order implemented.

Mark Turley

Director of Services for Communities

Links

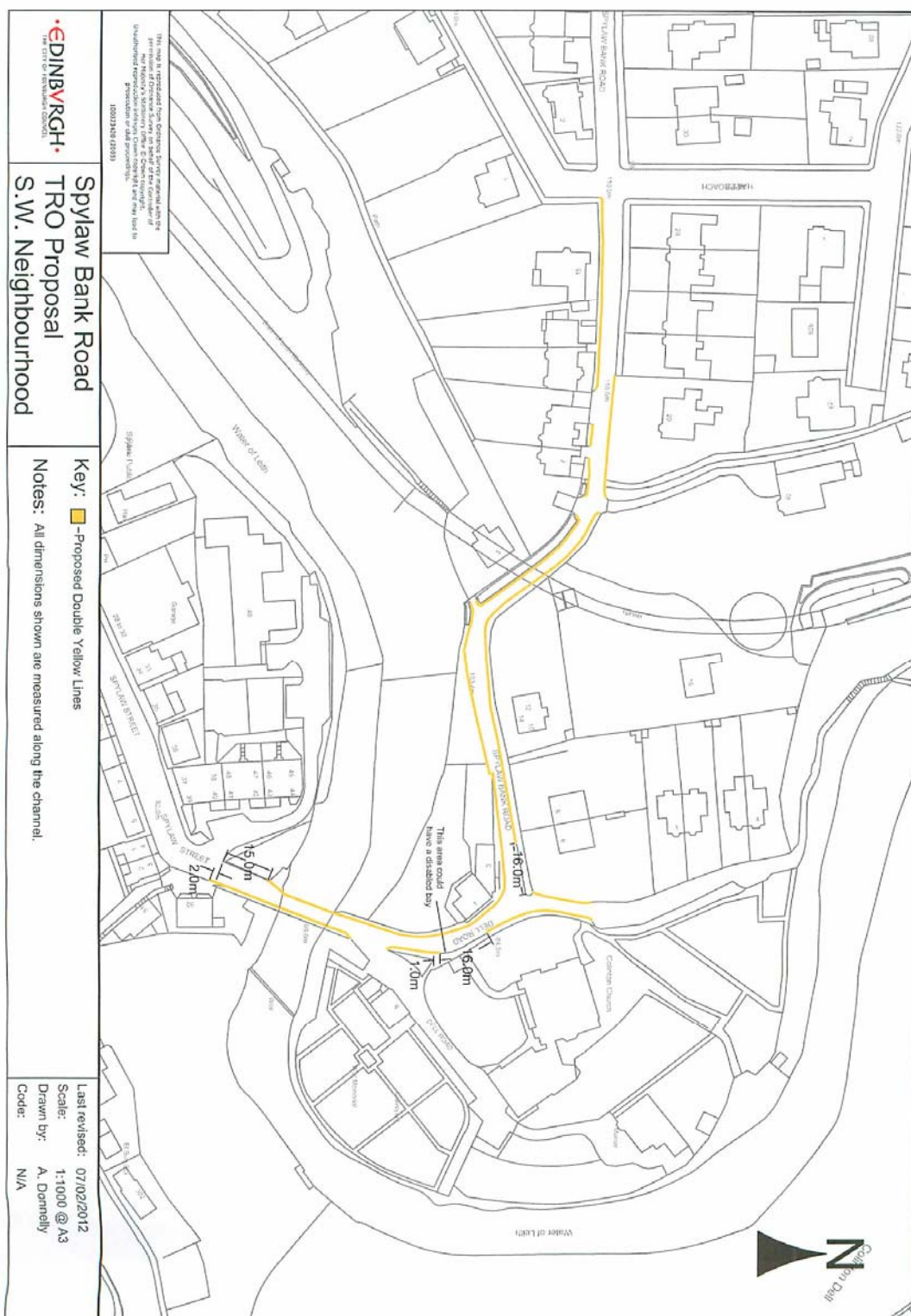
Coalition pledges

Council outcomes CO21 – Safe – Residents, visitors and businesses feel that Edinburgh is a safe city
CO22 – Moving efficiently – Edinburgh has a transport system that improves connectivity and is green, healthy and accessible

Single Outcome Agreement SO4 - Edinburgh's communities are safer and have improved physical and social fabric

Appendices Appendix 1 – Location Plan
Appendix 2 – Objection Response

Appendix 1 – Location Plan



Date 31 July 2012

Your Ref n/a

Our ref SR431265

Dear Mr & Mrs A

OBJECTION TO TRAFFIC REGULATION ORDER TRO/12/30 – INTRODUCTION OF PARKING RESTRICTIONS – SPYLAW BANK ROAD

I acknowledge receipt of your correspondence regarding the above which has been passed to me for response. Due to the volume of objections, I can not respond to each specific concern, but have read through all the objections submitted for this issue and have identified eight common concerns. I will address each of these and hope to convince you of the merit of the proposed Traffic Regulation Order (TRO) and to withdraw your objection.

