

EAST RENFREWSHIRE COUNCIL

24 June 2015

Report by Director of Environment

SOUTH LANARKSHIRE AND EAST RENFREWSHIRE COUNCILS
(HOLEHOUSE ROAD, EAGLESHAM) (PROHIBITION OF DRIVING AND ENTRY)
ORDER 2013

PURPOSE OF REPORT

1. To seek Council approval to make and confirm The South Lanarkshire and East Renfrewshire Councils (Holehouse Road, Eaglesham) (Prohibition of Driving and Entry) Order 2013 under the powers conferred upon them by the Road Traffic Regulation Act 1984.

RECOMMENDATIONS

2. It is recommended that the Council approve and authorise the making of the South Lanarkshire and East Renfrewshire Councils (Holehouse Road, Eaglesham) (Prohibition of Driving and Entry) Order 2013.

BACKGROUND

3. The section of Holehouse Road, the subject of the proposed Order, includes a long established ford which was reconstructed in the early 1990's to function as a bridge when the water level is normal. It is located on the boundary between East Renfrewshire and South Lanarkshire, which at this point follows the course of the White Cart Water. South Lanarkshire is the managing authority for the river crossing. Holehouse Road is part of the local, signed cycle network offering an alternative for users who are prohibited from cycling or walking along the A726 Glasgow Southern Orbital Road. (Appendix 1 – Draft Order and Schedule. Appendix 2 – Map)

4. Following a fatal incident at the ford in 2012, when a motorist was drowned, South Lanarkshire Council liaised with East Renfrewshire Council before installation of new safety measures and inclusion of the location in their flood risk management scouting system. This system consists of a two person patrol activated at times of imminent heavy rain to check water levels and erect flood warning signs. Safety measures introduced in 2012 include additional depth marker posts and rumble strips to define the corners and edges of the surface of the deck and improved warning signage. In addition, in 2013 South Lanarkshire Council installed a photographic telemetry system, which assists the flood risk management team in deciding when to close the road.

5. Subsequent discussions between South Lanarkshire Council and East Renfrewshire Council concluded that, to ensure road safety during flood events, more robust measures were required. Consequently, lockable gates on both approaches and permanent demountable signs were erected. Initially these were authorised by a temporary traffic regulation order and it is proposed that this order be made permanent.

REPORT

6. South Lanarkshire Council agreed to carry out the formal statutory consultation process on behalf of both Councils, to ensure that the procedures for both Councils ran together. This process has been completed in accordance with the Local Authorities Traffic Orders (Procedure) (Scotland) Regulations 1999 and one objection was received. A public hearing took place on 16th April 2015 before a Reporter appointed by the Scottish Government. In his report, dated 1st June 2015, the Reporter recommended that the Order be confirmed without modification. If the Council makes this Order it must be advertised and the effective date stated.

7. The Local Authorities Traffic Orders (Procedure) (Scotland) Regulations 1999 sets out the statutory requirements for consultation. South Lanarkshire Council have met the procedural requirements.

FINANCIAL AND EFFICIENCY

8. This proposal has no capital or revenue implications for the Council.

CONSULTATION

9. Consultation has taken place with the Convener for Environment and the local members.

PARTNERSHIP WORKING

10. The proposed Order has arisen through joint working with South Lanarkshire and East Renfrewshire Councils.

IMPLICATION OF THE PROPOSAL

11. There will no property, IT or equalities implications from the proposals.

CONCLUSIONS

12. It is concluded that the Council should approve The South Lanarkshire and East Renfrewshire Councils (Holehouse Road, Eaglesham) (Prohibition of Driving and Entry) Order 2013 to ensure the safe operation of Holehouse Road at times of high water in the White Cart Water as it is essential that East Renfrewshire and South Lanarkshire Councils have the power to prohibit use of Holehouse Ford.

RECOMMENDATIONS

13. It is recommended that the Council approve and authorise the making of the South Lanarkshire and East Renfrewshire Councils (Holehouse Road, Eaglesham) (Prohibition of Driving and Entry) Order 2013.

Director of Environment

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June 2015

KEY WORDS

Holehouse Ford, Eaglesham, Traffic Regulation Order, South Lanarkshire Council

**South Lanarkshire and East Renfrewshire Councils
(Holehouse Road, Eaglesham)
(Prohibition of Driving and Entry)
Order 2013**

South Lanarkshire Council in exercise of the powers conferred on them by Sections 1(1), 2(1) to (4) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Constable of Police Scotland in accordance with Part III of Schedule 9 to the Act hereby make the following Order.

1. This Order may be cited as "South Lanarkshire and East Renfrewshire Councils (Holehouse Road, Eaglesham) (Prohibition of Driving and Entry) Order 2013" and shall come into operation on....

2. In this Order the following expressions have the meanings hereby assigned to them:-

"vehicle" unless the context otherwise requires, means a vehicle of any description and includes a machine or implement of any kind drawn or propelled along roads whether or not by mechanical power;

"pedestrian" being a person proceeding on foot;

"agriculture" includes horticulture, fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes and "agricultural" shall be construed accordingly ;

3. Prohibition of Driving

No person shall drive or cause or permit to be driven any vehicle, with exception of agricultural vehicles and vehicles used in connection with any operation on the bridge or access to the balancing pond (in case of an emergency when the closure is implemented during high water levels), on the lengths of road specified in the Schedule to this order, when the sign detailed in diagram 616 of the Traffic Signs Regulations and General Directions 2002 is in place on or near the road.

