
To: Infrastructure, Land and Environment Policy Board

On: 7 June 2017

Report by: Director of Community Resources

**Heading: The Renfrewshire Council (Paisley Phoenix, East Avenue and Environs)
 (No Waiting at Any Time) Order, Sustained Objections**

1. Summary

- 1.1. Following various enquiries and some concerns raised and observed by the public regarding parking of vehicles in streets surrounding the Phoenix Retail Park, a traffic regulation order (TRO) is being proposed to support traffic flow and safe movement of vehicles and pedestrians.
- 1.2. Under the Road Traffic Regulation Act 1984, the making of a Traffic Regulation Order (TRO) is a function delegated to the Director of Community Resources, after consultation with the Convener of the Infrastructure, Land and Environment Policy Board and the local ward members.
- 1.3. The proposed Traffic Regulation Order as being proposed for this location will allow for better management of available road space around the access and egress routes of the Phoenix Retail Park, allowing traffic to flow more freely. It will allow enforcement of footway parking in West Avenue and this will prevent pedestrians from having to walk on the carriageway. It will also curtail the nuisance parking through the night by shift workers at the logistics depot on East Avenue and the overnight stay of HGV drivers sleeping in their cabs overlooking residents of Rootes Place.
- 1.4. Following consultation on the above TRO, 6 objections and 2 responses in support of the TRO were received.
- 1.5. In accordance with the “Local Authorities’ Traffic Orders (Procedures) (Scotland) Regulations 1999” and the Council’s procedures, the Policy Board may now decide

how to proceed, either to decide on the objections itself or appoint an independent reporter to do so.

- 1.6. A location plan of the streets subject to the TRO consultation is shown within Appendix A.
 - 1.7. A summary of the details of the proposal and the consultation responses are included in Appendix B.
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2. Recommendations

It is recommended that the Infrastructure, Land and Environment Policy Board:

- 2.1. Considers and decides on the six objections made and not withdrawn, in relation to the Renfrewshire Council (Paisley Phoenix, East Avenue and Environs) (No Waiting at Any Time) Order at this meeting of the Policy Board, rather than appointing an independent reporter.
 - 2.2. Subject to recommendation 2.1 and the objections not being upheld, then approves the implementation of the restrictions as advertised and authorises the Director of Community Resources in conjunction with the Convener of the Infrastructure, Land and Environment Policy Board to make the Traffic Regulation Order.
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3. Background

- 3.1. Vehicles parking on Griffen Avenue reduces the available road space to the extent that it restricts two way flow of traffic. This makes it a less inviting route to or from the retail park via the north most roundabout on Linwood Road and as such exacerbates the queuing on Saturn Avenue which leads to the blocking of both lanes at Linwood Road, particularly southbound.
- 3.2. Vehicles are being parked totally on the footway on West Avenue, albeit this frees the carriageway for access and egress to haulier's yards it also forces pedestrians to walk on the carriageway in the vicinity of a large number of HGV movements.
- 3.3. Residents of Rootes Place are being disturbed through the night by shift workers parking outside their place of work and slamming car doors closed, when arriving or leaving. In addition to this, HGV drivers in transit are parking overnight to sleep in their cabs that then overlook residents' homes due to the height of the cabs.
- 3.4. The above requires to be considered as an area wide scheme, as omission of any part would exacerbate the existing issues due to the displacement from the other locations.

- 3.5. The proposals have been consulted upon in accordance with statute and 6 objections were received. The objections are detailed in Appendix B.

4. Consultation Results

- 4.1. The proposal went through the statutory two stage consultation process as required to create a TRO. The first stage was issued on 18 May 2016, where the proposals were issued to emergency services, public utilities, local road user groups, local community groups, local area ward councillors with a response date of 13 June 2016. With no objections or comments forthcoming the traffic regulation order proceeded to stage 2 and was advertised in the Paisley and Renfrewshire Gazette on 22 June 2016. Notices were also placed on streets throughout the vicinity of the proposals at that time.
- 4.2. One letter from Strathclyde Partnership for Transport advised it had no objection to the proposal.
- 4.3. One letter from Renfrewshire Access Panel advised it had no objection to the proposal.
- 4.4. One objection came from a Street Trader who had previously operated out of East Avenue adjacent to Hillhead Drive. This street trader's licence expired in September 2016, with the street trader no longer trading at this location.
- 4.5. Five objections came from office staff, all working at the same Car Dealership on Griffen Avenue. The office staff concerned have been denied access to park on site by their employer, despite staff parking being a condition of the Dealer's licence.

