

## **THE EAST LOTHIAN COUNCIL (VARIOUS ROADS – NORTH BERWICK) (PROHIBITION & RESTRICTION ON WAITING, LOADING & UNLOADING ETC), VARIATION ORDER No: 2**

### **FREQUENTLY ASKED QUESTIONS**

1. How long is this stage of the TRO process?

The Council has concluded the consultation stage of the Traffic Regulation Order Process.

The publication of proposals will start on the 28<sup>th</sup> August for a period of 5 weeks. The objection period will be from 28<sup>th</sup> August until 22<sup>nd</sup> October.

2. What are the procedures used to make a TRO?

The procedures used are The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 as amended.

3. Can you describe the current stage of the process?

The North Berwick Parking Management proposals are entering in to the publication of Notice period.

The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations LATOR(S) requires that a "Notice of Proposals" must be published "in a newspaper circulating in the area in which any road or other place to which the order relates is situated". In this case the Notice of Proposals are published in the East Lothian Courier and Edinburgh Gazette.

To ensure as wide as possible coverage of notification of intent to make the Order, the Council will "take such other steps as it may consider appropriate for ensuring that adequate publicity about the order is given to persons likely to be affected by its provisions".

This may include:

- publication of a notice in the Edinburgh Gazette.
- the display of notices in roads or other places affected by the order.

The Council also chooses to use additional forms of communication, through social media channels, notice boards and outreach within the Community through area partnerships to reach as wide audience as reasonably possible.

The Council will deposit documents for public inspection, at John Muir House, administrative centre. In addition documents will be placed in the North Berwick Community Centre and Museum / Library and in the Gullane Library. These documents will be available for inspection from the date of publication of the Notice of Proposals up to the end of the objection period. See question 1.

#### 4. What happens next?

The Council will seek representation from the consultees. This may take the form of an objection. The Council will endeavour to address the objectors concerns in writing. Where ever possible this will be done by email. Often, objections are withdrawn once the proposals are explained in detail, particularly if the objector has simply misunderstood the impact of the proposal. The Council will look to secure a withdrawal of objection in writing, this can be via email.

It is important to remember this remains a dynamic process and that the proposed TRO can be amended. The Council will take all constructive representation and be forthcoming with appropriate mitigation to address the objectors concerns. The Council will enter into constructive and meaningful dialogue. Revisions or amendments to the design, may be expedient to mitigate any significant objections.

However, the Council will hold to the objectives to the proposals set out within the original proposal and will not seek to introduce a poor-quality scheme just to appease objectors. Conversely, genuinely constructive suggestions will be embraced.

An amendment that is based on an objection that extends or makes the restrictions more onerous over and above the original plans may need to be re-advertised and re-consulted.

Once the objections have been assessed and formally accepted or rejected, a decision to proceed is required by the decision-makers. At this stage, a formal decision by East Lothian Council may seek for the matter to be referred to the Scottish Ministers. Accordingly, the Scottish Ministers will appoint a Reporter to hold a public hearing. In conclusion of that process there are 3 outcomes:

- a) to make the TRO as consulted on
- b) to make a less onerous and/or less extensive order, or
- c) to abandon the order. If any other revision is required, the process must be re-started.

Objectors must be notified of the decision.

#### 5. Why has the Objection period (originally to end 01/10/2023) been extended by 21 days to 22/10/2023?

A matter has been clarified with regard to the existing waiting and loading restrictions shown on Map 006 and set out in Schedule 4f of the Draft TRO. The map and Schedule indicate that a 29m length of road on Melbourne Road west of Balfour Street, labelled 4f.2.f is currently subject to a seasonal waiting and height restriction. This is not the case; the length in question is subject to prohibition of waiting and loading at any time; there are double yellow lines on street.

Minor changes have been made to the Articles text at Sections 5.2(c)(1) and 5.4(a)(11) to remove the references to goods vehicles.