4. Prohibition of Entry

No person shall enter the lengths of road specified in the Schedule to this Order, when the sign detailed in diagram 625.1 of the Traffic Signs Regulations and General Directions 2002 is in place on or near the road. In accordance with Section 3(2) of the Act, the authority will use the powers detailed above when they are satisfied that the prohibitions are necessary for the avoidance of danger, or

Appendix 1

preventing the likelihood of any such danger arising, to persons or other traffic using the road to which the order relates.

5. Signed for and on behalf of South Lanarkshire Council by Colin McDowall, Executive Director, Community and Enterprise Resources on the (*date*) day of (*month*), Two Thousand and...

Signed for and on behalf of East Renfrewshire Council by Joe Abrami, Principal Solicitor, Legal Services on the (*date*) day of (*month*), Two Thousand and...

Schedule

Prohibition of Driving (except agricultural vehicles)

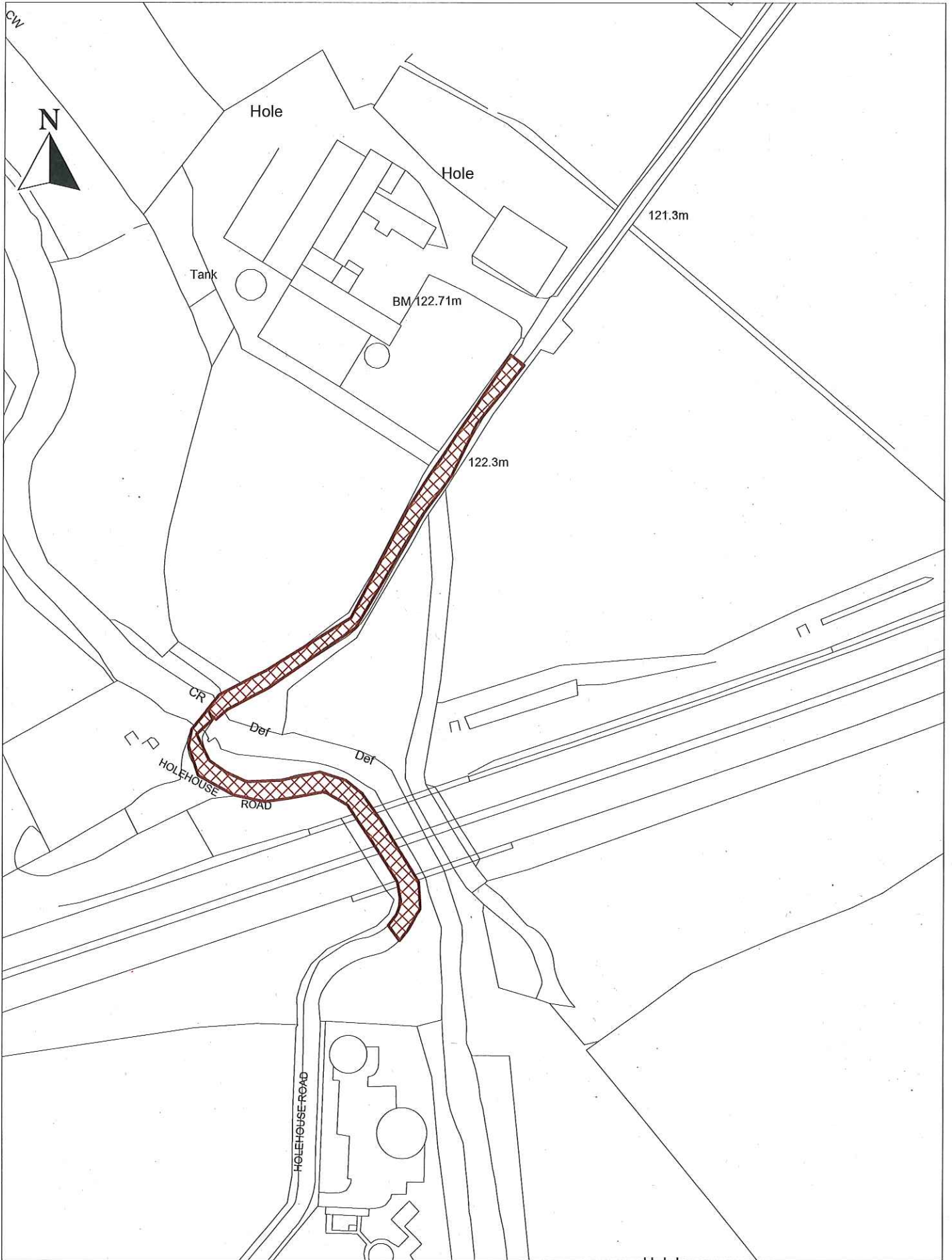
Prohibition of entry (pedestrians)

Length of Road within the boundary of South Lanarkshire Council

Holehouse Road, Eaglesham, from the centre line of the ford over the White Cart Water northwards to the vehicular access to Hole Farm, a distance of 160 metres or thereby.

Length of Road within the boundary of East Renfrewshire Council

Holehouse Road, Eaglesham, from the centre line of the ford over the White Cart Water southwards to the vehicular access to the parking area situated to the north of the sewerage works, a distance of 125 metres or thereby.



Key to Restriction Types Displayed

South Lanarkshire and East Renfrewshire Councils
 (Holehouse Road, Eaglesham)
 (Prohibition of Driving and Entry) Order 2013

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