5. Consideration of The Objections

- 5.1. A TRO allows local authorities to impose restrictions on traffic for reasons such as road safety, free flow of traffic and parking controls. This involves following a statutory procedure where the proposals form a consultation process and if not opposed they can be implemented. If opposed then the objections require to be considered by the appropriate Council Policy Board, in this instance the Infrastructure, Land and Environment Policy Board.
- 5.2. The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 state that before making the order, the Council must consider all objections made and not withdrawn. In this respect, the terms of the Regulations state that the Council may consider the objections itself in fulfilment of its statutory obligation to give due consideration to all objections made and not withdrawn. Alternatively the Council may choose to appoint an Independent Reporter to hold a hearing to consider the objections.
- 5.3. If the Policy Board decides to exercise its discretion and not appoint an Independent Reporter, then it must consider the objections and either uphold them in which case the proposal shall be dropped or consider the objections and then approve the

implementation of the restrictions as advertised, also approving the Director of Community Resources to make the Order.

- 5.4. If the Policy Board decides to choose the public hearing, it should be recognised that the Reporter's deliberations could take approximately 15 weeks. Thereafter, the Council still has an obligation to consider the report and any recommendation(s) made by the Reporter. Therefore, once the Reporter has completed the report from the hearing, it will still have to be considered by this Policy Board at a future meeting for a decision on whether to proceed with the order or not.
- 5.5. The cost of arranging an independent Reporter to hold a public hearing is estimated at £5000. Estimated cost of Reporter's time @ £290 per day plus expenses for 15 days.
- 5.6. Reflecting the circumstances surrounding the Traffic Order the Policy Board is being asked to consider the objections itself rather than appointing an Independent Reporter.

Implications of the Report

1. **Financial** - the nominal capital and revenue costs of implementing and maintaining the proposed yellow lines can be accommodated within existing budgets.
2. **HR & Organisational Development** – The nominal increase in the length of yellow lines to be enforced by the Council's Parking Attendants can be accommodated within the current staffing levels.
3. **Community Planning** – none
4. **Legal** - The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999.
5. **Property/Assets** – none
6. **Information Technology** – none
7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** – The primary reason for the proposal is for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising.
 9. **Procurement** – none
 10. **Risk** - no risks have been identified in relation to what is being proposed.
 11. **Privacy Impact** – none
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List of Background Papers - none

