ANGUS COUNCIL
INFRASTRUCTURE SERVICES COMMITTEE
24 NOVEMBER 2005

ANGUS COUNCIL (OFF-STREET CAR PARKS)(VARIATION) ORDER 2005
BELLIES BRAE, KIRRIEMUIR
AND FORMER ROADS DEPOT AT SLADE ROAD, KIRRIEMUIR

JOINT REPORT BY THE DIRECTOR OF LAW AND ADMINISTRATION
AND THE DIRECTOR OF ROADS

ABSTRACT
This Report relates to the proposed Order for the purpose of prohibiting HGVs from parking in the public car park at Bellies Brae, Kirriemuir, and recommends delaying the making of the Order until completion of investigations into alternative proposals to form car, coach and lorry parking utilising the former roads depot at Slade Road, Kirriemuir.

1 RECOMMENDATIONS
1.1 It is recommended that the Committee agree:-

(i) to the Director of Roads investigating proposals for the formation of a new car, coach and lorry park at the former roads depot at Slade Road, Kirriemuir;

(ii) that any necessary planning procedures be implemented for the change of use of the former Slade Road Depot;

(iii) to approve the postponement of the making of the Order to ban HGV parking at Bellies Brae Car Park, Kirriemuir until these investigations are complete.

2 REFERENCES
2.1 Reference is made to Article 26(c) of the minutes of meeting of the Infrastructure Services Committee held on 16 October 2003 instructing and authorising the preparation of an Order prohibiting HGV parking in the public car park at Bellies Brae, Kirriemuir. Reference is also made to Article 16 of the minutes of the meeting of the Infrastructure Services Committee held on 25 August, 2005 when the committee considered report no 1004/05 regarding the former roads depot at Slade Road, Kirriemuir and agreed to defer consideration.

3 DETAILS
3.1 The Committee will be aware of proposals to amend the existing Off-Street Car Parks Order covering Bellies Brae Car Park in Kirriemuir to prohibit lorry parking. The draft Order was advertised in January 2005 and generated objections and a 1280 signature petition (as detailed in 4.3 below)

3.2 The reasons for promoting the Order to prohibit HGV's from the Bellies Brae Car Park were:-

• Complaints from local residents and car park users where vehicles have been properly left in the car park and on their return owners have found their vehicles blocked in by HGVs. These complaints include the blocking of a disabled bay within the car park.

• The car park shape and size does not lend itself easily to accommodating HGVs.
• Pedestrian safety implications of HGVs manoeuvring within the car park.

• Damage to the car park surfacing, kerbing, boundary walls and fences directly attributable to manoeuvring of HGVs.

• Potential damage to the car park surfacing from diesel leaks/spillages from HGVs and trailer stabilisers.

• Bellies Brae car park is the only long stay car park in Kirriemuir and is an important facility for shoppers and visitors to the town, local museums and The Den.

• The parking of HGVs in this car park considerably reduces its capacity, particularly at weekends.

3.3 However, concern has been expressed locally that if HGV'S are to be banned from Bellies Brae, this may well lead to them being parked at unsuitable points throughout Kirriemuir. In addition, the lack of parking may have an effect on the employment of local drivers.

3.4 For some time now consideration has been given to the possible future use of the former roads depot at Slade Road (also known as Sledmuir) adjacent to Martin Park. There is a need for off-street car parking for about 40 cars for users of the football pitches at Martin Park. It has been suggested that the area could be used as a drop off/pick up point for a park and walk facility for Southmuir Primary School. The car parking situation around Webster’s High School (and the new Southmuir Primary School) has been a source of complaint for many years and the possible use of the old depot as a car, coach and lorry park would offer an opportunity to address this problem. In addition there is a desire to provide coach parking to encourage tourist visits to Kirriemuir identified through the community planning process. At the same time parking of HGV’s could be provided. A limited amount of work is required to bring the area into use as an unsurfaced car, coach and lorry park although planning permission for the change of use would be required. The previous use of the area was as a depot for site operations by Tayside Contracts on behalf of the Roads Department involving lorry operations including winter maintenance activities extending late into the evening and very early in the morning.

