

EAST RENFREWSHIRE COUNCILCABINET23 FEBRUARY 2023Report by Director of EnvironmentTHE EAST RENFREWSHIRE COUNCIL (GREENLAW ROAD, NEWTON MEARNES)
(ON-STREET WAITING) ORDER 2023**PURPOSE OF REPORT**

1. To seek Cabinet approval of a Traffic Order - 'The East Renfrewshire Council (Greenlaw Road, Newton Mearns) (On-Street Waiting) Order 2023'.

RECOMMENDATIONS

2. The Cabinet is asked to approve the making of 'The East Renfrewshire Council (Greenlaw Road, Newton Mearns) (On-Street Waiting) Order 2023'.

BACKGROUND

3. The Council introduced Decriminalised Parking Enforcement (DPE) in April 2013 and became the Parking Authority for East Renfrewshire.

4. Following road safety improvements made to the junction of Greenlaw Road with Crookfur Road, which included widening of the footways and the reconfiguration of the traffic signal controls in order to better manage vehicle movements in and out of the junction, it has been recognised that parking taking place on Greenlaw Road close to the junction is severely impacting the efficient and safe use of the junction by vehicular traffic.

REPORT

5. A review of the existing waiting restrictions on Greenlaw Road was undertaken to assess their suitability taking into consideration road safety improvements made at the junction of Greenlaw Road with Crookfur Road.

6. The existing waiting restrictions on Greenlaw Road are included in 'The East Renfrewshire Council (Newton Mearns Area – Phase 1) (On-Street) (Waiting and Loading) Order 2018'.

7. To address the parking problem that now exists as a result of the safety improvements and road layout changes made, it is proposed to extend the existing No Waiting at Any Time restrictions on Greenlaw Road by a further 29 metres south eastwards on both sides of the carriageway.

8. The proposals, if implemented, will improve access and the safe use of Greenlaw Road for all vehicles at all times when entering or exiting via Crookfur Road.

FINANCE AND EFFICIENCY

9. The financial implications of making the Traffic Regulation Order will be met from the Parking Account. This is an account held under the terms of the Road Traffic Regulation Act 1984 and it is a requirement under Section 55 of the Road Traffic Regulation Act that the Parking Account income and expenditure are reported annually to the Scottish Government.

10. There will be a requirement to install additional road markings associated with the extended restrictions. There will also be the standard maintenance costs associated with occasional refreshing of the road markings as and when required, which is estimated to be in the region of approximately £100 every 8-10 years. This cost will be met from the annual lining maintenance budget.

CONSULTATION

11. A statutory consultation was carried out on the proposals between 16 December 2020 and 24 January 2021 in compliance with "The Local Authorities' Traffic Orders (Procedure) Scotland Regulations 1999 (and subsequent amendments)". A Public Notice was published in the Evening Times newspaper, the Tell Me Scotland website and the Council's website informing of the consultation and advising where drawings showing the proposals could be viewed and where any representations or objections should be sent. Police Scotland, emergency services and other organisations including Elected Members for the Ward were notified of the consultation by email.

12. Two objections to the proposals were received, both relating to the loss of on-street parking space and appropriate amendments were subsequently made to address the concerns raised.

13. Following details of the proposed amendments being sent to the two objectors and a request that they confirmed whether they wish to withdraw or maintain their objection, no confirmation or further communication was received from either.

14. Appendix 1 of this report gives a summary of all objections received, comments by the Roads Service on the objections and the proposed resolution for each.

15. In accordance with the statutory procedures, none of the objections require the Council to hold a Hearing by an Independent Reporter.

PARTNERSHIP WORKING

16. The Council's parking enforcement operations is a joint working arrangement between the Environment Department (Roads & Transportation Services) and the Business Operations & Partnerships Department (Corporate & Community Services).

IMPLICATIONS OF THE PROPOSALS

17. The making of 'The East Renfrewshire Council (Greenlaw Road, Newton Mearns) (On-Street Waiting) Order 2023' will improve access and the safe use of Greenlaw Road for all vehicles at all times when entering or exiting to or from Crookfur Road.

18. There will be no property, IT or sustainability implications arising from the proposals. There will be a positive equality outcome in relation to these proposals.

CONCLUSIONS

19. 'The East Renfrewshire Council (Greenlaw Road, Newton Mearns) (On-Street Waiting) Order 2023', if approved and introduced, will:
 - Extend the existing on-street waiting restriction on Greenlaw Road to address access and road safety concerns for vehicle movements in and out of its junction with Crookfur Road.
20. It is concluded that the Cabinet should confirm and approve the making of the Order.

