

## **Argyll and Bute Council**

### **Statement of Case**

#### **The Argyll and Bute (Various Streets, Luss) (Traffic Management) Order 202**

### **Traffic Issues in Luss**

#### **1. Location and Context**

- 1.1 Situated within the Loch Lomond and Trossachs National Park, Luss Village is located on the eastern side of the A82 trunk road on the shores of Loch Lomond. Most of the village is contained within a conservation area, which includes 27no. B Listed structures and 13no. C Listed structures (refer to Document 1).
- 1.2 The core village roads are generally narrow. The roads consist of carriageway only for the most part but where there are footways these are very narrow, with the exception of the western section of Pier Rd between its junction with the Old A82 and Church Road. In general, the geometry is poor compared to modern standards, although in keeping for a village of its age. There are approximately 120 residents in the village and a number of private businesses, both with limited or no off-street parking, that require access via the core village roads. Document 2 provides a plan with reference to images along with images taken from Google Streets showing the geometry of the core roads.
- 1.3 Luss reportedly receives around 750,000 visitors per annum. This number is referred to within various reports and newspaper articles, but no data source has been identified. Luss Village is a popular destination for visitors due to its close location to the central belt and reasonably good access arrangements (public transport and cycle ways). Luss is a popular stopping-off point for visitors exploring the Loch Lomond area. The busyness of the area, particularly during the summer months and at weekends is not generally disputed.

#### **2. Background – Historical inappropriate parking and driver behaviour**

- 2.1 There is a long history of traffic issues within the Luss area which have been a cause of concern for residents for a number of years. Despite various attempts to find proportionate, balanced and sustainable solutions which meet the needs of residents, businesses, visitors and are fair to all road users, no solution has been fully agreed. It is the view of the Council, that any solution will need a degree of compromise from the various parties.
  - 2.2 The large number of visitors to Luss, the insufficient off- street parking, the narrow roads and the local road layout have resulted in:
    - (1) Inappropriate and inconsiderate parking; and
    - (2) High volumes of traffic (relative to the local environment and capacity) circulating through the village roads.
- 2.2.1 Inappropriate and inconsiderate parking**
- Visitors park within the core village roads (namely Pier Road, Church Road and School Road from its junction with the Old A82 trunk Road to its junction with

Pier Road - as highlighted in Document 2) and on the Old A82 which reduces the carriageway to single lane and further impacts already congested and narrow streets.

- A large number of the properties within the core of Luss Village have a frontage directly onto the carriageway with no pedestrian refuge. Inappropriate parking can limit or prevent safe and convenient access to these properties.
- Irresponsible parking presents potential pedestrian safety issues due to limited footway widths and lack of footway provision.

### **2.2.2 High volume of traffic (relative to the local environment and capacity) circulating through the village roads**

- The narrow roads are unsuited to the high volume of traffic.
- There is an increased safety risk to road users and pedestrians.
- Property owners often have to step directly onto carriageways with significant circulating traffic.
- Visitors unfamiliar with the village layout often struggle to navigate around the narrow streets, contributing towards congestion and conflict between vehicles and pedestrians.
- There is no formalised turning head or area enabling larger vehicles (such as cars towing caravans or trailers, or motorhomes) to turn safely within the village which adds to the circulating traffic.
- The high volume of circulating traffic has a substantial and significant impact on the residents of the village and on the character of the roads and adjoining property. A large number of the properties within the core of Luss Village have a frontage directly onto the carriageway with no pedestrian refuge.
- The high volume of circulating traffic impedes access to residential premises.
- The high volume of circulating traffic negatively impacts on the environment.

It should be noted that there are no recorded incidents within the last 5 years of data. However, minor or slight incidents are not generally reported to Police Scotland. It is the Council's view that the draft Luss Traffic Management Traffic Regulation Order will make Luss Village a safer place for all road users (vehicles, wheeling and pedestrians).