3.5 Due to the current demand for parking during events in Martin Park the Director of Roads and the Director of Property Services have already undertaken works to the area (repairs to surfacing, removal of debris, repairs to boundary walls and fences) to allow interim use of the area for car parking which is currently restricted to Kirriemuir Boys Football Club who have been given a key to the gate. This has temporarily resolved issues of road safety associated with football leases in the park but is not a satisfactory long term solution.

3.6 The layout of the proposed parking would allow use for all the identified users with sufficient space and turning areas to meet the current anticipated demand. In particular it is noted that the use by the different types of vehicles will be at different times of the day/week, and will overcome the specific problems currently experienced with lorries parking in Bellies Brae Car Park and of parking problems associated with events in Martin Park.

3.7 In addition to the works already carried out to accommodate the football pitch users, further surfacing repairs and road marking work would be required to create segregated car, coach and lorry parking. Consultation with the Police Architectural Liaison Officer with regards to security, lighting, layout and design would also be required and this may identify the need for further works.
3.8 In order to avoid possible problems, such as indiscriminate parking; excessively long term parking; abandoned cars; trading at the site; camping, etc the car park requires a Car Parking Regulation Order to allow enforcement of the necessary conditions of use. It is proposed to permit lorry parking limited to a maximum stay period.

3.9 It is therefore proposed that the Director of Roads draws up proposals for the area to accommodate cars, coaches and lorries including drafting the Car Parking Regulation Order and at the same time submits the requisite Notice of Intention to Develop.

3.10 On conclusion of these procedures a report will be submitted to this Committee to consider the options further.

3.11 In the interim it is proposed that the Order previously promoted to prohibit lorries from parking in Bellies Brae Car Park should not be made until the above matters have been reported to Committee.

4 PUBLICATION OF THE DRAFT ORDER

4.1 In a letter dated 17 December 2003 in response to the internal consultation prior to public advertisement of the proposed order, Tayside Police advised that they did not have a particularly strong view either way regarding the proposed change to the car park regulations. However, concern was expressed that the exclusion of HGVs might result in an increase in the number of lorries using the limited available on-street parking in the town.

4.2 The public notice of the proposed Order for Bellies Brae Car Park was advertised on 21 January 2005. In response, twenty-one letters of objection were received, including one from Kirriemuir Community Council. Of the remainder, eighteen showed identical text, identifying the subscribers as local HGV drivers, with individual names and addresses added by hand. Responses to these letters were sent on 14 April 2005 but none of the objections have been withdrawn.

4.3 A 1,280 signature petition confirming objection to the proposals and concern that changes would result in the loss of jobs for members of the community was delivered to the Chief Executive on 10 May 2005.

5 FINANCIAL IMPLICATIONS

5.1 The cost of bringing the Slade Road Depot site up to a standard to allow use by the Football Club has been in the region of £5000. This cost can be met from the uncommitted balance in the Roads and Transport Renewal and Repairs Fund.

5.2 The future report by the Director of Roads on the proposals for the depot area will outline any further financial implications for the Council.

6 HUMAN RIGHTS IMPLICATIONS

6.1 There are no Human Rights implications arising from this Report.

7 CONSULTATION

7.1 The Chief Executive, the Acting Director of Finance, the Director of Planning and Transport, the Director of Property Services, the Director of Leisure Services and the Chief Constable have been consulted in the preparation of this report.
8 CONCLUSION

8.1 Bellies Brae Car Park is not well suited for the parking of HGV’s. The former roads depot at Slade Road, Kirriemuir offers an alternative location for lorry parking and the Director of Roads will investigate and report back to Committee on proposals to provide a parking area for lorries, coaches, and public car parking.

Catherine Coull Ronnie McNeil
DIRECTOR OF LAW AND ADMINISTRATION DIRECTOR OF ROADS

NOTE: The background papers, as 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/1/179.

FDCN/JSG
25 October 2005
REPORTS/bellies.brae.carpark