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**PROVISION OF LOADING AND WAITING RESTRICTION,  
PEEBLES ROAD, WALKERBURN**

**Report by Director of Environment and Infrastructure**

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**TWEEDDALE AREA FORUM**

**11 September 2013**

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**1 PURPOSE AND SUMMARY**

- 1.1 This report presents a proposal to amend the Scottish Borders (The County Council Of The County Of Peebles (Walkerburn) (Prohibition Of Waiting) Order 1975).**
- 1.2 Scottish Borders Council has been made aware of continuing difficulties for residents and visitors egressing the private road servicing the three properties on the north side of Peebles Road, Walkerburn.
- 1.3 Proposals seek to alleviate this by the introduction of a length of prohibition of loading/unloading and waiting opposite the affected access.
- 1.4 A number of objections have been received opposing the proposed amendments.

**2 RECOMMENDATIONS**

- 2.1 I recommend that the Tweeddale Area Forum approves the proposal to amend the Traffic Regulation Order (TRO) to provide a new section of prohibition of loading/unloading and waiting as per Option 3 included in Appendix A.**

### 3 BACKGROUND

- 3.1 In 2011, officers met residents of properties Royston, Lindowan and Sulven and learned of their difficulties when emerging from their shared driveway onto the A72. Essentially this was caused by parked cars outside the properties on the opposite side of the A72 Peebles Road.
- 3.2 Those parking on the south side of Peebles Road tend to park partially on the footway, thereby minimising the extent of reduction of effective carriageway width. Despite this, their presence still affects the swept path of vehicles making the right in or left out manoeuvre from the shared driveway. It was agreed that this problem could be alleviated by the prohibition of parking for the short length opposite the access.
- 3.3 It was agreed that prior to its recommendation the proposal should be presented to the Walkerburn and District Community Council (WDCC). This group agreed, in principle, with the proposal but requested that it be extended. The following text is from an email addressed to the author of this report from the Secretary of WDCC dated 21 March 2013:

*“to cover the frontage of the block with house numbers 20 and 22 facing the road. The reasoning behind this is to ensure that all road users and pedestrians gain benefit from the restriction. In the last month alone there have been two damage-only collisions in this area. Vehicles coming uphill, passing parked cars, have met downhill bound vehicles at the stud wall on the uphill side of the road and there is nowhere to go. Taking the restriction down past block 20/22 means that vehicles moving uphill can see traffic on the downhill stretch and have space to pull over to the left just before the small stud wall on the uphill side of the road starts. At the very least we would wish to see the first half of block 20/22 covered, i.e. the frontage of number 20 which has number 21 below and at the rear.*

*Members accept that more households would be affected by this extension but felt that if we are going to have a restriction then it should be used to improve all-round road safety at this dangerous corner not just allow 3 households safer exits onto the A72 and partially benefit a few pedestrians from High Cottages, however worthy that might be.”*

Officers considered this reasonable and agreed to progress the proposal on that basis.

- 3.4 Officers agreed with the three Ward Members that, as a courtesy to those householders directly affected by the proposal, a letter drop illustrating the proposal would be undertaken. This was an informal element of the process and comments/ objections were not invited at this stage. Rather, the letter (issued in April 2013) requested that any comments be directed to WDCC.
- 3.5 A telephone call received on 14 August 2013 revealed that one objection had been sent directly to the author of this report, at that time. The letter was not received, however in any case, its contents could not officially be considered at that stage as formal statutory consultation had not yet commenced.
- 3.6 A similar letter was officially lodged within the appropriate consultation period. This covered the same points as that referred to in Paragraph 3.3 but included concern over the proposal affecting property prices. A copy of the letter is included in Appendix B.

- 3.7 The author of this report met the objecting resident outside his property on the afternoon of 15 August 2013 to discuss how the proposal could affect and be accommodating of his individual circumstances.
- 3.8 In recognition of the representations made in the consultation process, a number of options have been identified to be considered at this forum. These options are listed below and are shown on plans in Appendix A.
- Option 1 Full scheme which has been subject to statutory consultation (**No waiting and loading/unloading** between the western property boundary of no. 31 Peebles Road and the easternmost property boundary of no. 20 Peebles Road).
- Option 2 A **No waiting and loading/unloading** restriction between the western property boundary of no. 31 Peebles Road to the easternmost property boundary of no. 21 Peebles Road)
- and
- A **No waiting** restriction between the easternmost property boundary of no. 23 Peebles Road) and the easternmost property boundary of no. 20 Peebles Road.
- Option 3 A **No waiting and loading/unloading** restriction between the western property boundary of no. 31 Peebles Road to the easternmost property boundary of no. 21 Peebles Road).
- 3.9 Sections of road covered by a **No waiting** restriction i.e. one which permits, rather than prohibiting, loading/unloading allows for blue badge holders to park.

