

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Operational Delivery
<b>DATE</b>	5 March 2020
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Proposed Overnight Prohibition of Motor Vehicles on Justice Mill Lane/ Langstane Place/ Windmill Brae etc
<b>REPORT NUMBER</b>	OPE/20/051
<b>DIRECTOR</b>	Rob Polkinghorne
<b>CHIEF OFFICER</b>	Mark Reilly
<b>REPORT AUTHOR</b>	Ross Stevenson
<b>TERMS OF REFERENCE</b>	5

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### 1. PURPOSE OF REPORT

- 1.1 Following completion of the statutory consultation process, this report considers objections that have been lodged with respect to the proposed Traffic Regulation Order titled “The Aberdeen City Council (Justice Mill Lane, Langstane Place, Windmill Brae Area, Aberdeen)(Traffic Management) Order 202(X)”

### 2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Note the objections received as a result of the statutory consultation in relation to “The Aberdeen City Council (Justice Mill Lane, Langstane Place, Windmill Brae Area, Aberdeen)(Traffic Management) Order 202(X)”
- 2.2 Instruct the Chief Officer of Operations and Protective Services to implement the proposals as part of an Experimental Traffic Regulation Order (ETRO), for a duration of 18 months; and
- 2.3 Instruct the Chief Officer of Operations and Protective Services to continue dialogue with Police Scotland and the Bon Accord Residents Association with

a view to establishing baseline data following which the ETRO can be reviewed on completion of an initial 12month period.

### **3. BACKGROUND**

- 3.1 Proposals for the overnight prohibition of motor vehicles were originally identified as a safety measure during the assessment process for the Purple Flag accreditation scheme via the Weekend Planning Partnership Group. The aim of the Purple Flag scheme is to achieve accreditation from the Association of Town and City Management for excellence in the management of town and city centres at night.
- 3.2 The scheme has subsequently evolved and has been incorporated as an initial stage of the City Centre Masterplan CCMP *“EN03 Langstane Place / Windmill Brae: This key area for evening economy activities will be enhanced as a pedestrian priority area with new cycle routes, improved streetscape and lighting.”*

### **Consultation**

- 3.4 An informal consultation on the outline traffic management proposals for the first phase of this project was carried out by way of leaflet drop in 2017/18 and a report titled *“Windmill Brae, Langstane Place, Justice Mill Lane – Night time Pedestrianisation – Informal Consultation”* was considered by the Operational Delivery Committee of 19 April 2018. The Committee approved the proposals in principle and instructed officers to proceed with the first phase Statutory Consultation process, and report the findings back to the Operational Delivery Committee of 6 September 2018. In addition, the committee instructed officers to provide further survey information and consult with Police Scotland on the feasibility of using Automatic Number Plate Recognition ANPR technology for enforcement.
- 3.5 In September 2018 a Service Update was submitted to the Operational Delivery Committee advising that the Statutory Consultation process was undertaken in accordance with regulation 4 of the *“Local Authorities’ Traffic Orders (Procedure) (Scotland) Regulations 1999”* (the Regulations) and during this process 20 responses were received. Of these only 4 responses were provided by consultees, with a further 16 responses being received from individuals who are constituent members of the consultee group or association. 7 responses received were supporting the proposals, 10 of the responses received were objections, with the remainder querying details of the proposals.
- 3.6 Due to the complexity of some of the objections received at that time, it was considered necessary to delay the Public Advertisement of the Order until further discussions and dialogue had been progressed with some of the objectors. Objections received from statutory consultation have been carried forward to the current Public Advertisement stage of the statutory process.
- 3.7 Details of the proposals and the associated traffic order are shown in the plan within Appendix 1 and the Public Notice in Appendix 2.

## Enforcement

- 3.7 With regard to the potential use of Automatic Number Plate Recognition (ANPR) for the enforcement of the proposed prohibition of motor vehicles, this is not a feasible option as the exemption for vehicles displaying a blue badge (which can be transferred between any vehicle) and vehicles accessing off-street car parks would undermine this form of enforcement. Officers have met with Police Scotland to discuss this issue and have provided the following response *“Police Scotland augmented by City Wardens will appropriately enforce any statutory traffic restrictions in the affected area. A period of grace (3 months) would be appropriate in order to gauge level of offending while appeasing and educating the public regarding the new restrictions. Thereafter, Police have the power to use discretion when dealing with isolated cases of offending and will Police the area and enforce proportionately.”*

