

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: EIR-17-0177 - Bedford Bus Gate
Date: 01 March 2017 15:39:44
Attachments: [Further Information - Right to Review & Appeal.pdf](#)
[EIR-17-0177 - Traffic Management Order Redacted.pdf](#)
[EIR-17-0177 - Photos Redacted.pdf](#)

Dear [REDACTED]

Please accept our sincere apologies for the delay in responding to your information request of 30 January 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

I make this request for the following information in terms of the Freedom of Information (Scotland) Act 2002:

All of the information which I request is in relation to the Bus Gate (Lane) Situated on Bedford Road, Aberdeen.

Information Requested: 10 Items

1. ALL written and electronic communications relating to the installation and operation of the so called Bus Gate (Lane) situated on Bedford Road, Aberdeen.

ACC is unable to provide you with this information on the basis of its impact on human resources and finance. It's estimated it would require 63 hours of staff time and would have a financial cost of £945.00. Overall this request would be a significant burden and would hinder the service to the public provided by those staff/teams involved.

In this regard, it's considered the release would not be of any strong interest, as the background/rationale to the bus gate is all contained within Committee Reports and investigations/studies that took place prior to its installation.

Likewise, information with regard to the operation of the 'bus gate' can be provided by way of providing a copy of the Traffic Regulation Order, details of the signs/road marking used, number of Penalty Notices issued, number of Penalty Notices paid etc.

ACC is unable to provide you with information on **ALL written and electronic communications relating to the installation and operation of the so called Bus Gate (Lane) situated on Bedford Road, Aberdeen** as it is excepted from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby gives notice that we are refusing your request under the terms of Regulation 10(4)(b) – Manifestly Unreasonable of the EIRs.

ACC would be happy to discuss ways in which you may refine your request, so we can provide some information of interest to you. Please do contact the Information Compliance team, who will be happy to advise you, if this is something you would like to pursue.

2. A copy of the Committee papers and minutes relating to the authorisation to Council Officers regarding the Bus Gate (Lane) on Bedford Road.

Third Don Crossing – Traffic Management Proposals (Stage 3 – Public Advert)", Communities, Housing and Infrastructure Committee Report No. CHI/15/223, 27 August 2015

Available online

<http://committees.aberdeencity.gov.uk/documents/g3621/Public%20reports%20pack%2027th-Aug-2015%2014.00%20Communities%20Housing%20and%20Infrastructure%20Committee.pdf?T=10>

Communities, Housing and Infrastructure Committee Minute, 27 August 2015

Available online (Item 25) <http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=503&MId=3621&Ver=4>

“Third Don Crossing – Traffic Management Proposals (Initial Statutory Consultation from September 2014 E, P & I Committee)”, Communities, Housing and Infrastructure Committee Report No. CHI/14/021, 28 October 2014

Available online <http://committees.aberdeencity.gov.uk/documents/s41573/CHI-14-021%20Third%20Don%20Crossing%20-%20Traffic%20Management%20Proposals.pdf>

Communities, Housing and Infrastructure Committee Minute, 28 October 2014

Available online (Item 28) <http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=503&MId=3452&Ver=4>

“Third Don Crossing – Traffic Management Proposals”, Enterprise, Strategic Planning & Infrastructure Report No. EPI/14/225, 4 September 2014

Available online <http://committees.aberdeencity.gov.uk/documents/s40187/EPI.14.225%20-%20Third%20Don%20Crossing%20-%20Traffic%20Management%20Proposals.pdf>

Enterprise, Strategic Planning & Infrastructure Committee Minute, 4 September 2014

Available online (Item 21) <http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=140&MId=2901&Ver=4>

As **A copy of the Committee papers and minutes relating to the authorisation to Council Officers regarding the Bus Gate (Lane) on Bedford Road** is otherwise accessible on our website at the links provided above, it is exempt from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby gives notice that we are refusing your request under the terms of Regulation 6(1)(b) - Information Already Publicly Available - of the EIRs.

3. A copy of the Road Traffic Order relating to the installation and operation of the Bus Gate (Lane).

Please see attached a copy of “The Aberdeen City Council (Danestone/Tillydrone/Bedford Area, Aberdeen) (Traffic Management) Order 2016”. *See Articles 11 & 12.

Please note that third party names and personal details, as well as the names of ACC Officers who are below Head of Service level have been redacted (blacked out) from the attached document. This is because ACC considers that this information is excepted from disclosure. In

order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby give notice that we are refusing your request under the terms of Regulation 11(2) in conjunction with 11(3)(a)(i) – Personal Information - of the EIRs.