#### 4 PROPOSALS

- 4.1 As it was the "full scheme" (Option 1), which was subject to statutory consultation and Options 2 and 3 are essentially lesser versions of that scheme, there is no requirement to repeat the statutory consultation exercise whichever option is chosen.
- 4.2 It is proposed that Option 3 is progressed.

#### 5 CONSULTATIONS

- 5.1 As with all Traffic Regulation Orders (TROs), the Council has to undertake a two stage consultation process. Firstly there is a statutory consultation with bodies that have a direct interest such as emergency services, freight and public transport representatives and Community Councils. Following that process, the proposal requires to be advertised locally (local press and, optionally, on-street notices) to allow others the opportunity to comment.
- 5.2 Statutory Consultation on the Option 1, "full scheme" proposal was carried out from 6 June 2013 to 3 July 2013 and no comments or objections were received.
- 5.3 The proposals were advertised to the public from 9 August 2013 to 30 August 2013. As of 19 August 2013 only one objection had been received. This was from the same correspondent who responded to the courtesy letter discussed in Paragraphs 3.6.

- 5.4 Objections made at this stage reflected those made previously with that addition of concern being expressed that the restriction of parking will reduce value of his property.
- 5.5 In seeking to address or accommodate the objection an SBC officer met the objector on site on 15 August 2013 to discuss options. Consideration of the objector's circumstances resulted in identification of various options identified previously in this report.
- 5.6 A further two separate letters of objection were received on 28 August 2013. These letters were sent from different members of the same household also directly affected by the proposals. The points made in both letters are broadly similar in nature. They are summarised below with comment from the author inset:-
- The original proposal – Full Scheme Option 1 took no account of the circumstances/ requirements of the household of the previous objector. (Paragraph 3.6).
    - Noted. Discussed in Paragraph 5.5.
  - Considered to contrary to planning policy which required disabled access to the objectors' property.
    - Disabled access to the property which was requested as a planning condition is not synonymous with on-street parking.
  - Concern that at some point in the future objectors may need disabled parking.
    - It is not practical to make decisions of this nature based on circumstances which may or may not occur in the future.
  - Suggestion of the scheme being pushed through by self interested parties.
    - SBC are unable to comment specifically on this.
  - Parking problems more acute elsewhere in the village.
    - The Community Council who exist to represent the view of the whole community agreed and requested that that this section is tackled in the first instance.
  - Concern that the proposal would affect property value.
    - The recommendation is based on a road safety and operational consideration. Any householder present or future does not have the right to park directly adjacent to their property.
  - Concern that proposal would displace parking to a location less suitable.
    - This is a valid point and one which is identified in the Risks section of this report
  - Difficulty residents would have in receiving bulky deliveries
    - Similar to the point made previously. No householder has the automatic right to park adjacent to their property. However, it is likely that any enforcement agency would take a pragmatic view in isolated occasions.
  - Parked cars at the side of the road actually act as a traffic calming feature necessitating some cooperation between drivers and the proposals could have an unintentional effect of increasing speeds

- Noted and identified in the Risk section of the report.
- Unaware of any serious accident at the location.
- Interrogation of the Council Accident database reveals that there have been no reported injury accidents of any severity in the vicinity in recent years.

- 5.7 A further letter indicating concern was received on 29 August 2013 my yet another household which is directly affected by the proposals. Although the correspondents support the measures directly opposite the "Ladder/ Bus stop", they feel its extent, as proposed in the Full Scheme – Option 1. is too draconian. Points made echo those made by previous objectors namely:-
- Effect on values of property;
  - Difficulty in loading/ unloading of goods and passengers; and
  - Effect on speeds of traffic.

## **6 IMPLICATIONS**

### **6.1 Financial**

The financial implications associated with the recommendations relates solely to the provision of new signing and lining. This would amount to no more than £1,500 for the proposal. The cost would be borne by the Environment and Infrastructure Aids to Movement budget.

