

**ITEM No ...5.....**

**REPORT TO:** CITY DEVELOPMENT COMMITTEE – 6 SEPTEMBER 2021  
**REPORT ON:** MILL STREET, BROUGHTY FERRY (STOPPING UP) (ORDER) 2021  
**REPORT BY:** EXECUTIVE DIRECTOR OF CITY DEVELOPMENT  
**REPORT NO:** 173-2021

**1 PURPOSE OF REPORT**

1.1 This report provides a summary of the responses received to the consultation on the proposal for stopping up a section of road and footway in Mill Street and Esplanade, Broughty Ferry to accommodate new active travel infrastructure.

**2 RECOMMENDATION**

2.1 It is recommended that the Committee considers the points of objection received during the consultation and approves the submission of the Order to the Scottish Ministers for confirmation.

**3 FINANCIAL IMPLICATIONS**

3.1 None.

**4 BACKGROUND**

4.1 With reference to Article V of the Minute of the Meeting of the City Development Committee of 8 March 2021, Report No 99-2021 refers to a proposed stopping up of roads and footways in the Mill Street area of Broughty Ferry which would remove a vehicular Right of Way through the area and remove the roads and footpaths from the Council's List of Public Roads. Permission was granted to prepare a draft Order and commence consultations with both statutory bodies and the public.

4.2 The Stopping Up of Mill Street is promoted as part of the Broughty Ferry to Monifieth active travel improvement project to accommodate the active travel infrastructure and provide a place making opportunity on the route by incorporating Windmill Gardens into the wider public realm. This project is a major step forward in active travel infrastructure in Broughty Ferry and is a fundamental element in making transformational change and will support the council's ambitions in delivering sustainable transport solutions for the future. This will directly assist in achieving climate change objectives and promote active travel to improve the health and wellbeing of the residents of Broughty Ferry and the wider city. Mill Street is a critical element of the project and is required for the project's success. The stopping up of Mill Street necessitates a west bound vehicular traffic diversion from the Esplanade by way of Brook Street.

4.3 If any objection is received relating to a Stopping Up Order, which cannot be resolved, then the Order must be submitted to Scottish Ministers who will appoint a Reporter from the Directorate for Planning and Environmental Appeals to consider the Order by way of written submission, or holding a hearing, or conducting a public local inquiry. The Reporter will consider the case for and against the making of the order and will make a recommendation to Scottish Ministers who will then decide whether to confirm the order.

4.4 Twenty-eight responses were received to the formal Stopping Up consultation of which all were objections to the proposal. A brief summary of the objections are as follows:

- the closure of Mill Street will increase traffic volumes on Castle Street, New Road, Brook Street, and St Vincent Street leading to increased congestion and road safety implications at junctions and increase air pollution;

- loss of parking and increased parking demand resultant from the project;
- increased response times by emergency services as a result of the road closure;
- the need for a more representative Transport Assessment to determine the impact of stopping up Mill Street;
- stopping up of Mill Street is not necessary to accommodate the active travel route improvement, or an integral part of the project's purpose;
- the proposal to stop up Mill Street doesn't present best value for money, and funding would be better utilised elsewhere; and
- road safety concerns at the car park entrance and pedestrian crossing points.

Copy correspondence has been circulated to all elected members.

- 4.5 Information addressing the points of objection received was provided to the respondents to the consultation on 23 July 2021 in the form of a question and answer document, and follow up meetings with Council Officers were offered. A copy of the Q&A sheet provided to respondents is included in Appendix A of this report. Following this further engagement exercise none of the objections were withdrawn.

## 5 OBJECTIONS RECEIVED

- 5.1 The following paragraphs provide information on the points of objection received to the statutory consultation.
- 5.2 The Closure of Mill Street Will Increase Traffic Volumes On Castle Street, New Road, Brook Street, and St Vincent Street Leading to Increased Congestion and Road Safety Implications at Junctions and Increase Air Pollution

The Mill Street stopping up order will necessitate a west bound vehicular traffic diversion from the Esplanade by way of Brook Street.

Traffic count surveys were undertaken on 18, 21, 28 April and 2 May 2021 and recorded a maximum number of 845 vehicles travelling westbound on Mill Street between the hours of 7.00am and 8.00pm on Wednesday 21 April 2021. The peak hour traffic volume identified from these surveys was between 1.30pm and 2.30pm on Sunday 2 May 2021 which recorded 111 vehicles travelling westbound on Mill Street.

