

ABERDEEN CITY COUNCIL

COMMITTEE	Operational Delivery
DATE	29 th May 2018
REPORT TITLE	Various small-scale traffic management and development associated proposals (Stage 3 – Public advert)
REPORT NUMBER	OPE/18/020
Chief Operating Officer	Rob Polkinghorne
CHIEF OFFICER	Mark Reilly
REPORT AUTHOR	Jack Penman
TERMS OF REFERENCE	3

1. PURPOSE OF REPORT

Following completion of the statutory consultation process, this report considers objections that have been lodged with respect to proposed Traffic Regulation Orders.

2. RECOMMENDATION(S)

It is recommended that the Committee: -

- 2.1 Acknowledge the 9 objections received as part of the statutory consultation.
- 2.2 In relation to the "The Aberdeen City Council (Cromwell Gardens, Aberdeen) (Prohibition of Waiting) Order 201(X)" overrule the objections received and approve this order be made as originally envisaged.
- 2.3 Instruct officers to take no further action at this point regarding the existing restrictions on Cromwell Gardens.

3. BACKGROUND

This report deals with the traffic order which at the final statutory advertisement stage received public objections.

This report presents the objections received. The corresponding plan for the scheme is included (Appendix 1). An image from google street view of the location is provided (Appendix 2). The letters of objection are also included (Appendix 3). The public/press notice is attached (Appendix 4), from which members will be able to see the exact content of the proposals.

3.1 "The Aberdeen City Council (Cromwell Gardens, Aberdeen) (Prohibition of Waiting) Order 201(X)"

3.1.1 Proposal

Officers were contacted by several different residents who expressed concerns that when vehicles are parked opposite the garages they are preventing access and egress. As restrictions have been placed opposite other private garages on Cromwell Gardens to prevent similar obstructive parking officers felt that this action was again appropriate.

After reviewing the history of the restrictions on Cromwell Gardens officers discovered that this is a long-standing issue that was previously raised in 2006. Officers made proposals to tackle the problem at this location which were approved by committee, and an order was made in 2008. However the full extents of the measures on the south side of Cromwell Gardens were not implemented on the ground. As there has been a significant time delay between the Order originally being made we are unable to install the missing lines retrospectively without promoting a new Order.

This proposal will allow unhindered access/egress to the private garages.

3.1.2 Objections

A total of nine objections were received during the public consultation regarding this Traffic Order. Several of the objections received have expressed similar concerns or issues with the proposal. As such they will be considered under key headings.

Additionally, many of the objectors referred to the current restrictions on the north side of Cromwell Gardens which were not being consulted on but will also be addressed.

3.2 General concern over loss of parking provision.

3.2.1 Objection

Concerns were expressed by objectors who reside on Cromwell Road that their parking availability is being adversely impacted by the proposals. Several of the objectors referred to not being able to park their vehicles off the road noting the proposal will further reduce the parking availability as Cromwell Road already has waiting restrictions in place and Cromwell Gardens is often utilised as an alternative for parking.

3.2.2 Response to statutory objection

Cromwell Road is classed as a local distributor road. This serves as a key route to transport traffic from nearby residential streets to main arterial routes and is additionally a bus route. On the north side there is a timed parking restriction which is active between Monday-Friday 8am-6pm and helps ensure traffic can flow freely during peak times.

On the south side of Cromwell Road between the junctions of Cromwell Gardens and Burns Road there are small sections of At Any Time waiting restrictions which serve as junction protection.

The rest of the south side between these two junctions is unrestricted. This is approximately 160 metres, which equates to space for around 26 vehicles.

The proposal on Cromwell Gardens is to extend the existing waiting restrictions by 10 metres (approximately 2 car lengths) but will prevent obstructive parking opposite two garages, which can therefore provide two off-street parking spaces, countering those lost on street.

Officers therefore feel the proposal will not greatly impact on the overall parking availability in the vicinity and would also note that there are 29 garages and several parking areas on Cromwell Gardens which will belong to residents of Cromwell Road that can be utilised as off-street parking.