### **6.2 Risk and Mitigations**

- The risk of not proceeding with the proposal is that residents and visitors to the three properties accessed from the private road to the north of the Peebles Road will continue to have difficulties accessing and egressing the main through road.
- A further risk of not proceeding with the proposal is that on-street parking will continue to obstruct the free flow of traffic round this narrow section of the A72, causing delays and conflict.
- A risk associated with proceeding with the proposal is that speed of through traffic increases due to the lack of requirement to give way to oncoming traffic. The resultant increase of speed brings about an increase in severity in consequence, should a collision occur.
- A further risk proceeding with any of the proposal is that the parking could be displaced to more inappropriate locations.

### **6.3 Equalities**

- An Equality Impact Assessment (EIA) was undertaken and it revealed that the proposal (all options) would have an adverse effect on residents of the properties outside which the restriction is proposed. Those residents would no longer be able to park directly outside their properties.
- Although, at the time of writing there are no disabled bays at these addresses, the author understands that the wife of the original objector referred to. is disabled but has, to date, resisted applying for a disabled bay.

- (c) Aforementioned correspondent has stated that if the proposals were to be approved, then he would apply for a disabled bay under the Disabled Persons' Parking Places (Scotland) Act 2009.
- (d) Discussions on-site between officers and the Objector concluded that the proposal would be more acceptable if the double yellow lines were curtailed to a point short of his property.

**6.4 Acting Sustainably**

Beyond those identified and discussed in the EIA, there are no economic, social or environmental effects arising from the proposals contained in this report.

**6.5 Carbon Management**

There are no significant effects on carbon emissions arising from the proposals contained in this report.

**6.6 Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals contained in this report.

**7 CONSULTATION**

- 7.1 The Chief Financial Officer, the Head of Corporate Governance, the Head of Strategic Policy, the Head of Audit and Risk, the HR Manager and the Clerk to the Council have been consulted and these comments received have been incorporated into the report.

