

ABERDEEN CITY COUNCIL

COMMITTEE	Enterprise, Planning and Infrastructure
DATE	9 November, 2010
DIRECTOR	Director of Corporate Governance
TITLE OF REPORT	The Aberdeen City Council (Pitmedden Road, Dyce, Aberdeen) (Prohibition of Left Turns) Order 2010
REPORT NUMBER	CG/10/189

1. PURPOSE OF REPORT

Four statutory objections have been received as a result of the public advertisement of this order. These are presented as an appendix hereto.

2. RECOMMENDATION

The recommendation is that a prohibition of left turns is likely to be ineffectual, and that the Committee approve *preliminary* statutory consultation on a prohibition of driving instead and thereafter report back (see Section 5 below).

3. FINANCIAL IMPLICATIONS

There are no financial implications here; this is a relatively minor project and provision for it exists in current budgets.

4. OTHER IMPLICATIONS

None.

5. BACKGROUND/MAIN ISSUES

The objections in this case are from (1) Burnett and Reid, Solicitors, representing Dyce Caravans Limited, (2) Dyce and Stoneywood Community Council, (3) Mr. Douglas Cumming (a resident of the west section of Pitmedden Road), and (4) Ms. Carol Croll of Nether Kirkton Farmhouse, also on the west section. A theme common to all four is that a prohibition of left turns will be ineffectual. The first three suggest reverting to the original closure proposal suggested by the roads officials on 12 January this year (see Article 17 of the minute). Mr. Cumming suggests a ban on left turns between 4.00pm and 6.00pm on weekdays, but that would seem to compound the point about unenforceability.

The roads officials feel that it is difficult to defend the idea that a prohibition of left turns will work. It would also inconvenience vehicles visiting the caravan park at the location, and the problem of dangerous overtaking on the blind bend by the railway bridge would not be resolved. Also, a prohibition of left turns would be effective only to the extent of adequate enforcement, and it has to be acknowledged that Grampian Police clearly will not have the resources to sustain the necessary level of enforcement on a day-to-day basis.

The roads view is also that the problems perceived are generally overstated, and may be a matter of perception. However, that is not the tone struck by the objectors, all of whom would resist the situation being characterised in that way. Also, the Committee has already shown its willingness to promote a traffic order to try to cure these difficulties.

All in all, I would be inclined to revert to the idea of a prohibition of driving. This would cure the issue of overtaking near the bridge, and, being intended as a physical impediment, would not require police enforcement.

Residents would be inconvenienced, but those at Nether Kirkton Farm would have close access to Dyce Drive while owners and tenants of caravans at the caravan park would have close access to Pitmedden Road.

However, there is an unexpected problem here which did not come to light when the matter was first investigated at the end of last year. Pitmedden Road is actually a bus route, used by a shuttle service to and from the industrial estate. The bus company (First) were approached about the left-turn ban almost a year ago, and did not raise any concerns. However, they have only recently heard of the idea of a closure. If the committee were now to be of a mind to revert to that idea, the *preliminary* statutory stage would afford a quick opportunity to consult properly with the bus company and get a better idea of the lie of the land. Thereinafter, a report back would allow members to gauge the balance of the arguments.

6. IMPACT

The *Vibrant, Dynamic and Forward Looking* document has a range of aspirations under the heading "Transport" (paragraph 7), and a prohibition of left turns seems incompatible with those aspirations because of the likelihood that it will be unenforceable.

There are objectives in the Community Plan to improve road safety and maximize accessibility for pedestrians and all modes of transport; again, the present proposal may not sit well with the objective of improving road safety.

Members should also consider whether the proposal is in keeping with the Council's Transportation Strategy, which aims to improve road safety, and reduce accident levels and injuries/fatalities on the roads.

7. BACKGROUND PAPERS

No background papers were used as a point of departure for writing this report (other than the statutory objections themselves).

8. REPORT AUTHOR DETAILS

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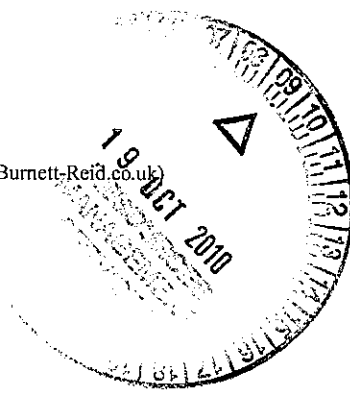
YOUR REF

OUR REF MDM SB D129.1

(e-mail:MDMcMillan@Burnett-Reid.co.uk)

DATE 18 October 2010

Mrs Jane MacEachran
Head of Legal and Democratic Services
Aberdeen City Council
Town House
ABERDEEN
AB10 1AQ



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ADVOCATES IN ABERDEEN

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15 GOLDEN SQUARE
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TELEPHONE 01224 644333

Dear Jane

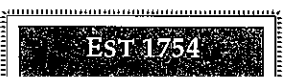
**Dyce Caravans Limited and Mr Alastair Cumming
Pitmedden Road – Prohibition of left turns**

I refer to Graeme McKenzie's letter circulated to interested parties and enclosing a copy of your public notice dated 29 September.

