

# Transport and Environment Committee

10.00am, Tuesday, 15 January 2013

## Polwarth Gardens – Objections to Traffic Regulation Order

Item number	8.4
Report number	
Wards	9 – Fountainbridge/Craiglockhart

### Links

Coalition pledges	<a href="#">P19</a>
Council outcomes	<a href="#">CO22</a>
Single Outcome Agreement	<a href="#">SO4</a>

### Mark Turley

Director of Services for Communities

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# Executive summary

## Polwarth Gardens – Objections to Traffic Regulation Order

### Summary

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This Traffic Regulation Order is required to create a bus boarder whereby buses are able to stop adjacent to the kerbside (see Appendix 1 for details). This will allow those with mobility impairments and passengers with prams/pushchairs to board/alight a bus safely and easily.

Part of the statutory Traffic Regulation Order process includes a formal consultation period, where any interested party can comment on or object to an Order. All objections received during this time must either be addressed or considered by the Council.

The Traffic Regulation Order was advertised between 12 October 2012 and 2 November 2012 and one objection was received (see Appendix 2 for details).

This report considers the objection received and the proposed course of action in response to this.

### Recommendations

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It is recommended that the Transport and Environment Committee:

- repels the objection received to the proposals which are associated with the bus boarder on Polwarth Gardens; and
- makes the Traffic Regulation Order as advertised.

### Measures of success

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The Traffic Regulation Order is made and the bus boarder is constructed improving access to bus services for those with mobility impairments and passengers with prams/pushchairs.

## Financial impact

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The costs to construct the bus boarder will be approximately £15,000 including the costs of the Traffic Regulation Order. These costs will be met from the block funding allocation for bus infrastructure improvements within this year's Transport Capital Investment Programme.

Implementing the proposals will reduce shared use (Permit Holder/Pay & Display) facilities by one parking space and this would result in an estimated annual reduction in parking revenue of £800.

## Equalities impact

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This bus boarder will have a positive equalities impact and contribute towards The Equality Act (2010) by improving access to public transport for those with mobility impairments, the elderly and passengers with prams/pushchairs.

## Sustainability impact

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There is no direct sustainability impact arising from this report.

## Consultation and engagement

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As part of the statutory Traffic Regulation Order process, the proposals were formally advertised to allow any interested party to comment or object to the Order. In this instance, one objection was received. Local members have been sent a notification of the report's submission to the Transport and Environment Committee and no comments or queries have been received.

## Background reading/external references

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Polwarth Gardens – Commencement of Statutory Procedures for Traffic Regulation Order, Report authorised by the Head of Transport under Delegated Powers (14 May 2012).

## Polwarth Gardens – Objections to Traffic Regulation Order

### 1. Background

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- 1.1 It is proposed to alter waiting and loading restrictions adjacent to the westbound bus stop on Polwarth Gardens (see Appendix 1 for details).
- 1.2 These proposals are recommended as they will allow those with mobility impairment and passengers with prams/pushchairs to board/alight a bus safely and easily.
- 1.3 The proposals will result in the loss of one shared use (Permit Holder/Pay & Display) parking space on Polwarth Gardens.
- 1.4 The Traffic Regulation Order was advertised between 12 October 2012 and 2 November 2012 and one objection was received (see Appendix 2 for details).

### 2. Main report

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- 2.1 The current parking arrangements adjacent to the westbound bus stop on Polwarth Gardens mean buses are unable to stop at the kerbside. The presence of parked vehicles means buses are forced to stop on the road and passengers have to negotiate the kerb and parked vehicles whilst boarding/alighting.
- 2.2 This bus access is in contravention to The Equality Act (2010) which aims to protect those with mobility impairments and prevent disability discrimination. The Act provides legal rights for those with mobility impairments in many areas including access to public transport.
- 2.3 In order to address the unsatisfactory current situation, it is proposed to create an arrangement which will allow buses to stop at the kerbside by creating a bus boarder and introducing double yellow lines to replace the existing clearway markings. This will allow those with mobility impairments and passengers with prams/pushchairs to board/alight a bus safely and easily.

## Proposals

- 2.4 To make this provision, it is proposed to move three existing permit holder parking bays west by five metres. The impact of this would be the loss of five metres or one car length of shared use parking.
- 2.5 The current parking provision on Polwarth Gardens is approximately 300 metres of shared use parking on both sides of the road. Although demand for these spaces is high, it is not anticipated that the loss of one car parking space will cause significant parking problems.

## Objection to the Order

- 2.6 The one objection to the order is that one shared use bay will be removed as a result. The objector states that if one shared use bay was removed, it will decrease the access to medical and dental facilities in the area.
- 2.7 The objector would however have no objection if one residents' space was removed or a residents' space elsewhere in the street was made into a shared use bay.
- 2.8 The proposal, as put forward in the TRO, however was to remove one shared use bay as opposed to a residents' parking bay. This decision was based on the contrasting availability of the two types of parking bay. On Polwarth Gardens, within 150 metres of the scheme, there are 41 shared use parking bays and 12 resident only parking bays.
- 2.9 It was felt that the loss of one of the 41 shared use parking bays would have significantly less of an impact than the loss of one of the 12 residents' only parking bays. The decision was, therefore, taken to remove one shared use bay rather than a resident's bay to accommodate the bus boarder.
- 2.10 This report recommends repelling the objection and making the Traffic Order as advertised.

