

## ABERDEEN CITY COUNCIL

<b>COMMITTEE</b>	Operational Delivery
<b>DATE</b>	16 September 2021
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Traffic Regulation Orders - Objections following statutory consultation / public advertisement
<b>REPORT NUMBER</b>	OPE/21/202
<b>DIRECTOR</b>	Rob Polkinghorne
<b>CHIEF OFFICER</b>	Mark Reilly
<b>REPORT AUTHOR</b>	Graeme McKenzie
<b>TERMS OF REFERENCE</b>	1.1.1

### PURPOSE OF REPORT

1. This report considers objections and comments received during the statutory consultation period with respect to three proposed Traffic Regulation Orders.

### 2. RECOMMENDATION(S)

It is recommended the Committee: -

- 2.1 Acknowledge the objections received as a result of the public advertisements for the proposed Traffic Regulation Orders.
- 2.2 In principle, approve "The Aberdeen City Council (Macaulay Drive, Aberdeen) (Redetermination of Means of Exercise of Public Right of Passage) Order 202\_" be made, however, in terms of the statutory process, instruct the Chief Officer, Operations and Protective Services, to refer the matter to the Scottish Ministers for a final decision on the proposed order;
- 2.3 Approve "The Aberdeen City Council (Disabled Persons' Parking Places in Aberdeen City) (Regulatory Parking Places) (Ref.B) Order 202\_" be made and brought into effect; and

- 2.4 Approve “The Aberdeen City Council (Burnbutts Crescent, Aberdeen) (Prohibition of Waiting) Order 202\_” be modified to the lesser extent specified by the plan in Appendix 5 and brought into effect.

### **3. BACKGROUND**

- 3.1 This report deals with three proposed Traffic Regulation Orders (TRO) which at the public advertisement stage has been subject to statutory objections. The report presents the objections received and provides officers’ responses to the issues raised. Plans detailing the provisions of the TROs are included within the Appendix 1 to this report. Redacted copies of the e-mails / letters of objection received are presented in Appendix 2. While the public notices with respect to these orders can be viewed in Appendix 6.

#### **The Aberdeen City Council (Macaulay Drive, Aberdeen) (Redetermination of Means of Exercise of Public Right of Passage) Order 202\_.**

- 3.2 The purpose of the above proposed order is to redetermine an adopted public footpath to a shared pedestrian / pedal cycle facility (See plan in Appendix 1). The background is as follows: -

Concerns have been raised regarding conflict between pedestrians and cyclists on and emerging from the path between Macaulay Drive and Craigiebuckler Drive. At the path’s endpoints, conflicts between cyclists and pedestrians, and cyclists and dogs, have been reported. Along the path, users traverse a 2m wide asphalt strip, while the other section of the surface, running adjacent to the asphalt strip, has a reinforced grass paving surface that is difficult to walk or cycle on.

At present, the lane is officially a footpath, meaning it is an offence to drive or cycle along it. However, the lane links directly onto the core path network and is a recommended quiet route for cyclists (further information: <https://www.aberdeencity.gov.uk/services/roads-transport-and-parking/cycling-aberdeen/cycling-maps>).

Aberdeen City Council now proposes that the lane is formally redetermined to a shared pedestrian and cycle path, which would allow the safety issues to be addressed whilst still encouraging cycling as a mode of transport in this area. The formal redetermination would require shared space signage to be installed at the lane’s endpoints.

In line with Cycling by Design recommendations, which specify paths of this type are at a desirable minimum of 3 metres wide, the Council proposes to widen the asphalt surface of Macaulay Drive to eliminate conflict along the lane. It is also proposed painted surface markings are installed at each end of the lane to encourage cyclists to slow down and give way, and thereby mitigate any potential for pedestrian-cyclist conflict at those locations. The Council further proposes to install areas of tactile paving to warn pedestrians with visual impairments of the shared pedestrian and cycle path, and of the road crossing point. (See design concept in Appendix 3).

- 3.3 There were two objections received during the statutory consultation, one from a resident and the other from the Craigiebuckler and Seafield Community Council. Councillor Greig, one of the three members that represent the Hazlehead / Queen's Cross / Countesswells Ward, also expressed concerns.
- 3.4 The principle concern of the objections remains the possibility for conflict between cyclist and pedestrians, this being both in terms of possible excessive speed by cyclists when considering the layout, and also lack of visibility splays at both ends of the lane as users enter and exit the facility. The full details of the objections / comments can be viewed in Appendix 2.
- 3.5 Cycling, as a mode of sustainable travel, is an integral part of the Local Transport Strategy, the Active Travel Action Plan, and the Sustainable Urban Mobility Plan. Accordingly, the Council seeks to make improvements to the road network that will enhance or provide new facilities for cyclists. The footpath concerned is approximately 47 metres long and provides a convenient link between Macaulay Drive and the Core Path network which cyclists are permitted to use under the Land Reform (Scotland) Act 2003.
- 3.6 As indicated, cyclists are already observed to use this link, which is technically classed as a footpath under the current road adoption records. Thus, as opposed to requiring cyclists to dismount when travelling along this path, it was more appropriate to consider whether this route could be improved, thereby encouraging cyclists to travel at an appropriate speed that respects pedestrians and to be mindful of the entry/exit points where there is limited visibility.
- 3.7 With reference, to the possibility of cyclists having to dismount, as suggested within the objections, this should be avoided wherever possible. While the path is short in length, an instance of having to dismount from a cycle is disruptive and reduces the coherence and attractiveness of a route, thereby creating a significant hurdle when encouraging cycling as a sustainable form of transport and is contrary to good design.
- 3.8 Accordingly, it is proposed to widen the path, whereby it will meet or surpass the 3 metre desirable minimum set out in cycling design guidance. There will also be surface marking established that highlight the entry / exit points and cyclists will be instructed to 'Give way', while prescribed sign-plates will specify the length as being a shared pedestrian / cycle facility. Additionally, tactile paving at the entry point from Macaulay Drive would also be used to alert visually impaired pedestrians of the shared facility. To visualise the aforementioned measures a design concept is available to view in Appendix 3.
- 3.9 The use of staggered barriers / a chicane on this path as a speed deterrent is not under consideration. Chicane barriers for the aforementioned purpose cannot be used by people on tandems, tricycles, cargo bikes and people with child trailers. They may also be inaccessible to some types of wheelchair and mobility scooter. An access control that requires cyclists to dismount will also exclude hand cyclists and others who cannot easily walk.
- 3.10 Thus, in conclusion, it is considered the proposed improvements to the path will provide a facility that responsible cyclists can comfortably negotiate, while being

respectful that it also provides for pedestrian passage. It is therefore recommended the proposed order be approved in principle, with officers instructed to refer the proposal to the Scottish Ministers (Transport Scotland / Scottish Government), for a final decision, this being a necessary step set down in the redetermination legislation process where there are unwithdrawn objections.