3.3 Safety/convenience

3.3.1 Objection

Several objectors have noted their preference for parking on Cromwell Gardens as they perceive this to be safer than parking on Cromwell Road as it is a quieter road. They note their desire to use Cromwell Gardens as an area to wash/clean their car, load/unload and when parking with young children.

3.3.2 Response to statutory objection

Many drivers may have a preference for where they would like to park, however as an owner of a private motor vehicle it should be accepted that this may not always be available. There is no right to park in a particular location on the public road.

Private motor vehicle owners can choose to wash their vehicle on street, taking responsibility for their own safety and that of other users on the network. However, should they feel uncomfortable doing so there are other options available in terms of car servicing. This is no different from many other streets in the city which do not have off-street parking provisions.

Officers would note that the restrictions do not prevent a driver briefly stopping to load/unload a vehicle or pick up/drop off passengers before parking the vehicle in a suitable location.

3.4 Existing restrictions – North side Cromwell Gardens

3.4.1 Objection

Although not being consulted on, several of the objectors have referred to their desire to see the existing restrictions on the north side of Cromwell Gardens curtailed.

3.4.2 Response to statutory objection

Officers would be reluctant to progress any such requests and would suggest that the removal of restrictions on the north side has the potential to create more issues. If the restrictions were removed, vehicles would be able to park in such a manner that they block resident's garages and gates which may hinder access/egress.

Officers would not be able to propose a measure to make this parking strictly for residents and Police Scotland would unlikely act to combat such parking. With the nearby tennis and bowling club, plus surrounding residential streets, obstructive parking would likely become a frequent problem

3.5 Introduction of one-way system on Cromwell Gardens

3.5.1 Proposal

It was proposed that the introduction of a one-way system on Cromwell Gardens would allow the removal of many of the existing restrictions. Again, this was not part of the consultation process that was being undertaken however officers have addressed this below.

3.5.2 Response to proposal

Officers would have reservations about such a proposal. One-way streets often cause an increase in vehicular speed owing to drivers not facing any oncoming traffic. Furthermore, officers would have misgivings about directing all traffic heading to the bowling club and tennis club passed all the residential properties on the south side.

Even if a one-way system were to be introduced officers would still not recommend the removal of any of the existing restrictions on the north side for the reasons previously stated.

4. **FINANCIAL IMPLICATIONS**

4.1 This proposal will be funded through the Cycle, Walking, Safer Streets Budget.

5. **LEGAL IMPLICATIONS**

5.1 . No implications.

6. MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
Financial	N/A		
Legal	Insufficient resources could require the TRO to have to re-enter the legislative process if it is unable to be implemented within the statutory period of 2 years from consultation.	L	Reviewing the priority of the project in respect of funding in order to ensure that the consultation process does not need to be restarted.
Employee	N/A		
Customer	Road safety levels and traffic management could be compromised if measures are not progressed, leading to continued public concern.	L	Officers propose measures that are deemed reasonable and appropriate to address the Road Safety and Traffic Management issues to reduce incidents of public objections.
Environment	N/A		
Technology	N/A		
Reputational	Proposals can be contentious and attract negative feedback.	L	Concerned parties would be provided thorough rationale as to the requirement for the proposal.

7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Prosperous Place	As the recommendation is to approve the proposals, there will be a positive impact on current customer

	experience in terms of road safety in our communities.
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8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	Full EHRIA not required
Privacy Impact Assessment	Not required
Duty of Due Regard / Fairer Scotland Duty	Not Applicable

9. BACKGROUND PAPERS

Various small scale traffic management and development associated proposals (New works) – 8th November 2017:

<https://committees.aberdeency.gov.uk/documents/s75664/CHI.17.242%20Various%20Small%20Scale%20Traffic%20Management%20Development%20Associated%20Proposals%20Stage%201.pdf>