Junction capacity assessment identifies that there is sufficient capacity within the junctions to not cause congestion issues from the rerouting of traffic associated with the stopping up of Mill Street. Of the junctions assessed on the diversion route, less than one second additional delay is projected at each junction. The increase of one or two vehicle movements per minute on the Brook Street route at peak times is not projected to detriment road safety.

The junction capacity assessment modelled traffic impacts based on existing traffic volumes without accounting for the increase in active travel modal share targeted and forecast as a result of the projects introduction.

An active travel count was commissioned to identify the number of pedestrian, cyclists, and other non-motorised users in this vicinity. The survey was undertaken over 2 days, Tuesday 9 and Wednesday 10 April 2019, between the hours of 7.00am and 8.00pm. The survey recorded 2,293 active travel users per day at Castle Approach and 1,405 active travel users per day at the Esplanade/Brook Street Junction.

The National Transport Strategy promotes walking and cycling in preference to private car use. The Scottish Government are investing in the Broughty Ferry Active Travel project as part of the national objective to achieve a fully sustainable transport network and support the development of quality place-making for communities.

### 5.3 Loss of Parking and Increased Parking Demand Resultant From The Project

The project's objective is to enhance accessibility to the coastal route by walking and cycling. The provision of improved active travel infrastructure is aimed to transition visitor travel mode from private car to active travel means thereby reducing visitor parking demand.

The stopping up of Mill Street is estimated to reduce parking availability by 7% within the Conservation Area streets associated with the proposal (Castle Approach, Mill Street, Castle Lane, and the Esplanade). These streets will retain 262 parking spaces which are detailed in parking assessment Drawing No 18641/066D included with planning application 20/00534/FULL and published on the planning portal website on 30 October 2020.

On peak parking demand days, where parking extends along the Esplanade, the provision of enhanced active travel facilities is aimed to reduce parking pressure by increasing the number of visitors to the area traveling by active means.

### 5.4 Increased Response Times By Emergency Services as a Result of The Road Closure

The stopping up of Mill Street will necessitate a west bound vehicular traffic diversion from the Esplanade by way of Brook Street. The emergency services deploy their responses from locations to the west of Mill Street and as such the stopping up of Mill Street won't affect the routing of emergency services in attendance, and the shortest return route for ambulances is by way of Brook Street rather than King Street.

It is noted that the emergency services didn't object to the Stopping Up Order.

### 5.5 The Need For a More Representative Transport Assessment to Determine The Impact of Stopping Up Mill Street

The requirement for a Transport Assessment is detailed in the Dundee City Council road standard publication "Dundee – Streets Ahead" and a Transport Assessment isn't required for this project.

### 5.6 Stopping Up of Mill Street Is Not Necessary To Accommodate The Active Travel Route Improvement, Or An Integral Part Of The Project's Purpose

The Stopping Up of Mill Street is an integral part of the project and necessary to accommodate the proposed alignment of the shared use path.

The project is funded by the Sustrans Places for Everyone fund which features 6 design principles which form the minimum criteria for Scottish Government funding of active travel infrastructure projects.

One of the criteria is to "reallocate road space, and restrict motor traffic permeability to prioritise people walking, cycling and wheeling over private motor vehicles".

The National Cycle Route 01 (NCN01) from the Tay Road Bridge to Monifieth will predominantly be segregated from vehicular traffic and the proposal provides continuity of vehicle free space. The incorporation of Windmill Gardens into the wider public realm conforms to this design principal and is a key feature of the project proposal.

Routing of the cycleway through greenspace within this section of the route provides a more amenable provision for cyclists which was supported by the awarding funding body Sustrans as the preferred option.

### 5.7 The Proposal To Stop Up Mill Street Doesn't Present Best Value For Money and Funding Would Be Better Utilised Elsewhere

The section of route forms part of the National Cycle Network and the Green Circular which are key active travel routes for leisure and recreation as well as everyday journeys. The

improvement of these facilities will benefit tourism and leisure in the area with home-based leisure cyclists typically spending nearly £10 each in local businesses on a day out.

