

Agenda Item	10
Report No	CIA/39/21

HIGHLAND COUNCIL

Committee: City of Inverness

Date: 18 November 2021

Report Title: Ross Avenue Residents Permit Scheme

Report By: Executive Chief Officer Infrastructure, Environment & Economy

1 Purpose/Executive Summary

- 1.1 Due to increased usage of Ross Avenue by non-residents as free parking to access nearby facilities officers have had lengthy discussions with residents and the Community Council since 2017. We have recently promoted a Traffic Regulation Order to introduce waiting and loading restrictions including a Resident Permit parking scheme on Ross Avenue. Officers have received one objection and have written to the consultee to discuss their objection. As officers were unable to resolve the single outstanding objection, Members must now deliberate this.

2 Recommendations

- 2.1 Members are asked to support the making of the Traffic Regulation order as follows:-
- i. Introduce “No Waiting at Any Time” restrictions on the south side of Ross Avenue and also at locations on the north side of Ross Avenue at its junction with Fairfield Road, between Nos 15 & 17; between Nos 33 & 35 and at the junction on Ross Avenue and Kenneth Street; and
 - ii. Introduce a Parking Permit Holder restriction bays on the North side of Ross Avenue between Nos 1& 15, 17 & 33 and Nos 35 & 49.

3 Implications

- 3.1 **Resource** – implementation will be funded from existing Service Budget.
- 3.2 **Legal** – Subject to The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999.

- 3.3 **Community (Equality, Poverty and Rural)** – The scheme was generated from community representations. The proposed permit scheme will introduce a financial cost to any subscribers as per the Highland Councils Permit Scheme Policy.
- 3.4 **Climate Change / Carbon Clever** - No implications.
- 3.5 **Risk** - No implications.
- 3.6 **Gaelic** - No implications.

4 TRO Process

- 4.1 Subject to The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999, unresolved objections made to a Traffic Regulation Order must be considered by the appropriate committee. Members may deal with the proposals as follows:-
 - (a) abandon them;
 - (b) defer a decision on them; or
 - (c) make an order or orders giving effect to them in whole or in part.

Members may make the order amended from the advertised order with regard to:-

- (1) The authority shall not make the order with modifications where:-
 - (a) any of the modifications would involve a departure from the order in the form to which the Secretary of State or Crown authority has given his or its consent; or
 - (b) in a case where under paragraph 1 and 2 of Schedule 9 to the Act the Secretary of State has directed the authority to make the order, any of the modifications would involve a departure from the form in which he has directed the order to be made; or
 - (c) in a case where the consent of the Secretary of State is not required by or under paragraph 13 of Schedule 9 to the Act, any of the modifications would extend the application of the order or increase the stringency of any prohibition or restriction contained in it.

but subject as aforesaid the authority may make the order with modifications, whether in consequence of any objections or otherwise.

- 4.2 The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation Five Ross Avenue Order 2021 was submitted to all Statutory Consultees without objection and was also advertised for public consultation via a Public Notice (**see Appendix 1**) in the Press & Journal and on street notices detailing the proposals from 1 September 2021 allowing for representations to be received by 22 September 2021. In addition, consultation information was hand delivered to all properties on two separate occasions. Officers consulted extensively with the Community Council and held an open public meeting.

5 Residents Permit Parking Schemes

- 5.1 For the benefit of Members permit parking spaces are not allocated to individual permit holders. A Residents Parking Scheme does not guarantee the availability of a parking space or a space outside the permit holder's residence. The permits entitle residents to park their vehicles if space is available. Permits are a tool used by local authorities at the request of residents to "exclude" vehicles. The number of permits issued is determined by the number of eligible users. There is a definite number of permits issued, therefore numbers are not unlimited and are never considered an exercise in income generation - www.highland.gov.uk/parkingpermits

6 Advertised Traffic Regulation Order

- 6.1 The advertised Traffic Regulation Order contained waiting & loading restrictions to ensure the safe passage of vehicles by preventing parking/waiting and the definition of Permit Holder Only Bays in certain locations **(see Appendix 2)**.
- 6.2 The Permit Scheme would be subject to the Council's existing terms and conditions. It was proposed to operate 7 days per week between 10am and 8pm.
- 6.3 One objection was received within the advertised objection period **(see Appendix 3)**.

7 Objections

- 7.1 Officers attempted to contact the single objector to discuss their objection. Written objection is attached but is summarised as follows:-
- i. The objection was from a resident of Attadale Road whose main concern was the displacement of vehicles from Ross Avenue as a result of these restrictions. The objector also stated that they objected to a previous proposal to create permit parking on Attadale Street as it would prevent parking on the footpath on the South side of Attadale Road resulting in a reduction of parking opportunities.