**Approved by**

**Director of Environment & Infrastructure Signature .....**

**Author(s)**

Name	Designation and Contact Number
Robbie Yates	Assistant Engineer 01835 825116

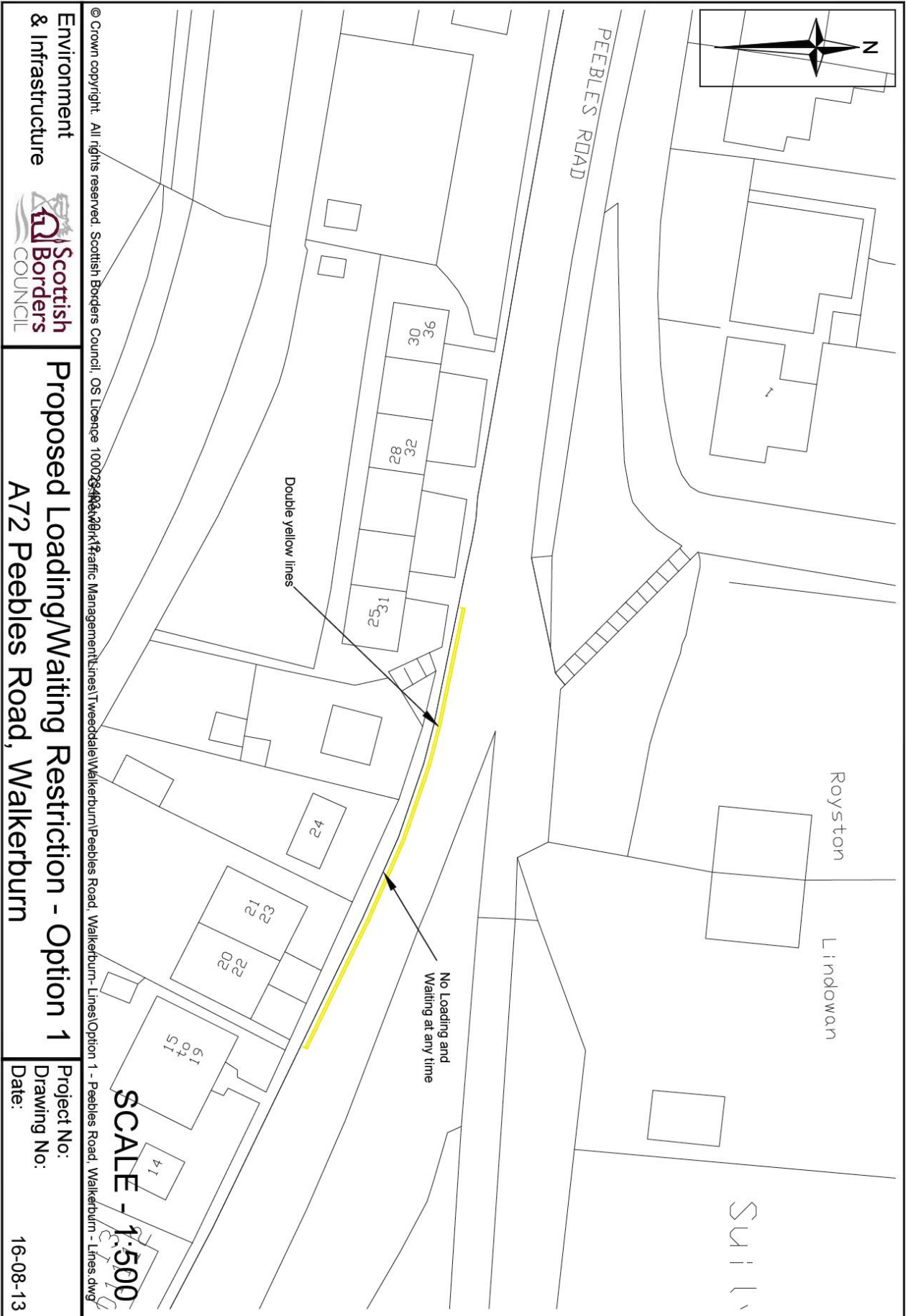
**Background Papers:** None

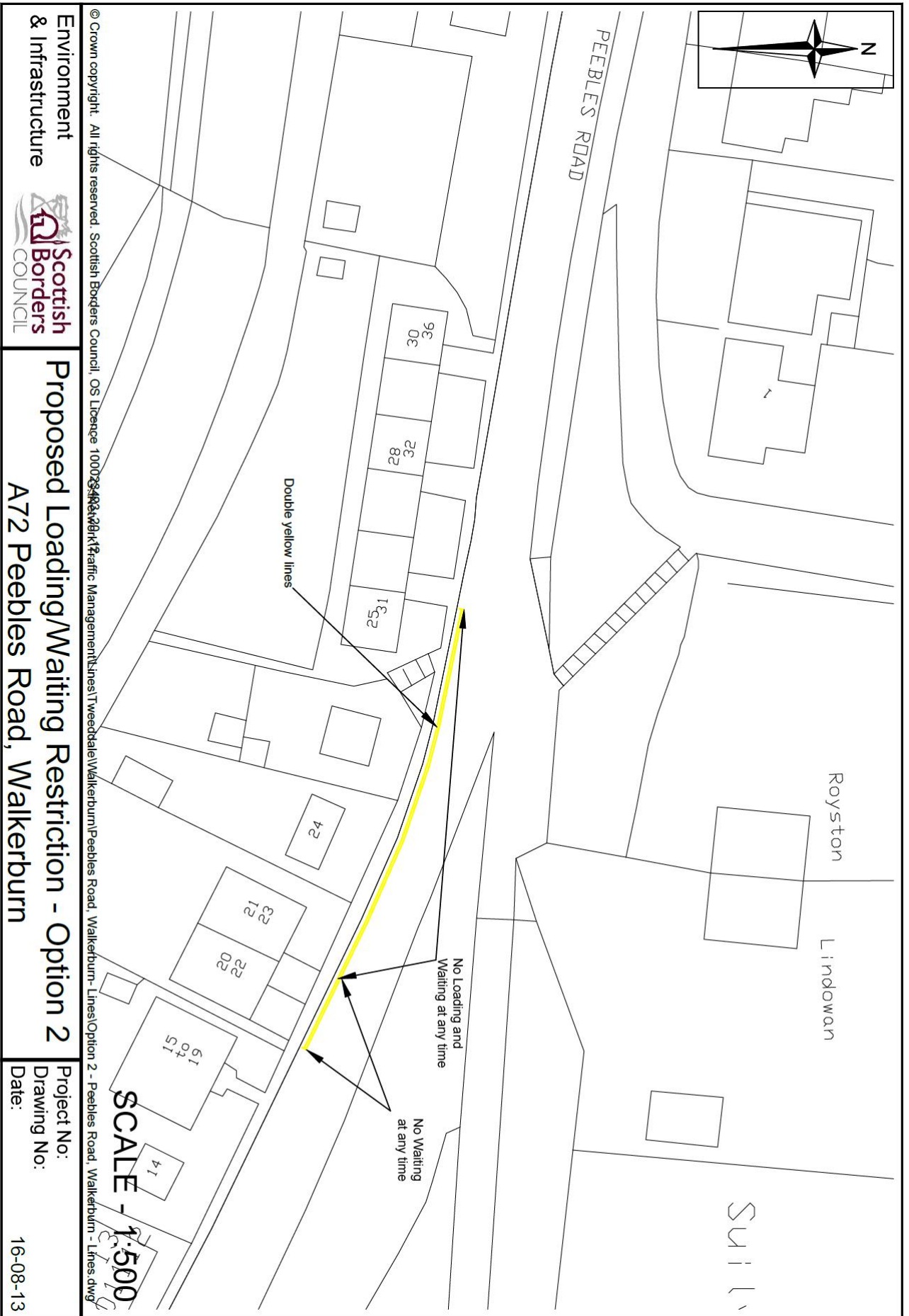
**Previous Minute Reference:** N/A

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