The project proposal is funded by Sustrans on behalf of the Scottish Government. As part of Sustrans funding evaluation process, the proposal incorporating the stopping up of Mill Street has been subject to an appraisal by the Sustrans Project Funding Panel which includes consideration of value for money. The project appraisal recognises the amenity value of place making along the route, and the impact of providing a greater priority to sustainable forms of travel over vehicular traffic.

The value of the funding award corresponds directly to the project scope approved by Sustrans.

#### 5.8 Road Safety Concerns At The Car Park Entrance and Pedestrian Crossing Points

The project is designed in accordance with current design standards and has been subject to a road safety audit. The road safety audit has not identified any problems relating to the safety of the proposal.

As part of the road safety audit process the location will be monitored for a period of 12 months post completion including a review of accident data. During this period any identified problems associated with the work will be considered for appropriate mitigation measures.

### 6 **POLICY IMPLICATIONS**

- 6.1 This report has been subject to an assessment of any impacts on Equality and Diversity, Fairness and Poverty, Environment and Corporate Risk. There are no major issues.

### 7 **CONSULTATIONS**

- 7.1 The Council Management Team have been consulted in the preparation of this report and are in agreement with its content.

### 8 **BACKGROUND PAPERS**

- 8.1 None.

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**APPENDIX A – QUESTION AND ANSWER SHEET ISSUED TO RESPONDENTS ON 23 JULY 2021****BROUGHTY FERRY TO MONIFIETH ACTIVE TRAVEL PROJECT  
MILL STREET STOPPING UP ORDER - QUESTIONS AND ANSWERS  
23 JULY 2021**

This document provides information in response to common questions received to the Mill Street Stopping Up Order statutory consultation.

**Question 1**

How will stopping up Mill Street increase the number of trips made by walking, cycling, and wheeling for everyday journeys in Broughty Ferry and Dundee?

**Answer 1**

The stopping up of Mill Street is promoted in order to accommodate a shared use path across the Windmill Gardens junction.

The provision of high-quality active travel infrastructure is a means of encouraging a modal shift from private car to active travel for every day journeys in Broughty Ferry and Dundee. Stopping up Mill Street offers opportunity for enhanced placemaking by capitalising local community assets to create public spaces that promote people's health, happiness, and wellbeing.

The national transport strategy aims to increase trips made by active travel through investing in infrastructure and proactive promotion to achieve a generational change in behaviour and attitude towards transport choices.

The 2019 Scottish Household Survey identified the national median cycling journey length as being 2.8km, and of journeys under 1km, 24% were by car.

The improvement of active travel infrastructure is aimed to move people's travel choices away from car use for a range of journey purposes.

**Question 2**

Is the Stopping Up of Mill Street necessary to accommodate the active travel route improvement, and is this an integral part of the project's purpose?

**Answer 2**

The Stopping Up of Mill Street is an integral part of the project and necessary to accommodate the proposed alignment of the shared use path.

The project is funded by the Sustrans Places for Everyone fund which features six design principles which form the minimum criteria for Scottish Government funding of active travel infrastructure projects.

One of the criteria is to "reallocate road space, and restrict motor traffic permeability to prioritise people walking, cycling and wheeling over private motor vehicles".

The National Cycle Route 01 (NCN01) from the Tay Road Bridge to Monifieth will predominantly be segregated from vehicular traffic and the proposal provides continuity of vehicle free space. The incorporation of Windmill Gardens into the wider public realm conforms to this design principle and is a key feature of the project proposal.

Routing of the cycleway through greenspace within this section of the route provides a more amenable provision for cyclists which was supported by the award funding body Sustrans as the preferred option.

**Question 3**

How many vehicles will be affected by the stopping up of Mill Street and how does this compare with the number of active travel users benefiting from the improvement?

**Answer 3**

The Mill Street stopping up order will necessitate a west bound vehicular traffic diversion from the Esplanade by way of Brook Street.

Traffic count surveys were undertaken on 18, 21, 28 April and 2 May 2021 and recorded a maximum daily number of 845 vehicles travelling westbound on Mill Street between the hours of 7am and 8pm on Wednesday 21 April 2021. The peak hour traffic volume identified from these surveys was between 13:30 and 14:30 on Sunday 2nd May 2021 which recorded 111 vehicles travelling westbound on Mill Street.