RECOMMENDATIONS

21. The Cabinet is asked to approve the making of 'The East Renfrewshire Council (Greenlaw Road, Newton Mearns) (On-Street Waiting) Order 2023'.

Director of Environment

Further information can be obtained from Patrick Doherty, Senior Traffic Officer, Tel: 0141 577 3417, e-mail address: patrick.doherty@eastrenfrewshire.gov.uk.

Convener contact details

Councillor Danny Devlin
(Convener for Environment and Housing)

Home: 0141 580 0288
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February 2023

BACKGROUND PAPERS

The East Renfrewshire Council (Newton Mearns Area – Phase 1) (On-Street) (Waiting and Loading) Order 2018

East Renfrewshire Council Local Transport Strategy 2008-2011, Section 12.5

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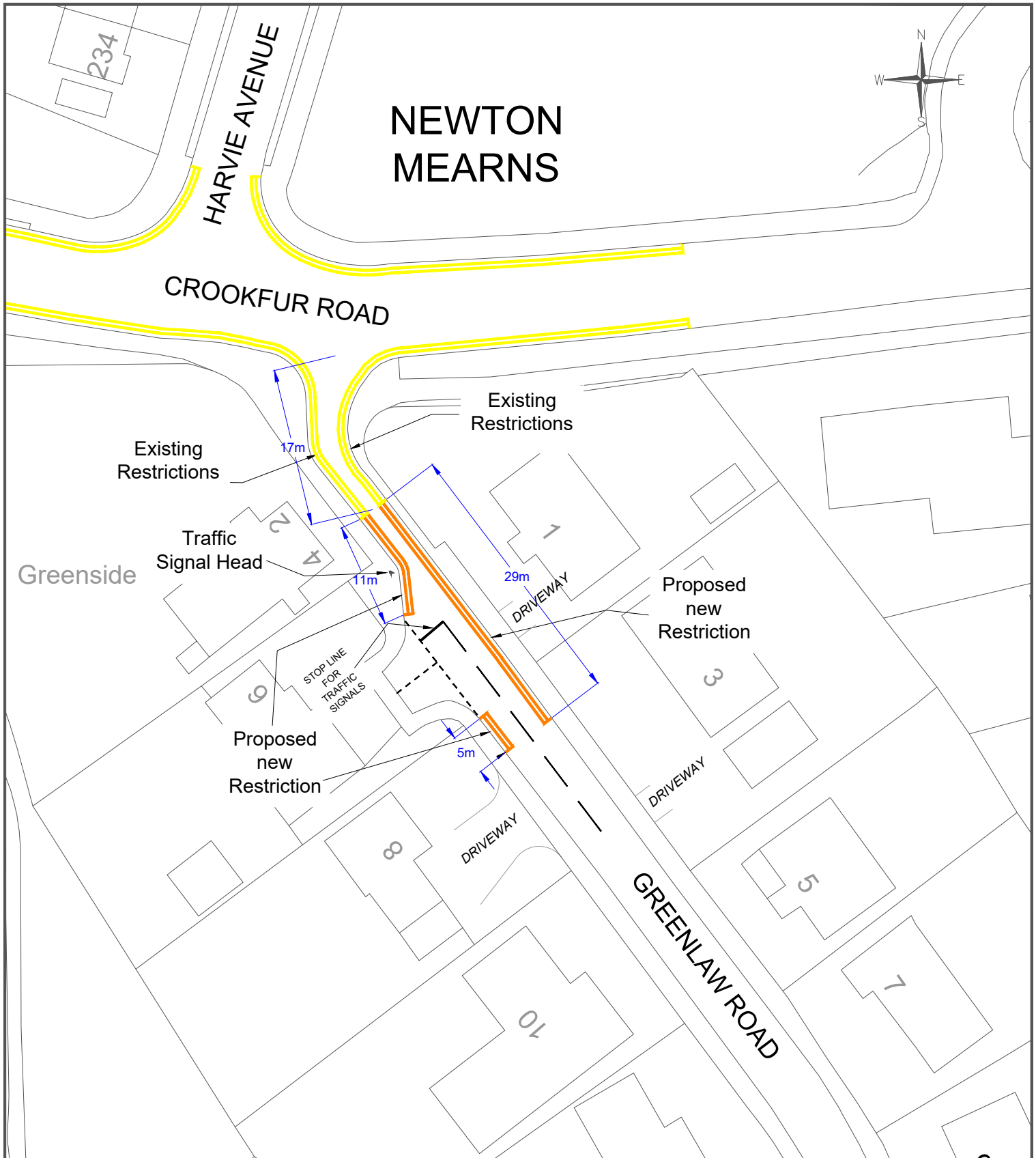
APPENDIX 1