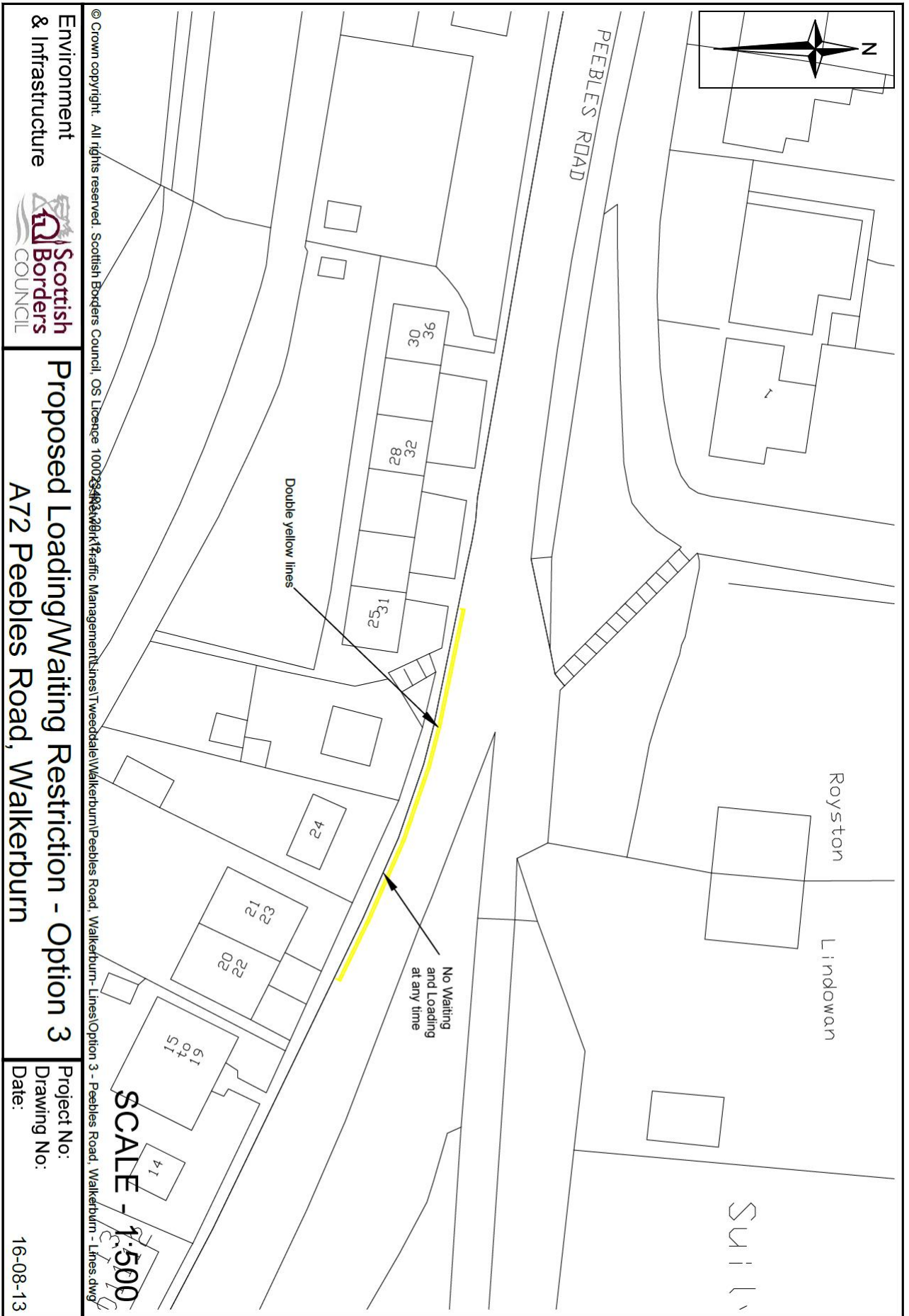
Contact us at Jacqueline Whitelaw, Environment and Infrastructure, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 01835 825431, Fax 01835 825071, email [e&ittranslationrequest@scotborders.gov.uk](mailto:e&ittranslationrequest@scotborders.gov.uk)