In making this decision ACC considered the following points:

ACC is of the opinion that Regulation 11(2) applies to the information specified above as the information in question is personal information relating to living individuals, and the applicant is not the data subject.

ACC is of the opinion that Regulation 11(3)(a)(i) applies, as ACC considers that disclosure of this information would be a breach of the first Data Protection Principle (that personal information must be processed fairly and lawfully). Third parties and ACC Officers who are below Head of Service level named within the attached document would not expect ACC to release this information about them into the public domain under the EIRs (or the Freedom of Information (Scotland) Act 2002 (FOISA)).

4. How many Warning and or advisory signs relating to the Bus Gate (Lane) have been installed on the approaches to Bedford Road, Aberdeen, at the North and South entrances to Bedford Road? Please specify which are warning signs and which are information or advisory signs!

There are five signs that give drivers advance warning of the bus gate prior to entering Bedford Road. They are directional informatory signs where the “Route for use by buses and pedal cycles only” symbol has been incorporated into each sign, along with a supplementary plate indicating the distance to the restriction (Statutory Instrument “The Traffic Signs and General Directions 2016”, Schedule 12 – Directional signs, Part 20 “Warning and regulatory symbols that may be incorporated on directional signs” – See “Sign table – Schedule 12, Part 20” Item 36). The aforementioned five signs are located on Powis Terrace, St Machar Drive, and Tillydrone Avenue.

For clarity, attached is a document titled “EIR-17-0177 - Photos” that shows photos of each of the advance signs described above.

The Statutory Instrument ““The Traffic Signs and General Directions 2016” is available to view by way of the following internet link: -

http://www.legislation.gov.uk/ukxi/2016/362/pdfs/ukxi_20160362_en.pdf

Please note that third party personal details have been redacted (blacked out) from the attached document. This is because ACC considers that this information is excepted from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby give notice that we are refusing your request under the terms of Regulation 11(2) in conjunction with 11(3)(a)(i) – Personal Information - of the EIRs.

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5. Are all signs relating to the Bus gate (Lane) the proper size and shape and height required by law?

The regulatory signs that provide for the bus gate are in accordance with the Statutory Instrument "The Traffic Signs and General Directions 2016" (TSRGD). The signs are "Route for use by buses and pedal cycles only" which is Item 33 (Diagram 953) in the "Sign Table – Schedule 3, Part 2" of the TSRGD and are 750mm in diameter. Additionally there are advisory camera symbol signs that indicate an "Area in which enforcement cameras are in use"; this type of sign is Item 63 (Diagram 878) in the "Sign Table – Schedule 11, Part 2" of the TSRGD.

*Please note the TSRGD allows certain variations on the above signs, so with regard to Diagram 953 the text "taxi" has been omitted as this type of vehicle is not permitted to travel through the bus gate. While on Diagram 878 a legend has been omitted.

6. How many 'Warnings' signs have been installed ON Bedford Road, relating to the Bus Gate (Lane)? (Excluding the Ones situated at the Bus Gate - Lane)?

There is a single sign located on Bedford Road, at its junction with Bedford Avenue, and is the "Route for use by buses and pedal cycles only" symbol with a supplementary plate indicating the distance to the restriction. There is a photo of this sign in the enclosed document titled "EIR-17-0177 - Photos".

7. How many 'Warning' 'Advisory' or 'Information signs have been installed ON the side roads which lead onto Bedford Road, including the exit from the retail park situated there? Please specify which are warning signs and which are information or advisory signs!

There are no advance informatory signs located on minor side roads that have junctions with Bedford Road.

8. On what date did the Bus gate (Lane) become operational?

The Bus Gate came into operation on 30 May 2016.

9. How many Fixed Penalty Notices have been issued since the Bus Gate (Lane) became operational?

16,294 Fixed Penalty Notices have been issued to 21 February 2017.

10. How much money in FP fines has been collected by Aberdeen City Council, as a result of motorists driving through the Bus Gate (Lane) since the date on which it became operational to the present date (29/01/2017)?

£442,910.70 to 21 February 2017.

We hope this helps with your request.

