

ANGUS COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE

21 APRIL 2009

CAIRNIE STREET, ARBROATH – ACCESS TO RESIDENTIAL PROPERTIES

REPORT BY THE DIRECTOR OF INFRASTRUCTURE SERVICES

**ABSTRACT**

This report describes certain issues which have been raised by residents in Cairnie Street, Arbroath as a consequence of the road works implemented in association with the recently constructed Tesco store at Stobcross. It identifies options to address the concerns which have been raised by the residents for the consideration of the committee.

**1 RECOMMENDATIONS**

1.1 It is recommended that the Committee:

- (i) notes the concerns which have been raised by the residents in part of Cairnie Street, Arbroath;
- (ii) agrees to implement options 2 and 4 identified in this report and monitor the effectiveness of the implementation of those options and their consequences;
- (iii) agrees to the promotion and making of the necessary Traffic Regulation Order;
- (iv) agrees not to pursue option 3 set out in the report at this time.

**2 BACKGROUND**

2.1 The committee will be aware of the construction and recent opening (December 2008) of a new food retail store for Tesco at Stobcross in Arbroath following lengthy progression through the associated statutory processes.

2.2 Around the time of the opening of the new Tesco store in Arbroath some local residents in Cairnie Street approached local councillors with certain concerns regarding the ramifications of the works undertaken on behalf of Tesco to meet the requirements of the associated Road Construction Consent (RCC). In particular they felt aggrieved by the loss of (vehicle) access to the neighbouring kerb line (on Cairnie Street) through the provision of continuous pedestrian guard railing in the interests of (pedestrian) safety, which had been provided in association with the RCC. The situation is illustrated on the plan appended to this report.

2.3 Previously although there were double yellow lines there it was lawful to stop for the purposes of loading and unloading. In particular the residents pointed out the loss of facility for that purpose and for access for a blue badge holder.

### 3 DETAILS

- 3.1 Detailed consideration by Roads staff indicated that it would not be possible to restore the previous arrangements without prejudicing the safety of the current arrangements as provided in accordance with the RCC.

Nevertheless four options have been identified to address the situation:

- Option 1 Tesco have offered to allow delivery vehicles (delivering to the relevant residences) to stop within their car park, subject to the suitability of the size of the delivery vehicle and the availability of a space. The residents feel that this is no real benefit, given the relative remoteness of the Tesco car park from their properties and the need to cross Cairnie Road to access their properties.
- Option 2 It would be possible to remove the bus bay markings on the carriageway (see plan appended to this report), whilst retaining the double yellow line markings which would allow vehicles to stop for loading/unloading purposes at that location (including the resident with the mobility impairment). However it is possible that a bus could arrive whilst another vehicle is legitimately stopped there which could introduce a potential conflict and potentially could prejudice a bus passenger's ability to access or egress the bus via the raised kerbing provided for the purpose. It is likely that this would be a rare occurrence and it is therefore recommended that the Committee agree to implement this option.
- Option 3 An area of land (council ownership) exists at the junction of Ogilvie Place/Guthrie Port which could potentially be made up to a hard-standing area to provide bespoke parking for the affected residents of Cairnie Street. Tesco have indicated that they are not inclined to contribute to the provision of such an area. The likely capital cost would be circa £10,000. This is not an ideal arrangement as the access to the area would be very close to the junction with Guthrie Port. It would be difficult to justify providing such at the council's expense without creating a precedent, especially as the residents did not have bespoke parking or indeed an ability to park at the kerb line prior to the works. Accordingly this option is not recommended for pursuit at the council's expense.
- Option 4 A limited length of waiting restrictions may be promoted through traffic order on Ogilvie Street to provide for loading/unloading in reasonably close proximity to the affected residences in Cairnie Street as shown on the plan appended to this report. This would require to be progressed through the statutory processes associated with the promotion of a traffic order, but if confirmed would make further provision for vehicles loading/unloading associated with the affected properties. It is recommended that the Committee agree that this option be pursued and that the necessary Traffic Regulations Order be promoted.

### 4 FINANCIAL IMPLICATIONS

- 4.1 The costs associated with the removal of the bus bay markings (option 2) and the provision of lining associated with the parking restrictions, if confirmed (option 4) is estimated to be £400. This sum can be contained within the Road's Division revenue budget provision for 2009/10.

## 5 HUMAN RIGHTS IMPLICATIONS

5.1 There are no human rights implications arising from the proposals in this report.

## 6 EQUALITIES IMPLICATIONS

6.1 The issues dealt with in this Report have been the subject of consideration from an equalities perspective (as required by legislation). An equalities impact assessment has been undertaken.

## 7 SINGLE OUTCOME AGREEMENT

7.1 This report contributes to the following local outcome(s) contained within the Single Outcome Agreement for Angus.

### **10. We live in well-designed, sustainable places where we are able to access the amenities and services we need**

- Good quality housing is available throughout Angus.
- Crisis response for homeless households is provided.

## 8 CONSULTATION

8.1 The Chief Executive, Director of Corporate Services, Head of Finance, Head of Law and Administration and Chief Constable were consulted in the preparation of this report.

