

**PROPOSED ARGYLL AND BUTE COUNCIL (OFF-STREET PARKING PLACES
AND CHARGES) (MID ARGYLL, KINTYRE AND ISLAY) 202_**

1.0 EXECUTIVE SUMMARY

- 1.1 The report provides an update on the proposed Traffic Regulation Order “Argyll and Bute Council (Off-Street Parking Places and Charges) (Mid Argyll, Kintyre and Islay) 202_” (hereafter, the “TRO”) and provides detail of the objections to the draft TRO.
- 1.2 There were two objections submitted to the proposed TRO, both in relation to the Port Ellen Off-Street Car Park. Officers engaged with the objectors but no solution was agreed upon and the objections remain extant.
- 1.3 To allow the Service to manage the off-street car park asset effectively and safely, it is the view of Officers that the Order should be made.

RECOMMENDATIONS

That the Committee agree that the draft “Argyll and Bute Council (Off-Street Parking Places and Charges) (Mid Argyll, Kintyre and Islay) 202_” TRO can be made.

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2.0 INTRODUCTION

- 2.1 This report provides an update on the proposed Traffic Regulation Order “Argyll and Bute Council (Off-Street Parking Places and Charges) (Mid Argyll, Kintyre and Islay) 202_” (hereafter, the “TRO”) and provides detail of the objections to the draft TRO.

3.0 RECOMMENDATIONS

- 3.1 That the Committee agree that the draft “Argyll and Bute Council (Off-Street Parking Places and Charges) (Mid Argyll, Kintyre and Islay) 202_” TRO can be made.

4.0 DETAIL

- 4.1 The proposed TRO is being sought on the remaining uncontrolled off-street car parks within MAKI. The proposed TRO, if made, will provide powers in regard to the effective management and enforcement of the off-street asset. Appendix 1 contains the draft TRO as published, Appendix 2 contains the car park plans.
- 4.2 The Committee should note that the proposed TRO does not include either the Inveraray off-street car parks or Lorne Street Car Park in Lochgilphead. The Inveraray off-street asset is being progressed under a separate Order. Lorne Street Car Park is already controlled by the Argyll and Bute Council (Off-Street Parking Places and Charges) (Lochgilphead) Order

2018. The current proposed Orders are being progressed separately to avoid unnecessary delays or conflation (for example, should complex objections have been submitted to the Inveraray proposal, this would not affect the wider MAKI proposal). Longer term, subject to both the Inveraray and MAKI TROs being implemented, a consolidation order will be progressed to bring the three MAKI orders under a single Traffic Regulation Order.

- 4.3 The 26 off-street car parks being considered under the proposed TRO have been assessed by Traffic & Development and Parking Officers in regard to suitability of use by vehicle categories (e.g. cars, HGVs, buses etc.). Schedule 1 of the draft TRO details which car parks are included in the TRO (Appendix 1).
- 4.4 There is no proposal within this TRO to introduce pay & display; for clarity, these car parks will remain free to use.
- 4.5 Consultation 1 & 2 were carried out as a combined stage. This phase closed on 15 July 2021 with no significant comments made.
- 4.6 Consultation 3 is the stage where the proposals are published and any individual, organisation or group may submit formal objections to the draft TRO. This stage commenced on 13 August 2021 and closed on 6 September 2021.
- 4.7 There were two objections submitted, both in relation to the Port Ellen Off-Street Car Park; the objections came from a single address but are still considered as two distinct objections. Officers engaged with the objectors but no solution was agreed upon and the objections remain extant.
- 4.8 The objections and the Councils response are summarised in the table below:

Theme 1	A specific vehicle type being excluded (a vehicle with trailer) impacting on the objectors ability to undertake business
ABC Response	Officers cannot support revising the proposed TRO to allow this vehicle type due to road safety concerns; particularly in relation to potential reversing manoeuvres onto or from the public road. This area can be particularly busy during ferry operation and with relatively high number of vehicles and pedestrians utilising the car park due to toilet facilities and access to the shore.
Theme 2	Related to the vehicle type category (mobile library) and this car park being one of the few locations large enough to allow certain vehicles to turn within Port Ellen
ABC Response	The proposed TRO does not prohibit the area being used as a turning area. This part of the objection is considered invalid. However, the TRO seeks to discourage inappropriate vehicle parking that may not be able to complete manoeuvres safely; particularly in regard to reversing onto or from the public road. Moving violations are enforced by Police Scotland.
Theme 3	May impact on other vehicles who may use this area "Screen Machine, mobile bank, as well as all of the amenities service vehicle (grass cutting and refuse collection) that use the parking area on a daily basis".

ABC Response	Any vehicle wishing to turn in this area, they must do so safely (similar to theme 2). Safe use of vehicles categories within the car parks has been assessed by Officers; any vehicle falling outside of this cannot be supported for use within the car park. Notwithstanding this, the TRO does give exception to service vehicles undertaking the Councils statutory duties.
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- 4.9 While there is no right for anonymity for maintained objections, it is standard practice to withhold the names and addresses of the objectors.
- 4.10 To allow the Service to manage the off-street car park asset effectively and safely, it is the view of Officers that the Order should be made.

5.0 CONCLUSION

- 5.1 This report provides detail of the objections to the draft “Argyll and Bute Council (Off-Street Parking Places and Charges) (Mid Argyll, Kintyre and Islay) 202_” TRO and recommends that the TRO be made.
- 5.2 The implementation of the TRO will incur costs in relation to the installation of signs and road markings. This is deliverable within existing budgets.

6.0 IMPLICATIONS

- 6.1 Policy – Parking Policy Framework 2014.
- 6.2 Financial – Signs and lining will be funded from the car parking revenue budget.
- 6.3 Legal – That the TRO be implemented as published.
- 6.4 HR – None known.
- 6.5 Fairer Scotland Duty:
- 6.5.1 Equalities - protected characteristics – None known.
- 6.5.2 Socio-Economic Duty – None known.
- 6.5.3 Islands – n/a.
- 6.6 Climate Change – n/a.
- 6.7 Risk – Safer roads for all road users.
- 6.8 Customer Service – in line with Parking Policy Framework 2014.

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November 2022

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APPENDIXES

Appendix 1 – Draft “Argyll and Bute Council (Off-Street Parking Places and Charges) (Mid Argyll, Kintyre and Islay) 202_”

Appendix 2 – TRO Plans