Yours sincerely,

Grant Webster
Information Compliance Officer

INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

As the information which you requested is environmental information, as defined under Regulation 2(1) of the Environmental Information (Scotland) Regulations 2004 (the EIRs), ACC considered that it was exempt from release through FOISA, and must therefore give you notice that we are refusing your request under Section 39(2) of FOISA (Freedom of Information (Scotland) Act 2002). However, you have a separate right to access the information which you have requested under Regulation 5 of the EIRs, under which ACC has handled your request. Please refer to the attached PDF for more information about your rights under the EIRs.

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*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan.
Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

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ABERDEEN CITY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE ABERDEEN CITY COUNCIL (DANESTONE/TILLYDRONE/BEDFORD AREA, ABERDEEN) (TRAFFIC MANAGEMENT) ORDER 2016

Aberdeen City Council, in exercise of its powers under Section 1 of the Road Traffic Regulation Act, 1984 (hereinafter referred to as "The 1984 Act"), and of all other enabling powers, and after consultation with the Chief Constable of Police Scotland in accordance with Part III of schedule 9 to the 1984 Act, and having complied with the requirements of The Local Authorities' Traffic Orders Procedure (Scotland) Regulations 1999, hereby makes the following order: -

Citation

1. This order may be cited as "The Aberdeen City Council (Danestone/Tillydrone/Bedford Area, Aberdeen) (Traffic Management) Order 2016" and shall come into operation on 26 May 2016.

Prohibition of Waiting

2. Save as provided in Articles 3, 4 and 5 of this order, no person shall, except upon the direction or with the permission of a police constable in uniform cause or permit any vehicle to wait on any lengths of roads specified in the first schedule hereto at any time on any day.
3. Nothing in Article 2 of this order shall prevent any person from causing or permitting a vehicle to wait on any of the lengths of road referred to in that article for so long as may be necessary:
 - (a) to enable a person to board or alight from the vehicle or to load thereon or unload there from goods or personal luggage;
 - (b) when the person in control of the vehicle is:
 - (i) required by law to stop; or
 - (ii) obliged to stop in order to avoid an accident; or
 - (iii) prevented from proceeding by any circumstances beyond their control, where the said circumstances relate directly to the movement or otherwise of traffic on the road;
 - (c) if the vehicle is in material use in connection with a funeral undertaking;
 - (d) if the vehicle is in the service of, or is being employed by, a security company and is in actual use while currency or other valuables:
 - (i) are being unloaded from the vehicle; or
 - (ii) having been unloaded from the vehicle, are being delivered; or
 - (iii) are being collected from premises adjacent to that road for loading onto the vehicle; or
 - (iv) having been collected from such premises, are being loaded onto the vehicle.

4. Nothing in Article 2 of this order shall prevent any person from causing or permitting a vehicle to wait in any of the length of road referred to in that article for so long as may be necessary:
 - (a) to enable a vehicle in actual use or materially necessary for such purpose (provided that the vehicle cannot conveniently be used for the same purpose in any other road) to be used in or adjacent to that road in connection with any:
 - (i) building operation;
 - (ii) demolition;
 - (iii) laying, erection, alteration or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus; or
 - (iv) excavation, provided that, in the case of any of the operations described in sub-paragraphs (iii) and (iv) above, the said operation or operations are to be conducted within the extents of the road.
 - (b) to enable a vehicle in actual use or materially necessary for such purpose (provided that the vehicle cannot conveniently be used for the same purpose in any other road) to be used in connection with the:
 - (i) cleansing or lighting of any road;
 - (ii) removal of any obstruction to traffic on any road;
 - (iii) maintenance or improvement or reconstruction of any road; or
 - (iv) placing, maintenance or removal of any traffic sign or parking meter on any road.
 - (c) if the vehicle, being a liveried vehicle, is in the service of, or is being employed by, a universal service provider, and is in actual use while postal packets:
 - (i) addressed to premises adjacent to that road are being unloaded from the vehicle;
 - (ii) addressed to premises adjacent to that road and having been unloaded from the vehicle, are being delivered;
 - (iii) are being collected from postal boxes or premises adjacent to that road for loading onto the vehicle; or
 - (iv) having been so collected, are then being loaded onto the vehicle.
5. Nothing in Article 2 hereto of this order shall apply to any invalid carriage or disabled person's vehicle which is not causing an obstruction and which displays in the relevant position a valid disabled person's badge issued by a local authority.

Urban Clearway

6. Except upon the direction of a police constable in uniform, no person shall cause or permit any vehicle to stop, or wait for any purpose at any time on any day on either side of the unnamed road (between the A90 Parkway and Gordon's Mills Road), Aberdeen, except that this shall not apply to any public service vehicle as specified in the Public Passenger Vehicles Act 1981.