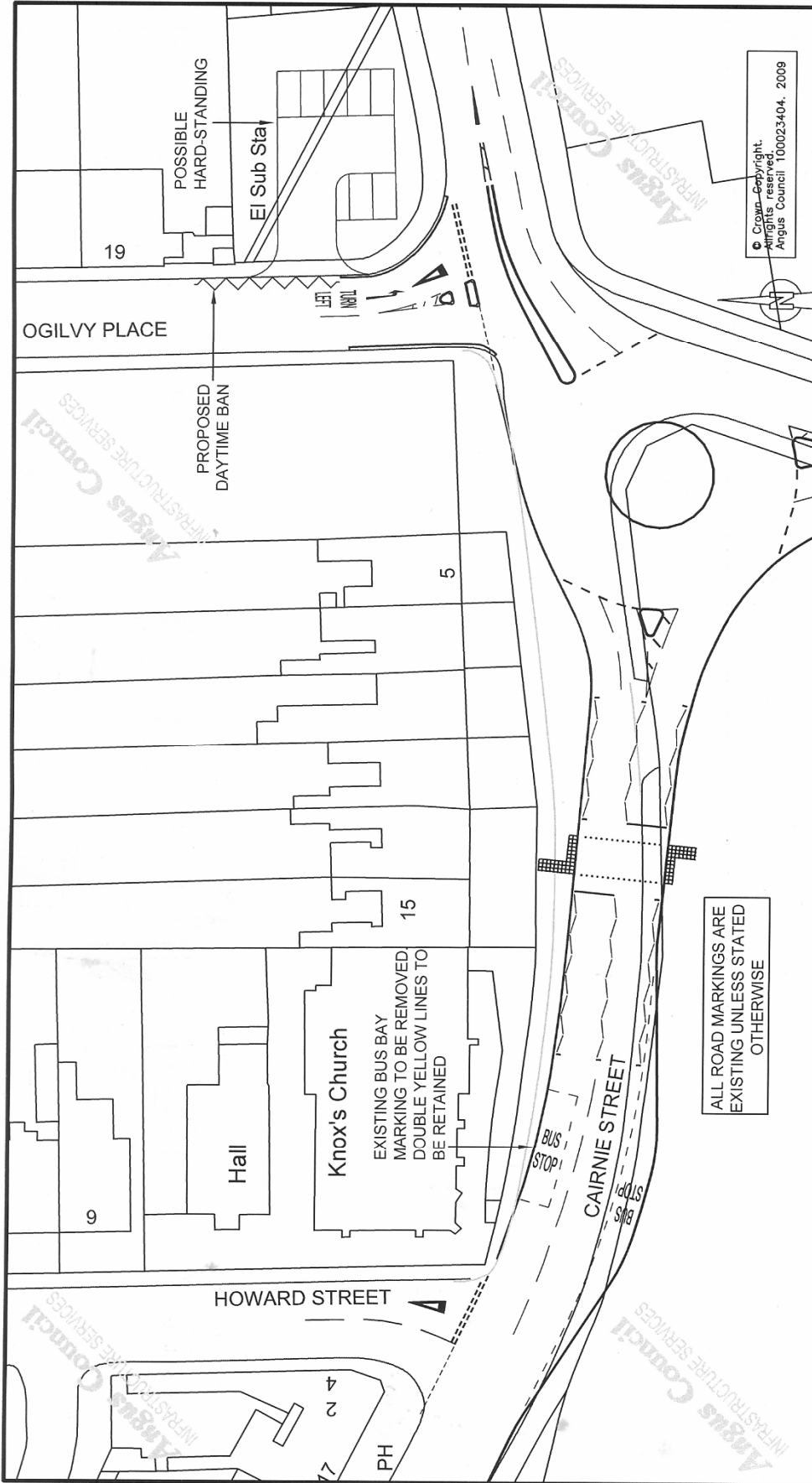
## 9 CONCLUSION

9.1 Following concerns raised by residents of Cairnie Street, Arbroath regarding the detrimental impact of the road works constructed as part of the Road Construction Consent required for the Tesco store at Stobcross the committee is asked to consider the options set out in this report to address these concerns.

ERIC S LOWSON  
DIRECTOR OF INFRASTRUCTURE SERVICES

### NOTE:

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.



Rev.	Date	Description	Drawn	Checked	Approved
<b>INFORMATION</b>					
Drawing Size: A4		Plotting Scale: 1:1	Status: FINAL		
Drawn by: KS		Checked By:	Approved By:		
Date: 23/03/09		Date:	Date:		
Issue:					
<p><b>Angus Council</b>          INFRASTRUCTURE SERVICES DEPARTMENT          Engineer-Head of Roads, Angus Council</p> <p>Traffic Section          County Buildings          Market Street          DD8 3WR          Tel: 01307 461460          Fax: 01307 473368</p> <p>Path &amp; Filename:          u:\yearnie street_arb.th.dwg</p>					
Drawing Title: <b>PROPOSED ROAD MARKING AMENDMENT</b>			Project Title: <b>CAIRNIE STREET ARBROATH</b>		
Project No: <b>105020000</b>			Drawing No: <b>ARB/RM/001</b>		
Revision:					

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