**Appendix A**









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Environment & Infrastructure  
  
 Scottish Borders Council

Proposed Loading/Waiting Restriction - Option 3  
 A72 Peables Road, Walkerburn

Project No:  
 Drawing No:  
 Date: 16-08-13

Received  
15/8/13

RESOURCES DEPT

15 AUG 2013

DIRECTORATE

[REDACTED]

13<sup>th</sup> August 2013  
Head of Corporate Governance Road Manager  
Scottish Borders Council  
  
Newton St Boswells  
Melrose  
TD60SA

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Dear Mr Wilkie

Re :Objection Letter for Proposed parking restrictions

I am writing response to proposed Loading and waiting restrictions on Peebles Rd.

Agree that something should be done, but feel cars speed being parked there is the only deterrent for speeding, it forces drivers to stop for oncoming traffic and slow down.

Problems arise when people Park on the corner, opposite the start of the wall [REDACTED]

I Park directly at the front of my House [REDACTED] for convenience because my partner, whom is severely disabled, I feel the restriction of parking will add to the stress of caring for my partner. I have carers coming and going, aswell as Tweedwheels community transport and Ambulance transport

This can be confirmed By Mr John Barrow social worker at SBC  
Case blue badge renewal Reference 81937

When I first moved to Walkerburn 7 years ago people including myself parked in the car park where café now resides and at the back by Rugby club, but since the dispute over about land, more people park on Peebles Rd.

With the introduction of double yellow lines also will need to be considered is the loss of value on the property and the effect of resale, would residents be compensated?

I think Parking on the pavement and Speeding are the main issues with Walkerburn and yellow lines will only increase both of these.

There is more of a problem with Parking on the Pavement, not allowing room for Wheelchairs and prams.

How would the restrictions be enforced ? the Police do nothing about speeding and parking on pavements.

Yours sincerely

[REDACTED]

Received  
28/8/13



Mr Ian Wilkie  
Head of Corporate Governance  
Scottish Borders Council

Dear Sir,

**Re: Changes in Parking Peebles Road Walkerburn**

I write to make an objection to the proposed imposition of double yellow lines in the designated area on Peebles Road, Walkerburn.

There are several reasons for making this objection which I first made to the Walkerburn Community Council some months ago.

1. When given planning permission to build our new home, it was essential that the front door was made a disability access. It is now politically appropriate that disability parking is available outside a home of a disabled person. Should either my aging husband or I become disabled, it would be appropriate to have such a disabled parking space in front of our home for easy access. This would also be appropriate to any who in future purchase this house.
2. Already there is a gravely disabled lady living within this designated area. An ambulance comes several times a week to collect the lady to take her to the day hospital. Is she in future to be carried many yards to an awaiting ambulance? She also has carers attending daily who require parking especially for her late night visits
3. As there is intended to be no loading or unloading, is it to be presumed that people who are moving into the immediate area, have their furniture heaved many yards in order to get the furniture into their respective homes.
4. There is concern about the speed of traffic approaching the corner, and progressing through Walkerburn. I would suggest that the absence of parked cars will only aggravate the problem: at present the park cars act as a brake to traffic travelling in both directions.

