

Buckstone Primary School – Objections to Traffic Regulation Order

Pentlands Local Development Committee

29 January 2004

Purpose of report

1. To consider the proposal to apply waiting and loading/ unloading restrictions at the entrances to Buckstone Primary School and the objections received, and to decide whether to proceed with the proposal.

Main report

2. In December 1997 the Transportation Committee considered a report proposing to apply waiting and loading/ unloading restrictions at Buckstone Primary School in the interests of road safety. Observations at the entrances had disclosed severe congestion at school starting and finishing times. This was a particular problem in the cul-de-sac where potentially hazardous vehicle movements jeopardised the safety of school children and other pedestrians. The advisory 'School Keep Clear' zig-zag markings were routinely ignored.
3. A draft Traffic Regulation Order (TRO) was advertised in March 2000 and a number of objections were received from local residents. Consultations between the residents and the former Ward Councillor Daphne Sleigh led to the proposals being amended to reduce the extent of the restrictions and to reduce the times at which the restrictions would operate. Revised proposals were sent to the frontagers affected and the revised scheme appeared to be acceptable.
4. The TRO processes was not completed within the statutory time-scale and the proposal lapsed. It was therefore necessary to re-advertise the proposal and this was done in February 2003. Unfortunately the text of the advertisement contained an error which referred to 'double yellow lines' and this required to be rectified.

5. The draft Order was re-advertised with the correct information, but in the meantime a petition of 79 signatures and 8 letters were received objecting specifically to double yellow lines. The authors of 6 of the letters also signed the petition, so the total number of statutory objectors was 81.
6. To clarify matters the Department wrote to all the petitioners explaining the true nature of the proposal and inviting them to consider withdrawing their objections. A pro-forma and reply-paid envelope was provided for convenience.
7. 37 objectors have since replied, 11 withdrawing their objection and 26 wishing to sustain theirs. 6 of those who are sustaining their objections live outwith the estate, and of those, two live outside the City. One of those from outside the estate has expressed opposition to the proposal because of the need to drive to school due to the lack of public transport. Two others oppose the proposal because of the need to be able to park outside their relative's home when visiting. 42 objectors have not replied to the corrective letter.
8. The proposal directly affects the frontage of 14 houses. Of these, 9 households have outstanding objections (representing 12 individual objectors). All of these households have access to private off-street parking.
9. The total number of objectors now outstanding is 70. 64 of these objections originate from 46 households in Buckstone, all but one of which has access to private off-street parking. A summary of the issues raised in the Department's correspondence with objectors is at Appendix 2
10. Although it is not possible to draw conclusions as to the wishes of objectors who have not responded to the corrective letter, there remains an extraordinary degree of opposition to this proposal. The proposed restrictions are a good deal less onerous on residents than most of those being put in place around primary schools yet the degree of opposition is unprecedented.
11. Recent observations have confirmed that congestion continues at the school entrances at school starting and finishing times, however, the Head Teacher and the School Board are of the opinion, in view of the number of outstanding objections, that the order as promoted should be abandoned.
12. This view is supported by the Education Department.
13. It is recognised that sight lines at the junctions of Buckstone Circle/ Buckstone Loan East and Buckstone Close/ Buckstone Loan East are often obstructed by parked cars, causing a potential danger to children crossing the road on journeys to and from school.
14. This concern could be addressed by the promotion of a new order to prohibit parking at these corners by use of localised sections of double yellow lines. A plan of these proposals is at Appendix 3

15. If the Committee wishes to proceed with the original proposal, it will be necessary to hold a Public Hearing and for the findings of that Hearing to be considered before a final decision can be made. This is because of the large number of objections received. However, if the Committee wishes to abandon the proposal at this stage it may do so.