**The Aberdeen City Council (Disabled Persons' Parking Places in Aberdeen City) (Regulatory Parking Places) (Ref.B) Order 202\_.**

- 3.11 Under the "Disabled Persons' Parking Places (Scotland) Act 2009", the Council has a duty, wherever possible and appropriate, to provide a qualifying disabled resident with access to a disabled parking bay on a public road in near proximity to their property. The qualifying criteria being the person has a valid Disabled Persons' Badge (the "Blue Badge") and there is a vehicle kept at their residence. Accordingly, the above-named order provides for a batch of disabled bays that are being promoted at locations across the city.
- 3.12 This order has been subject to objection with respect to a bay that has been established on Devonshire Road. For information, the bay is first established on the carriageway as an advisory bay, with an order thereafter being promoted that will allow for the bay to be regulated / enforceable. The two objections relate to the position of the bay, whereby the objectors form the opinion it is not in the optimum position to serve the disabled resident. (See plan in Appendix 1).
- 3.13 The process involved when installing these bays is an officer may meet with the applicant and discuss the location that best suits their access requirements when considering the surrounding road layout. On many occasions this will be straightforward and is a matter of getting the bay located as close to the property access as possible. On other occasions, however, there can be general street furniture, lighting columns, trees etc. that lead to some refinement in the position of the bay.
- 3.14 Thus, when an officer met with the applicant prior to the installation, the applicant had raised concern over the position of a tree located on the adjacent footway outside their property. The bay was therefore located east of the tree and where there is a nearby lighting column that directly casts illumination over the bay during the hours of darkness. (See photos in Appendix 4)
- 3.15 The crux of the objections is disappointment over the bay being placed near the frontage of a property neighbouring the one that is principally associated with the applicant. In this regard, while any resident will appreciate the convenience of being able to get parked directly outside their door, it must be stressed this is a public road where any taxed / insured car can be parked, albeit with the additional proviso that between the hours of 8am and 6pm, Mon – Fri, Devonshire Road is subject to controlled parking, with sections of 'permit holders only' bays and 'permit holders / pay & display / pay by phone' bays. Accordingly, there is no guarantee a resident will always get parked directly outside their property and it is appropriate the Council, acting as the Roads Authority, have considered the position best placed to serve the disabled resident.

- 3.16 Given the rationale for the disabled bay in its current position, it is recommended the order be approved and brought into effect.

**The Aberdeen City Council (Burnbutts Crescent, Aberdeen) (Prohibition of Waiting) Order 202\_.**

- 3.17 The purpose of the above proposed order is to establish a certain length of prohibition of waiting at any time ('double yellow' lines) on the turning head that serves Burnbutts Crescent (See plan in Appendix 1). The background is as follows: -

Concerns have been raised by local residents with regard to vehicles parking on the turning head of this road, the purpose of this area is to allow drivers to turn their vehicles around with ease. Parking in this location causes obstruction and makes turning difficult for residents. It is therefore proposed to establish a prohibition of waiting at any time throughout the turning head; this restriction will ensure the turning space is kept clear, while still allowing legitimate loading / unloading to take place when necessary.

- 3.18 There have been nine objections received as a result of the statutory consultation. While the detail of the objections can be viewed in Appendix 2, the principle concerns were over the loss of on-street parking and the displacement of parked vehicles. The displacement being a strong concern in the context of a street that already has limited on-street parking.
- 3.19 In light of the objections received, the proposal has been reviewed whereby the 'swept path' of vehicles, up to and including Light Good Vehicle size, carrying out a 'three point' turn has been modelled. This has indicated there is scope to marginally reduce the extent of the original proposal and retain on-street parking for a couple of cars within the area concerned. The detail can be viewed in the plan included at Appendix 5. For information, when considering vehicles beyond Light Good Vehicles size, the turning head is sub-standard, thus access / egress would always involve an element of reversing on the road leading to the turning head.
- 3.20 It is therefore recommended the Order should be modified to the lesser extent specified on the plan in Appendix 5 and made / brought into effect.

**4. FINANCIAL IMPLICATIONS**

- 4.1 "The Aberdeen City Council (Macaulay Drive, Aberdeen) (Redetermination of Means of Exercise of Public Right of Passage) Order 202\_" will be funded through the Cycling, Walking, Safer Routes budget.
- 4.2 "The Aberdeen City Council (Disabled Persons' Parking Places in Aberdeen City) (Regulatory Parking Places) (Ref.B) Order 202\_" will be funded through the Disabled Parking budget.

4.3 “The Aberdeen City Council (Burnbutts Crescent, Aberdeen) (Prohibition of Waiting) Order 202\_” will be funded through the Cycling, Walking, Safer Routes budget.

## 5. LEGAL IMPLICATIONS

5.1 The proposed redetermination order of the Macaulay Drive footpath is made under the Roads (Scotland) Act 1984, while the other two orders are made under the Road Traffic Regulation Act 1984.

5.2 Failure to approve “The Aberdeen City Council (Disabled Persons’ Parking Places in Aberdeen City) (Regulatory Parking Places) (Ref.B) Order 202\_” could see the Council fail in its duty to provide a Disabled Persons Parking Place to an applicant that meets the criteria set out in the “Disabled Persons’ Parking Places (Scotland) Act 2009”.

## 6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
<b>Strategic Risk</b>	Cycling, as a mode of sustainable travel, is an integral part of the Local Transport Strategy, the Active Travel Action Plan, and the Sustainable Urban Mobility Plan. Accordingly, the Council seeks to make improvements to the road network that will enhance or provide new facilities for cyclists. If new cycle facilities are not installed, it could impact on these aspirations.	L	Officers propose measures that take account of national design guidelines published by the Scottish Government and the Department for Transport.
<b>Compliance</b>	Insufficient resources could require the TRO to have to re-enter the legislative process if it is unable to be implemented within the statutory period of 2 years from consultation.	L	Reviewing the priority of the project in respect of funding in order to ensure that the consultation process does not need to be restarted.
<b>Operational</b>	Road safety levels and traffic management	L	Officers propose measures that are

	could be compromised if measures are not progressed, leading to continued public concern.		deemed reasonable and appropriate to address the Road Safety and Traffic Management issues to reduce incidents of public objections.
<b>Financial</b>	N/A		
<b>Reputational</b>	Proposals can be contentious and attract negative feedback.	L	Concerned parties would be provided with a thorough rationale as to the requirement for the proposals.
<b>Environment / Climate</b>	There could be a negative impact if sustainable / active travel measures are not supported.	L	Officers propose measures that are deemed reasonable and appropriate.

## 7. OUTCOMES

<u><a href="#">COUNCIL DELIVERY PLAN</a></u>	
	<b>Impact of Report</b>
Prosperous Place Stretch Outcomes	The proposals in this report support the delivery of LOIP stretch outcome 15 by creating a safer environment on the road network. Road safety measures help reduce accidents and can help increase walking and cycling.

## 8. IMPACT ASSESSMENTS

<b>Assessment</b>	<b>Outcome</b>
<b>Impact Assessment</b>	<p>1. <b>Macaulay Drive Footpath Redetermination Proposal – Shared pedestrian / cycle path – Potential negative impact on disabled users – Mitigation:</b> The mitigating actions are the path will be widened to at least the desirable minimum specified in national guidance published by the Scottish Government and Department for Transport. There will also be signs / surface markings established that identify the route as a shared facility, while tactile surface paving will also provide warning of the shared status to visually impaired pedestrians. The use of the</p>

	<p>shared status signs will also emphasise the need for cyclists to be respectful of pedestrians and exercise due care and attention.</p> <p>2. <b>Disabled Parking Place – Devonshire Road – Positive impact for disabled persons</b> – This proposal provides disabled persons with a facility for close proximity parking adjacent to residential properties.</p>
<b>Data Protection Impact Assessment</b>	Not required