One-Way

7. No person shall drive, or cause or permit to be driven, any vehicle on that length of Meadow Lane, Aberdeen, from its junction with Gordon's Mills Road, to its junction with Papermill Drive, other than in a northerly direction.

Prohibition of Right Turns

8. No person shall drive, or cause or permit to be driven, any vehicle on the unnamed road (between the A90 Parkway and Gordon's Mills Road), Aberdeen, so as to turn right onto Gordon's Mills Road.

Prohibition of Driving

9. No person shall drive, or cause or permit to be driven, any vehicle on those lengths of road specified the second schedule hereto.
10. Nothing in Article 9 of this order shall apply:
 - (a) to a pedal cycle;
 - (b) to a vehicle being used for police, ambulance, or fire and rescue authority purposes; or
 - (c) to anything done with the permission, or with the direction, of a police constable in uniform.

Route for use by Buses and Pedal Cycles Only

11. Save as provided in Article 12 of this order, no person shall drive, or cause or permit to be driven, any vehicle on Bedford Road, Aberdeen from a point 26 metres north-east of its junction with Hermitage Avenue, north-eastwards for a distance of 10 metres.
12. Nothing in Article 11 of this order shall apply:-
 - (a) to a bus;
 - (b) to a pedal cycle;
 - (c) to a vehicle being used for police, ambulance, or fire and rescue authority purposes;
 - (d) to anything done with the permission, or with the direction, of a police constable in uniform;
 - (e) to an vehicle being used for winter maintenance purposes; or
 - (f) to a vehicle being used in connection with the removal of any obstruction, or in connection with authorised roadworks, in the length of road specified in Article 11.

Revocation or Amendment of Orders

13. Upon the coming into effect of this order, any previous order that restricted vehicles to travelling in a north-westerly direction on Bedford Place, between Erskine Street and Bedford Road, is hereby revoked.
14. Upon the coming into effect of this order, any previous order providing for a prohibition of driving on Hermitage Avenue, Aberdeen, from its junction with Bedford Road, south-westwards for a distance of 5 metres, is hereby revoked.

15. Upon the coming into effect of this order, any previous order providing for a prohibition of driving on Gort Road, Aberdeen, from a point 43 metres north of its junction with Hayton Road, northwards for a distance of 25 metres, is hereby revoked.
16. Upon the coming into effect of this order, any provision of any other order, with the exception of the Grampian Regional Council (Heavy Vehicles) (Overnight Parking Places, Aberdeen) Order 1987, made or having effect as if made under the Road Traffic Regulation Act, 1984, and existing at the time when this order comes into effect, which provision imposes a prohibition of waiting on any parts of the lengths of road specified in the first schedule to this order, is hereby revoked.

Given by Aberdeen City Council on this Twenty-fifth day of May in the year Two Thousand and Sixteen.

.....
[Redacted Signature] Proper Officer

.....
[Redacted Signature] Witness

First Schedule

Access Road (Serving Tillydrone Community Centre)

North side, from its junction with Gordon's Mills Road, north-eastwards for a distance of 23 metres.

South side, from its junction with Gordon's Mills Road, north-eastwards for a distance of 27 metres.

Auchinleck Road

East side, from its junction with Gort Road, northwards for a distance of 10 metres.

West side, from its junction with Gort Road, northwards for a distance of 27 metres.

Bedford Road

West side, from its junction with St Machar Drive, southwards for a distance of 106 metres.

Coningham Terrace

Both sides, from its junction with Tillydrone Road, south-westwards for a distance 27 metres.

Don Street

Both sides, from its junction with Donbank Terrace, westwards for a distance of 15 metres.

Both sides, from its junction with Hayton Road, southwards for a distance of 15 metres.

Donbank Terrace

Both sides, from its junction Hayton Road, northwards for a distance of 56 metres.

Fairview Street

Both sides, from its junction with the unnamed road (between the A90 Parkway and Gordon's Mills Road), westwards for a distance of 18 metres.

Gordon's Mills Road

North-east side, from a point 55 metres north-west of its junction with Hayton Road, north-westwards for a distance of 100 metres.

North-east side, from a point 17 metres south-east of its junction with Meadow Place, north-westwards for a distance of 125 metres.

South-west side, from its junction with Hayton Road, north-westwards for a distance of 75 metres.