## 3. Recommendations

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- 3.1 To recommend that the Committee repels the one objection and proceed to make the Traffic Regulation Order as advertised.

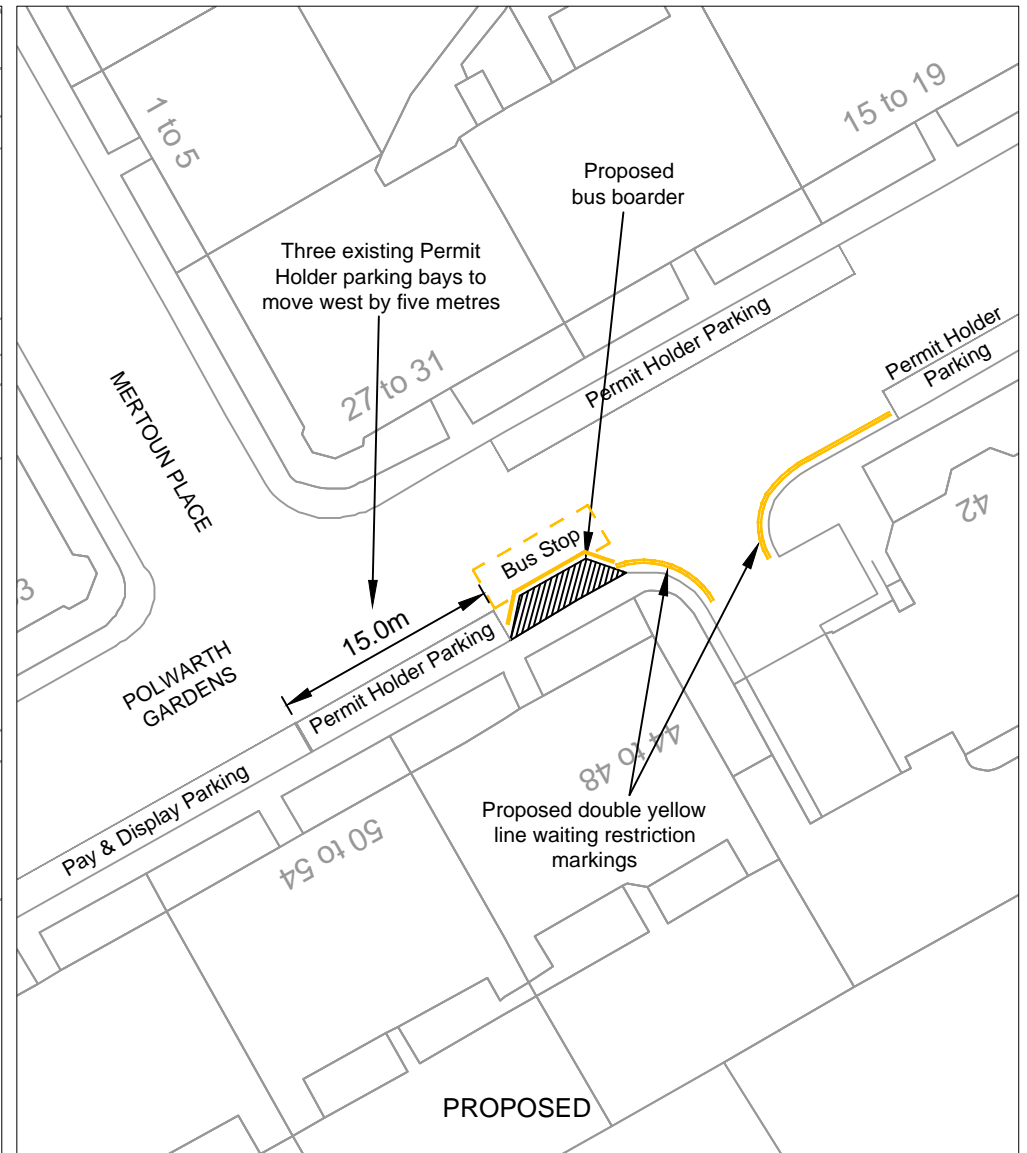
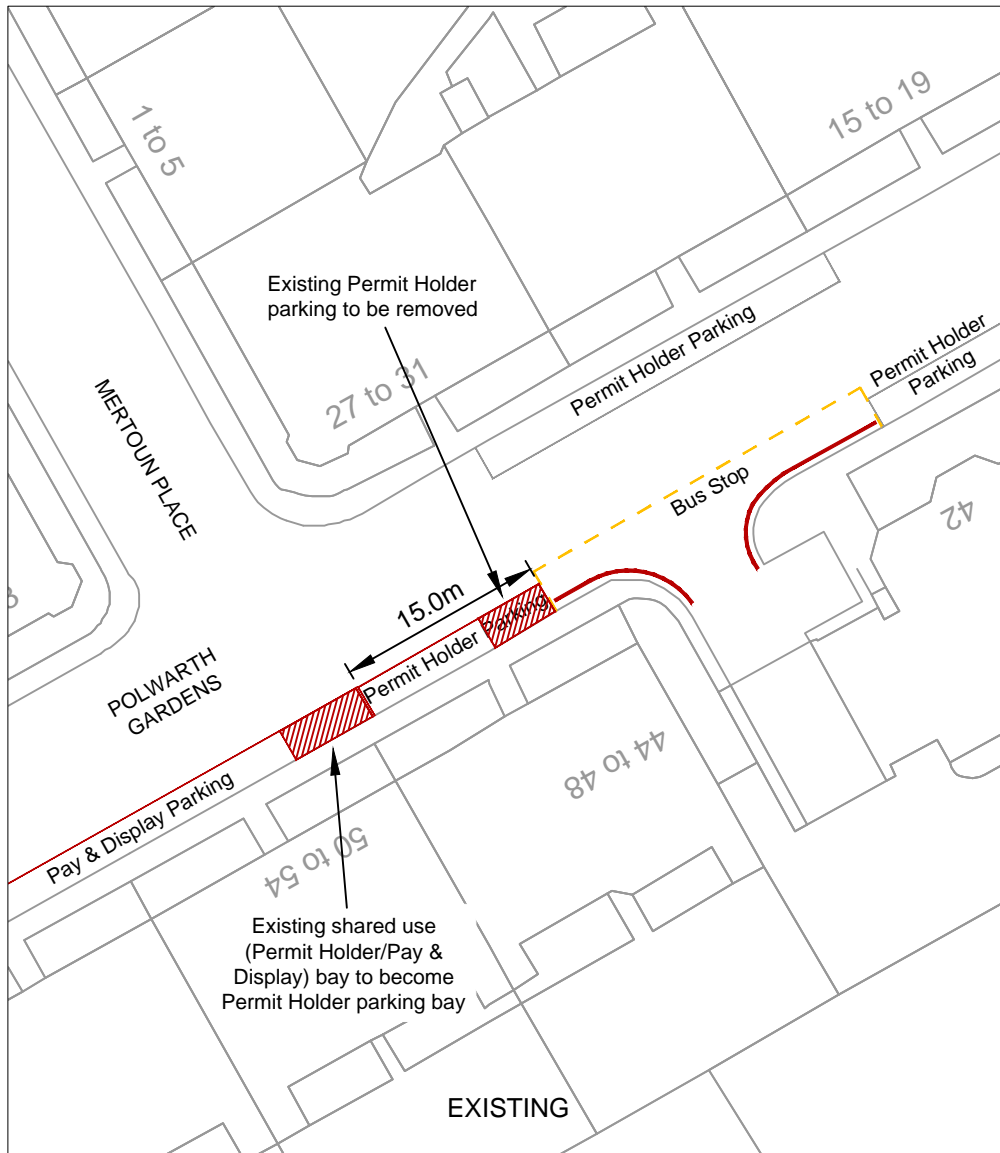
## Mark Turley