**9. BACKGROUND PAPERS**

N/A

**10. APPENDICES**

Appendix 1 – Plans

Appendix 2 – Objections

Appendix 3 – Macaulay Drive Pedestrian / Cycle Route – Design concept

Appendix 4 – Devonshire Road – Disabled Bay - Photos

Appendix 5 – Burnbutts Crescent – Revised plan / proposal

Appendix 6 – Notices

**11. REPORT AUTHOR CONTACT DETAILS**

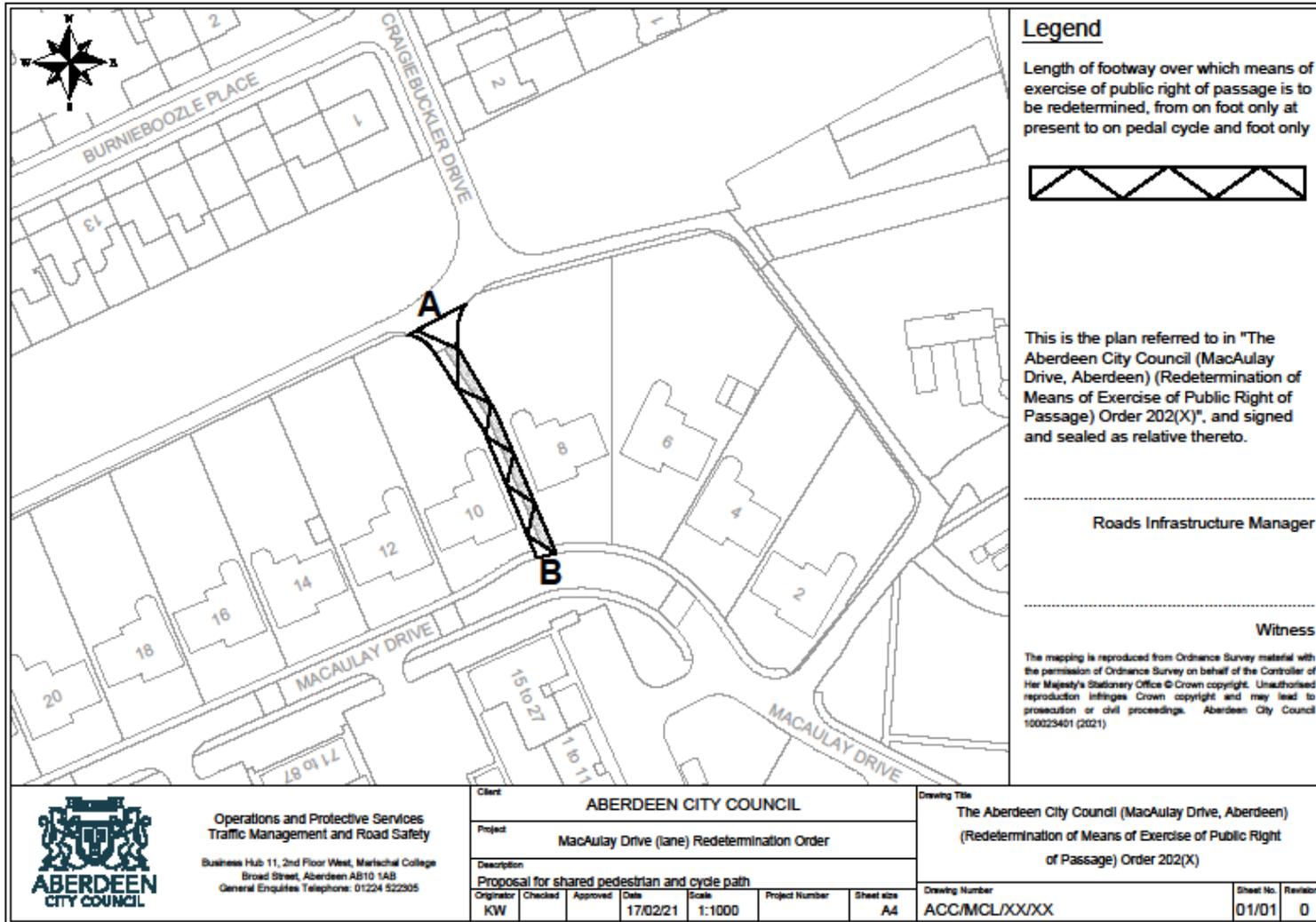
Graeme McKenzie

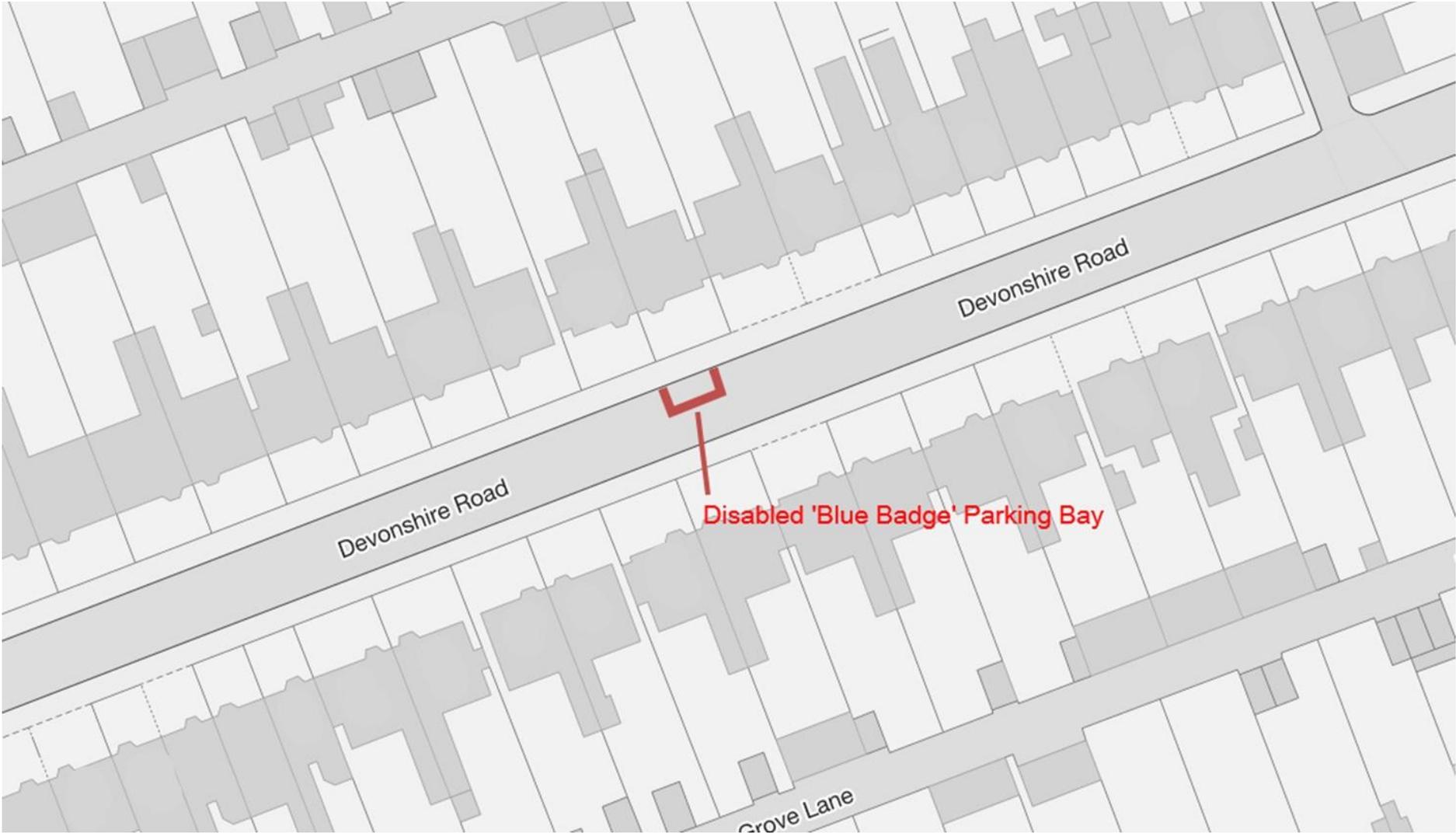
Technical Officer

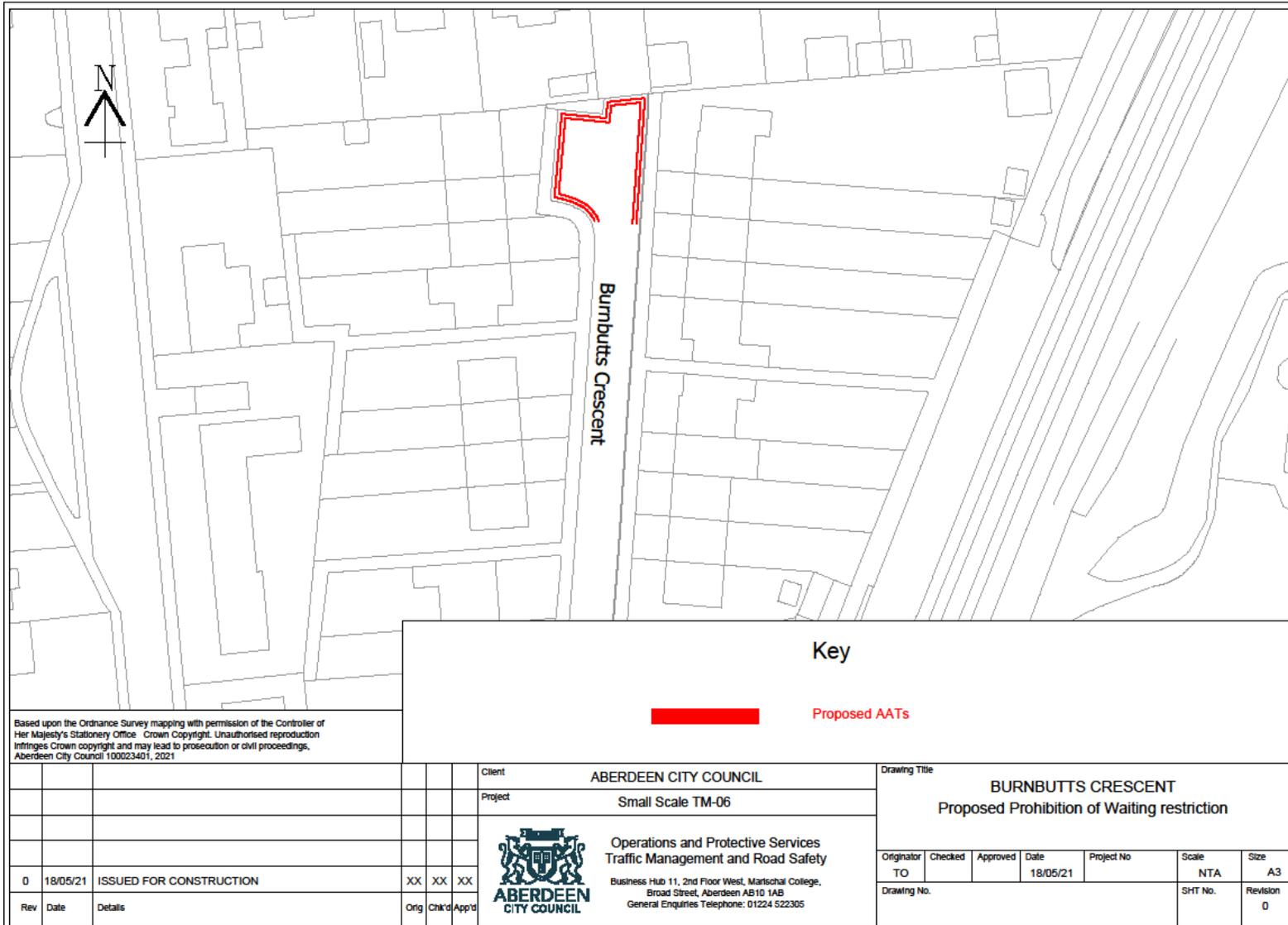
[gmckenzie@aberdeencity.gov.uk](mailto:gmckenzie@aberdeencity.gov.uk)

01224 522308

## APPENDIX 1 – Plans







Based upon the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Aberdeen City Council 100023401, 2021

0	18/05/21	ISSUED FOR CONSTRUCTION	XX	XX	XX
Rev	Date	Details	Orig	Chkd	App'd

Client	ABERDEEN CITY COUNCIL
Project	Small Scale TM-06
 <b>Operations and Protective Services</b> <b>Traffic Management and Road Safety</b> Business Hub 11, 2nd Floor West, Marischal College, Broad Street, Aberdeen AB10 1AB General Enquiries Telephone: 01224 522305	

Drawing Title						
<b>BURNBUTTS CRESCENT</b>						
<b>Proposed Prohibition of Waiting restriction</b>						
Originator	Checked	Approved	Date	Project No	Scale	Size
TO			18/05/21		NTA	A3
Drawing No.					SHT No.	Revision
						0

## APPENDIX 2 - Objections

### The Aberdeen City Council (Macaulay Drive, Aberdeen) (Redetermination of Means of Exercise of Public Right of Passage) Order 202\_.

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 06 May 2021 11:23  
**To:** TrafficManagement  
**Subject:** Redetermination of Means of Exercise of Public Right of Passage on MacAulay Drive.

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Having studied the proposal I suggest that use of this path in any altered form by pedestrians and mounted cyclists is inappropriate.

Because of line of sight issues at both ends of the pathway, narrowness and the downslope towards the northern exit which facilitates cyclist speeding, the current path is unsafe for joint use by pedestrians and mounted cyclists. Path surface improvements will only exacerbate the issue, possibly encouraging irresponsible cyclists to travel more quickly.

