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<b>Report To:</b>	<b>The Petitions Committee</b>	<b>Date:</b>	<b>19 March 2020</b>
<b>Report By:</b>	<b>The Head of Legal &amp; Property Services</b>	<b>Report No:</b>	<b>LP/021/20</b>
<b>Contact Officer:</b>	<b>Peter MacDonald</b>	<b>Contact No:</b>	<b>01475 712618</b>
<b>Subject:</b>	<b>Make Kirn Drive One Way</b>		

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## 1.0 PURPOSE

- 1.1 The purpose of this report is to bring before the Committee for consideration a petition by Mr William Oliver (the Petitioner) calling on the Council to make Kirn Drive, Gourrock a one way system running east to west.

## 2.0 SUMMARY

- 2.1 A petition has been created on the Council's website by Mr William Oliver calling on the Council to make Kirn Drive, Gourrock a one way system running east to west.
- 2.2 This petition was initiated on 12 January 2020 and as it has gathered in excess of 100 signatures within the publication period, it is now being brought before the Committee for consideration.
- 2.3 The comments on the Petition by the Council Services affected by it are set out in Appendix 2.

## 3.0 RECOMMENDATIONS

It is recommended that the Committee

- 3.1 considers the terms of the petition as set out in this report and, as part of that consideration, consider oral representations (if any) made by the relevant Council officers and by the Petitioner, all in accordance with the Rules of Procedure for Oral Representations adopted previously by the Committee (Appendix 1); and
- 3.2 following such consideration **either**:
- (a). supports this petition, remitting to the Corporate Director Environment, Regeneration and Resources to bring a report to the appropriate substantive Committee of the Council with recommendations on this matter; **or**
  - (b). rejects the petition, bringing matters to an end.

## 4.0 BACKGROUND

4.1 The Petitioner, an individual residing in the Inverclyde Council area, created an online petition on the Council's website published on 12 January 2020 calling on the Council take action make Kirn Drive, Gourrock a one way system running east to west.

4.2 The full description of this petition entered by the Petitioner and shown on the website is as follows:

A petition calling on Inverclyde Council to take steps to make Kirn Drive, Gourrock a one way system running east to west.

4.3 As at the date of this report, this petition has received 126 signatures, including both those handed in by the Petitioner in terms of signed pro forma letters and those submitted through the online system (it is at the date of writing still open to receive further signatures). The wording of the pro forma letters is as follows:

The widening of Kirn Drive would be an extremely costly event and would alter the scenic beauty and have a serious impact on the wildlife that lives there. A much more cost effective solution would be to make Kirn Drive a one way system running East to West which would also be beneficial to emergency services meaning faster response times on South side of Midton.

As, at the date of this report, this petition has received in excess of 100 signatures within the publication period, the petition is being brought forward for consideration by the Committee, all as provided for in the Council's Petitions Criteria.

4.4 The Rules of Procedure for Oral Representations at the Petitions Committee were approved by the Committee at its meeting of 15 June 2017, and are designed to ensure a fair hearing for all concerned, in relation to petitions coming before the Committee. These will apply in relation to the consideration of this petition by the Committee and are reproduced at Appendix 1 for ease of reference.

4.5 The appropriate Council service, in this case Roads, has set out view on the in relation to the Petition in terms of Appendix 2.

## 5.0 IMPLICATIONS

### Finance

5.1 Financial Implications:

#### One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

#### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

## Legal

- 5.2 The Committee approved “The Rules of Procedure for Oral Representations at the Petitions Committee” on 15 June 2017, which designed to ensure a fair hearing for all concerned, in relation to petitions coming before the Committee. These rules will apply at this meeting of the Committee in relation to the consideration of this petition
- 5.3 In terms of the Council’s approved petitions procedures, in their consideration of a petition, the Committee can decide that:
1. that the issues raised merit further action and will refer the matter to the relevant decision making body (which may be within the Council) and which may require further work, resolution or influence from the Council;
  2. that the issues raised do not merit any further action; or
  3. to take any other action, provided there is no financial impact for the Council’s service committees, as may be decided as appropriate.

It is the view of Officers that, by its nature, support of this petition will have financial implications and that the appropriate route, should the Committee decide to support the petition, is that the matter be remitted to the appropriate Service Committee.

## Human Resources

- 5.4 None from this report.

## Equalities

- 5.5 Equalities

Has an Equality Impact Assessment been carried out?