SUMMARY OF REPRESENTATIONS/ OBJECTIONSTHE EAST RENFREWSHIRE COUNCIL (GREENLAW ROAD) (ON-STREET WAITING) ORDER 2023

TYPE	Summary of Objections received	Roads Services comments	Proposed Resolution	OBJECTION STATUS Following notification of proposed resolution
Objection	4 cars at address, care for elderly mother and 16 month baby, parking further from their home would be extremely inconvenient	Following road safety improvements made to the junction of Greenlaw Road with Crookfur Road, which included widening of the footways and the reconfiguration of the traffic signal controls in order to better manage vehicle movements in and out of the junction, it was recognised that parking taking place on Greenlaw Road close to the junction severely impacts the efficient and safe use of the junction by vehicular traffic both entering and exiting Greenlaw Road.	The extent of the proposed restrictions have been reduced by 14 metres on both sides of the road, along the frontage of property No 8 and No 3 on the opposite side of the road, thus retaining unrestricted parking space over this section of road.	Outstanding*
Objection	<ol style="list-style-type: none"> 1. Will move problem further up the street 2. No real parking issue, residents and their visitors are within reason to park outside their property and if they end up moving further up the street it will cause tension with neighbours 3. Issue at narrowed lane not caused by residents but by other drivers 	The restrictions proposed are considered necessary to facilitate unrestricted access and the safe use of the junction at all times for vehicles entering and exiting Greenlaw Road, especially larger vehicles including bin lorries, delivery lorries and emergency service vehicles such as ambulances and fire trucks.		Outstanding*

Outstanding * Objector has not confirmed whether they wish to withdraw or maintain their objection after being sent a request to do so with an explanation for the restrictions proposed and subsequent amendments being made to the proposals taking into account all representations/objections received during the Consultation period.

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<p>Drawing Info.</p> <p>Schedule 1</p> <p> Proposed 'No Waiting at Any Time'</p> <p> Existing 'No Waiting at Any Time' to remain</p>	<p>EAST RENFREWSHIRE COUNCIL - ENVIRONMENT DEPARTMENT Roads Service - 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, G46 8NG Head of Service - G. McCarney</p>		<p>Date: OCT 2022</p>
	<p>Drawing Title</p> <p>THE EAST RENFREWSHIRE COUNCIL (GREENLAW ROAD, NEWTON MEARNES) (ON-STREET WAITING) ORDER 20[**]</p>		<p>Scale: 1:500 @ A4</p>
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	<p>File Ref. EN-58-40-339</p>		<p>Checked By</p>



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THE EAST RENFREWSHIRE COUNCIL
(GREENLAW ROAD, NEWTON MEARNES)
(ON-STREET WAITING)
ORDER 2023

The East Renfrewshire Council in exercise of the powers conferred on them by Sections 1(1) and 2(1) to (3) of the Road Traffic Regulation Act 1984 (“the Act”) and of all other enabling powers and after consultation with the Chief Constable of Police Scotland in accordance with Part III of Schedule 9 to the Act, hereby make the following Order:-

1. This Order may be cited as ‘The East Renfrewshire Council (Greenlaw Road, Newton Mearns) (On-Street Waiting) Order 2023’ and shall come into operation on *(date to be advised)*.

2. In this order the following expressions have the meanings hereby assigned to them:-

“ambulance” means an emergency vehicle which is used by the ambulance services and is constructed or adapted for the purpose of the carriage of the sick, injured or disabled people to and from welfare centres or places where medical or dental treatment is given and is readily identifiable as a vehicle used for the carriage of such people by being marked “ambulance”;

“Council” means the East Renfrewshire Council;

“disabled person’s badge” has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (Scotland) Regulations 2002;

“disabled person’s vehicle” means a vehicle lawfully displaying a disabled person’s badge in the relevant position;

“emergency service vehicle” means a vehicle being used by the police, fire brigade or ambulance services;

“load” means to wait for the purpose of placing or removing any object of any description into or from a vehicle;

“local authority” means East Renfrewshire Council;

“parking attendant” has the same meaning as in Section 63A of the Road Traffic Regulation Act 1984;

“relevant position” has the same meaning as in Regulation 3 of the Local Authorities Traffic Orders (Exemptions for Disabled Person’s) (Scotland) Regulations 2002;

“taxi” has the same meaning as in Section 23(1) of the Civic Government (Scotland) Act 1982;

“universal postal service provider” has the same meaning as in Part 3 of the Postal Services Act 2011;

“universal postal service” shall be construed in accordance with Part 3 of the Postal Services Act 2011;

“vehicle”, unless the context otherwise requires, means a vehicle of any description and includes a machine or implement of any kind drawn or propelled along roads whether or not by mechanical power;

Note:

(i) All words importing the singular also include the plural and vice versa where the context requires.