The path is predominantly used by pedestrians amongst whom are the elderly, parents with very young children (the children being carried or on foot or in buggies), unaccompanied young children and dog walkers (and dogs) of all ages. In the narrow passageway there is great potential for the unexpected and adding to this risk by the costly act of surface alteration I firmly believe is mistaken.

There is the further risk that the occasional motorcyclist, who breeches legality by riding through this passageway which is essentially a pavement, will be further encouraged to continue unlawfully at greater speed and higher risk to the general public than before.

I write this protest at the proposal as a resident of the area, an elderly pedestrian and significantly as an elderly cyclist. In that latter capacity I very much enjoy my "freedom to cycle" however it is my prime responsibility when doing so to exercise my duty of care to others whether they be on foot, on horseback, on cycle and on or in motorised transport forms.

I do not find it an imposition having to dismount and push my very heavy mountain bike for any distance and certainly not the distance in question. In doing the latter and in exercising my duty of care to others I hope that I am setting an example to others in particular the cyclists of the future.

Quite recently I have experienced, as a pedestrian walking on a Hazlehead bridlepath, being overtaken by a speeding cyclist without any warning, which left me and my companion badly shaken. If either of us had deviated to one side by little more than a metre there is no doubt the consequences of this reckless behaviour would have been severe.

In conclusion, I suggest that any monies presently allocated for this project be re-allocated elsewhere, but importantly some funds be retained for the construction of suitable barriers at either end of the passageway to ensure that cyclists dismount and cannot ride through as is proposed. Signs should also be erected stating that cyclists riding through is not permitted and use by motorcyclists is illegal.

[REDACTED]

**CRAIGIEBUCKLER AND SEAFIELD COMMUNITY COUNCIL**

Traffic Management and Road Safety

Aberdeen City Council

Marischal College

Aberdeen AB10 1AB

[REDACTED]

[REDACTED]

7th May 2021

Dear Sir

The Aberdeen City Council (Macaulay Drive, Aberdeen)

(Redetermination of Means of Exercise of Public Right of Passage).

We object to Aberdeen City Council's proposal to formally redetermine the Macaulay Drive lane as a shared pedestrian and cycle path.