Director of Services for Communities

## Links

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<b>Coalition pledges</b>	P19 - Keep Lothian Buses in public hands and encourage the improvement of routes and times.
<b>Council outcomes</b>	CO22 - Moving Efficiently – Edinburgh has a transport system that improves connectivity and is green, healthy and accessible
<b>Single Outcome Agreement</b>	SO4 - Edinburgh's communities are safer and have improved physical and social fabric



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THE CITY OF EDINBURGH COUNCIL

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TRANSPORT  
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NEW WORKS  
Roads & Transport Design

**Polwarth Gardens Bus Boarder  
Traffic Regulation Orders**

Date: 13 November 2012  
Scale: 1:500 @ A4

Drawn by: A Parkinson  
Checked by: M Trotter

**DRG NO. RTD/636119/1/3/011A**

## **Appendix 2**

Polwarth Surgery  
72 Polwarth Gardens  
Edinburgh  
EH11 1LL

1st November, 2012

Traffic Department  
Edinburgh City Council  
City Chambers  
High Street  
Edinburgh

Dear Sir,

### **TRAFFIC ORDER : POLWARTH GARDENS**

I am writing with a complaint in respect of the Traffic Order to extend the bus stop into the street outside 42 and 44 Polwarth Gardens. I have no objection to this taking place, however my objection is to the fact that 1 shared use bay will be removed as a result. I would have no objection if one residents' space was removed or a residents' space elsewhere in the street was made into a shared use bay.

The Polwarth Surgery has approximately 4,500 patients, a lot of whom are elderly and unfit and unfortunately do need to travel to the Surgery by car. As the S3 controlled parking district is a very narrow area and nearby streets, even as close as Watson Crescent, are in another area, it is essential that adequate shared use bays for patients are provided.

In addition there are two Dentist Surgeries and a Pharmacy in the street which will require shared use bays as well.

If you remove one shared use bay, it will decrease the access to medical and dental facilities in the area and I presume this is not the intention so I would be grateful if you would change a residents' space into a shared use bay.

The Surgery closes at 6.30 p.m. at the latest and there would certainly be no overnight or early morning use of the shared bays by patients.

Yours faithfully,