The intended Scottish Government policy on prevention of parking on public footpaths is likely to come into force in 2023 therefore it is more than likely that parking on both sides of Attadale Road will be removed resulting in a reduction in parking along Attadale Road regardless of this scheme.

It is accepted that this may be further compounded by displacement of vehicles from these proposals on Ross Avenue. If this is the case, then it would be better for residents of Attadale Road to be included in the Parking Permit Zone where they could park in any parking space within the zone maximising parking opportunities in the area. The Highland Council would be happy to look at broadening the permit parking scheme or any other reasonable measures should a problem arise.

Officers feel that the inclusion of a parking permit scheme on Ross Avenue in itself would resolve issues on Ross Avenue. However, this may have an effect on other streets not included in the parking permit scheme. Officers accept that further expansion of the scheme may be required in order to effectively manage parking in the area.

7.2 In summary there are is one unresolved objection if the scheme is amended. See item (i.) above.

Designation: Executive Chief Officer Infrastructure, Environment & Economy

Date: 29 October 2021

Author: Steven Grant, Senior Engineer

Background Papers: Appendix 1 – Notice
Appendix 2 – Advertised Plans
Appendix 3 – Objections

The Highland Council

The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation Five Ross Avenue Order 2021

Notice is hereby given that The Highland Council (“the Council”) in exercise of its powers under Sections 1(1), 2(1) to (3), 4, 19, 32, 35, 45, 46,47 and 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as “the Act of 1984”) and the Road Traffic Act 1991 (hereinafter referred to as “the 1991 Act”) and of all other enabling powers proposes to make an Order entitled as above the general effect of which is as described in the Schedule below.

Details of the proposals, a copy of the proposed Order, Statement of Reasons and Plans may be inspected at the Parking Services offices at the Multi Storey Car Park, Farraline Park, Inverness during normal office hours. All documents may also be viewed online at <https://www.highland.gov.uk/troconsultations> . All objections to the proposals must be submitted to the undernoted in writing by Wednesday 22nd September 2021 and must contain the competent grounds upon which you object.

1st September 2021, Steven Grant, Senior Engineer, Council Offices, Diriebught Road Inverness IV2 3QN

Schedule

This Order Variation affects the road at:

Ross Avenue, Inverness. Introducing Waiting Restrictions and Permit Holder Only Bays.

