

Item: 5

Development and Infrastructure Committee: 26 March 2024.

Muddisdale Road, Kirkwall – Proposed Traffic Calming Measures.

Report by Corporate Director for Neighbourhood Services and Infrastructure.

1. Purpose of Report

To consider undertaking consultation in respect of proposed traffic calming measures on Muddisdale Road, Kirkwall.

2. Recommendations

The Committee is invited to note:

2.1.

That planning permission was granted on 30 March 2022 in respect of infrastructure associated with 139 house sites on land near Corse West, Kirkwall, including access roads.

2.2.

That, to address concerns raised through the planning process, one of the conditions of the planning permission related to the construction of build outs and crossing points along a section of Muddisdale Road, Kirkwall.

2.3.

That the Council, as developer, proposes to install three build-outs with associated signage on Muddisdale Road, Kirkwall, as shown on the drawing attached as Appendix 1 to this report.

2.4.

That, in terms of the Roads (Traffic Calming) (Scotland) Regulations 1994, the Council is required to undertake statutory consultation in relation to traffic calming measures, however a traffic order and public notices are not required.

It is recommended:

2.5.

That the Council carries out statutory consultation, as set out in the Roads (Traffic Calming) (Scotland) Regulations 1994, in respect of proposed traffic calming measures on Muddisdale Road, Kirkwall, to include the following additional consultees:

- Affected properties on Muddisdale Road, Kirkwall.
- Hauliers, including local delivery companies, coal and oil providers.
- Kirkwall and St Ola Community Council.

3. Background

3.1.

Planning permission was granted on 30 March 2022 in respect of the infrastructure associated with 139 house sites at land near Corse West, Kirkwall, including access roads.

3.2.

To address concerns raised through the planning process, one of the conditions of the planning permission was the construction of build outs and crossing points along the section of Muddisdale Road, Kirkwall, to the north of the development site between the property of Shearwood and the Orkney Rugby Club. No parts of the development of the adjoining land can be occupied or brought into use until all agreed alterations and improvements to the road have been completed wholly in accordance with approved details.

3.3.

The traffic calming measures proposed by this report, and detailed in Appendix 1 to this report, are those considered appropriate for the purposes of discharging the planning condition. If those details are not approved and subsequently not constructed, the adjoining development would be in breach of planning condition if brought into use whilst failing to be constructed in accordance with approved planning details. Failure to approve the traffic calming measures would result in the adjacent development being unable to be occupied.

4. Consultation

4.1.

Regulation 4 of the Roads (Traffic Calming) (Scotland) Regulations 1994 states what is required by way of consultation. There is no requirement for an Order or any public notices. The Council is required to consult with:

- Chief constable.
- Fire authority.
- Ambulance service.
- Such persons or organisations representing persons who use the road concerned or who are otherwise likely to be affected by the traffic calming works, as the roads authority think fit.

4.2.

In addition to the consultees outlined above, it is proposed to consult with the affected properties on Muddisdale Road, hauliers (including the local delivery companies plus coal / oil providers) and Kirkwall and St Ola Community Council.

5. Corporate Governance

This report is presented in order to comply with governance and procedural issues and is not for the exclusive purpose of supporting or relating to improved outcomes for communities as outlined in the Council Plan or the Local Outcomes Improvement Plan.

6. Financial Implications

6.1.

As Roads Authority, the costs associated with the required consultation, estimated at £2,000, will be borne by the Council under the relevant section of the Roads revenue budget.

6.2.

The cost to install three build-outs on the Muddisdale Road will form part of the capital project costs relating to the construction of the infrastructure for the future development of 139 house sites at land near Corse West, Kirkwall.

7. Legal Aspects

7.1.

The Council, as Roads Authority, is empowered to carry out traffic calming under Section 39a of the Roads (Scotland) Act 1984. The Roads (Traffic Calming) (Scotland) Regulations 1994 detail which traffic calming measures can be carried out as well as the procedure to be followed. There is no requirement for a Road Traffic Regulation Order.

7.2.

Regulation 3(1)(a)(i) includes a “build-out” as a traffic calming measure. A “build-out” means a work for narrowing a carriageway constructed on one side of the carriageway as an extension of, or adjacent to, the verge, footway or cycle track.

7.3.

Pursuant to Regulation 7, where a build-out, is constructed in a road, the Council must place and maintain traffic signs in such positions as are requisite for the purpose of providing adequate warning of the presence of such traffic calming works unless those works are—(a) so constructed as themselves to provide adequate visual warning for persons using the road concerned; or (b) constructed on a road the speed limit on which is 20 miles per hour or less.

7.4.

The works referred to in this report are necessary to comply with a condition of the planning permission for the development.

8. Contact Officers

Hayley Green, Corporate Director for Neighbourhood Services and Infrastructure, Email hayley.green@orkney.gov.uk

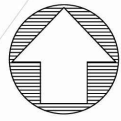
Lorna Richardson, Head of Neighbourhood Services, Email lorna.richardson@orkney.gov.uk

Kenneth Roy, Service Manager (Roads and Grounds), Email kenny.roy@orkney.gov.uk

John Coyle, Roads Services Technician, Email john.coyle@orkney.gov.uk

9. Appendix

Appendix 1: Muddisdale Road, Kirkwall Traffic Calming ref no.OCF-MMD-XX-DR-C-01073