Financial Implications

16. none

Recommendation

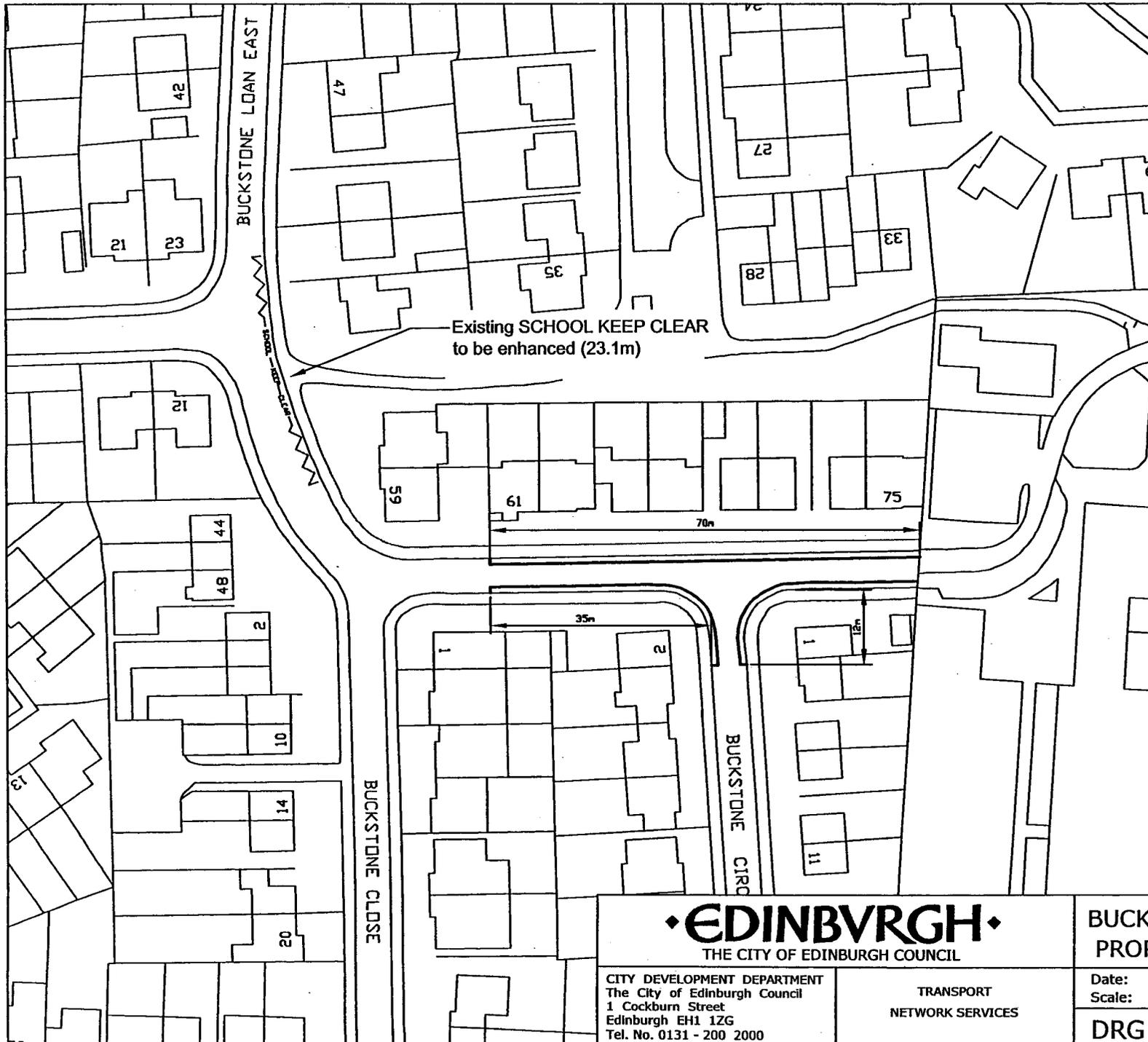
17. Having regard to the wishes of the School Board and the Education Department, it is recommended that the Committee agree that the proposed restrictions be abandoned, and that a new order be promoted for localised lengths of double yellow lines at two junctions in Buckstone Loan East.