The safety issues and incidents of conflict which you refer to in your "Statement of Reason" would not be addressed by widening the asphalt path of Macaulay Drive lane.

The incidents of conflict between pedestrians and mounted cyclists have arisen because mounted cyclists habitually enter both ends of the lane at speed.

The line of sight of mounted cyclists and pedestrians, entering and leaving at both ends of the lane, is obscured by the high fences which separate this public path from the private properties of Macaulay Drive.

This is the view of a mounted cyclist entering the lane from Craigiebuckler Drive. The entrance is 4.5 meters width or thereby. Mounted cyclists frequently approach the lane from this angle because they (correctly) have been cycling on the left side of the road. From this approach, only part of the width of the entrance exposes the path to their limited line of vision. This situation cannot be improved by widening the path.



Mounted cyclists travelling in a Southerly direction towards the lane's junction with Macaulay Drive, will have to cross a footpath in order to access the road. They are unable to see pedestrians on that footpath, who are close to its junction with the lane, until they are approximately 3 meters from the end of the lane. At such a short distance they are likely to be unable to avoid colliding with a pedestrian on the footpath.



The end of the lane is 3.5 meters wide or thereby. The footpath is between the end of the lane and the road on Macaulay Drive. Mounted cyclists approaching the end of the lane are unable to see along the footpath, in both directions, until they are approximately 3 meters from its junction with Macaulay Drive.



This is the lane's junction with Macaulay Drive, as seen by a pedestrian walking in an Easterly direction along the footpath.

Until the pedestrian is close to the end of the lane, they cannot see the mounted cyclist who is about to cycle across the footpath to access the road - until it is too late.

Although we support the Council's policy of encouraging cycling as a sustainable form of transport, we believe, on the grounds of public safety, that the lane is unsuitable for redetermination as a shared pedestrian and cycle path.

Widening the path will only encourage cyclists to increase their speed, resulting in the greater likelihood of collisions with pedestrians, dog walkers and other cyclists.

This is a narrow passageway which is meant to be a pedestrian link between Craigiebuckler Drive and Macaulay Drive. I have been resident in Craigiebuckler Drive for 22 years. During that time, I have never seen cyclists dismount and wheel their bicycles through the lane - as required by law. Invariably, they cycle (often at speed) along the length of the footpath. No caution is exercised by them. I have also seen motor cycles being driven at speed into the lane.

Widening the path at considerable expense will not increase the width of the lane or improve visibility at both ends.

The hazards to pedestrian traffic can only be eliminated by installing barriers at each end of the path, which will compel cyclists to dismount before entering the lane.



The path which links Countesswells Road and Airyhall Drive is of a similar width to the lane between Craigiebuckler Drive and Macaulay Drive. The barrier in the above photograph has been installed at the junction between the path and Airyhall Drive.

Installing similar barriers at both ends of the Macaulay lane would achieve the Council's safety objectives in respect of that pedestrian thoroughfare without incurring the high cost associated with widening the asphalt path.

Yours sincerely

██████████

Chair

## Comment received from Councillor Martin Greig – 5 April 2021

### CYCLIST PROBLEMS IN LANE AT 8 MACAULAY DRIVE

There is a public consultation about the future of the lane that is located between 8 and 10 Macaulay Drive.

There is a proposal to convert into a dual bike/ pedestrian paths.

Having spoken to residents, I am not convinced of the value of doing this.

The problem is that cyclists speed through the lane in both directions.

It is a pedestrian lane used by a lot of walkers and dog walkers throughout the day.

Many people walk towards the lane entrances at right angles – ie they turn 90 degrees into the lane around a corner.

The cycles exit the lane with a lack of visibility and care – at the risk of walkers and dogs.

The lane needs to slow down or stop cyclists – rather than enable and regularise speeding habits. If there is a cycle lane, the pedestrians approaching the corner will be more at risk.

I would like to ask if staggered barriers can be installed instead at the entrance and exit of the lane – at north and south ends.

This should allow prams, wheelchairs, etc to manoeuvre through. It would slow down or stop cycles.

In the interests of safety, the lane would be better to have 'no cycling' signs – or 'dismount and push your cycle'.

Attached is a photo of barriers in place near 35 Hazlehead Road and opposite Rose House.

I would be grateful for your comments.

Thank you.

Martin

**The Aberdeen City Council (Disabled Persons' Parking Places in Aberdeen City)  
(Regulatory Parking Places) (Ref.B) Order 202\_**

[REDACTED]

**From:** CustomerApplications  
**Sent:** 05 April 2021 10:54  
**To:** TrafficManagement  
**Subject:** FW: Disabled Parking - Devonshire Road  
**Attachments:** IMG-20210401-WA0001.jpg; IMG-20210401-WA0002.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi [REDACTED]

This is the email below.

Kind Regards

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 01 April 2021 19:50  
**To:** CustomerApplications [REDACTED]  
**Subject:** Disabled Parking - Devonshire Road

Good evening

I'm writing to you on behalf of [REDACTED].

On return to [REDACTED] property earlier this week, [REDACTED] has found that there has been a disabled parking bay painted outside the front of [REDACTED] property on the main road. As [REDACTED] did not request or need a disabled parking space I can only assume that this has been put there in error by the civils personnel responsible for the works. Can you please review the error which has been made and confirm the date for which this can be rectified, where the disabled space is removed from outside [REDACTED] house at [REDACTED] Devonshire road and re-instated outside the property of the person who requested the disabled parking space.

I'm unaware who's requested a disabled parking bay for access to their property, but you can clearly see from the attached photograph's that the marked out parking area has been directly located outside the front of [REDACTED] house.

Look forward to your return email.

Kind regards

[REDACTED]

[REDACTED]

---

From: [REDACTED]  
Sent: 07 May 2021 09:56  
To: [REDACTED]  
Subject: Re: Disabled parking space

Good afternoon,

Thank you for replying to my query dated 29/03/21.

Your information is indeed informative, but does not clarify the issue. I am glad that Aberdeen City Council is required to provide a disabled parking space for any genuine blue badge holder. But, surely the disabled bay should be cited for the benefit of the disabled applicant? Do you agree?

I am aware that a resident on Devonshire Road applied for a disabled bay. Apparently, and according to your email, a location was agreed and marked in yellow on the pavement. So why, when the Council came to paint the disabled bay, did the applicant [REDACTED] get the Council workers to paint the disabled bay in a different place and further away from their property? Can a resident choose to move an already agreed and marked space without going through proper channels?

The area in front of the applicant's gate would allow the applicant much better access to their car. It is a highly illuminated area due to their extremely bright front lights. It is an area that their [REDACTED] uses to park [REDACTED] with ample access [REDACTED]. It is an area that my friend has parked with [REDACTED] disabled adult [REDACTED], who has plenty room to get out of their car and access [REDACTED] wheelchair.

On the 26th of April, a Council employee, [REDACTED] emailed [REDACTED] quote "we will not recommend the parking bay is relocated ". But, on the 27th April, Aberdeen City Council turned up to relocate the disabled bay! Most of the white paint had been removed before the [REDACTED] appeared. [REDACTED] managed to stop the proceedings and the white paint already removed was then repainted. Again, why is a resident allowed to contradict Aberdeen City Council work?

I would very much appreciate some answers to my questions.

Kind regards,  
[REDACTED]

Sent from my iPad

On 30 Apr 2021, at 16:05, [REDACTED] wrote:

Good afternoon,

Thanks for contacting my colleague in the Roads Operation Team regarding the disabled person's parking place that was installed on Devonshire Road.

According to the Disabled Persons' Parking Places (Scotland) Act 2009, Aberdeen City Council as a Roads Authority is required to provide a disabled parking place for any blue badge holder who do not have access to off street parking facility.

