ANGUS COUNCIL
ROADS COMMITTEE - 14 JUNE 2001
ANGUS COUNCIL (OFF-STREET CAR PARKS) (VARIATION) ORDER 1999
REPORT BY THE DIRECTOR OF LAW AND ADMINISTRATION

ABSTRACT
This Report relates to the proposed amendment to the Off-Street Car Parks Order 1998 to introduce a permit scheme to allow local lorry drivers to park their vehicles in East Greens Car Park, Forfar.

1. RECOMMENDATION
The Committee are asked to agree that the proposal to introduce a permit scheme to allow local lorry drivers to park their vehicles in East Greens Car Park, Forfar be abandoned.

2. INTRODUCTION
Reference is made to Article 10(e) of the minute of meeting of the Roads Committee held on 28 January 1999 instructing and authorising the preparation of an Order to introduce a permit scheme for local HGV drivers to park in East Greens Car Park, Forfar. The proposals were intended to resolve the long-standing problems regarding the use of East Greens Car Park by HGVs by introducing the permit scheme which would have a regulatory function intended to limit the total numbers of HGVs parking overnight and to introduce conditions of use.

3. CONSULTATION
Following the preparation of a draft Order and during the statutory consultation period adverse comments in relation to the noise and pollution nuisance were received from local residents. The Freight Transport Association had particular concerns regarding the use of East Greens Car Park by HGVs under a permit scheme as this would in effect deem East Greens Car Park as their vehicle operating centre and would be contrary to the terms of their HGV licences.

A letter was also received from Forfar Community Council raising their concerns regarding the lack of provision for local lorry drivers as no designated lorry parks exist between Dundee and Stracathro. However the Director of Roads has to treat all drivers fairly and cannot show preference to local operators.

In view of the various difficulties arising from the comments received the Director of Roads now recommends that the Order be abandoned and not now made.

4. HUMAN RIGHTS IMPLICATIONS
It is considered that in following the recommendation in this Report, the Council would not be acting in any way which is incompatible with Human Rights.

5. CONSULTATION
The Chief Executive, the Director of Finance and the Director of Roads have been consulted in the preparation of this Report.
6. **FINANCIAL IMPLICATIONS**

The projected annual income of between £1500 - £1750 from the issue of permits will no longer be available.

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**CATHERINE A COULL**

Director of Law and Administration

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**NOTE:** The background papers defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above Report, are contained in file TA/1/129

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