5. In eight years as a resident in this area, I am not aware of any serious accidents in spite of the parking as is presently permitted.
6. I understand that two residents have complained that egress from their property is hampered by cars parking between 25 and 26 Peebles Road. This does not occur often and can be remedied by considerate neighbours as opposed to the imposition of yellow lines.

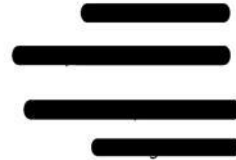
This issue has been an on-going matter of concern for some residents as it sometimes takes time to cross the road. However I would suggest that the proposed changes would cause an untold difficulty to the residents who reside within the proposed parking restriction.

I await with interest the decision of the Council,

Yours sincerely



Received  
28/8/13



Mr Ian Wilkie  
Head of Governance  
Council Headquarters  
Newton St Bowells

Dear Sir,

With reference to the proposed introduction of a full time loading and waiting restriction on Peebles Road as in your letter ref BRYL006 of 10 April 2013, please be advised that for the following reasons, I wish to lodge an objection to the proposal in the strongest terms,

Reason 1; This proposal will cause considerable inconvenience to one of the Residents who is severely disabled and who requires assistive transportation several times a week in the course of her exceedingly difficult life.

Reason 2; The proposal runs (not surprisingly) contrary to the demands of your Planning Department who insisted upon my creating a disabled access to the front of my property, exactly where your proposed restrictions would be in effect. At present, I have a small disability which, although not currently restrictive to my general mobility, is unlikely to improve with my advancing years, possibly requiring a disabled parking space at some future date.

Reason 3; This proposal is less about improvement of traffic facilities in the area and is based upon a history of unjustified complaint of one Resident about restricted sight-lines while crossing the road and the complaints of two other Residents on the North side of Peebles Road who claim that they cannot exit their property easily. It might be noted that both of these Residents are active members of the Community Council and it is to be hoped that they abstained from the vote which set this proposal in motion.

Reason4; As successive Police Personnel have stated, although not legal, the current practice of Residents parking on part of the Footway serves to limit the all too frequent excessive speed of traffic passing through the Village, surely an advantage. The opinion of many of us who dwell at this location is that the Council would better direct its efforts in the matter of speeding control than in this Proposal.

Reason 5; If this proposal is put into action, it will seriously affect the value of all the propeties between numbers 20 and 31 Peebles Road, It is hoped that S.B.C. will assess this contingency and make suitable recompense.

Reason 6; It appears that in the absence of any other suggested arrangements for Residents' parking, that the Council appears unconcerned about the outcome of this proposal. One solution to this question would be for Residents to park on the North side of the road, an arrangement which, not only exacerbating the problem would be quite unsightly\_

it is my hope that these objections will be considered and that this proposal be deferred pending further thought to the effect it will have upon those of us which it will affect.

Received  
29/8/13

RESOURCES DEPT  
29 Aug 2013

D I R E C T O R A T E

28 August 2013

To: Head of Corporate Governance, SBC, Newtown St.Boswells

Re: *Scottish Borders Council Walkerburn Prohibition of Waiting Order*

Dear Sir,

We own [REDACTED] Walkerburn, formerly my wife's grandmother's family home, and we stay there for ten days at a time on average six times a year.

We do agree that there is a serious problem with the volume and speed of traffic on the A72 in Peebles Road and it is becoming more dangerous.

We support the proposed measures in the area opposite the Ladder/ bus stop to improve drivers' visibility, which is much impaired at present by parked cars, and also to make the crossing of the road there more safe. However we feel that the restrictions proposed are too draconian as we see no need to extend them in front of [REDACTED] Peebles Road. Personally the value of our house would be reduced, if these restrictions go through, as well as making loading and unloading of passengers (especially the elderly or children) and goods more difficult. We feel that there is a real danger that imposing parking restrictions

here might result in the increase of traffic speed and would therefore be counter-productive to the intentions of imposing these restrictions. Indeed we have noticed that, when few cars are parked in this area, the speed of the traffic picks up as there is little need for it to to slow down to avoid parked cars or oncoming traffic.

To sum up we definitely agree that parking restrictions on the corner opposite the Ladder should be imposed, but we oppose the extension in front of [REDACTED] Peebles Road. As a compromise, why not try limited imposition of waiting restrictions opposite the Ladder/bus stop and monitor the effect?

Yours faithfully,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]