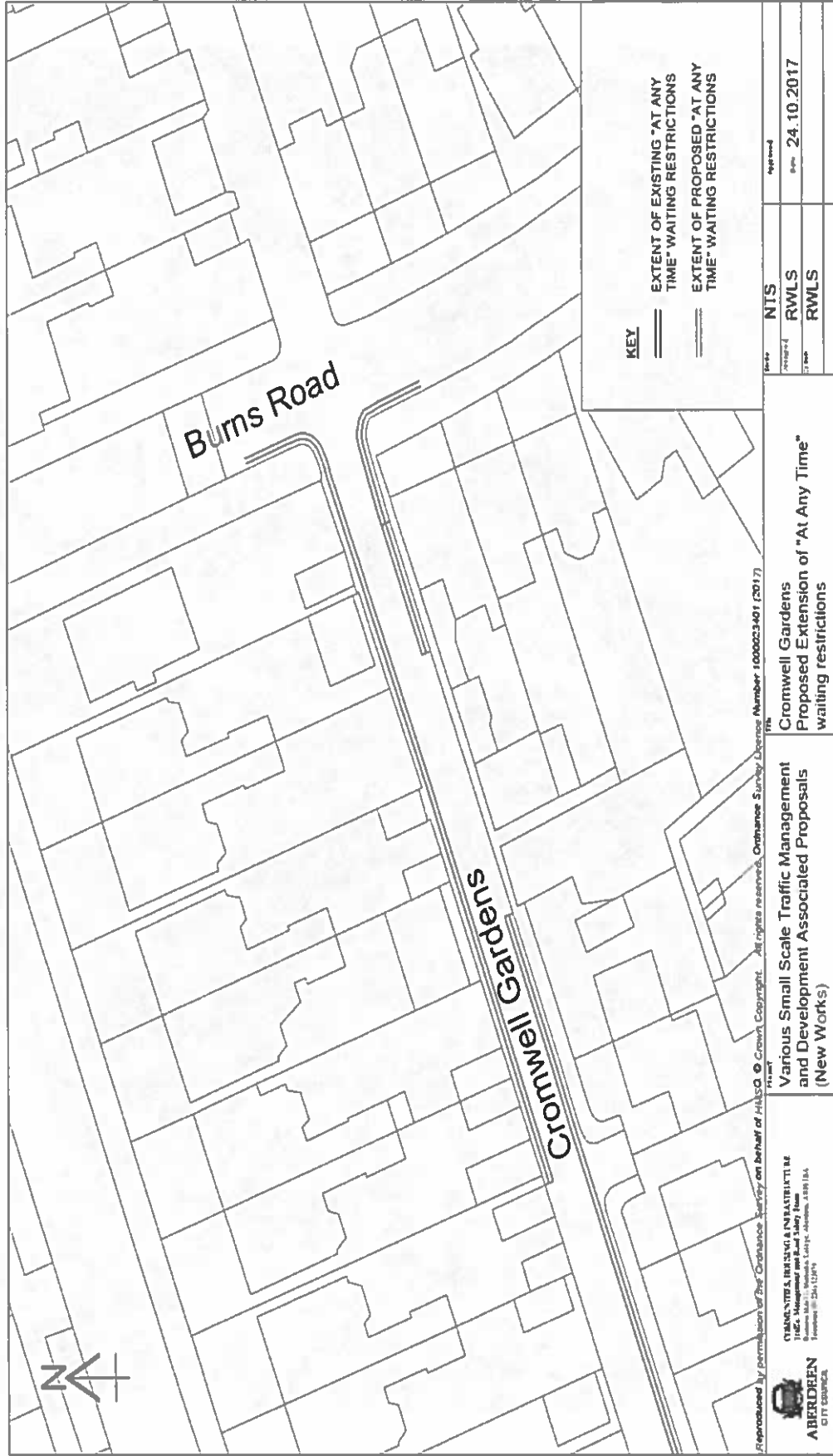
10. APPENDICES (if applicable)

- Appendix 1 – Proposal Plan
- Appendix 2- Street view image
- Appendix 3 – Redacted Objections
- Appendix 4 - Proposal Street Notice