An active travel count was commissioned to identify the number of pedestrian, cyclists, and other non-motorised users in this vicinity. The survey was undertaken over two days, Tuesday 9<sup>th</sup> and Wednesday 10<sup>th</sup> April 2019, between the hours of 7am and 8pm. The survey recorded 2,293 active travel users per day at Castle Approach and 1,405 active travel users per day at the Esplanade / Brook Street Junction.

The National Transport Strategy promotes walking and cycling in preference to private car use. The Scottish Government are investing in the Broughty Ferry Active Travel project as part of the national objective to achieve a fully sustainable transport network and support the development of quality place-making for communities.

**Question 4**

Will the closure of Mill Street increase traffic volumes on Castle Street, New Road, Brook Street, and St Vincent Street leading to increased congestion, road safety implications at junctions, and increased air pollution?

**Answer 4**

Junction capacity assessment identifies that there is sufficient capacity within the junctions to not cause congestion issues from the rerouting of traffic associated with the stopping up of Mill Street. Of the junctions assessed on the diversion route, less than one second additional delay is projected at each junction. The increase of one or two vehicle movements per minute on the Brook Street route at peak times is not projected to detriment road safety.

The junction capacity assessment modelled traffic impacts based on existing traffic volumes without accounting for the increase in active travel modal share targeted and forecast as a result of the projects introduction.

**Question 5**

Will the project result in a loss of parking and increased parking demand?

**Answer 5**

The project's objective is to enhance accessibility to the coastal route by walking and cycling. The provision of improved active travel infrastructure is aimed to transition visitor travel mode from private car to active travel means thereby reducing visitor parking demand.

The stopping up of Mill Street is estimated to reduce parking availability by 7% within the Conservation Area streets associated with the proposal (Castle Approach, Mill Street, Castle Lane, and the Esplanade). These streets will retain 262 parking spaces which are detailed in parking assessment Drawing No 18641/066D included the planning application 20/00534/FULL and published on the planning portal website on 30 October 2020.

On peak parking demand days, where parking extends along the Esplanade, the provision of enhanced active travel facilities is aimed to reduce parking pressure by increasing the number of visitors to the area traveling by active means.

**Question 6**

Will the closure of Mill Street increased response times by the emergency services?

**Answer 6**

The stopping up of Mill Street will necessitate a west bound vehicular traffic diversion from the Esplanade by way of Brook Street. The emergency services deploy their responses from locations to the west of Mill Street and as such the stopping up of Mill Street won't affect the routing of emergency services in attendance, and the shortest return route for ambulances is by way of Brook Street rather than King Street.

It is noted that the emergency services didn't object to the Stopping Up Order.

**Question 7**

Is a Transport Assessment required to determine the impact of stopping up Mill Street?

**Answer 7**

The requirement for a Transport Assessment is detailed in the Dundee City Council road standard publication 'Dundee – Streets Ahead' and a Transport Assessment isn't therefore required.

**Question 8**

Does the proposal to stop up Mill Street present best value for money, and could the funding be better utilised elsewhere?

**Answer 8**

The section of route forms part of the National Cycle Network and the Green Circular which are key active travel routes for leisure and recreation as well as everyday journeys. The improvement of these facilities will benefit tourism and leisure in the area with home-based leisure cyclists typically spending nearly £10 each in local businesses on a day out.

The project proposal is funded by Sustrans on behalf of the Scottish Government. As part of Sustrans funding evaluation process, the proposal incorporating the stopping up of Mill Street has been subject to an appraisal by the Sustrans Project Funding Panel which includes consideration of value for money. The project appraisal recognises the amenity value of place making along the route, and the impact of providing a greater priority to sustainable forms of travel over vehicular traffic.

The value of the funding award corresponds directly to the project scope approved by Sustrans.

**Question 9**

Has road user safety been considered at the car park entrance and the pedestrian crossing points?

**Answer 9**

The project is designed in accordance with current design standards and has been subject to a road safety audit. The road safety audit has not identified any problems relating to the safety of the proposal.

As part of the road safety audit process the location will be monitored for a period of 12 months post completion including a review of accident data. During this period any identified problems associated with the work will be considered for appropriate mitigation measures.