## Traffic Data

- 3.8 The report to the Operational Delivery Committee on 19 April 2018 outlined that video surveys were carried out along the corridor in 2015. These survey results suggested that the pedestrian activity along the corridor increases steadily from 9pm, generally peaking between midnight and 1am, where 1361 pedestrian movements were recorded along the corridor. On the Saturday evening 6034 pedestrian movements were recorded between 2100 and 0500 at the junction of Langstane Place / Bon Accord Street. The timings for the proposed prohibition were developed as a result of these surveys.
- 3.9 The Committee expressed its regret that the traffic data was based on outdated pedestrian and traffic figures and instructed officers to commence dialogue with Aberdeen Inspired to obtain updated pedestrian footfall figures from the area.
- 3.10 Whilst the pedestrian and traffic figures were provided to give the Committee a sense of the magnitude of the issue highlighted, the proposals predominantly impact the night time period whereby the road network operates within capacity. The traffic figures are predominantly provided to give an impression of the number of interactions and the likely number of vehicle trips that may be diverted by the proposals.
- 3.11 Aberdeen Inspired have provided footfall data for their pedestrian counters, these indicate a 4.15% increase in footfall figures for Langstane Place between 10pm and 5am, and a reduction in footfall of 13.1% on Bridge Street over a similar time period. Survey equipment has also been installed in the proposed corridor to establish vehicular trends, the vehicular data suggests similar varying differing trends along the corridor, the traffic volumes shown in Appendix 3 have been factored based on the corresponding survey data.
- 3.11 The 24hour prohibition of motor vehicles on Langstane Place between Dee Street and Crown Street is the main element which impacts general traffic, the right turn from Union Street onto Crown Street is prohibited and as a result a number of drivers, including taxi drivers, utilise this route to access Crown Street and areas south. The proposals requires a localised diversion either to Market Street, Bon Accord Street, Holburn Street or the Denburn depending on

origin or destination of the journey. For the majority of journeys, this is unlikely to have a notable difference to journey length or time, however as identified by objections, this may result in a relatively large diversion for taxis between the Chapel Street taxi rank and the train station.

## Objections

3.11 21 objections have been received to the proposals, and 4 letters of support during the Public Advertisement of the proposals. During the previous statutory consultation a further 10 objections and 7 letters of support were received. Each objection has been split into specific categories, summarised and an officer's response has been provided within the table as part of Appendix 4. Redacted copies of each objections are provided in Appendix 5.

## 4. FINANCIAL IMPLICATIONS

4.1 An application for funds was made to the Bus Lane Enforcement (BLE) surplus fund in 2017/18 and £20k was allocated during that financial year but the funds were not released. The funding for the scheme has subsequently been carried forward to the current financial year.

## 5. LEGAL IMPLICATIONS

5.1 The proposals include a 24 hour prohibition of motor vehicles on a section of Langstane Place between Dee Street and Crown Street. If an objection is received for this element of the proposals there is a possibility that this may result in a requirement to hold a Public Hearing. This would delay the implementation of this element of the scheme.

## 6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
<b>Financial</b>	There is a risk that the costs associated with the installation of traffic signs will be lost if the scheme is implemented then withdrawn.	M	Non illuminated retroreflective signage will be implemented reducing establishment costs and lowering any future costs associated with any removal of the scheme.
<b>Legal</b>	Objections received relating to the Statutory Process.	L	Officers will follow the procedures set out in The Local Authorities' Traffic Orders (Procedure)

			(Scotland) Regulations 1999.  Additionally there is an opportunity to remove elements from the proposals or implement the Traffic Regulation Order in part.
<b>Employee</b>	None		
<b>Customer</b>	Objectors living in the area have raised concerns that these proposals will have a detrimental impact on residents in the area as a result of increased levels of anti-social behaviour  These proposals may also have a detrimental impact on short city centre taxi journeys due to the proposed restrictions between Dee Street and Crown Street.	M	Officers have met with the local resident's association and Police Scotland to establish baseline measures against which any future review will be measured against. It should be noted that as well as this project having an effect on behaviours, further external influences, outwith the control of the Council, may also come into play.
<b>Environment</b>	None		
<b>Technology</b>	None		
<b>Reputational</b>	Some objectors have suggested that Aberdeen City Council are supporting drinking.	M	This is not the case, the proposals are intended to address safety concerns in the area due to the volume and dynamic of groups in the area

## 7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report

<b>Prosperous Place</b>	People friendly City - The proposals will enhance the night-time environment, and create safer streets for people.
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<b>Design Principles of Target Operating Model</b>	
	<b>Impact of Report</b>
<b>Customer Service Design</b>	- None
<b>Organisational Design</b>	- None
<b>Governance</b>	- None
<b>Workforce</b>	- None
<b>Process Design</b>	- None
<b>Technology</b>	- None
<b>Partnerships and Alliances</b>	Officers have been working with various organisations including Police Scotland, Aberdeen Inspired, DEP, and a local residents group to develop these proposals and improve the area.

## 8. IMPACT ASSESSMENTS

<b>Assessment</b>	<b>Outcome</b>
<b>Equality &amp; Human Rights Impact Assessment</b>	EHRIA has been completed
<b>Data Protection Impact Assessment</b>	Not required
<b>Duty of Due Regard / Fairer Scotland Duty</b>	Not applicable

## 9. BACKGROUND PAPERS

OPE/18/007 - Windmill Brae, Langstane Place, Justice Mill Lane – Night time Pedestrianisation - Informal Consultation

Service Update - Windmill Brae, Langstane Place, Justice Mill Lane – Night  
time Pedestrianisation - Statutory Consultation

**10. APPENDICES (if applicable)**

Appendix 1 – Site Plan  
Appendix 2 – Public Notice  
Appendix 3 – Traffic Flow data  
Appendix 4 – Summary of Objections  
Appendix 5 – Redacted Objections

**11. REPORT AUTHOR CONTACT DETAILS**

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