## **3. Action taken to date**

- 3.1 The local community have raised concerns about traffic issues over a number of years, pre-dating the Council's previous attempt in 2016/17 to progress a Traffic Regulation Order ("the 2016/17 TRO"). The previous attempt generated 292 objections, none of which were withdrawn. The Helensburgh & Lomond Area Committee agreed to abandon the 2016/17TRO, in part due to the significant volume of objections and the unlikely prospect of any of these being withdrawn. Many of these issues have been raised in both local and national press (refer to Document 3 for examples).
- 3.2 Following the decision by the Helensburgh & Lomond Area Committee (which is a committee of Argyll and Bute Council) to abandon the 2016/17 TRO at the Committee meeting held on Thursday 21 December 2017; the Community re-engaged with the Council for approximately 2 years from 2018. The re-engagement took the form of meetings and included a range of key stakeholders, including Luss and Arden Community Council ("the Community Council"), Heads of Service for Roads & Infrastructure, Director of Development and Infrastructure, Police Scotland and MSPs.

These meetings culminated in broadly agreed heads of terms (refer to at Document 4) which were then drafted into Traffic Regulation Order ("TRO" format). This resulted in two separate draft TROs:-

- (1) The Argyll and Bute Council (Various Street, Luss) (Traffic Management) Order 202\_ ("Luss Traffic Management TRO") (which is the subject of this Hearing); and
- (2) The Argyll and Bute Council, (Old A82, Various Streets, Luss) Speed Limit Order 202\_ ("the Speed Limit TRO").

Prior to commencing the statutory process for the above, the Council agreed to amend the existing Order in relation to the off-street car park, the (Off-Street Parking Places and Charges) (Luss) Order 2016. The Argyll and Bute Council (Off-Street Parking Places and Charges) (Luss) (Amendment) 2021 was introduced to provide short term, free parking at the businesses fronting the car park and to reduce inappropriate parking on the Old A82.

3.3 The draft Luss Traffic Management TRO and the draft Speed Limit TRO were presented to the Helensburgh & Lomond Area Committee at its meeting on 17<sup>th</sup> September 2020; where it was agreed to proceed broadly on the basis of what was contained within the drafts subject to delegating authority to the Head of Roads & Infrastructure, prior to advertising, to make any such technical changes to the forms of control in the draft TROs as he considered would be appropriate and competent, while retaining the principles contained within the current drafts approved by the Committee.

3.4 Given the expected interest in the proposed draft TROs, in addition to the pre-statutory engagement with the Community Council, the Council engaged widely beyond the normal statutory list at the Stage 2 consultation. The full list of consultees is contained within Document 6.

3.5 By way of short summary:-

- The draft Luss Traffic Management TRO includes the following provisions:-
  - i. Prohibition of Driving
  - ii. No Waiting / No Loading Restrictions
  - iii. Prohibition of Waiting at any time except vehicles displaying valid permits
  - iv. Prohibition of Waiting at any time
  - v. Parking Places (Maximum stay 30 minutes, no return within 1 hour 0800-2000 hours Monday to Sunday)
- The Speed Limit TRO seeks to reduce speeds on the old A82 and core village roads. The Order includes a range of restrictions:
  - 20mph where there is high volume of pedestrians;
  - 30mph restriction at Ardlochlay and as a buffer approaching the 20mph limit;
  - 40mph out with these areas on the Old A82.

The Speed Limit TRO can now be made as there are no extant objections, however, the Council is of the opinion that the most effective outcome would be to implement both Orders together in order to achieve maximum benefit. It should be noted that if the Luss Traffic Management TRO is not confirmed the Council's intention will remain that the Speed Limit TRO ought to be confirmed.

- The Argyll and Bute Council (Off-Street Parking Places and Charges) (Luss) (Amendment) Order 2021 introduces an area of free short stay parking adjacent to the shops which will allow local residents and passing trade free parking for up to 30 minutes. The amendment was made to:-
  - improve the availability of parking in close proximity to local businesses to allow access for local residents (outside of the permit zone) and visitors.
  - The amendment is also expected to positively impact (i.e. reduce) inappropriate parking on the Old A82.
  
- The draft Luss Traffic Management TRO, the draft Speed Limit TRO and the Argyll and Bute Council (Off-Street Parking Places and Charges) (Luss) (Amendment) 2021 contain a range of provisions within the powers available to the Council that, when taken as a whole, present a balanced solution to the issues at hand when considered against the mixed views within the community (including businesses).