A resident on Devonshire Road applied for a disabled bay and based on the layout of the road, a location was agreed. This location is considered to allow the applicant better access to their car.

I apologise for any inconvenience this might cause you, however, Devonshire Road is a public road and available for use to members of the public as long as they are complying with the highway code.

I hope the above is informative and helps clarify the issue.

Kind regards



<image001.jpg>

  
Aberdeen City Council | Traffic Management and Road Safety | Operations  
and Protective Services | Operations  
Marischal College | 2<sup>nd</sup> Floor West | Broad Street | Aberdeen | AB10 1AB

Direct Dial:   
[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk) | Twitter: @AberdeenCC |  
[Facebook.com/AberdeenCC](https://www.facebook.com/AberdeenCC)

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**The Aberdeen City Council (The Aberdeen City Council) (Burnbutts Crescent, Aberdeen) (Prohibition of Waiting) Order 202\_**

[REDACTED]

**From:** [REDACTED]  
**Sent:** 15 August 2021 18:05  
**To:** TrafficManagement  
**Subject:** Objection to Order 202 - Burnbutts Crescent

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I am objecting to you regarding 'Prohibition of waiting' order 202 at Burnbutts Crescent, Cove, Aberdeen.

As a resident and home owner at no. [REDACTED] Burnbutts Crescent for the last 32 years with my family, it has come to my attention after reading said order that the three parking spaces shown on the attachment will no longer be available, no doubt to road markings which will enforce this order.

Locals have always used this space for on street parking, if this space is to be double yellowed I believe will cause much further disruption on the street, and may have a knock-on impact for on street parking further down Burnbutts Crescent.

In the 32 years we have resided here there has never been a single objection whatsoever with the parking space we use. I imagine without hesitation of the unrest and arguing which I know will ensue when using up another resident's parking space further up Burnbutts Crescent.

Finally, I can, in my opinion, only think that the transit van residing at [REDACTED] Burnbutts Crescent gives very little space to manoeuvre when reversing to leave the street.

Many thanks

[REDACTED]  
Resident of [REDACTED] Burnbutts Crescent

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 15 August 2021 16:16  
**To:** TrafficManagement  
**Subject:** Burnbutts Crescent, Aberdeen (Prohibition of Waiting)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon,

In regards to the proposed Prohibition of Waiting order for Burnbutts Crescent, I wish to formally object to this. The reason for objection being that if there are double yellow lines put down in the specified locations on the notice, this will mean a number of vehicles that usually park in these areas will have to park further down the street leaving less spaces for us residents in this area.

Having spoken to neighbours at No. [REDACTED] & [REDACTED], they are concerned about the length of walk they would have to take to their homes with shopping etc. as they are getting older (Neighbour at No. [REDACTED] is over 80 years old). Neighbours at No. [REDACTED] & [REDACTED] always have their cars parked neatly causing no obstruction to the turning point. However a [REDACTED] Van (seen in attached picture) belonging to a neighbour at No. [REDACTED] parks directly across from the turning point making it very difficult for larger vehicles and even cars to get turned. So a simple solution would be to stop parking in that one area.

Kind Regards

[REDACTED]  
Resident at No. [REDACTED] Burnbutts Crescent

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 15 August 2021 16:10  
**To:** TrafficManagement  
**Subject:** Burnbutts Crescent, Aberdeen (Prohibition of Waiting)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon,

In regards to the proposed Prohibition of Waiting order for Burnbutts Crescent, I wish to formally object to this. The reason for objection being that if there are double yellow lines put down in the specified locations on the notice, this will mean a number of vehicles that usually park in these areas will have to park further down the street leaving less spaces for us residents in this area.

Having spoken to neighbours at No. [REDACTED] & [REDACTED], they are concerned about the length of walk they would have to take to their homes with shopping etc. as they are getting older (Neighbour at No. [REDACTED] is over 80 years old). Neighbours at No. [REDACTED] & [REDACTED] always have their cars parked neatly causing no obstruction to the turning point. However a [REDACTED] Van (seen in attached picture) belonging to a neighbour at No. [REDACTED] parks directly across from the turning point making it very difficult for larger vehicles and even cars to get turned. So a simple solution would be to stop parking in that one area.

From: [REDACTED]  
Date: Aug 8, 2021 3:01:39 PM  
Subject:

Dear Sir/Madam,

I would like to put my objections to the proposed parking restrictions at the North end of Burnbutts Crescent. I have lived at number [REDACTED] for nearly 40 years and there has been a problem from time to time with parking, some people are fortunate to have either a lockup or been able to change their front garden to a driveway, especially them on the West side of Burnbutts. The people here on the East side are not so fortunate. Over the past year because of Covid there has been a lot more working from home and parking and online deliveries things were a bit of a problem. There are some of the houses in this street have more than one vehicle which creates a bigger problem, also some of the residents take home a works vehicle which does not help the situation. The people who live in number [REDACTED] who have just moved in about a year ago have no lockup or driveway, can you tell where are they going to park their one vehicle. Should this couple and number [REDACTED] ever want to sell their property the value will be restricted because of the no parking and no other place to park. It will just move the parking problem to the South of Burnbutts.

I have spoken to a few of the long term residents some who have been here longer than me are against these restrictions. This problem seems to have come about since a resident moved in beside the turning point and parked his vehicles in front of his driveway to stop another resident parking slightly across his driveway.

The last tenant of that property always left space for people to turn, and as people return to their place of work the parking situation during the day has really improved, also should you want to make this street safer put a 10mph sign up with a camera to stop some of the people who speed along this narrow street, my wife and I who are both retired and in our seventies are both against the Proposed Prohibition of Waiting Order no 202. Burnbutts Crescent.

Yours Faithfully

[REDACTED]  
[REDACTED] Burnbutts Crescent

Cove Bay

Aberdeen AB123NU

[REDACTED]  
8th August 2021  
-----

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 09 August 2021 07:59  
**To:** TrafficManagement  
**Subject:** PROPOSED PROHIBITION OF WAITING ORDER 202- BURNBUTTS CRESCENT

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Sir/ Madam,

I am writing to object to the proposed prohibition of waiting order no 202 for Burnbutts Crescent in Cove . Reasons for objections are as listed below

- The addition of yellow lines will unfairly discriminate against the residents who reside closest to the proposed prohibition
- An adverse effect on the value of properties closest to the proposed prohibition & the street as a whole
- What provision has the council made for the parking of residents cars that will be displaced ? More than one of the households have more than one vehicle
- these vehicles will have to park further up the street where parking is at a premium already can create further traffic/access issues on Burnbutts Crescent & surrounding streets

Could the council consider the Prohibition of work vehicles being parked in the street overnight as some other Modern housing developments

Willing to discuss the matter further – my telephone number is [REDACTED]

THANKS

[REDACTED] No [REDACTED] Burnbutts Crescent

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 08 August 2021 15:46  
**To:** TrafficManagement  
**Subject:** Burnbutts Crescent traffic consultation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Sir / Madam,

I am strongly objecting to the proposal of double yellow lines from No [REDACTED] Burnbutts Crescent.

We have already recently lost a parking space due to number [REDACTED] Burnbutts widening his driveway and lowering his kerb along with an H line.

Most of the terraced houses at this end of street on both sides have no driveways therefore rely on street parking and there is never enough spaces at the moment due to most houses having 2 cars.

Myself and several elderly of my neighbours rely on parking near their front doors.