Andrew Holmes
Director of City Development

6.01.04

Appendices	1. Drawing NS/S/52/BLE.1 2. Summary of Objections and Departmental Comments. 3. Drawing of alternative proposals NS/S/52/BLE.2
Contact/tel	John Gill 0131 529 3487
Wards affected	52 Fairmilehead.
Background Papers	'Corrective' letter to petitioners – April 2003 Responses to the 'corrective' letter of April 2003. Copy of petition and letters of objection



Do not scale

Key:

No Waiting, loading or unloading restrictions

Restrictions will operate between the following hours:

Monday to Thursday

8.15am to 9.00am

2.15pm to 3.30pm

Friday

8.15am to 9.00am

12.00pm to 12.45pm

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Date:

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TRANSPORT
NETWORK SERVICES

**BUCKSTONE LOAN EAST, EDINBURGH
PROPOSED WAITING RESTRICTIONS**

Date: 18 NOVEMBER 2002

Scale: DO NOT SCALE

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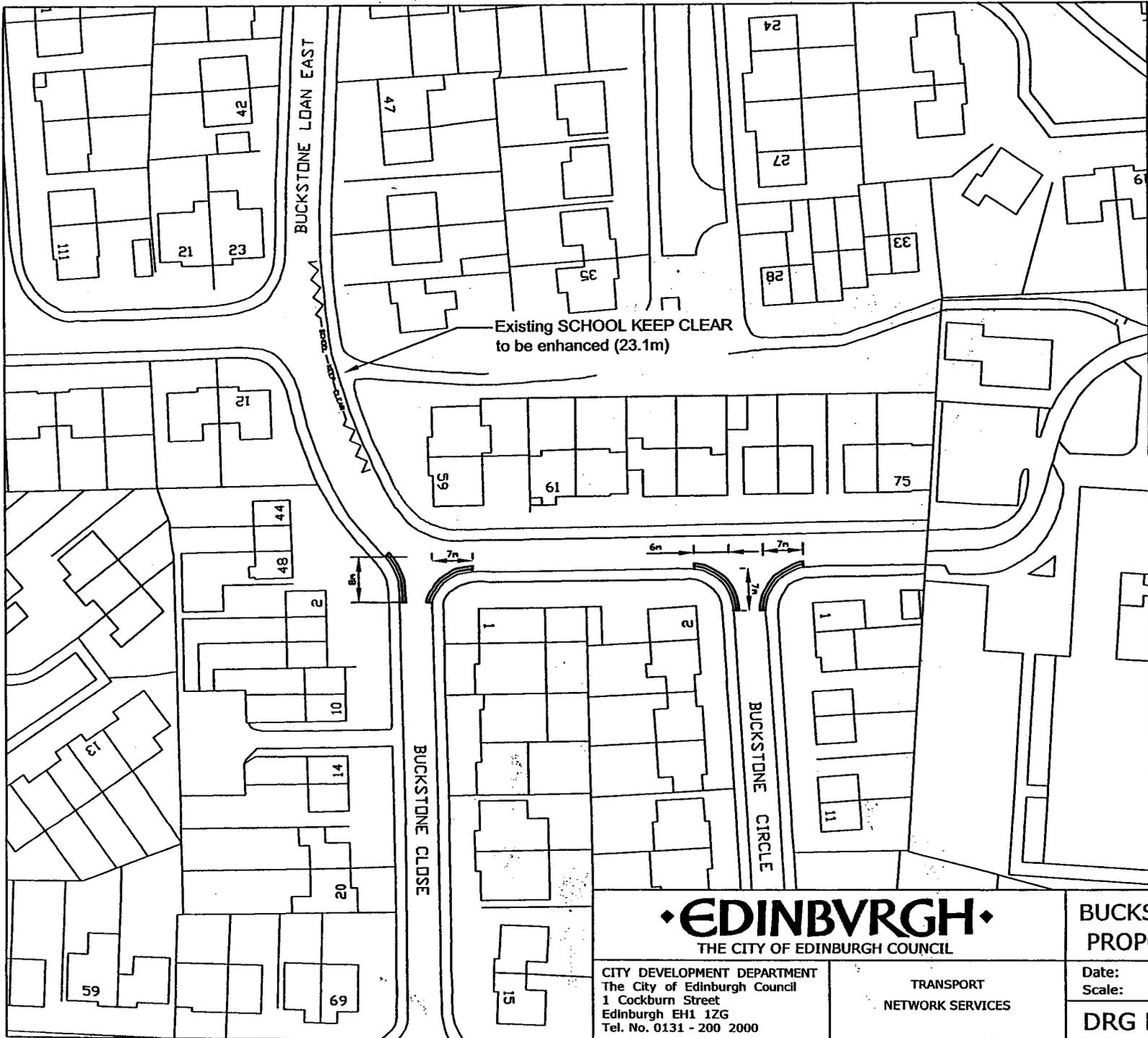
DRG NO. NS/S/52/BLE.1