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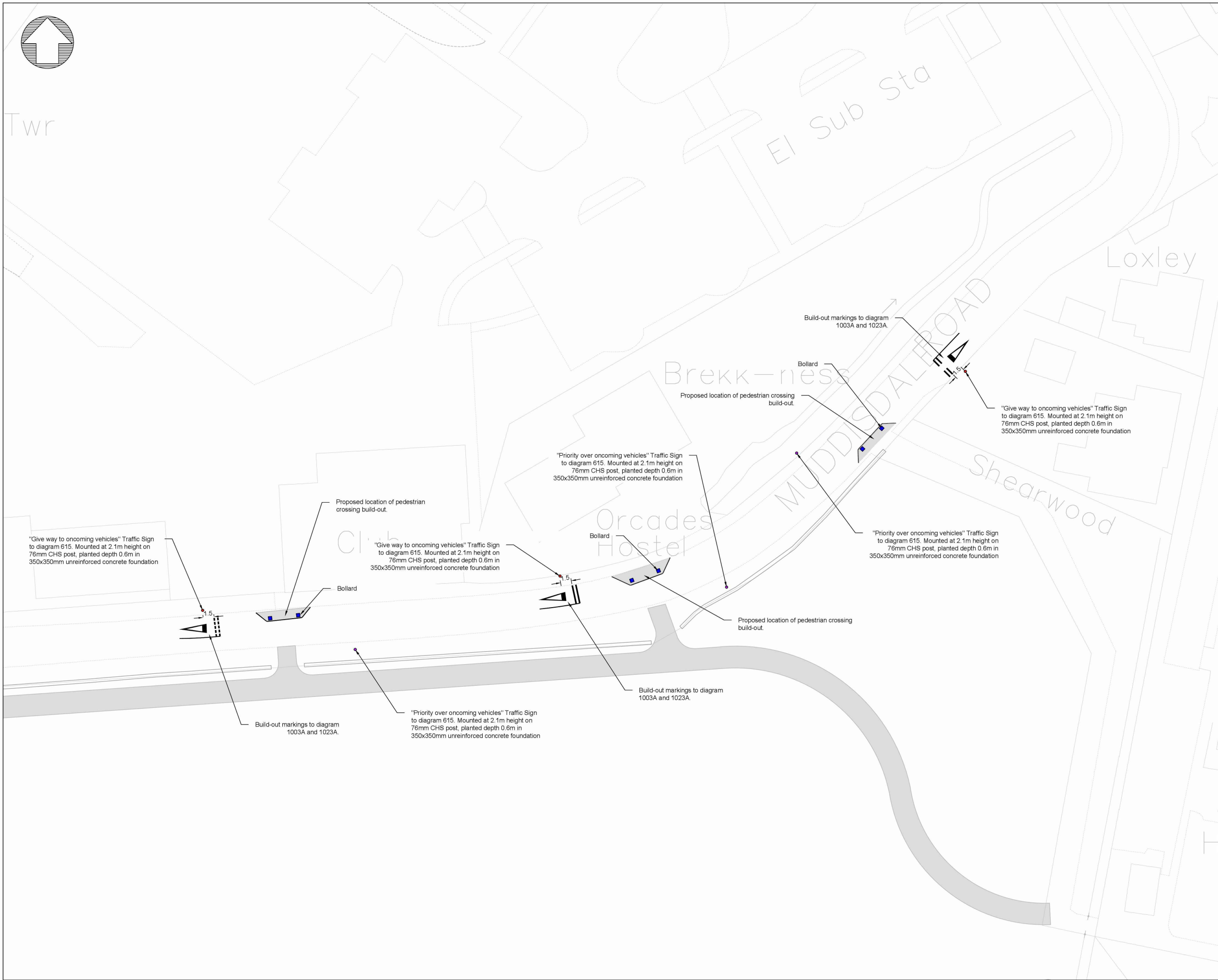
Loxley

Brek-ness

Orcades Hostel

Shearwood

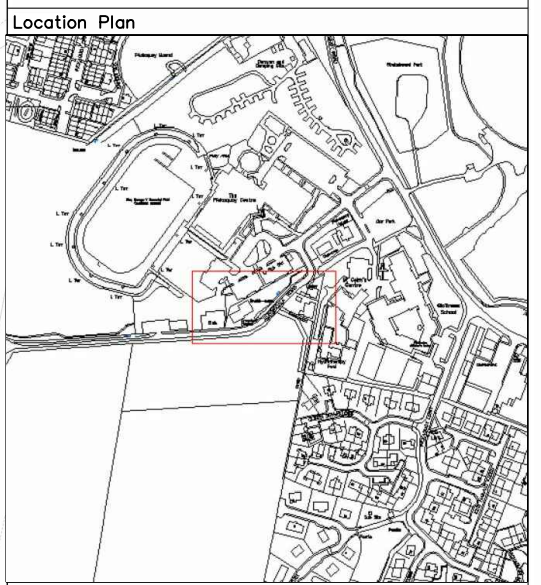
MUDDISDALE ROAD



Appendix 1

Notes

- All dimensions and levels in metres unless otherwise stated.
- All Markings as per Traffic Signs Regulations and General Directions 2016



Reference drawings

Rev	Date	Drawn	Description	Ch'k'd	App'd
P01	25.01.24	SM	First Issue	KC	JS

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Title
Muddisdale Road, Kirkwall
Traffic Calming

New Road Markings

Designed	D Bruce	DB	Eng check	K Clark	KC
Drawn	S Maciver	SM	Coordination	S Siczakarek	SS
Dwg check	K Clark	KC	Approved	J Segrott	JS

Scale at A1	Status	Rev	Security
1:250	PRE	P01	STD
Drawing Number OCF-MMD-XX-DR-C-01073			

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