

SPSO decision report

Case: 201300337, Argyll and Bute Council
Sector: local government
Subject: traffic regulation and management
Outcome: not upheld, no recommendations

Summary

Mr C complained to us that the council were failing to ensure that he had reasonable vehicular access to his home. He said he could not access it on a number of occasions because he could not pass parked cars. He complained that the council had carried out works that had narrowed the road, and allowed neighbours to construct a drive that effectively reduced the available parking space. Finally, he was unhappy that the council had refused his request to introduce parking restrictions to ensure he had clear access.

The council explained that they had built a fence beside the road for safety reasons and that after Mr C told them about the problems he was having, they moved the fence as much as they could to improve the road width. They inspected the site, and were of the view that Mr C could access his drive safely if neighbours parked considerately. They also inspected the driveway and said they did not consider it a safety hazard and that it did not restrict access along the road. They explained that if parked cars blocked access, Mr C should contact the police. The council also pointed out that introducing parking restrictions would involve making a traffic order. This would require a consultation with neighbours who might not be supportive, and the council thought that progressing an order at this time would not be appropriate.

We considered the evidence provided by both parties and reviewed the council's statutory responsibilities in terms of roads maintenance and parking. We noted that they had carried out works to improve safety and, when advised of the impact this had on access, had taken further action to move the fence and widen the access. We found that they had investigated all Mr C's concerns and had acted to try and improve access. We also noted that they had explained that they had no means of restricting parking other through a traffic order, which they considered inappropriate. We found no evidence to show that they failed to act appropriately on Mr C's concerns.