11. REPORT AUTHOR CONTACT DETAILS

Name: Jack Penman
Title: Technical Officer
Email Address: jpenman@aberdeency.gov.uk
Tel: 01224 522303

Appendix 1



Appendix 2



Appendix 3

-----Original Message-----

From: Patricia Eddie []
Sent: 14 March 2018 18:11
To: TrafficManagement
Subject: Planned yellow lines on Cromwell Road

It is with great deal of anger that I see that you plan to put more yellow lines in Cromwell Gardens. There is only 14 small houses with large driveways there is a much great number of houses on Cromwell Road with garages and rear entrances. Why are the residents being considered over us. The front of our houses are not suitable for getting our cars off the road, it's a very busy road on a bus route. Many years ago the road that is now Cromwell Gardens belonged to the residents of Cromwell Road. As far as I'm aware there has been a very persistent resident in Cromwell Gardens that seems to hell bent in getting her own way and making life difficult for everyone I would formally like to ask that there should be no double yellow lines on the north side of Cromwell Gardens to allow the residents access to the garages and parking .

The residents of Cromwell Gardens with double yellow lines on their side and their driveways have plenty of room.

Hope you can reconsider your proposals.
Pat Eddie.
Sent from my iPad

From: bill simpson [] **Sent:** 15 March 2018 20:44 **To:** TrafficManagement **Subject:** Double Yellow Lines Cromwell Gardens

To Whom It May Concern

It has been brought to my attention that there are plans in place to increase the double yellow lines on the north side of Cromwell Gardens. There is no reason for the line at this side and it would be more appropriate to remove the lines, to give the residents of Cromwell Road access to their garages and gardens. There is plenty room for the 14 small cottages to access their driveways without parking restriction on the north side. At present there are more problems being caused by the lines as no one can park at the rear of their properties. It should also be considered that the residents of Cromwell Road have many problems with excess usage of parking areas at the front of their properties due to the bowling, tennis club and various sporting events that take place at Rubislaw and Harlaw playing fields.

I hope you will take this under advisement and look into this matter.

I look forward to your reply.
Regards
William Simpson
Sent from Mail for Windows 10

From: Dominic Marcella [] **Sent:** 18 March 2018 14:32 **To:** TrafficManagement **Subject:** Cromwell gardens

I am writing to object to the proposed double yellow lines on Cromwell Gardens I as a resident at 105 Cromwell Road feel that there should not only be a stop to adding more restrictions but to

remove the double yellow lines that are in place, after talking to some of the residents I feel that they are in the same mind set.

Cromwell Gardens is the ideal place for residents to off load shopping and to wash there cars it would be a bit hard to wash your car on Cromwell Road as there is a problem with parking and also the safety aspect having jet washers and hoses on the pavement, these would cause trip hazards for the general public.

Cromwell Road used to be good for parking until they decided to put a single yellow down one side, since then it has been increasingly difficult to find a place to park.

It might be worth while thinking about trying to make life a bit easier for people rather than making it much more harder.

From: [REDACTED] **Sent:** 19 March 2018 15:07 **To:** Martin Greig; TrafficManagement **Subject:** Cromwell Gdns Proposed Extension of "At any Time" waiting restrictions

Re: Cromwell Gardens – extension of Double Yellow Lines – Project: Cromwell Gardens Extension of "At Any Time" waiting restrictions - Approved 24.10.2017

From: [REDACTED] @ [REDACTED]

Dear Councillor Mr Martin Greig & too whom it concerns @ Traffic Management/Abz City Council I wish to object to the following extension of double yellow lines on Cromwell Gardens for the following reason.

We @ [REDACTED] Cromwell Road do not have access to our homes due to double yellow lines on Cromwell Road and rely on the space being mentioned in your proposal as an option to park as it's opposite our back gardens. As its not a private parking area some owners from Burns Rd etc also park there!