I enclose formal Letter of Objection/Representation prepared on behalf of Dyce Caravans Limited and Alastair Cumming, and have sent a copy thereof to the Lord Provost since he expressed an interest in the matter.

Yours sincerely

Michael D McMillan





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DATE 18 October 2010

Mrs Jane MacEachran
Head of Legal and Democratic Services
Aberdeen City Council
Town House
ABERDEEN
AB10 1AQ

Dear Mrs MacEachran

**Dyce Caravans Limited and Mr Alastair Cumming
Pitmedden Road – Prohibition of left turns**

We act for Dyce Caravans Limited of Pitmedden Road, Dyce and for Mr Alastair Cumming, the Chairman of that company and the owner and occupier of the adjoining house known as Tighnabruiaich. We refer to the proposed Prohibition of Left Turns Order which is under consideration by the Council's Enterprise Planning & Infrastructure Committee, and have seen the Report to the committee number EPI/10/092 dated 20 April 2010.

Our clients are extremely concerned that the Committee is presently going through the preliminary statutory consultation procedures with a view to ordering a prohibition of a left turn from Pitmedden Road on to Dyce Drive for a trial period of 6 months. The previous Report to the Committee, Number EPI/10/001 of 12 January 2010, considered a proposal that Pitmedden Road be closed from a point immediately to the west of the entrance into Dyce Caravans Limited, under the railway bridge and thence northward towards Nether Kirkton, and the purpose of this letter is to urge the Committee to reconsider the proposed left turn prohibition and to revert to the original proposal. Our clients put forward the following as compelling reasons for so doing:-

1. The Committee should be aware that the majority of customers visiting and then leaving Dyce Caravans Limited turn left onto Dyce Drive because the majority of them live to the north of Dyce.
2. Even those customers who live elsewhere prefer not to turn right onto Dyce Drive and travel back through Pitmedden Road, Dyce which is something of a bottleneck, but choose instead to turn left and follow Dyce Drive or alternatively turn first right to join the A947.
3. The Committee should be aware that large transporters delivering caravans and motor homes to Dyce Caravans Limited have to come from the Airport side of the site, because these vehicles are often 70ft long or more and are not suitable for travelling through the narrower parts of Dyce, and because there is in any event a weight limit in the middle of Dyce. When these vehicles leave Dyce Caravans, it is often with a return load of a caravan or motor home being returned to the manufacturers for warranty repairs or similar problems, and drivers



cannot turn right to go under the railway bridge because of its height restriction, and it does not make sense for them to turn right onto Dyce Drive when they need to go in the other direction. Forcing them to turn right will mean that they will then turn first left into Kirkton Avenue and loop all round Kirkton Avenue (passing through all the lorries already parked there) so as to enable them to re-emerge onto Dyce Drive and turn right to head north. This will cause unnecessary increased congestion.