(ii) Except where the context otherwise requires, references to any enactment include any such enactment as amended, extended or applied by or under any other enactment. Enactment means orders, rules, regulations, directions, bylaws and other instruments made or to be made, issued or given under any Act or deriving validity therefrom.

(iii) All signs, carriageway markings etc. shall comply with the Traffic Signs Regulations and General Directions 2016.

(iv) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament

Section 1: No Waiting at Any Time**For the lengths of road listed in Schedule 1 there is no waiting at any time.**

1/01 Save as provided in Articles 1/02, 1/03 and 1/04 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or a parking attendant in uniform, cause or permit any vehicle to wait at any time in any of the lengths of road specified in Schedule 1 to this Order and indicated by double orange lines and marked "Schedule1" on the Plan.

1/02 Nothing in Article 1/01 of this Order shall:

(a) prevent any person from causing or permitting a vehicle to wait in any of the lengths of road referred to in these Articles :-

- (i) for so long as may be necessary to enable a person together with his/her personal luggage to board or alight from the vehicle;
- (ii) for so long as may be necessary to enable the vehicle if it cannot be conveniently used for such purposes in any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the length of the road so referred to, or the laying, erection, alteration or repair in or near to any of the said length of the road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus, as defined in the Telecommunications Act, 1984;
- (iii) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in pursuance of statutory powers and duties and in particular, but without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with police, fire brigade and ambulance purposes;
- (iv) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his/her control or to such waiting being necessary in order to avoid an accident;
- (v) If the vehicle bearing the livery of a universal service provider is in the service of or employed by a universal service provider in the course of the provision of a universal postal service and is stationary only for so long as may be reasonably necessary for postal packets to be collected or delivered to or from adjacent premises or posting boxes;
- (vi) for the purpose of loading or unloading the vehicle while the vehicle is standing at the kerb and is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
- (vii) to enable the vehicle to be used wholly and necessarily by the principal participants in connection with funeral operations and weddings.

(c) apply to an emergency service vehicle.

1/03 Nothing in Article 1/01 of this Order shall apply to any disabled person's vehicle which is not causing an obstruction and which displays in the relevant position a disabled person's badge.

1/04 Nothing in Articles 1/01 of this Order shall prevent any person from causing or permitting a vehicle to wait in the roads specified:

(a) for as long as may be necessary for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle at premises adjoining that road provided that no vehicle engaged in delivering or collecting goods or merchandise or loading or unloading shall wait:

(i) for longer than a period of 10 minutes in the same place without goods being physically loaded onto or unloaded from the vehicle;

(ii) for a longer period than thirty minutes in the same place; and

(b) notwithstanding anything in paragraph (a) of this Article the driver of a vehicle waiting for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle shall move the same on the instruction of a police constable in uniform or a parking attendant in uniform whenever such moving may be reasonably necessary for the purpose of preventing an obstruction.

Given under the seal of The East Renfrewshire Council and signed for them and on their behalf by Gerard James Mahon, Chief Officer (Legal and Procurement) and duly Authorised Signatory together at Giffnock on the *(date to be advised)*.

SCHEDULE 1**No Waiting at Any Time**

Roads in East Renfrewshire				
	Principal Reference Road	Secondary Reference	Lengths of Road in East Renfrewshire	Side of Road to which Restrictions Apply
1	Greenlaw Road			
1/1		Crookfur Road	From a point 17 metres or thereby south east of the extended southern kerbline of Crookfur Road, south eastwards for a distance of 29 metres or thereby.	Northeast
1/2			From a point 17 metres or thereby south east of the extended southern kerbline of Crookfur Road, south eastwards for a distance of 11 metres or thereby.	Southwest
1/3			From a point 41 metres or thereby south east of the extended southern kerbline of Crookfur Road, south eastwards for a distance of 5 metres or thereby.	Southwest

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