

# EAST AYRSHIRE COUNCIL

## DEVELOPMENT SERVICES COMMITTEE – 23 AUGUST 2005

### RUGBY PARK FOOTBAL MATCHES AND SPECIAL EVENTS ORDER

#### Report By Director of Development & Property Services

#### 1. PURPOSE OF REPORT

The purpose of the report is to seek the Committee's approval for the proposed East Ayrshire Council (Various Roads around Rugby Park, Kilmarnock) (Football Matches and Special Events) Order.

#### 2. BACKGROUND

- 2.1 For many years there has been a substantial influx of parked vehicles in the streets around Rugby Park on match days. This additional parking can, on occasion, cause problems for emergency access to residential areas.
- 2.2 Historically, Strathclyde Police have used 'no waiting' cones to control parking in the area in advance of and during football matches; however the 'no waiting' cones are not legally enforceable unless there is a traffic Order in place to make them so.
- 2.3 Strathclyde Police have requested that East Ayrshire Council promote an Order to allow the proper enforcement of waiting restrictions (the extent of which will be indicated by the presence of 'no waiting' cones) in advance of, and during matches and other events at Rugby Park to maintain emergency access to residential areas.
- 2.4 At its meetings on the 11<sup>th</sup> April, 2000 and 7<sup>th</sup> May 2002, the Committee was advised of proposals to assist Strathclyde Police by the promotion of a traffic regulation Order to make the no-waiting cones enforceable when football matches and events are taking place.

#### 3. PROPOSAL

- 3.1 The purpose of the proposed traffic regulation Order is to ensure that emergency access and the passage of other vehicles in residential areas is maintained during football matches and other events by the management of parking by people attending Rugby Park. The proposed restrictions will not be in force at other times.
- 3.2 Strathclyde Police currently deploy 'no waiting' cones in advance of and during football matches for this purpose and the proposed Order will provide the legal framework necessary to make the cones enforceable.

## **4. PROCEDURES**

- 4.1** The draft Order has been prepared in accordance with terms of the Road Traffic Regulation Act 1984 and the Local Authorities Traffic Orders (Procedure) (Scotland) Regulations 1999.
- 4.2** Consultation – Organisations, representative groups and individuals consulted during the preparation of the Order are listed in the Appendix A, along with the copy of the consultation letter.
- 4.3** Publication of the proposals – the proposals were advertised in the Kilmarnock Standard and in the Edinburgh Gazette on 28 November, 2003 and during this time the draft Order, plans and associated documentation were made available for public inspection.
- 4.4** Five objections to the draft Order were received. Due to the staff resources required for the introduction of the new on-street parking controls in the town centre the promotion of the Events Order was delayed, however, in accordance with the statutory procedures, the Head of Roads & Transportation responded to all objectors on 13 July 2005 and gave them 14 days in which to maintain their objections in writing.
- 4.5** As a result two objectors maintained their objections, however following further reassurance that access for carers will be maintained, both have indicated that they are now prepared to withdraw their objections.

## **5 SPRINGHILL PLACE**

- 5.1** A number of elderly residents of Springhill Place have expressed concerns that the 'closure' of Springhill Place will stop family members who are also carers from gaining access to the street on match days.
- 5.2** At present Springhill Place is not coned during football matches and the police have indicated that they do not foresee any change to the area that is coned during matches at present; however the Order has been written to include all the roads in the vicinity of Rugby Park to give the Ppolice the flexibility to deploy additional cones should the need arise.
- 5.3** Strathclyde Police have given their assurance that if it ever becomes necessary to deploy cones in Springhill Place, access for carers will always be available if required – see letter from Strathclyde Police in Appendix B.
- 5.4** The Order does not contain any provision to close any road in the area, including Springhill Place.
- 5.5** In addition to the two objections received (and subsequently withdrawn) from residents of Springhill Place during the statutory consultation period, two further residents have recently endorsed the comments raised in earlier letters of objection. These letters were received in July 2005, a considerable period after the statutory advertising period in November/December 2003.

## **7 FINANCIAL IMPLICATIONS**

**7.1** None.

## **8. LEGAL IMPLICATIONS**

**8.1** The procedures which have been followed in dealing with objections to the draft Order are in accordance with the requirements of the Road Traffic Regulation Act 1984, as amended and the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999.

## **9. RECOMMENDATIONS**

**9.1** It is recommended that the Committee approves the draft Order.

**James Lavery**  
**Executive Director of Development and Property Services**

**15 August 2005**

**AJD**

## LIST OF APPENDICES

APPENDIX A – Consultation Letter, Summary of Proposals and Consultation List

APPENDIX B – Letter from Strathclyde Police dated 19<sup>th</sup> May 2005

## BACKGROUND PAPERS

Report to Development Services Committee – 11 April 2000: “On-Street Parking - Kilmarnock Town Centre”.

Report to Development Services Committee – 7 May 2002: “On-Street Parking - Kilmarnock Town Centre”.

For further information on the contents of this report please contact Keith Orton on 01563 576310.

**Implementation Officer: Andrew Davidson**

## APPENDIX A

Contact : Mr A. Davidson

Our Ref : T/8/6/5 – AJD03088Andrew Davidson

Your Ref :

Date : 8<sup>th</sup> September 2003

FILE COPY

Dear Sir,

### **Proposed Introduction of a Traffic Order**

Location - **VARIOUS ROADS IN THE VICINITY OF RUGBY PARK, KILMARNOCK**  
Proposal **WAITING RESTRICTIONS DURING FOOTBALL MATCHES ETC.**

East Ayrshire Council proposes to consider the introduction of a traffic Order as stated above and my purpose in writing to you is to undertake consultation, as required by the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999, in advance of the publication of proposals.