#### **4 Interim Response – COVID-19**

- 4.1 From the 29 May 2020 the COVID-19 lockdown restrictions were eased in Scotland. Once the relaxations commenced Luss village started to see an overwhelming and unsustainable influx of visitors which caused a number of issues within the area, irresponsible parking, high volume circulating traffic and tensions between visitors and local residents. The unprecedented increase in visitor numbers has not noticeably reduced in Luss or the wider area.
- 4.2 Although the Council is not in a position to predict the volume of visitors in the coming years it is expected that Luss will continue to be significantly impacted by this change. In any event pre-existing visitor numbers were already causing similar problems. To help mitigate against some of these issues, the Council progressed a Temporary Traffic Regulation Order (TTRO) which introduced a mix of a permit zone in the village and no waiting restrictions within the village and on the Old A82 Road. The TTRO has been broadly successful and has fulfilled its primary purpose of providing a mechanism to manage the visitor traffic into the village as lockdown restrictions have been eased. In particular, it is the view of the Council that the TTRO has demonstrated the need for parking controls within the core village roads. It has also provided an opportunity to test proposals in a live environment. In the interest of road safety and to allow the TRO review to be completed, a further 18 month TTRO was implemented 5 January 2022. Both TTROs are appended for information (Document 7).

#### **5 How the draft Luss Traffic Management TRO will address the existing traffic issues**

- 5.1 The proposed Luss Traffic Management Order seeks to mitigate against current and historical traffic and parking issues (as set out at 5.3). By implementing these controls the Luss Traffic Management Order is expected to protect pedestrians and vehicles from danger; facilitate access for residents, businesses and visitors in an appropriate and sustainable manner; control access to protect the character of the road and adjoining properties; and ensure the road is suitable for use by pedestrians. The provision of permit parking will ensure the village roads are not oversubscribed. The Council's intention is that the measures provided for in the Luss Traffic Management Order will be effectively managed by the Council's warden service. Suitable access

will be maintained for deliveries (loading/unloading) and disabled access. On the Old A82, parking is controlled via designated parking spaces near the shops and school and "no waiting restrictions" where there have been issues regarding irresponsible parking (i.e. vehicles being parked in a manner which has an impact on the flow of traffic and/or visibility splays).

5.2 These controls are introduced by the Council in exercise of their powers under Sections 1(1), 2(1) to (3), 4(2), 32, 45, 46, 47, 49 and 53 of the Road Traffic Regulation Act 1984 ("1984 Act"), as amended. In introducing these controls, the Council has had regard to its duty under section 122 of the 1984 Act.

5.3 Within the proposed Luss Traffic Management Order there are five key provisions, these are:

- i. Prohibition of Driving
- ii. No Waiting / No Loading Restrictions
- iii. Prohibition of Waiting at any time except vehicles displaying valid permits
- iv. Prohibition of Waiting at any time
- v. Parking Places (Maximum stay 30 minutes, no return within 1 hour 0800-2000 hours Monday to Sunday)

The draft Luss Traffic Management Order is Document 5a, the Plan is Document 5b and the permit zone within Document 5c.

### **5.3.1 Prohibition of Driving**

The Prohibition of Driving restriction is intended to reduce the number of vehicles accessing the core village roads unnecessarily.

It is the opinion of the Council that this measure will:-

- Lead to a reduction in circulating traffic
- Increase road safety for road users and pedestrians
- Help to protect and maintain access to residential and commercial premises
- Have a positive effect on the environment.
- Reduce anxiety levels of local residents

The proposed measure will not prevent loading or unloading of goods or people but does seek, as far as possible, alongside the permit parking zone, to encourage visitors and others to make use of the available off-street car parking.

The Luss Traffic Management Order includes a number of exceptions to the prohibition of driving restrictions namely (refer to Document 5a, Articles 4 & 5):

- Nominated vehicles with a valid permit
- Vehicles being used for or in connection with the conveyance of goods or persons to or from premises
- Invalid carriages or motor vehicles displaying in the relevant position a valid disabled person's badge and are being driven or used by disabled persons.
- Vehicles while being used for fire brigade, ambulance, police force or coast guard purposes.
- Vehicles, not being passenger vehicles, while being used in the service of a local authority in pursuance of statutory powers or duties, provided that

in all the circumstances it is reasonably necessary in the exercise of such powers or duties for the vehicle to proceed.