Origins of request:

With reference to the allusion that this TRO is at the request of only one person I would advise that it is not considered relevant who or how many people raise a safety concern with this department. If the concerns are considered to have merit, it is the local Roads Team, with the devolved responsibility of the Roads Authority, which promotes the proposed restrictions. With regard to the corollary argument that the views of the wider community are being ignored, the statutory process of advertising a proposed TRO for public objection provides a forum for the wider community to formally register its opinions. These are then considered in the context of the proposal and a decision made to continue with the proposals or not.

A large community consultation was also carried out with regard to these proposals, followed by subsequent meetings and correspondence with the chosen representatives of the local residents. This is not an obligatory part of the statutory process.

Access to the Church

The proposed parking restrictions allow for three areas of unrestricted parking on the public road for church visitors. Parking at these locations, for approximately 10-12 cars, is considered to represent no obstruction to safe vehicular passage of the sections of road at which they are located. Vehicles will still be able to drop off passengers at appropriate locations near to the church but it is realised that they may not be able to

remain parked in the immediate vicinity. It is of no consequence to the decision-making process that the parking issue appears to arise from attendees of the church. The pertinent matter is the parking issue itself.

It is not the intention of this department for the proposed restrictions to prohibit anyone from attending the church for any purpose. The proposed restrictions are being promoted to mitigate a safety risk that exists at this location and it is unfortunate that this will reduce the parking space on the public road, but it is felt that the benefit of this TRO outweighs the inconvenience its introduction is perceived to potentially cause.

No support from Fire Service

When representation was made to the emergency services, we were advised in writing by Lothian & Borders Fire Service that they supported the proposed parking restrictions. I would also advise that the representative of Lothian & Borders Police Traffic Management Section wrote to us to confirm that both causing an unnecessary obstruction (narrowing of the roadway whereby vehicles could not freely pass) and obstructing/driving on the footpath were offences and these could not be condoned.

Validity of Traffic Modelling

Reference has been made to a parking survey that indicated that there was no problem at this location. I would like to clarify that we surveyed the parking practises on both Spylaw Bank Road and Spylaw Street. This showed that there was an enforcement issue with double parking on Spylaw Street. We will be looking into how we can deal with this with our colleagues in the Parking section. The survey also showed that, if the TRO was introduced on Spylaw Bank Road, only 3 to 5 spaces would be lost. This could be a result of the residents self managing their parking but we believe that the survey provides a good representation of the current practise.

Questions were also raised regarding the validity of Auto-Track, a transportation analysis and design programme to model the passage of a large Fire Appliance at this junction. This nationally-recognised design tool accurately models the type of appliance used in Edinburgh and identifies the parameters within which the vehicle could safely operate and therefore where parked vehicles impede this.

Will speed up traffic

There is no evidence to suggest that the introduction of parking restrictions at this location would lead to an increase in the average speed of through traffic on Spylaw Bank Road. The nature of the road itself at this location is not conducive to an increase in vehicle speed, and parking restrictions can not be said to be responsible for any reckless driving.

No footway down Spylaw Bank Road

This is an historical arrangement, and unlikely to change. While it is realised that alternative parking locations will need to be found, it does not follow that we would

recommend the nearest unrestricted public roads from which motorists would then have to walk on the carriageway to reach their ultimate destination.

Unsightly road markings

In areas such as this, it is possible to paint narrower yellow lines to minimise the visual impact of parking restrictions. Should this TRO go ahead, this will be recommended by the Environmental Assessment.

Representation at Transport Infrastructure and Environment (TIE) Committee

The TIE committee meeting is not public and therefore not open to community groups. Should a report go to this committee regarding this TRO it will refer to the number and nature of any remaining objections for the committee to consider. Such a report would be publicly available a week prior to the committee meeting.

It is still felt by this department that the TRO should be implemented for safety reasons. To that end, and in light of the information provided above, I would be grateful if you could advise me, in writing, if you are willing to withdraw your objection. If I do not receive a response to this letter within 14 days, I will assume that you wish to maintain your objection.

If any objections are maintained, I will draft a report for the TIE committee containing details of objections and this department's recommendations regarding the future of the TRO. At this stage, submission for September's TIE committee meeting is closed, so this matter would likely be before the committee at the end of the year.

If you would like any further assistance or would like to discuss this in more detail then please contact me on 527 3878.

Yours sincerely

David Virgo

Customer Service Officer