
To: Infrastructure, Land and Environment Policy Board

On: 30th August 2017

Report by: Director of Community Resources

Heading: The Renfrewshire Council (Johnstone Station and Associated Side Roads) (Various Restrictions) (Amendment) Order, Sustained Objection

1. Summary

- 1.1. Following approaches from residents of Fraser Avenue Johnstone, to revisit previously rejected proposals for traffic management in Fraser Avenue and the surrounding streets, a Traffic Regulation Order (TRO) is being proposed to support traffic flow and the 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 designated 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 for this location will allow for better management of available road space around the train station by restricting inappropriate long stay commuter car parking on the double bends on Fraser Avenue, allowing an improvement in two way traffic flow and forward visibility for vehicles using the road while also improving road safety and the ease with which properties on Fraser Avenue can be accessed.
- 1.4. Following consultation on the above TRO, one objection was made and not withdrawn in respect of Fraser Avenue, Johnstone.
- 1.5. In accordance with the Local Authorities' Traffic Orders (Procedures) (Scotland) Regulations 1999 and the Council's procedures, the Infrastructure, Land and Environment Policy Board may now decide how to proceed, either to decide on the objection itself or appoint an independent reporter to do so.

- 1.6. A summary of the details and location of the proposal, and the objection are included in Appendix A.
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2. Recommendations

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

- 2.1. Considers and decides on the one objection made and not withdrawn, in relation to the Renfrewshire Council (Johnstone Station and Associated Side Roads) (Various Restrictions) (Amendment) Order, at this meeting of the Policy Board rather than appointing an independent reporter.
 - 2.2. Subject to recommendation 2.1 and the objection not being upheld, then approves the implementation of the restrictions as advertised on Fraser Avenue, Johnstone and approves the Director of Community Resources, in conjunction with the Convener of the Infrastructure, Land and Environment Policy Board, to make the Traffic Regulation Order.
 - 2.3.
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3. Background

- 3.1. The Council had previously attempted to gain consensus among the local area's residents to provide an "area wide" Traffic Regulation Order for Johnstone Station in 2009 to control commuter park and ride car parking which was congesting the residential streets around the station. This was rejected by the majority of residents of both Fraser Avenue and Overton Road at a public meeting. Instead, "Keep Clear" markings enforceable by the Police were provided at individual driveways to help prevent obstructive parking.
- 3.2. In early 2016, the Council was approached by residents of Fraser Avenue to revisit proposals for traffic management in Fraser Avenue, to which the Council responded with the proposal to amend the Renfrewshire Council (Johnstone Station and Associated Side Roads) (Various Restrictions) Order 2009, which is the subject of this report.
- 3.3. Vehicles parking on Fraser Avenue reduce the available road space to the extent that it restricts the two-way flow of traffic. In addition, the parked vehicles on the bends restrict the forward visibility of opposing vehicles and create a safety hazard.
- 3.4. Residents of Fraser Avenue are experiencing difficulties entering and leaving their properties because inappropriate parking reduces the available space to manoeuvre while also reducing the visibility of oncoming traffic.

4. Consultation Results

- 4.1. The proposal went through the statutory two stage consultation process as required to conclude a TRO. The first stage was issued on 14th March 2016 to the emergency

services, public utilities, local road user groups, local community groups, local area councillors, with a response date of 8th April 2016. With no objections or comments forthcoming, the Traffic Regulation Order proceeded to its second stage consultation and was advertised in the Paisley and Renfrewshire Gazette on Wednesday 8th June 2016. Notices were also placed on-street throughout Fraser Avenue at that time.

- 4.2. One response from Police Scotland advised it had no objection to the proposal.
- 4.3. One response from Renfrewshire Access Panel advised it had no objection to the proposal.
- 4.4. One objection came from a resident of Overton Road, Johnstone who had expressed that they also had existing difficulties with commuter parking and that the displacement of cars from Fraser Avenue would exacerbate issues. Discussions have been held with the objector with mitigation measures proposed by the Council that should commuter parking increase and become an issue in Overton Road a traffic regulation order shall be presented for Overton Road as detailed in Appendix A.

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 objection and either uphold it, in which case the proposal shall be dropped, or consider the objection 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 recommendation(s) made by the Reporter. Therefore, once the Reporter has submitted their report, 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 £5,000. Estimated cost of Reporter's time @ £290 per day plus expenses for 15 days.
- 5.6. Reflecting the circumstances surrounding the Traffic Order the Infrastructure, Land and Environment Policy Board is being asked to consider the objection itself rather than appointing an independent reporter.