- Vehicles being used for or in connection with the removal of furniture to or from one office, dwelling house or depository
- Vehicles being driven by a medical practitioner attending an emergency or hosting a scheduled surgery.

### **5.3.2 No Waiting / No Loading Restrictions**

The proposed no waiting / no loading restrictions are intended to reduce the number of vehicles parked/waiting from the carriageway on the undernoted sections of road: (refer to Document 5b for further detail)

- U61 Church Street
  - A short section, 37 metres, or thereby, is restricted due to the lack of footways, tight bends and narrow carriageways.
- U228 Old A82
  - Between the north junction the A82 trunk road to the sports field. This section of the U228 has limited footways and, where there are footways, they are narrow.
- U253 School Road
  - The section of School Road west of the U228 Old A82 to maintain safe pedestrian access to the primary school grounds. There is no footway on this short section of road.

These represent the areas where the majority of pedestrian movements take place.

These restrictions will:-

- Increase road safety and prevent danger to both pedestrians and vehicles.
- Mitigate against the reduction of roads to single track due to irresponsible parking on the Old A82.
- Improve pedestrian safety on Church Street and School Road.

### **5.3.3 Prohibition of Waiting at any time except vehicles displaying valid permits**

The Luss Traffic Management Order seeks, as far as practicable and with exceptions, to remove non-essential traffic from the core village roads. It is proposed to do this by controlling access to parking through the requirement to display a permit. Permits will be restricted to businesses and residents whose address is located within the defined zone.

The restriction proposes, initially, that two permits per property be issued to residents and businesses contained within the zone (refer to Document 5c). The extent of the zone is significant although it is noted that property density is low. The zone encapsulates the Luss parish boundary.

The proposed restriction does not include a provision for visitor parking, although the Council is committed to keeping the matter under review. The Council considers that including visitor parking may have the unwanted impact of re-introducing circulating traffic as permit holders look for an on-street space.

This prohibition will:-

- maintain safe, reasonable and effective management of the road space to benefit those who need it most while mitigating against the impact of circulating traffic and irresponsible parking.

#### **5.3.4 Prohibition of Waiting at any time**

This proposal applies to the U228 Old A82 from the end of the no waiting / no loading restriction at the sports field to the south junction with the A82 Trunk Road. This section of road has limited, narrow footways. Substantial lengths of this section of the U228 have no footways and sections without any verge on at least one side of the road. The route is used by pedestrians and cyclists although not to the same levels as the section of the U228 nearer the core village. The route forms part of the NCN40 West Loch Lomond Cycle Path. There are locations along this route where it is reasonable to allow vehicles to drop off or pick up kayaks, pedestrians etc. and the Authority does not consider it appropriate to include a no loading restriction along this section as to do so would frustrate reasonable and convenient access.

This prohibition will: -

- Help to address road safety concerns and prevent danger arising to both pedestrians and vehicles.
- Mitigate against the reduction of roads to single track due to irresponsible parking on the Old A82.

#### **5.3.5 Parking Places (Maximum stay 30 minutes, no return within 1 hour 0800-2000 hours Monday to Sunday)**

The proposed designation of seven on-street parking bays on the U228 Old A82 is intended to allow short term free parking. The parking is intended for short-term (for example, parents dropping off/picking up school children short visits the shops). The proposal includes the following provisions:

- The maximum stay is 30 minutes, no return with 1 hour.
- The time restriction only applies between 0800 hours to 2000 hours.

This provision will support the community by:-

- Facilitating parents/guardians drop off/pick up at the school.
- Allowing the bays to also be used by others who wish to make use of the shops adjacent to the bays and the public toilet facilities.

## **6 Objections and mitigation**

- 6.1 A total of 90 objections were received to the proposed Luss Traffic Management Order, however, two were withdrawn leaving 88 extant objections. From the objections received, it is apparent that there is very little, if any, dispute as to the need for a traffic solution for Luss. A report on the proposed TRO with a breakdown of extant objections was presented to the Helensburgh & Lomond Area Committee on 16 September 2021.