If you wish to comment on the proposals outlined in the attached Summary of Proposals, I would be pleased to hear from you by Friday 10<sup>th</sup> October 2003 , otherwise I will assume you have no comments to make at this stage. Should you require further information or clarification on any points arising from the proposals, please contact Andrew Davidson at the above address.

On completion of these consultations, if the Council decides to proceed with the promotion of the Order, a notice of proposals will be published locally as required by the Regulations, at which time you will have an opportunity to inspect the documents and, if necessary, lodge a formal objection.

Yours faithfully,



**JAMES T. KANE**

**Head of Roads & Transportation**

## **APPENDIX A**

### **Proposed Introduction of a Traffic Order FORMAL PRELIMINARY CONSULTATIONS**

#### **SUMMARY OF PROPOSALS**

Location - **VARIOUS ROADS IN THE VICINITY OF RUGBY PARK, KILMARNOCK**

Proposal - **WAITING RESTRICTIONS DURING FOOTBALL MATCHES ETC.**

#### **REASON FOR PROPOSAL**

For many years there has been a substantial influx of parked vehicles in the streets around Rugby Park on match days. This additional parking can, on occasion, cause problems for emergency access to residential areas.

Historically, Strathclyde Police have used 'no waiting' cones to control parking in the area in advance of and during football matches; however, it has recently become clear that the 'no waiting' cones are not legally enforceable unless there is a traffic Order in place to make them so.

Strathclyde Police have therefore requested that East Ayrshire Council, being the local roads authority, promote an Order to allow the proper enforcement of waiting restrictions (the extent of which will be indicated by the presence of 'no waiting' cones) in advance of, and during matches and other events at Rugby Park to maintain emergency access to residential areas.

#### **DESCRIPTION OF THE PROPOSALS**

The Order will allow the restriction of waiting in streets named in the Order as and when required at the discretion of Strathclyde Police. The restricted length in each street will be decided by the Police in each instance and indicated by the deployment of 'no waiting' cones.

The streets named in the Order are as specified in the attached draft Schedule.

## APPENDIX A

### CONSULTATION LIST

1. Chief Constable, Strathclyde Police
2. Strathclyde Fire Brigade
3. Ayrshire & Arran Acute Hospital NHS Trust
4. Ayrshire & Arran Primary Care NHS Trust
5. Scottish Ambulance Service
6. Freight Transport Association
7. Road Haulage Association
8. Stagecoach Western
9. First Group
10. The Postmaster
11. Scottish Power
12. Transco
13. British Telecom
14. Scottish water
15. RAC
16. AA
17. Scottish Taxi Federation
18. East Ayrshire Taxi Trades Council
19. Kilmarnock Forum on Disability
20. Bonnyton & Woodstock Community Council
21. Grange Howard Community Council
22. Chair, Development Services Committee
23. Councillor Douglas Reid
24. Councillor Iain Linton
25. Councillor John Campbell
26. Chair, Kilmarnock Central Local Committee
27. Chief Executive
28. Director of Development Services
29. Chief Engineer (Operations), Roads & Transportation Division
30. Head of Planning & Building Control
31. Director of Community Services

APPENDIX B

KC KO

19 May 2005

Your Ref: T/15/1/KO05031

Our Ref: GF/T158



STRATHCLYDE  
**POLICE**

Mr J T Kane BSc. CEng.FICE FIHT  
Roads and Transportation  
Department of Development and Property Services  
East Ayrshire Council  
Greenholm Street  
Kilmarnock  
KA1 4DJ

**CHIEF CONSTABLE**  
William Rae QPM

Road Policing Department  
West Command  
1 King Street  
AYR  
KA8 0BU

Tel No.01292 664041

Fax No. 01292 664041

Dear Sir

3 0 0 5 0 5 G08

**EVENTS ORDER: RUGBY PARK, KILMARNOCK**

Thank you for your letter regarding the above and the opportunity to comment on the letters of objection. I would offer the following in response.

The objectors who write with regard to Springhill Place have a single common theme in their concerns, namely, access to Springhill Place for residents or their carers. Springhill Place, as you know, is a sheltered housing complex for elderly people.

The purpose of the Order is to control parking during an event and thereby to assist residents, carers, and emergency services to gain access at all times to Springhill Place during these events.

The perceived notion that residents and carers will be prevented from gaining access to Springhill Place before and during an event is not correct. Access for such individuals will be permitted if required.

In respect of the concerns from the residents at No's 10 and 14 Aird Avenue I note that they have no objections in principle to the order but feel that they are inconvenienced during events due to restricted parking in Aird Avenue.

The standard "No Parking" coned area in Aird Avenue during an event only affects both sides of the street over a short distance. Admittedly No's 10 and 14 are within this short distance but outwith this section parking is permitted on the west side of the street.

I also note that despite having the garden space to create off road parking facilities for their vehicles, neither of the two objectors has chosen to do so.

In conclusion I feel it should be recognised that sporting events, mainly football have taken place at Rugby Park for over 100 years and generally last for a maximum of 4 hours. The purpose of the order is to allow the Police to react to ever increasing vehicle usage and to readily enforce restrictions thereby preventing indiscriminate parking and obstruction. This can cause considerable difficulties for local residents, the travelling public and emergency services. This order will go some way to alleviate the problems generated.




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[www.strathclyde.police.uk](http://www.strathclyde.police.uk)

## APPENDIX B

I trust the foregoing is of assistance, however should you require clarification please feel free to contact my Traffic Management officers at the above telephone number.



GORDON FULTON  
Road Policing Inspector

*Working Together - Building safer communities*



[www.strathclyde.police.uk](http://www.strathclyde.police.uk)