



ASSAYE PLACE – PROHIBITION OF VEHICLE ENTRY ORDER

Report by Chief Officer, Assets and Infrastructure

PURPOSE

- 1.1 To seek the approval of the Comhairle to implement a permanent prohibition of entry Traffic Regulation Order to Assaye Place from Willowglen Road.

EXECUTIVE SUMMARY

- 2.1 The Comhairle agreed to an experimental prohibition of entry order to Assaye Place from Willowglen Road, which following the resolution of objections was implemented in May 2021. The Comhairle further agreed to extend the period of the Experimental Order to 30 June 2022 to undertake further assessment on the impacts on Assaye Place and Willowglen Road.
- 2.2 Following assessment of the impact of the Experimental Order the Comhairle agreed in June 2022 to promote and implement a permanent Traffic Regulation Order for the prohibition of entry except for local access into Assaye Place from Willowglen Road.
- 2.3 There has been one objection to the implementation of the permanent Traffic Regulation Order, which officers have been unable to bring to a point of resolution and understanding with the individual concerned. Details are included in the Appendix to the Report.
- 2.4 Additional road safety measures have been implemented and it has further been agreed to cover the area by a 20mph Temporary Traffic Regulation Order. It is proposed to proceed with replacing the Experimental Traffic Order with a Permanent Traffic Regulation Order for the prohibition of entry except for Local Access into Assaye Place from Willowglen Road, without proceeding to a formal Hearing on the matter.

RECOMMENDATIONS

- 3.1 **It is recommended that the Comhairle:**
 - (a) **note the details of the objection in the Appendix to the Report;**
 - (b) **agree that the option to proceed to a Formal Hearing in relation to the objection is not exercised in this case; and**
 - (c) **on agreement of recommendation (b) above to proceed with replacing the Experimental Traffic Order with a Permanent Traffic Regulation Order for the prohibition of entry except for Local Access into Assaye Place from Willowglen Road.**

Contact Officer: Calum Mackenzie, Chief Officer, Assets and Infrastructure
Appendix: Objection to Assaye Place Traffic Regulation Order
Background Papers: Reports to Transportation and Infrastructure Committee, December 2018, December 2020 and June 2022

IMPLICATIONS

4.1 The following implications are applicable in terms of the Report.

Resource Implications	Implications/None
Financial	The cost of implementation is estimated at £1k. It has previously been agreed that this be allocated from the Roads Revenue Budget. Should the services of an Independent Reporter be employed there are likely to be additional costs currently estimated at £2.5k which would also have to be funded from the Roads Revenue Budget.
Legal	The Comhairle as Roads Authority for the Western Isles has powers under the Road Traffic Regulation Act 1984 to promote Traffic Orders. The process for promoting and implementing traffic orders is contained in the Local Authority's Traffic Orders (Procedure) (Scotland) Regulations 1999.
Staffing	Legal and technical staff time will be required to conclude implementation of the TRO.
Assets and Property	The signage is currently in place following the Experimental Order Stage.
Strategic Implications	Implications/None
Risk	Road safety impacts of implementation and non-implementation have been considered.
Equalities	None
Corporate Strategy	Fits with the theme of "Support Caring and Resilient Communities and Quality of Life" by "Nurturing the safety and resilience of our communities"
Environmental Impact	None
Consultation	Consultation in line with Traffic Regulation Order process.

BACKGROUND

- 5.1 Complaints have been received by the Comhairle from residents of Assaye Place concerning the number of vehicles using the street at specific times of the day and in a manner that may be a safety issue for children playing in the area.
- 5.2 In December 2018, the Comhairle agreed to promote an experimental prohibition of entry order to Assaye Place from Willowglen Road. There were a number of concerns raised by residents which officers tried to resolve prior to the consultation process. During the consultation period objections were received to the proposal, however resolved due to the experimental nature of the Order.
- 5.3 Due to various factors, including the impact of Covid restrictions on normal traffic levels, the Experimental Order was not implemented until May 2021 and effective until 30 January 2022. In February 2022, the Comhairle agreed to extend this to 30 June 2022 on the basis that further data on traffic volumes following the lifting of Covid restrictions would be beneficial.
- 5.4 Following assessment of the impact of the Experimental Order the Comhairle agreed in June 2022 to promote and implement a permanent Traffic Regulation Order for the prohibition of entry except for local access into Assaye Place from Willowglen Road.