The Committee meeting minutes, including detail of the question time, and the report are appended, [refer to Document 8a and 8b respectively for further detail] The report is contained under Item 8 [Agenda for Helensburgh & Lomond Area Committee on Thursday, 16 September 2021, 9:30 am - Argyll and Bute Council \(argyll-bute.gov.uk\)](#)

- 6.2 The Council has received 66 objections in template format. The template format is shown in Document 9. The template objections indicate strong support for the proposals, with the exception of the proposed permit which is considered by these objectors to be "too high a cost" for parking. The Council's response in that regard is noted below.
- 6.3 Three of the template objections raise additional points which have been handwritten onto the template form and another appends a letter providing additional detail. Each of these objections is dealt with below.

TABLE 1

NATURE OF OBJECTION	RESPONSE BY COUNCIL	OBJECTION NUMBER(S)
<b>Prohibition on Driving</b>		
Proposed restriction would result in local residents who reside outside of the village being unable to access the core village roads.	The permit zone is substantial in size and covers the majority of the parish and what could reasonably be considered as "local residents". The permits allow access and parking within the core village roads. The Council is of the view that the proposed prohibition is fair and reasonable in all the circumstances.	68
Proposed restriction would result in tradesmen (plumbers, engineers etc.) being unable to attend the objector's premises.	Equipment required by trades can be loaded and unloaded at the relevant property, but vehicles should then park within the off-street car parks. Where works are longer term or more complex, a temporary relaxation of restrictions can be applied for. The Council is of the view that the proposed prohibition is fair and reasonable in all the circumstances.  The Council also notes that the objector has two off-street parking bays available within the curtilage of the property. These could be used to allow access to trades.	68
Proposed restriction would mean that elderly persons could not be dropped at	The proposed exceptions permit Blue Badge to access the restricted roads.  The proposed exceptions also permit vehicles used for or in connection with the conveyance of goods or persons to or from premises. This	68



<p>access to business premises.</p>	<p>would allow visitors to drop off or pick up those with mobility issues but who do not hold a Blue Badge.</p> <p>The Council considers that the proposed exceptions mean that the proposed prohibition is fair and reasonable in all the circumstances.</p>	
<b>Prohibition of waiting at any time except vehicles displaying valid permits</b>		
<p>Opposition to proposed permit cost (including opposition to cost of £90/annum although the Order proposed a fee of £98/annum).</p> <p>Certain objections falling within this subset made reference to the previous TRO proposal which proposed a permit cost of £40 per annum.</p>	<p>The Council will seek to modify the proposals so that the permit cost will be reduced from £98 per annum to £45 per annum. The Council considers that the amended cost is fair and reasonable. It considers it appropriate that reasonable costs are recovered. The funds ingathered will contribute towards the operation of the permit system and annual licences, and to management, administration and enforcement resource in connection with the proposed restriction. The Council considers the permit cost now proposed is fair and reasonable in all the circumstances.</p>	<p>1 – 68, 70, 72 – 73</p>
<p>Lack of consideration for residents' visitors parking</p>	<p>The Council has considered the need for visitor parking. The Council is of the opinion that residents' visitors should make use of the off-street parking provision and that the inclusion of visitor parking within the permit scheme risks over-subscription of parking availability within the core village roads. It considers the proposed prohibition fair and reasonable in all the circumstances.</p>	<p>15</p>
<p>Opposition on principle to a need for residents' permits in a social housing area.</p>	<p>The Council considers the prohibition is fair and reasonable in all the circumstances, including in relation to residents in social housing. It considers it appropriate that reasonable costs are recovered. The funds ingathered from permit costs will contribute towards the operation of the permit system and annual licences, and to management, administration</p>	<p>61</p>