4. Furthermore, many of these transporters are arriving and/or leaving at peak hours, and if they are forced to turn right at that time it will be practically impossible for them to emerge onto Dyce Drive because of the way traffic backs up from the right turn towards the A947: even if courteous drivers allow the transporters to emerge, the right turn will be extremely hazardous and it is unlikely that the gap in traffic will be wide enough to enable a safe manoeuvre to be executed by such large vehicles.
5. Even cars turning right at peak hours will cause a considerable hazard to traffic on Dyce Drive. This is because even if drivers travelling north are courteous enough to leave a gap, traffic coming from the north is at that point accelerating (having passed the left turn towards the A947) and emerging cars are simply unable to see traffic coming from the left until they are half way into the south bound carriageway. It is particularly dangerous for motor cyclists, and indeed one motor cyclist was injured in this manner within the last few months when colliding with a car emerging from Pitmedden Road.
6. It is quite clear from paragraph 6.2 of the said Report dated 20 April that the police do not have the resources to police the current poor driver behaviour on Pitmedden Road (where drivers ignore the double white lines), and it can be deduced that the police will simply not have the resources to police a prohibition of a left turn onto Dyce Drive.
7. The majority of customers visiting Dyce Caravans in the late afternoon are people who work in the area and live to the north, and who drop in past for such purpose as to pick up their caravan for use at the weekend (our clients are currently storing 330 caravans for customers). Such customers will be unable to continue their journey home with a left turn onto Dyce Drive and will be forced instead either to turn right while towing a caravan (a hazardous procedure in peak hours as already explained), or will head west and north up Pitmedden Road under the railway bridge, which is not really a road suitable for such traffic.
8. Of 15 employees at Dyce Caravans, all but one live in rural Aberdeenshire in such places as Auchterless, New Deer, Newmachar and Alford, and forcing them to turn right onto Dyce Drive at the end of a working day will markedly increase the time of their homeward journey.
9. As regards the original proposal to close off a section of Pitmedden Road, there is an additional argument in favour of that proposal on top of the one of preventing the current hazardous driving by impatient drivers. That is that a considerable number of heavy vehicles such as articulated lorries and particularly cranes which are driving north on Pitmedden Road/Dyce Drive will often choose, if there is a bottleneck on the section of Dyce Drive from Pitmedden Road round to Overton Garage, to turn left onto Pitmedden Road when that road is simply not suitable for traffic of that size. Indeed one crane was observed some years ago to hit the railway bridge, reverse out again, turn round and drive away, not realising that a whole section of the bridge had been deflected thus causing a deflection in turn of the railway line which would in turn have caused a derailment. The railway records will confirm this.

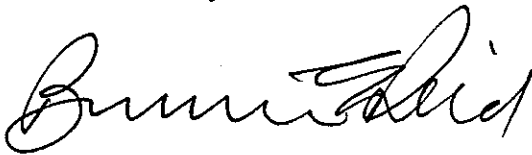
Fortunately Mr Cumming had observed this incident and managed to have the Aberdeen/Inverness Express stopped until repairs could be carried out.

10. The Aberdeen Airport/Dyce Railway Station link bus often comes down Pitmedden Road from Overton Garage, and has on several occasions had minor mishaps at the railway bridge.

For all these reasons the Committee is urged to reconsider its decision to experiment with a prohibition of a left turn, and to revert to its original decision taken on 12 January 2010 on the basis that the No Left Turn proposal will cause more problems than it will solve.

We and our clients will be happy to provide any further information and local knowledge that the Committee may require.

Yours faithfully

A handwritten signature in black ink, appearing to read "Bruce Smith". The signature is written in a cursive, flowing style with a large initial 'B' and 'S'.

10th October 2010

Dear Madam

Pitmedden Road – proposal to prohibit left turns from west section into section between Dyce Drive and Victoria Street.

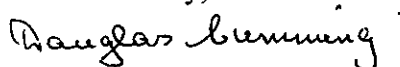
I refer to the above and write as a long - term resident of the west section of Pitmedden Road. My name is Douglas Cumming and my address is Parkview, Nether Kirkton, Dyce. In the family farming partnership I am involved in the farm stading at Nether Kirkton and the farming operations on approximately 110 acres with a current stock of approximately 400 ewes and lambs. A map is attached showing layout.

Over the years there has been a steady increase in traffic on the west section of Pitmedden Road with the worst period being Monday to Friday between 4p.m and 6p.m. There is very little traffic during the morning – almost all use Dyce Drive to get to work – but come normal finishing work time traffic almost comes to a standstill on the ‘Switchback’ (the local name for the section of Dyce Drive from the caravan premises to the Don bridge) and tails back to over the railway bridge on Dyce Drive. Cars going to Dyce avoid this by speeding down Pitmedden Road west section as do many others who then turn left to be waved down the Switchback by drivers who have been tail backed for some time. Traffic rules are often ignored and drivers coming from Dyce to get up Pitmedden Road are often faced with cars on the wrong side of the road!

The farm working day has been adjusted to avoid this time but during the rest of the day, especially winter and spring, silage bales (see map for storage area) and feed need to be taken to sheep in the fields. With slow moving farm tractors and trailers going from the farm stading up to Dyce Drive (see map – Upper Kirkton direction) and turning right it is like playing Russian Roulette. There is not a clear view of traffic coming over the railway bridge and most of the traffic – especially motor bikes- is at speed which would result in a smash with farm traffic. There has already been several smashes at this junction and farm use of the left turn at Dyce Caravans is essential for safe working.