Many thanks

[REDACTED]  
[REDACTED] Burnbutts Crescent,  
Cove Bay,  
Aberdeen  
AB12 3NU

[REDACTED]

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 31 July 2021 17:14  
**To:** TrafficManagement  
**Subject:** Burnbutts Crescent Aberdeen Prohibition of Waiting

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

[REDACTED] Burnbutts Crescent

Cove Bay

Aberdeen

AB12 3NU

31.7.21

Dear Sir/Madam

**Burnbutts Crescent Prohibition of Waiting Order**

I wish to formally complain about the restrictions you have outlined on the notice you have posted on our street

During lock down there have been more cars parked on our street but now that things have eased and people are getting back to work, there are hardly any cars there, in fact as I look out of my window now the only car, that I can see is my own one. This is usually the case during the week.

I have lived in No [REDACTED] Burnbutts Crescent for 43 years and cannot understand why these restrictions are being put in place now. I am 87 years old and live alone and I depend on my car to give me independence, if you ban parking, I will be confined to my house and unable to do my own shopping. I rely on the parking space in the layby outside as it is very close to my house and so I don't have to walk so far.

There is no congestion on our street, and I see no reason to consider it now, not knowing who has complained it is very difficult to understand why someone has asked for this to be done.

Ironically when these houses were built No [REDACTED] and [REDACTED] had to give up half of their gardens to allow for the turning circle, if that had not happened, we would have had enough space for a driveway. My husband and I tried to do this some years ago but were told it was too short and to much of a slope. Historically the layby has been used for the cars of the houses at this end of the street who gave up their gardens for it to be made.

As far as I am aware there have been no parking issues with the residents over the years and everybody has tried to park with consideration.

Please keep me informed of any developments and further consultations.

Yours faithfully,

[REDACTED]

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 29 July 2021 12:25  
**To:** TrafficManagement  
**Subject:** Re Burnbutts crescent

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi there

My name is [REDACTED] and I want to object to proposal to put restriction of no waiting outside [REDACTED] Burnbutts Crescent. My mother is elderly and requires her car for her shopping and independence. I trust that you will give this your best consideration when the committee meet.

[REDACTED]  
Inverurie  
AB51 4LE

I look forward to hearing from you on this matter.

Kind regards

[REDACTED]  
Sent from my iPhone

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 27 July 2021 19:34  
**To:** TrafficManagement  
**Subject:** Objection for traffic management proposal

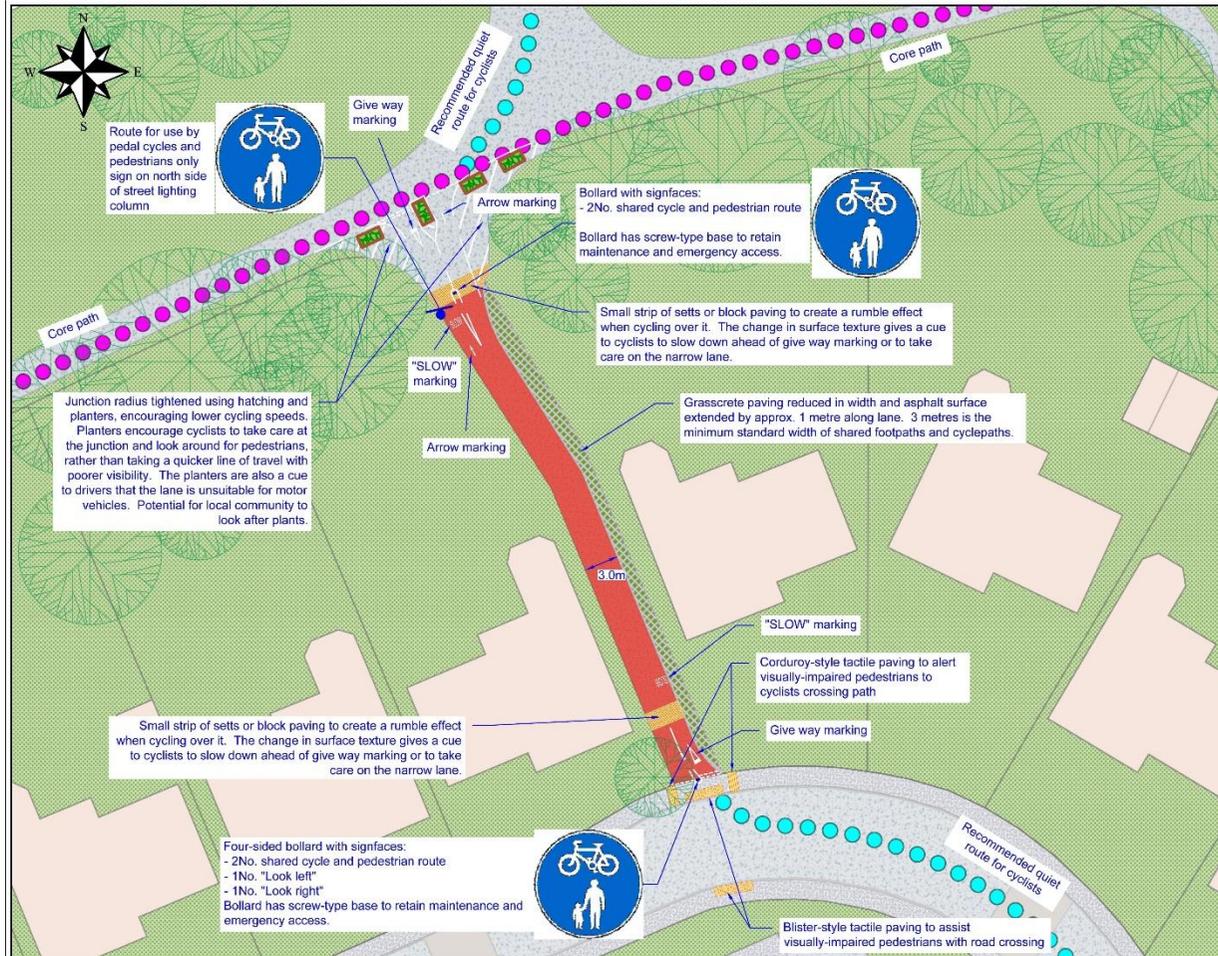
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear whom it may concern,

I am writing to object to a proposal to introduce double yellow lines onto a common parking place in my street. I have lived at this address since birth and have never seen this parking place to be an obstruction to other residents or visitors' vehicles in the street. Burnbutts Crescent is already a very busy street and it's a struggle for most to find parking already, with 80% of vehicles parked on the kerb of the pavement. I know this would result in at least 3 vehicles having nowhere to park if this proposal goes ahead. If you could please review this at your soonest convenience and advise accordingly of the outcome.

Kind Regards,  
[REDACTED]  
Burnbutts Crescent  
Cove Bay  
Aberdeen  
AB123NU

## APPENDIX 3



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Examples of four-sided bollards with signfaces. Images from <https://uk.glasdon.com/road-safety/bollards/ensign-tm-bollard>



Operations and Protective Services  
Traffic Management and Road Safety

Business Hub 11, 2nd Floor West, Marischal College  
Broad Street, Aberdeen AB10 1AB  
General Enquiries Telephone: 01224 522305

Client							ABERDEEN CITY COUNCIL	
Project							Macaulay Drive - Redetermination Order Footpath to shared pedestrian / cycle facility	
Description							Concept design for proposed shared pedestrian and cycle path	
Originator	Checked	Approved	Date	Scale	Project Number	Sheet size	Drawing Number	
KW	GM	VR	31/08/21	1:500		A4	ACC/MCL/XX/XX	

Drawing Title		
Rendered concept design for proposed shared pedestrian and cycle path		
Drawing Number	Sheet No.	Revision
ACC/MCL/XX/XX	01/01	2

**APPENDIX 4**

Devonshire Road – Disabled Parking Bay – Photo



Google Streetview Image October 2020 – Prior to the disabled bay installation





## **APPENDIX 6**

### **ABERDEEN CITY COUNCIL**

#### **ROADS (SCOTLAND) ACT 1984**

NOTICE IS HEREBY GIVEN THAT Aberdeen City Council propose to make an order under section 152(2) the Roads (Scotland) Act 1984 redetermining the means of exercise of the public right of passage over the road described in the Schedule hereto.