TRAFFIC REGULATION ORDER CONSULTATION

- 6.1 The advertising of the proposed Traffic Regulation Order resulted in one objection. There were no objections from statutory consultees.
- 6.2 Details of the initial objection are included in the Appendix to the Report. Officers have had a number of discussions with the Objector which have resulted in the summarised outstanding questions and answers provided, also included in the Appendix to the Report.
- 6.3 It is the view of officers that the points raised in the objection have been answered or addressed in relation to the impact of introducing this Traffic Regulation order.
- 6.4 The formal Hearing process for Traffic Orders with objections is required in some circumstances and optional in others. Under the current circumstances relating to this specific TRO proposal, it is optional for the Comhairle to proceed with a formal Hearing stage. With such a low level of objection to this proposal it is suggested that a formal Hearing is not arranged for this case and that the decision of Comhairle on this matter is communicated to the Objector.

CONCLUSION

- 7.1 It is the view of officers that the Experimental Traffic Order had the desired effect of reducing traffic volumes through Assaye Place without having an adverse effect on Willowglen Road. Also, that traffic calming measures and pedestrian safety enhancements installed on Willowglen Road, combined with the introduction of a 20mph zone will all contribute to road safety improvements in this area.
- 7.2 It is proposed to proceed with replacing the Experimental Traffic Order with a Permanent Traffic Regulation Order for the prohibition of entry except for Local Access into Assaye Place from Willowglen Road, without proceeding to a formal Hearing on the matter. This will allow Police Scotland to continue to enforce the Order.

APPENDIX – OBJECTION TO ASSAYE PLACE TRAFFIC REGULATION ORDER

Initial Submission to Consultation

Previously Comhairle nan Eilean Siar accepted that such an Order would create greater traffic problems than it would solve in relation to increased traffic volumes being forced to the top end of Willowglen Road and the Manor Park Round about. There has been no material change in this scenario other than even greater volumes of traffic now transit Willowglen Road compared to 10 or more years ago..

The Comhairle accepts that speed is not an issue on Assaye Place. This tends to be borne out by the fact that there have been no recorded accidents on Assaye Place for over 60 years.

If speed is not an issue – what then is the issue? It relates almost exclusively to staff exiting the Lews Castle College at close of day. (The Comhairle uses the language “Assaye Place is being used as a rat run” by College Staff.)

Compared to the many thousand daily traffic movements already on Willowglen this number of vehicle movements on Assaye Place can be measured in dozens. Clearly some residents of Assaye Place consider there is a safety issues. That being so why can the Comhairle not deploy traffic calming /control measures (although it is already accepted speed is not an issue to allay any fears – such as used on many other residential streets in Stornoway . (Jamieson Drive, Seaview Terrace, Newton Street, Stewart Drive, North Street Snadwick, Bennadrove Road, to name a few).

The Order , strangely sees no problem or safety issues and continues to permit vehicles to access Assaye Place from Macaulay Road to Willowglen Road thereby even further increasing traffic volumes on Willowglen. Perhaps someone might explain how traffic from Willowglen Road onto Assaye Place is a problem but not from Macaulay Road, even allowing for lesser volumes from Macaulay Road.

The Order is having the effect of creating grid lock and tail backs on Willowglen Road when large volumes of traffic return to town after 4pm on the main Harris Road with Harris Road traffic having right of way. The only way traffic can execute a right turn at the top of Willowglen at these times is if drivers on the Harris road “give way”- which they are not legally requires to do. This inevitably causes tail backs and grid lock on Willowglen Road.