	YES
x	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

## Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

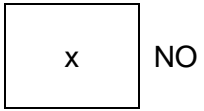
Has there been active consideration of how this report’s recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report’s recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
x	NO

## Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
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## **Repopulation**

5.6 There are no repopulation implications.

## **6.0 CONSULTATIONS**

6.1 The Corporate Director Environment, Regeneration and Resources has been consulted on the terms of this report.

## **7.0 LIST OF BACKGROUND PAPERS**

7.1 None.

## INVERCLYDE COUNCIL

## PETITIONS COMMITTEE

## RULES OF PROCEDURE FOR THE ORAL REPRESENTATIONS AT THE PETITIONS COMMITTEE.

During the consideration of a petition as an item of business (“**the Petition**”) at the Petitions Committee, the person responsible for the submission of the Petition (“**the Petitioner**”) will be given an opportunity to make oral representations in relation to the subject matter of the Petition. Council Officers (“**the Council Officer(s)**”) from affected Council Services will also be given the opportunity to make such representations, as will any Ward Members (see g) below). Below are the rules of procedure under which such representations will be heard at meetings of the Petitions Committee (“**the Rules of Procedure**”), and they have been designed to:

- create the right atmosphere for discussion;
- eliminate or reduce formalities; and
- give everybody a fair hearing.

The Rules of Procedure are as follows:

- a) The Convener will conduct the consideration of the Petition.
- b) At commencement of consideration of the Petition, the Convener will identify those intending to make oral representation on the merit of the Petition, namely : the Council Officer(s) present; the Petitioner (if present, or any person who, with the approval of the Convener, the Petitioner wishes to speak on his or her behalf); and any Ward Member in terms of g) below.
- c) The Convener will outline the procedure, explaining that it will take the form of a discussion which he will lead based on the Report to the Petitions Committee issued in relation to the Petition (“**the Report**”). The Report will have been circulated to the Members of the Committee, the Council Officer(s) and the Petitioner prior to the meeting. Copies will also be made available at the meeting.
- d) The Convener will ask the Petitioner whether or not he/she is content with the synopsis of the Petition contained in the Report. If the Petitioner disagrees with the summary he/she will be invited to clarify. This allows the Petitioner to ensure that the members of the Committee have a good understanding of the Petition.
- e) The Council Officer(s) will be invited to present the view of the affected Council Services on the merit or otherwise of and implications of the Petition, with their recommendation as to whether or not it should be supported, to set the scene for the discussion, with a time limit of 5 minutes.

- f) The Petitioner will be invited to speak to his/her Petition and comment on the representations made by the Council Officer(s), with a time limit of 5 minutes.
- g) Where the Petition relates to a specific part of the Inverclyde Council area, any Member of the Inverclyde Council whose ward includes all or some of that part ("**Ward Member**") may make representation in support of or against the Petition. Any such Ward Member present will be invited to do so, with a time limit of 5 minutes.
- h) Where a Ward Member makes representation in terms of g) above and is also a Member of the Committee, he or she will not be entitled to participate in the decision of the Committee on the Petition. Similarly, any Member of the Committee who has prior to the consideration of the Petition at the meeting made it clear that he or she is either for or against the Petition will also not be entitled to participate in the decision of the Committee on the Petition. This is essential to ensure that the Petition is given a fair and proper hearing and will avoid any impression of bias in relation to the Committee's decision-making processes.
- i) The Council Officer(s) will be invited to reply to the representations of the Petitioner or any Ward Member (introducing no new material), restricted to a time limit of 5 minutes.
- j) The Convener will allow the Petitioner the final word (introducing no new material), if he/she wishes it, by way of summary and in relation to any comments by a Ward Member, or the Council Officer(s), restricted again to a time limit of 5 minutes. The Convener will discourage repetitive or superfluous comments. At no time will cross examination be permitted. The Convener will indicate when he or she considers that sufficient clarification of the Petition has been achieved, and the discussion will then move on in terms of these rules, the oral representations element being at an end.
- k) The Committee will then proceed with consideration of the Petition as an item of business in terms of the Standing Orders.

In 2015 the Roads Service commissioned a transportation study to address the vehicle conflicts on Kirn Drive. This study examined 5 one-way options, however despite extensive community engagement, no consensus could be reached. It concluded that of the options it considered, the turning of Kirn Drive into a one-way system between Arran Road and Divert Road would have the least impact on the surrounding area.

Roads and Transportation now intend to take forward a further report to an as yet to be determined future meeting of the Environment & Regeneration Committee on the terms of this study, including the 5 options reviewed in it and recommending the preferred option in terms of the same, namely “ Kirn Drive one-way westbound between Arran Road and Divert Road”, be taken forward for further consideration. In considering this item, the Environment & Regeneration Committee will also need to approve the necessary budgetary commitment to the process. If this proposal is approved by the Environment & Regeneration Committee, then Roads and Transportation will then undertake a public engagement exercise prior to the necessary statutory procedures to promote a Traffic Regulation Order, which will itself includes a full public consultation.

It should be noted that the changing of Kirn Drive to a one way system may increase traffic speed and may require traffic calming measures.