Implications of the Report

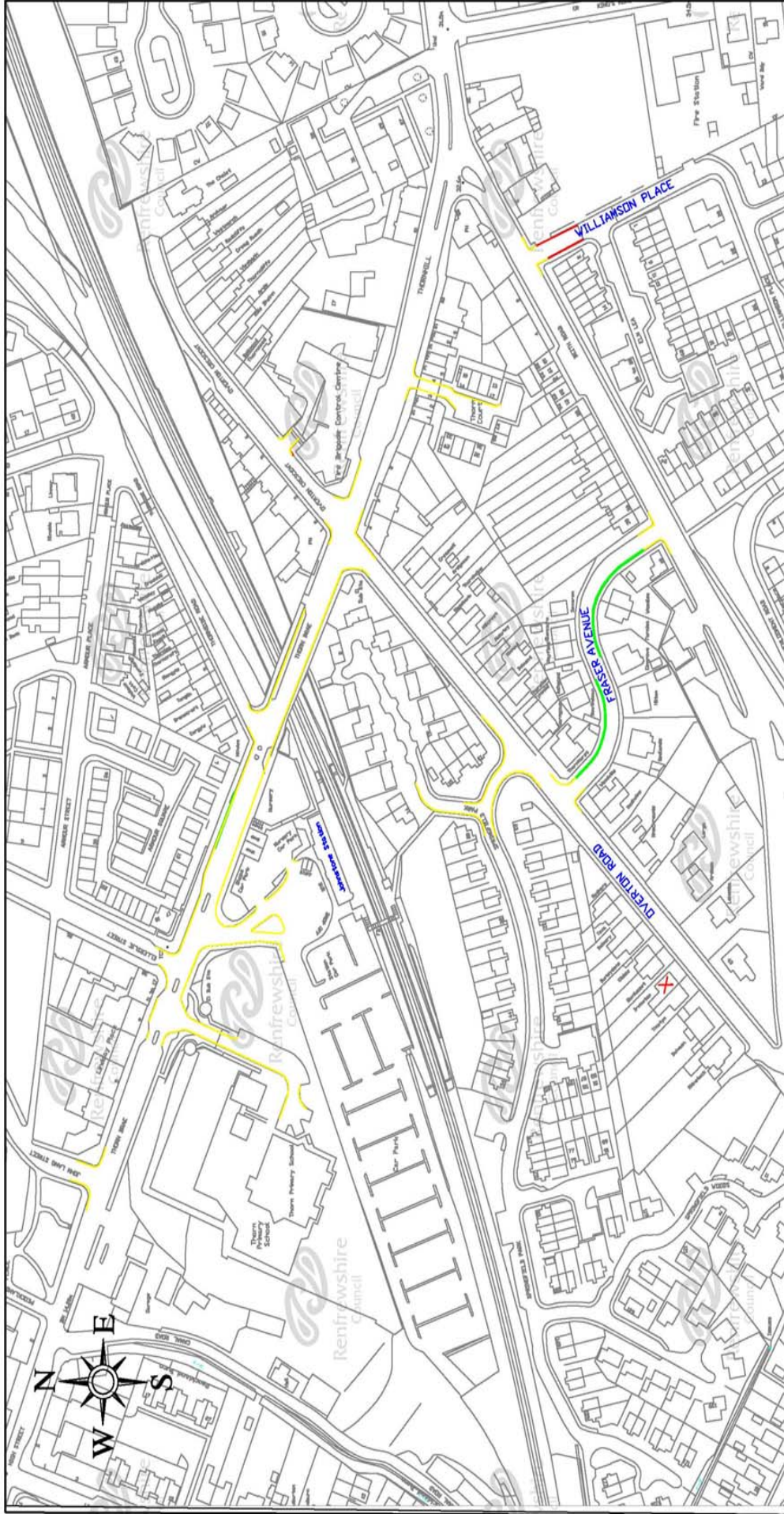
1. **Financial** - the nominal capital and revenue costs of implementing and maintaining the proposed yellow lines can be accommodated within existing budgets.
2. **HR & Organisational Development** – The nominal increase in the length of yellow lines to be enforced by the Council's Parking Attendants 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
12. **CoSLA Policy Position** - none

List of Background Papers - none

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Appendix A

Location (Ward)	Johnstone South, Elderslie & Howwood Ward (Ward 7) Fraser Avenue
Original Request	Request from residents on compromised road safety on Fraser Avenue, due to inappropriate commuter parking. Yellow lines show existing restrictions. Green lines show proposed restriction, "No waiting Monday to Friday 10am to 2pm".
Objection 1	Objector advised that this proposal; would exacerbate the issues currently experienced with inappropriate parking by displacing parked vehicles to Overton Road; and that the proposals should include Overton Road. The objector has a keep clear marking fronting their own driveway which is enforceable by the Police.
Response to Objection1	A meeting was held with the objector at 12.30hrs on 23 rd November 2016. The Objector was advised in detail of the reasons for the proposal. It was put to the objector by way of compromise that if requested, the Council would consider the implementation of an additional Traffic Regulation Order for Overton Road. However, as the process is consultative, there could be no guarantee of success. The Objector wanted time to consider this, but replied a week later stating that they still maintained the objection.



Renfrewshire Council : Community Resources Project Name: Johnston Traffic Regulation Order Johnston Station and Associated Roads Amendment Order 2018 Drawing Title: General Layout		Director of Community Resources Sharon J. C. MacDougall Head of Amenity Services Scott Allan: B.Sc., C.Eng., M.I.C.E. Drawing No: 1 - 323 File No: TRD 323 Prep: SJK Chk: MH Date: 11-09-2016 DSS010a297	
Key Proposed Restrictions Roadway Yellow Line No Waiting Single Yellow Line No Waiting Mon-Fri 10am-2.00pm Existing Restrictions Dejector		Traffic Section Scale: 1: NTS Date: 11-09-2016	

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