	and enforcement resource in connection with the proposed prohibition.	
Negative impact on ACHA tenants – costs and limitation of permits	The Council considers the prohibition is fair and reasonable in all the circumstances, including in relation to the cost and limitation of permits for social housing tenants. It appropriate that reasonable costs are recovered. To reduce the permit cost to £nil would introduce an unreasonable burden on public funds. The funds ingathered from permit costs will contribute towards the operation of the permit system and annual licences, and to management, administration and enforcement resource in connection with the proposed prohibition.	71
Opposition to charging residents for parking / proposal for free of charge permits.	The Council considers the prohibition is fair and reasonable in all the circumstances, including in relation to residents in social housing. It considers it appropriate that reasonable costs are recovered. To reduce the permit cost to £nil would introduce an unreasonable burden on public funds. The funds ingathered from permit costs will contribute towards the operation of the permit system and annual licences, and to management, administration and enforcement resource in connection with the proposed prohibition.	67, 70
Opposition to the two permit limit	The Council considers that it is necessary to establish a limit on the number of permits to minimise the risk of over-subscription of parking availability within the core village roads. The restriction proposes that two permits to be issued to residents and businesses contained within the zone (refer to Document 5c). In arriving at this limit, the Council has had regard to the extent of the zone, which is significant, and the property density, which is low. The zone encapsulates the Luss parish boundary. It is the view of the Council that allowing unrestricted permit numbers may have the unwanted impact of re-introducing circulating traffic as permit holders look for an on-street space. For these reasons, the Council considers the limit is fair and reasonable in all the circumstances. There is a commitment, however, to monitor post-	68, 70, 72

	implementation to assess the scope for increasing the number of permit available or, potentially, to create an inner zone with additional permit allowance.	
Opposition to cost for off-street permits (£498) (including an objection to that cost for staff beyond the two proposed permits per business).	The cost of off -street permits is not within the scope of the Order	68, 70
Businesses should only be permitted one permit each.	The Council considers that the availability of two permits per business is fair and reasonable in all the circumstances. In particular, the allowance of two permits per business maintains reasonable access, including for staff members. There is a commitment, however, to monitor post-implementation to assess the scope for increasing the number of permit available or, potentially, to create an inner zone with additional permit allowance.	72
Parking a seasonal problem	The Council accepts that there is a reduction in visitor numbers to Luss in the "off" season, but does not consider that the reduction is such as to obviate the need for the Order. In addition, the Council is aware of other instances in which seasonal implementation of parking instructions has caused confusion amongst users. The Council is not persuaded that it would be appropriate to modify the Order so that it was only applicable for part of the year. The Council considers that it is appropriate, fair and proportionate to maintain the applicability of the Order throughout the year.	61

6.4 In respect of other matters contained within the Luss Traffic Management Order:

i. No Waiting / No Loading Restrictions

There were no objections submitted to these restrictions.

ii. Prohibition of Waiting at any time

There were no objections submitted to these restrictions.

- iii. Parking Places (Maximum stay 30 minutes, no return within 1 hour (0800-2000 hours Monday to Sunday))

There were no objections submitted to these restrictions.

## **7 Withdrawn Objections**

The Council wrote to the 88 Objectors on 19 May 2022 asking them to confirm one of three options:

- i. That they wish withdraw their objection to the Luss Traffic Management Order; or
- ii. That they wish to maintain their objection and to be heard at the hearing; or
- iii. That they wish to maintain their objection but do not wish to be heard in support of it at the hearing.

In total 46 Responses were received; of which 8 confirmed they wished to withdraw, 9 confirmed they wish to maintain and be heard, and the remaining confirmed they wished to maintain but not be heard. Out of the 46 responses 2 (Fiona Potter and William Potter) withdrew aspects of their objection (specifically in relation to the cost of the zone permits) but maintained the rest of their objection.

Out of the 88 objections, 42 objectors did not respond to the letter and, as such, their objections must be considered to be extant. At time of writing, out of the 88 objections, 6 were fully withdrawn and 2 partially withdrawn, the remainder are considered to be maintained. The Council has responded to all of the issues raised in the extant objections in the table above.

## **8 Technical modification**

There are restrictions on vehicles in the Luss Traffic Management Order which may engage section 3(1) of the 1984 Act.