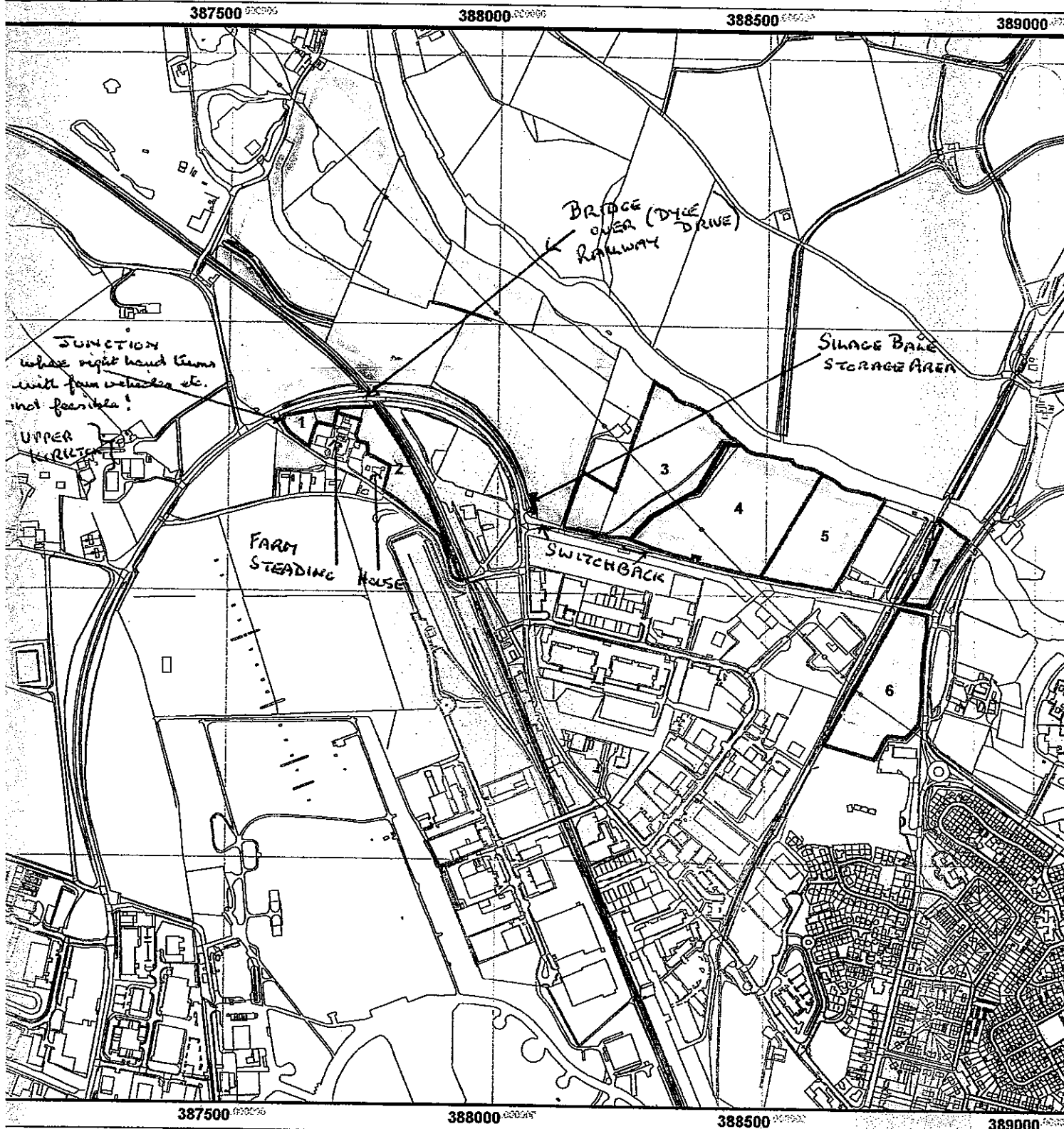
To summarise – I see no foolproof solution to the problem. I accept that a legitimate need for cars going to Dyce exists although there is an urgent need for speed restriction measures. However, a complete ban on left turns would make farm operations impossible. If a ban is still desired a ban on left turns would be reasonable say from 4p.m to 6p.m on weekdays (there is no real problem the rest of the time) or alternatively allow an exemption for farm traffic.

Yours faithfully,



Douglas Cumming

p.s I may add that although I was aware of intentions to consider or promote closure of the road to through traffic I was not aware of the official stages reached on 12th January 2010 and 20th April 2010as shown on Agenda item 9:3 and only realised the advanced stage from the letter dated 29th September 2010. Otherwise I would have been protesting earlier on the same grounds as present.

