

**13 THE SCOTTISH GOVERNMENT DIRECTORATE FOR THE BUILT ENVIRONMENT
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
THE STOPPING UP (BROOK STREET, BROUGHTY FERRY) ORDER 2009 (AN59-2009)**

Members are asked to note that the Scottish Ministers have given notice that they have made an Order under Section 202 of the Town and Country Planning (Scotland) Act 1997 seeking the stopping up of a section of the south footpath of Brook Street, Broughty Ferry adjacent to the Royal Bank of Scotland premises.

This Stopping Up Order is to facilitate the development of a disabled entrance to the bank. Dundee City Council has previously rejected a planning application for this proposal, the decision of which was appealed and upheld by Scottish Minister (AN194-2007 refers). The application for a Stopping Up Order on 13 August 2007 (Report 374-2007 refers) was refused by the Planning and Transport Committee on the grounds of inadequate footway width for pedestrian passage.

In light of the foregoing, Committee is requested to authorise the Director of Planning & Transportation to object to the Stopping Up Order proposed by the Scottish Government on the grounds that if a Stopping Up Order is approved, the public will no longer have a right of passage over the area of footway concerned and the remaining available width of footway will be physically restricted by the proposed ramp. The existing footway is 3.0 metres wide and this would be reduced down to 1.8 metres as a result of the proposed ramp. This is considered to be unacceptably narrow given the high levels of pedestrian movement in Brook Street.

The objection must be lodged before 16 March 2009.