Appendix 2

Summary of objections and Departmental Comments

	Objection	Departmental Comment
1	Displacement of parked vehicles into other parts of the estate	This may well occur, although there does appear to be some spare off-road parking capacity in the form of driveways and garages. This would occur only during peak times, during week-days
2	Need to have parking in front of houses for visiting relatives	Since the restrictions will apply only for 45mins in the morning and 45 mins in the afternoons on weekdays, the effect on visitors' parking is considered to be negligible
3	Imposition of restrictions during non-term times	It would be desirable to exclude school holidays from the restrictions, but this is impractical for reasons outwith the control of the Council. Holiday dates change each year and it would not be possible to complete the legal processes involved in varying this each year.
4	Excessive parking by teachers. Residents only parking should be implemented instead of yellow lines.	Teachers are entitled to use the public road and it is not possible to discriminate against them in Traffic Regulation Orders.
5	Restrictions should be imposed on non-residents entering the estate instead of parking restrictions which affect residents.	There are no legal provisions which would provide for such restrictions on a public road.
6	Provision of a pedestrian crossing for children as an alternative to yellow lines	The mandatory restrictions on associated with a pedestrian crossing them would be more onerous than the current proposal (24 hour restrictions with penalties that can include driving licence endorsement)
7	Parents should be encouraged to be more responsible in their behaviour.	The Head Teacher has appealed to parents repeatedly, both verbally and in writing, over an extended period, seeking their co-operation. This has not been effective in improving the situation.
8	The restrictions will be unenforceable. People will continue to stop in the middle of the road to drop off their children	There can be practical difficulties in the face of intransigent behaviour by drivers, but the area will be patrolled by Parking Attendants. Similar restrictions at other primary schools have been found to be effective.

9	Residents should not have to get up in the morning to move their cars	This inconvenience is not considered to outweigh the benefits in terms of road safety.
10	Some residents need two cars and their garages may be used for storage	This inconvenience is not considered to outweigh the benefits in terms of road safety.
11	Residents should be able to park outside their own homes at all times	This inconvenience is not considered to outweigh the benefits in terms of road safety.
12	Value of houses will fall	No evidence for this has been advanced. It may be argued that uncontrolled parking at a school entrance would discourage potential buyers, but the case appears inconclusive.
13	Signs and road markings are unsightly	It is considered that any aesthetic misgivings are outweighed by benefits in road safety
14	The proposals do not go far enough, should cover other entrances and the times should be extended	The original proposals were more extensive but were reduced to a minimum following consultations with residents, to try to avoid statutory objections. It will be possible to promote a further TRO if there is evidence of a need to do so.
15	The restrictions will lead to reduced congestion and therefore higher traffic speeds and greater hazards.	The yellow lines are to be placed in a very short section of road and cul-de-sac and will not have a significant effect on traffic speeds.
16	The congestion problems also occur at other times, eg during evening events.	The original proposals were more extensive but were reduced to a minimum following consultations with residents, to try to avoid statutory objections. It will be possible to promote a further TRO if there is evidence of a need to do so.
17	There should instead be a greater police presence, and a School Crossing Guide to monitor driving practice.	The police have competing priorities and are unlikely to be able to provide a regular presence. The Traffic Regulation Order will give Parking Attendants the authority to enforce improved driving practices.



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TRANSPORT
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BUCKSTONE LOAN EAST, EDINBURGH
PROPOSED WAITING RESTRICTIONS

Date: 16 DECEMBER 2003	Drawn by: DEREK SHADE
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Appendix 3