The title of the order is "The Aberdeen City Council (Macaulay Drive, Aberdeen) (Redetermination of Means of Exercise of Public Right of Passage) Order 202\_"

A copy of the proposed order and of the accompanying plan showing the road to be redetermined, together with a statement of the reasons for making the order, have been deposited at the office of Traffic Management and Road Safety, Aberdeen City Council, Marischal College, Broad Street, Aberdeen, AB10 1AB (Tel. 01224 522305). These documents are available for inspection free of charge from 16 April 2021 until 14 May 2021; in normal circumstances they would be made available to view at the office highlighted, however, with the current Covid-19 associated restrictions making that impracticable, they are available by way of the following internet link: -

<https://consultation.aberdeencity.gov.uk/operations/footway-redetermination-order-macaulay-drive-aberd>

ANY PERSON may, within 28 days from Friday 16 April 2021, object to the making of the order by notice in writing by e-mail to [TrafficManagement@aberdeencity.gov.uk](mailto:TrafficManagement@aberdeencity.gov.uk), or alternatively, to the address below. Objections should state the name and address of the objector, the matters to which they relate and the grounds on which they are made.



16 April 2021  
Doug Ritchie  
Roads Infrastructure Manager  
Aberdeen City Council  
Marischal College  
Aberdeen  
AB10 1AB

#### **SCHEDULE**

**Redetermination – Footpath to Cycle Track (the right of passage being exercisable on pedal cycle and foot only)**

##### **Macaulay Drive**

Footpath, located between property numbers 8 and 10 Macaulay Drive, from its junction with the footway on the north side of Macaulay Drive, northwards for a distance of 47 metres or thereby.

**ABERDEEN CITY COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984**

**THE ABERDEEN CITY COUNCIL (DISABLED PERSONS' PARKING PLACES IN ABERDEEN CITY) (REGULATORY PARKING PLACES) (REF.B) ORDER 202(X)**

Aberdeen City Council proposes to make "The Aberdeen City Council (Disabled Persons' Parking Places in Aberdeen City) (Regulatory Parking Places) (Ref.B) Order 202(X)" in terms of its powers under the Road Traffic Regulation Act 1984 and its duties under the Disabled Persons' Parking Places (Scotland) Act 2009. The effect of the order is to establish regulatory on-street parking places in the streets listed in the schedule below. In each case, a single on-street parking place – reserved for the exclusive use of any Blue Badge holder – will be established on the street in question.

**Schedule**

Abbey Road, Alexander Terrace, Altonrea Gardens, Anderson Avenue, Ash-Hill Way, Beattie Avenue, Berrywell Place, Brimmond Place, Broomhill Road, Bruce House, Hazlehead Gardens, Burnett Place, Cadenhead Road, Cairnhillock Place, Carlton Place, Cava Close, Clifton Road, Craigendarroch Avenue, Deansloch Terrace, Deevale Terrace, Denmore Gardens, Devonshire Road, Dominies Road, Dulnain Road, Elm Place, Farquhar Road, Gardner Place, Garthdee Drive, Garthdee Road, Gillespie Crescent, Girdleness Road, Glentanar Crescent, Greenfern Road, Hallfield Road, Howes Drive, Inchbrae Drive, Jasmine Terrace, Laws Road, Long Walk Terrace, Mackay Road, Malcolm Road, Marchburn Avenue, Marchburn Crescent, Merkland Place, Middlefield Terrace, Montrose Drive, North Anderson Drive, North Balnagask Road, Powis Circle, Printfield Walk, Ross Crescent, Ruthrieston Crescent, School Avenue, School Terrace, Seaton Avenue, Seaton House, Smithfield Road, Strathburn Street, Stockethill Court, Foresterhill Road, Stoneywood Road, Summerhill Crescent, Summerhill Road, Thorngrove Avenue, Webster Road, Whitestripes Path, Woodend Crescent.

**Full details of the above proposals are to be found in the draft order, which, together with maps showing the intended measures and an accompanying statement of the Council's reasons, may be examined online via the internet link specified below: -**

**<https://consultation.aberdeencity.gov.uk/operations/traffic-management-and-developer-proposals>**

**The consultation will run between 12 April and 3 May 2021. Should you wish to view these documents in another way please contact us by e-mail (see below), or alternatively on Tel. 01224 522305, where we will endeavour to accommodate such requests.**

**Anyone wishing to object to any of the above order should send details of the grounds for objection, including their name and address, by e-mail to [trafficmanagement@aberdeencity.gov.uk](mailto:trafficmanagement@aberdeencity.gov.uk), or alternatively by writing to the address below during the statutory objection period, which also runs from 12 April to 3 May 2021, inclusively.**

**Any person who submits an objection to a road traffic order should be aware that any objection made will be available to members of the Committee, available for inspection by members of the public, distributed to the press, and will form part of the agenda pack which is available on the Council's website. To that extent, however, they are redacted, with names, addresses, telephone numbers and signatures removed from this correspondence.**

**Traffic Management and Road Safety  
Operations and Protective Services  
Aberdeen City Council  
Business Hub 11, Second Floor West  
Marischal College, Broad Street  
Aberdeen AB10 1AB**



**ABERDEEN CITY COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984**

**THE ABERDEEN CITY COUNCIL (BURNBUTTS CRESCENT, ABERDEEN) (PROHIBITION OF WAITING) ORDER 202\_**

Aberdeen City Council proposes to make the above-named order in terms of its powers under the Road Traffic Regulation Act 1984. The effect of the order will be to impose a certain length of prohibition of waiting at any time on Burnbutts Crescent, Aberdeen, as specified in the schedule below. Exemptions will apply as usual to the picking up or setting down of passengers, loading or unloading, blue badge holders not causing an obstruction, funeral vehicles, and vehicles parked with the consent of the Council in direct association with authorised roadworks or building works.

Full details of the above proposal are to be found in the draft order, which, together with a map showing the intended measures and an accompanying statement of the Council's reasons, may be examined online via the internet link specified below (or scanning the QR Code above): -

<https://consultation.aberdeencity.gov.uk/operations/traffic-management-proposed-traffic-regulation-ord>

The consultation will run between 19 July and 16 August 2021. Should you wish to view these documents in another way please contact us by e-mail (see below), or alternatively on Tel. 01224 522305, where we will endeavour to accommodate such requests.

Anyone wishing to object to any of the above orders should send details of the grounds for objection, including their name and address, by e-mail to [trafficmanagement@aberdeencity.gov.uk](mailto:trafficmanagement@aberdeencity.gov.uk), or alternatively by writing to the address below during the statutory objection period, which also runs from 19 July to 16 August 2021, inclusively.

Any person who submits an objection to a road traffic order should be aware that any objection made will be available to members of the Committee, available for inspection by members of the public, distributed to the press, and will form part of the agenda pack which is available on the Council's website. To that extent, however, they are redacted, with names, addresses, telephone numbers and signatures removed from this correspondence.

**Traffic Management and Road Safety, Operations and Protective Services, Aberdeen City Council, Business Hub 11, Second Floor West, Marischal College, Broad Street, Aberdeen, AB10 1AB**

**Schedule**

(Prohibition of waiting at any time)

**Burnbutts Crescent**

West side, from the southern end of property no. 25 Burnbutts Crescent, northwards, then eastwards, then southwards for a total distance of 45 metres or thereby.