South-west side, from its junction with Gordon's Mills Place, north-westwards to its junction with that section of Gordon's Mills Road that runs parallel to the River Don.

Both sides, from its junction with that section of Gordon's Mills Road that runs perpendicular to the River Don, westwards for a distance of 24 metres.

Gordon's Mills Place

Both sides, from its junction with Gordon's Mills Road, westwards for a distance of 23 metres.

Gort Road

Both sides, from its junction with Hayton Road, north-westwards for a distance of 70 metres.

Both sides, from its junction with Gordon's Mills Road, south-westwards for a distance of 32 metres.

North side, from its junction with Auchinleck Road, eastwards for a distance of 13 metres.

North side, from its junction with Auchinleck Road, westwards, then southwards for a total distance of 55 metres.

South side, from a point 15 metres west of its junction with Auchinleck Road, westwards, then southwards, for a total distance of 32 metres.

North side, from a point 50 metres east of its junction with Auchinleck Road, eastwards, then southwards, then westwards, following the outline of the hammerhead for an overall distance of 110 metres.

Grandholm Drive

Both sides, from its western junction with the unnamed road (between the A90 Parkway and Gordon's Mills Road), westwards for a distance of 21 metres.

Both sides, from its eastern junction with the unnamed road (between the A90 Parkway and Gordon's Mills Road), north-eastwards for a distance of 37 metres.

Harris Drive

Both sides, from its junction with Tillydrone Avenue, westwards for a distance 11 metres.

Hayton Road

Both sides, from its junction with Don Street and Donbank Terrace, south-eastwards for a distance of 15 metres.

North side, from its junction with Gordon's Mills Road, south-westwards for a distance of 18 metres.

South side, from its junction with Tillydrone Road, south-westwards for a distance of 21 metres.

Laurel Drive

Both sides, from its junction with the unnamed road (between the A90 Parkway and Gordon's Mills Road), westwards for a distance of 23 metres.

Meadow Lane

Both sides, from its junction with Gordon's Mills Road, north-eastwards for a distance of 16 metres.

Meadow Place

South side, from a point 40 metres south-east of its junction with Gordon's Mills Road, southwards following the outline of the road layout to facilitate vehicular turning for an overall distance of 82 metres.

Papermill Drive

Both sides, from its junction with Gordon's Mills Road, north-eastwards for a distance of 18 metres.

St Machar Drive

North side, between its junctions with Tillydrone Avenue and The Chanonry.

South side, between its junctions with Bedford Road and Elphinstone Road.

Tillydrone Avenue

East side, from its junction with St Machar Drive, northwards for a distance of 207 metres.

East side, from a point 12 metres south of its junction with Harris Drive, northwards for a distance of 163 metres.

West side in its entirety.

Tillydrone Road

East side, from the point that it meets Tillydrone Avenue, northwards for a distance of 142 metres.

West side, between its junctions with Tillydrone Avenue and Coningham Terrace.

West side, from its junction with Hayton Road, southwards for a distance of 15 metres.

Tillydrone Terrace

Both sides, from its junction with Coningham Terrace, south-eastwards for a distance of 19 metres.

Wingate Road

Both sides, from its junction with Tillydrone Avenue, westwards for a distance of 10 metres.

.....
[Redacted Signature]
..... Proper Officer

[Redacted Signature]
..... Witness

Second Schedule**Gort Road**

From its northernmost junction with Gordon's Mills Road, westwards for a distance of 5 metres.

Meadow Place

From its southern junction with Gordon's Mills Road, eastwards for a distance of 5 metres.

Coningham Road

From its junction with Tillydrone Avenue, eastwards for a distance of 5 metres.

.....
[Redacted]
..... Proper Officer

.....
[Redacted]
..... Witness

Bedford Road, Aberdeen - 'Bus Gate' Signs

1. Bedford Road Bus Gate – northbound view



2. Bedford Road Bus Gate – southbound view



3. Advance sign on Bedford Road (northbound) at junction with Bedford Avenue



4. Advance sign on Powis Terrace for southbound traffic approaching junction with Bedford Road



5. Advance sign on Powis Terrace for northbound traffic approaching junction with Bedford Road



6. Advance sign on St Machar Drive for eastbound traffic approaching junction with Bedford Road



7. Advance sign on St Machar Drive for westbound traffic approaching junction with Bedford Road



8. Advance sign on Tillydrone Avenue for southbound traffic approaching junction with Bedford Road