We [REDACTED] do not have a garage to park. We realise that parking is a premium to all owners and it's a problem for all who live on Cromwell Road.

I'm aware that the owner of 51 Cromwell Road left x4 Cars for 6mths in both Cromwell Rd/Cromwell Gdns & return date as yet not known. This obviously caused upset to all here. I emailed the owner asking her to be more understanding and she did get someone to rotate the cars + I think x2 were removed.

Dylan/resident/owner from Burns Rd did inform me he had contacted a Councillor to see if anything could be done legally and was informed that if cars were road taxed there was nothing to be done. Is this the reason that for implantation of Double yellow lines?

The proposed extension of double yellow would make parking even harder and feel some owners are being penalised for the sake of a few!

Could someone please get back to me with a response to my objection.

Kind regards,
[REDACTED]

From: [REDACTED] **Sent:** 19 March 2018 16:58 **To:** TrafficManagement **Cc:** Martin Greig **Subject:** Objection to the Extension Of double Yellow Lines Cromwell Gardens South

Hello, I recently received a letter from M Greig referring to the above matters in Cromwell Gardens. I have been resident in Cromwell Road since 1993. I am at a loss as to why after years and years of having these yellow lines, with no problems I may add, Aberdeen Council see fit to remove 2 badly needed parking spaces because the "council wants to consolidate individual restrictions in one order" When the yellow lines were put in there was no rhyme nor reason to them, across from mine and my neighbours garage (59 and 61 Cromwell Road) was an orchard yet we had yellow lines put across our garage fronts. Yet the owners of 103 Burns Road have a huge double garage which they can park in front of while having garages directly across from them. The whole road of Cromwell Gardens seems disjointed, yellow lines here, then they stop at one garage, then start again then stop/start all the way.

Over the many years I've lived here, many homes especially in Cromwell Gardens and Cromwell Road have had extensions built leading to more people staying in various properties, leading to more vehicles. We don't need more yellow lines they will do nothing for safety and the whole exercise is a complete waste of money and time.

Thank You
Clive Birse
61 Cromwell Road
Aberdeen AB15 4UE

Hi Martin,

Following your letter dated 16th March, please see below bullet points with regards to the proposed double yellow line parking:

1. There should be a bicycle lane on Cromwell Road. It is very dangerous cycling home. Before the recent works on Cromwell road, there was a partial bike lane – however it was left out when the road was repaved.
2. Turned left out of Cromwell Gardens onto Cromwell Road I very dangerous due to the vans and cars that park on Cromwell Road. Especially vans. No view of oncoming traffic from right. Please extend the double yellows further up Cromwell Road to avoid this blind spot.
3. Double yellow lines on Cromwell Gardens does not solve the safety issues on Cromwell Road for bikes and cars The focus should be on Cromwell Rd, not Cromwell Gardens, which is a laneway used by private residents for parking cleaning, guests, etc.

Kind Regards
E. Lunny

From: Ian Wright [] **Sent:** 26 March 2018 21:00 **To:** TrafficManagement **Subject:** Cromwell Gardens - Proposed extension of "at any time" waiting restrictions

We object got the proposal.

We feel it is very important that the proposals and their implications are widely understood and those affected are given the chance to explain the impact on their day to day life. The existing and planned Yellow line markings, as defined in the public notice displayed, do not follow a clear strategy beyond the road junctions, where they are clearly safety related. Also, they appear to be inconsistently applied when considered against the access requirements. Some garages have double yellow lines in front of them and some do not. Some garages have double yellow lines on the opposite side of the road and some do not. Further other thoroughfare lanes in the local area do not appear to have Yellow lines.

The reason for introducing the additional Yellow lines in Cromwell gardens and the benefits of these have not been explained and hence it is not clear how they could be approved. The progressive and step by step use of Yellow lines over the years has also reduced available parking spaces. We have lived at 47 Cromwell road for 28 years and have seen the parking available to us steadily disappear. Originally there were no Yellow lines. Those were quite rightly put on the corners of Cromwell road and Burns road making a valuable safety contribution. However, this meant that street parking in front of our house was removed.