The Council considers these restrictions are necessary for certain of the reasons referred to in section 3(2) of the 1984 Act and therefore that the prohibition in section 3(1) requires to be disapplied. For these reasons, the Council proposes that the Luss Traffic Management Order is amended in the following manner:

1. At Article 2 – Provisions, insert the following words after the word "hereto.":

"The Council is satisfied that for the reasons set out in section 3(2)(a), 3(2)(b) and 3(2)(c), it is required that section 3(1) should not apply to the Order."

The Council notes that the Reporter has already identified the possibility of a modification of this nature and is satisfied in the circumstances that none of the objectors would be prejudiced by it.

The Luss Traffic Management Order contains a number of typographical errors. It will be modified to correct these before it is submitted to the Scottish Ministers for confirmation. Given the nature of the modifications, the Council is satisfied that none of the objectors would be prejudiced by them.

## **SUMMARY**

Two draft TROs are proposed within Luss and the surrounding area; one proposing to amend speed restrictions and one introduces a variety of traffic management measures. The Speed Limit Order can now be made as there are no extant objections, however, the Council is of the opinion that the most effective outcome would be to implement both Orders together in order to achieve maximum benefit.

The vast majority of objections to the Luss Traffic Management TRO were raised by those residing or who have business interests within the core village roads. From the objections received, it is apparent that there is very little, if any, dispute as to the need for a traffic solution for Luss. Of the five key provisions within the Luss Traffic Management TRO, only two were the subject of objections; the *Prohibition of Driving* and the *Prohibition of Waiting at any time except vehicles displaying valid permits*.

The Prohibition of Driving measure has only one Objector; the substance of the objection included that it would prevent access by tradesmen and the elderly or those with mobility issues but who do not hold a Blue Badge. The Council's position in respect of this objection is set out at Table 1 above.

The Prohibition of Waiting at any time except vehicles displaying valid permits has 80 extant objections. The majority of these are made in regard to the proposed cost of the permits; despite the H&L Area Committee reducing this from £98 to £45 per annum.

The Council's position in respect of the objections to these restrictions is set out at Table 1 above. In summary, in respect of the remaining extant objections (which include: the cost of permits; principle of charging for permits at all; visitor parking provision; the limit on the number of permits and allowing businesses to have more than 1 permit) it is the view of the Council that:

- A reasonable and fair permit cost has been set;
- It is reasonable to restrict the number of on-street permits pending a post-implementation review to ensure the available parking space is not oversubscribed (and thereby protect against the risk that the whole purpose of the proposed order is undermined).
- It is reasonable to make available business permits.

Luss has long standing complaints in relation to traffic and parking in and around the village. The proposals contained in the Luss Traffic Management Order have been developed following extensive consultation and community engagement and, in the view of the Council, offer a fair and reasonable solution. The Luss Traffic Management Order, once modified as suggested above, will comply with the requirements of the Road Traffic Regulation Act 1984. It is the Council's view that the Luss Traffic Management Order will: (i) improve road safety while maintaining necessary access, (ii) reduce anxiety amongst the residents of Luss caused by circulating traffic and irresponsible parking, (iii) preserve local amenity and, (iv) return the general environment within the core village to something in keeping with the character of the village and the historic road network. The Council has considered the potential economic impact of the Luss Traffic Management Order and is satisfied that the proposals are fair and proportionate, and that they represent an appropriate balance of community and business interests. The impact of the Luss Traffic Management Order will be monitored post-implementation and the Council is committed to keeping the terms of the Luss Traffic Management Order under review.

It is the Council's view that the Luss Traffic Management Order should be made without modification save for: (i) the technical modification to Article 2 set out above, (ii) the amendment to cost of the car parking permit, which will be reduced to £45 per annum as agreed by the Area Committee at their meeting on Thursday 16 September 2021 and (iii) the other typographical modifications already proposed by the Reporter.

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### **List of documents**

Document 1 Conservation Area and Listed Buildings

Document 2 Luss Village Roads

Document 3 Press Articles

Document 4 Heads of Terms

Document 5 Luss Traffic Management TRO

Document 6 Consultation 1 & 2 record sheets

Document 7 Luss TTROs

Document 8 H&L Area Committee Printed Minutes and Copy of TRO Report

Document 9 Template objection