IF there is/ was indeed an urgent safety issue why has the Comhairle done nothing for a year and a half since the temporary order expired. ?

I have already reported safety issues supported by photographic evidence of real and high risk safety issues on Willowglen Road to both the Comhairle and Police Scotland – including skid marks in excess of 40feet in length outside my home. NO ACTION was taken.

It is vitally important that all of the previous correspondence which I have lodged with the Comhairle including numerous photographs illustrating the problems and safety issues on Willowglen Road are viewed in conjunction with this current objection.

Previously, the Comhairle’s response to me was that they “planned to introduce a 20 m.p.h. Speed Limit on Willowglen Road (along with other streets in the town). This planned action has long since being kicked and disappeared into the long grass. Had this proposal been introduced it is unlikely that this current objection would be lodged.

In fact would the introduction of a 20 m.p.h.speed limit on Willowglen Road and Assaye Place not address the perceived problems??

In summary the Comhairle is using a sledge hammer to crack a nut. Traffic volumes on Assaye Place are not excessive nor is speed an issue.

The nub of the perceived problem is relatively small volumes of traffic, mainly Lews Castle College staff using Assaye Place to access Macaulay Road for approximately 15 minutes in 24 hours

Photographs Received with Objection



Summarised Outstanding Questions and Answers Following Discussions With Objector

Why are road users perceived as a safety threat traversing Assaye Place from Willowglen Road to Macaulay Road but not so when transiting from Macaulay Road to Willowglen Road?

The additional volume of vehicles encountered on Assaye Place coincides with the times that students are exiting Lews Castle Grounds onto Willowglen Road. Assaye Place is used as a preferred route into the centre of Stornoway from Willowglen Road. There is significantly less through traffic entering Assaye Place from MacAulay Road.

It is quite illogical as the number of cars using Assaye Place in any one day is miniscule when compared with vehicle movements on Willowglen Road.

The purpose is to retain vehicles on Willowglen Road, which is a wide one way street, then onto the A859, which is a high volume road, rather than encouraging traffic through a narrow residential street where there are usually vehicles parked on both sides of the street.

Are you going to block vehicles transiting Willowglen Road to the Harris road - applying the same logic as recommended for Assaye Place then you ought to- as was the case before when Willowglen was a Cul de sac?. Also significantly more vehicles transit Willowglen Road daily than Assaye Place.

No, logic is as explained above.

Nor have I been given an answer as to why other traffic calming measures cannot be installed on Assaye Place to improve road safety, especially as the Comhairle state "speed is not an issue on Assaye Place". Is there in fact an issue?. If so what is the issue?

The issue is relatively high volumes of vehicles at certain times of the day passing close to parked vehicles.

I would very much welcome the introduction of a 20mph speed limit on Willowglen Road and Assaye Place and may I suggest that such a measure would of itself solve the perceived "problem" on Assaye Place without the necessity to ban the small number of non residents who traverse it from Willowglen Road?.

20mph limit is planned to be implemented on Willowglen Road and Assaye Place as an additional measure to control driver behaviour in built up areas. The TRO for Assaye Place should have an additional positive impact in the area, whilst having negligible impact on other routes.

I also note the Experimental Order ran from 31st May 2021 and expired on 30th June 2022. (Nearly 2 years ago). Does this long delay show a Comhairle who genuinely believes there are compelling safety issues on Assaye Place?. It doesn't look like it. Moreover, the Comhairle abandoned a similar proposal over 15 years ago, surely if safety was such an issue they would not have allowed such time to pass?

Experience shows that these processes can take some time to conclude. The Comhairle, on considering the relevant information, will ultimately make the decision on whether to proceed or not with the proposal.

Has there been any incidents in all of these years where there has been a road traffic accident on Assaye Place ?

The Comhairle has been notified of the concerns of local residents and looking to implement effective measures to reduce the risk of accidents.