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Appendix A

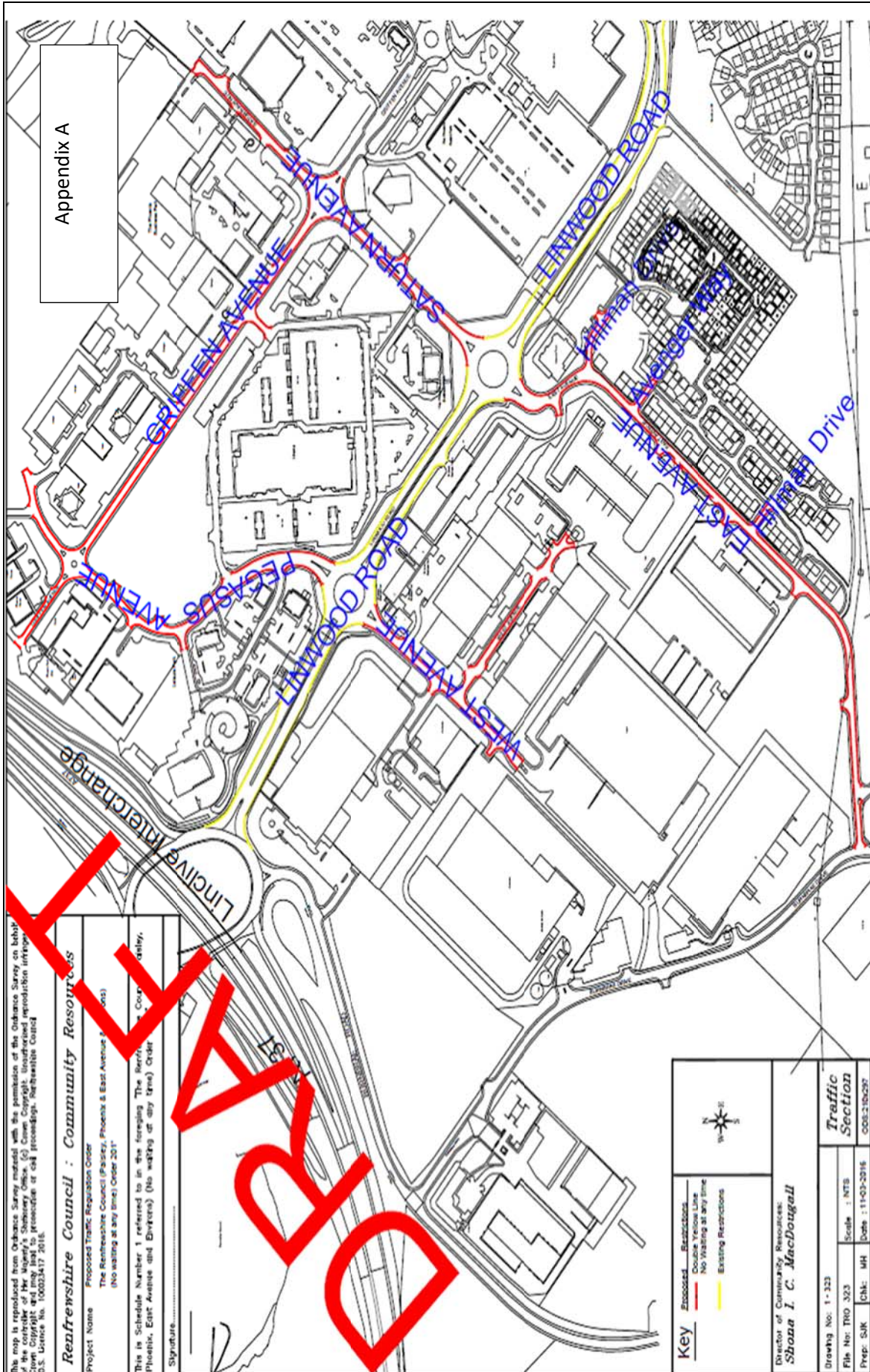
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Renfrewshire Council : Community Resources

Project Name Proposed Traffic Regulation Order
The Renfrewshire Council (Paisley, Phoenix & East Avenue 1st & 2nd)
(No waiting at any time) Order 2011

This is Schedule Number 1 referred to in the foregoing The Renfrewshire Council (Paisley, Phoenix & East Avenue 1st & 2nd) Order

Signature.....



Key Enclosed Restrictions Double Yellow Line No Waiting at any time Existing Restrictions		Drawing No: 1 - 323 File No: PRO 323 Prep: SJR	
Director of Community Resources: Shona I. C. MacDougall		Traffic Section Scale: 1:1000 Date: 11-03-2016 Code: 100297	

Location (Ward)	Paisley North West (Ward 4) East Avenue, Hillhead Drive, Avenger Way, West Avenue, Pegasus Avenue, Griffen Avenue and Saturn Avenue
Original Request	Request from developers over road safety on West Avenue, complaints from local residents of new housing development on East Avenue, new industrial development off Pegasus Avenue and existing traffic management issues on Saturn Avenue and Linwood Road

Appendix B

Objection 1	Objector advised that this would put him out of business as he would no longer be able to trade from the same location.
Objection 2-5	Five objections concerned the effect of the order on a small number of office staff who worked in a car sales depot and would be unable to park on street on Griffen Avenue due to the proposed restrictions.
Response to objection 1	A meeting was held with the street trader objector on 10 th August 2016. He was advised in detail of the reasons for the proposal and that prior to the house building the area had been suitable for his business, however now that homes were now built in the immediate area then it was no longer a suitable location and that when consulted upon his license renewal the roads section would object. It was put to the objector that we could consider reducing the length of the restriction to allow him to trade at the bottom end of East avenue however this was refused as he advised that most of his trade depended upon being visible from the B761 Linwood Road.
Response to objectors 2-5	A meeting was held on 10 th November 2016 with 3 of the office staff able to attend on the date and time. The objectors were advised in detail for the reasons for the proposals. They explained that there was insufficient parking made available within the car sales depot's curtilage. They were advised that it was a condition of a second hand dealer's license that staff parking was provided within the depot and that it was their employer's duty to supply such and they should request this facility from their employer. They wanted to pass this information on to their colleagues who had been unable to attend. Their main spokesperson later advised by telephone that they wished to maintain their objection.