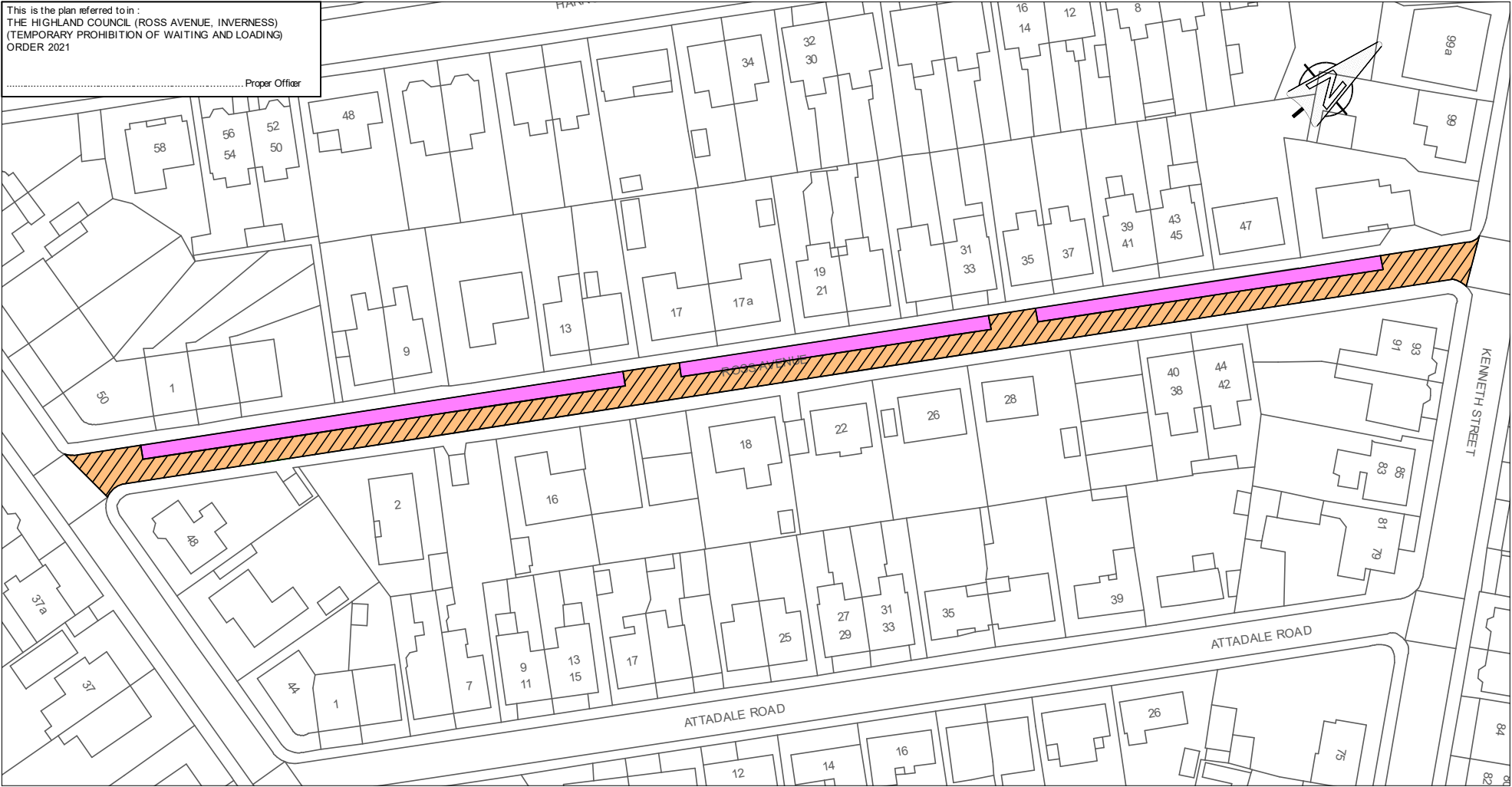
Permit fees –

Conditions of use available at <https://www.highland.gov.uk/parkingpermits>

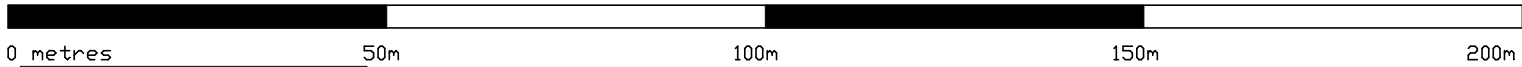
Permit Type	Class of vehicles Excluded	Frequency	Fee
Resident's or visitor permits (RP, RVP)	PSV, OGV1, OGV2, TRAILER, MOTORHOME	annual	£58.00
Senior Citizens resident's permit	PSV, OGV1, OGV2, TRAILER, MOTORHOME	annual	£28.00
Lost or damaged permits	PSV, OGV1, OGV2, TRAILER, MOTORHOME	single fee	£28.00
Business and business visitor permits (BP, BVP)	PSV, OGV1, OGV2, TRAILER, MOTORHOME	annual	£185.00

This is the plan referred to in:
THE HIGHLAND COUNCIL (ROSS AVENUE, INVERNESS)
(TEMPORARY PROHIBITION OF WAITING AND LOADING)
ORDER 2021



Proper Officer



SCALEBAR



LEGEND:

-  No Waiting At Any Time
-  Permit Holder Area

Ross Avenue, Inverness
Proposed Parking Restrictions

Temporary Traffic Regulation Order Plan

Date: January 2021
Scale: 1:1000 @A4

Ali Nairne (Roads and Transport)

From: [REDACTED]
Sent: [REDACTED]
To: Ali Nairne (Roads and Transport)
Cc: [REDACTED]
Subject: Re: Ross Avenue Permit Parking Survey

CAUTION: This email was sent from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Ali,

I am writing to express my objections to the proposed permit parking on Ross Avenue. I am a resident on the adjacent street, Attadale Road.

My reasons for objection are the same as for when permit parking was proposed on Attadale Road in 2009 & 2017.

If permit parking was introduced there would be an insufficient number of spaces for the residents; as the current road layout would mean cars can only park in defined bays on one side of the street, and there are many driveways and dropped kerbs that would also reduce the usable space.

The only way to increase the number of spaces would involve significant work to reduce the pavement widths, to allow the creation of parking bays on both sides of the street. The street is sufficiently wide enough to do this, while still maintaining recommended minimum pavement widths, however I doubt the cost of this work would be recouped by fees earned by parking permits.

In addition, by introducing permit parking on Ross Avenue, the adjacent streets will experience increased pressure for their limited parking spaces. I have lived on Attadale Road for 14 years and have only experienced a problem parking on the street once, when the driver of a tour bus staying at a B&B on Kenneth Street blocked in my car.

Kind regards,

[REDACTED]