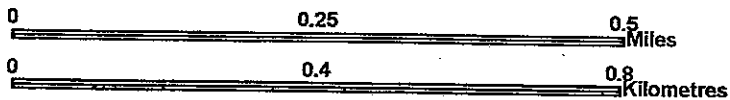


Scale 1:10,000

Blue Field Boundary

*In order to comply with Ordnance
can only be used by you or your a
Government. If you wish to use it
to enter separate licensing arrang*

1 cm equals 100 Metres
1 cm equals 109 Yards
1 inch equals 278 Yards



From: Graeme McKenzie
To: David Wemyss
Date: 11/10/2010 10:45
Subject: Fwd: Road issues

David

Below, is an objection from Dyce & Stoneywood Community Council with regard to the Pitmedden Road public advertisement.

Regards

Graeme

Graeme McKenzie
Technical Officer
Road Safety & Traffic Management Team
Tel. (01224) 523471

>>> "Bill Harrison" <bill.harrison@dsl.pipex.com> 07/10/2010 21:38 >>>
Dear Graeme,

I am writing on behalf of Dyce and Stoneywood Community Council re the following traffic issues:

1) Extension of "at any time" waiting restrictions on Kirkhill Road, Dyce. We support this. Reason: to improve visibility and road safety at the junction of Newton Road and Kirkhill Road.

2) Extension of "at any time" waiting restrictions on Netherview Road, Dyce. We support this. Reason: to improve visibility and road safety at the junction with Gordon Terrace.

3) Extension of "at any time" waiting restrictions on Victoria Street, Dyce. We support this. Reason: to allow access to properties 37, 39 and 53 and improve road safety at the junction with Glenhome Avenue.

4) Proposed "no left turn" restriction at Pitmedden Road. We do not support this proposal. Reason: it will be ineffective and cause confusion.

i) The Police have stated that they cannot enforce this proposed restriction.

ii) It is counter intuitive -- some similar junctions might have a no right turn restriction, but a no left turn restriction onto a two-way street will confuse drivers.

iii) Traffic problems only occur at the rush hour at this junction; if the no left turn restriction is in place permanently, a considerable amount of traffic will be forced to drive through Dyce village rather than take the natural route to Dyce Drive and Riverview Drive.

iv) It will not (in our opinion) stop the dangerous driving shown by some drivers at the blind bend under the railway bridge.

We therefore propose that the original "stopping up" of Pitmedden Road at the railway bridge is pursued as an infinitely better alternative.

Sincerely,
Bill Harrison (Secretary)

From: Graeme McKenzie
To: David Wemyss
Date: 11/10/2010 10:49
Subject: Fwd: FW: Pitmedden Road - Prohibition of Left Turns

David

Another e-mail below with regard to Pitmedden Road.

Thanks

Graeme

>>> "Carol Croll" <CCroll@acmr.co.uk> 11/10/2010 10:36 >>>

Nether Kirkton Farmhouse,

Dyce,

Aberdeen.

AB21 0EY

11th October 2010

Your Reference EK/GM/1/159/1/1

Dear Sir,

Pitmedden Road - Prohibition of left turns

I was so relieved to read from your reports that the Council is now aware of the dangerous circumstances that the local residents are facing on a daily basis. There is no speed limit on this narrow road and drivers take full advantage of this by driving at excessive speed given the road conditions. There are no pavements or street lights on any stretch of the road in question and I am a prisoner in my own home certainly during the hours of darkness and the peak period and all because inconsiderate motorists want to save a minute or so on their journey. There is no other legitimate use of the road other than for access to the dwellings.

I am in favour of the proposal to close the road altogether except for access only in that this is the only workable solution. To prevent left turns only will not alleviate the problems we are facing as drivers will still use the road either to flout the rule as the police will not have adequate resources to police this change or drivers will continue to use the road to turn right to avoid having to sit in a queue. Drivers will also continue to turn left from the main Pitmedden Road onto the road in question to avoid the junction with Dyce Drive.

The road in question has no purpose other than to provide access to the dwellings in the area and pedestrian access is totally inaccessible because of the lack of pavements and street lights and dangerous use of the road in terms of the volume and speed of the traffic. If the Council are not prepared to alter the status quo then in all fairness to the residents who have suffered in silence for a very long time the Council should upgrade the road by the installation of pavements and street lights in that at the moment we have only one means of access to our homes which is by vehicular access by way of this most dangerous road.

I hope that the Council will implement the closure of the road.

Yours faithfully,

Carol Croll