Fortunately, we had parking in Burns road and Cromwell gardens but even this has been reduced by more Yellow lines.

We have a garage which has Yellow lines on the same side of the road however we are not aware of any occurrences of cars parking directly in front of garages and do not believe they are necessary. We do encounter cars parking opposite our garage and we also use this ourselves for loading / unloading and car washing, as do our neighbours. While we have a garage opposite the area where the lines are proposed, we do not find cars parking in this space to be problematic, and we would not want further Yellow lines reducing parking further. The only other garage affected by the same problem, has parking and car loading access outside their front door in Burns road, and do not appear to use their garage or any parking space in Cromwell gardens.

The introduction of additional Yellow lines should be justified on the basis of safety or inability to access a garage/driveway. We see no justification for the proposed additional Yellow lines, and consider that, with our, and our neighbours', advancing age, it is important for all of us to be able to park as close to our entrances as possible. We trust you can take our views into account.

Best regards,

Ian and Elizabeth Wright
47 Cromwell road

Appendix 4

ABERDEEN CITY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE ABERDEEN CITY COUNCIL (CROMWELL GARDENS, ABERDEEN) (PROHIBITION OF WAITING) ORDER 201(X)

Aberdeen City Council proposes to make "The Aberdeen City Council (Cromwell Gardens, Aberdeen) (Prohibition of Waiting) Order 201(X)" in terms of its powers under the Road Traffic Regulation Act 1984. The effect of the order will be to impose certain lengths of prohibition of waiting at any time on Cromwell Gardens, Aberdeen, as defined in the schedule below. Please note the length highlighted in bold is the only new length and the other lengths stated already exist on the ground and are being restated for administrative purposes. Exemptions will apply as usual to the picking up or setting down of passengers, loading or unloading, blue badge holders not causing an obstruction, funeral vehicles, and vehicles parked with the consent of the Council in direct association with authorised roadworks or building works.

Full details of the above proposal are to be found in the draft order, which, together with a map showing the intended measures and an accompanying statement of the Council's reasons, may be examined during normal office hours on weekdays between 21st March 2018 and 11th April 2018, in the offices of the roads officials in the Communities Housing and Infrastructure department, at Marischal College, Broad Street, Aberdeen. It is recommended that anyone visiting Marischal College to view any of the documents should make an appointment to do so, in order that a member of staff can be present to offer an explanation if necessary. Anyone unable to visit Marischal College can telephone 01224 522303 to speak to one of the officials.

Anyone wishing to object to the above order should send details of the grounds for objection, including their name and address, in writing to the undersigned or to trafficmanagement@aberdeencity.gov.uk during the statutory objection period which also runs from 21st March 2018 and 11th April 2018, inclusively.

Any person who submits an objection to a road traffic order should be aware that any objection made will be available to members of the Committee, available for inspection by members of the public, distributed to the press, and will form part of the agenda pack which is available on the Council's website. To that extent, however, they are redacted, with e-mail addresses, telephone numbers and signatures removed from this correspondence.

Traffic Management

Business Hub 11

Second Floor West

Marischal College

Broad Street

Aberdeen

AB10 1AB

Schedule

Cromwell Gardens

South side from its junction with Burns Road, west wards for 21 metres.

South side from a point 41 metres west of its junction with Burns Road, westwards for a distance of 164 metres.

North side from its junction with Burns Road, westwards for 80 metres.

North side from a point 87 metres west of its junction with Burns Road, westwards for 14 metres.

North side from a point 113 metres west of its junction with Burns Road, westwards for 11 metres.

North side from a point 133 metres west of its junction with Burns Road, westwards for 14 metres.

North side from a point 153 metres west of its junction with Burns Road, westwards for 16 metres.

North side from a point 179 metres west of its junction with Burns Road, westwards for 28 metres.

East side from its junction with Cromwell Road, southwards for 50 metres.

West side from its junction with Cromwell Road, southwards for 46 metres.