

## ENTERPRISE, PLANNING AND INFRASTRUCTURE COMMITTEE

ABERDEEN: Thursday, 26 November 2009. Minute of Meeting of the ENTERPRISE, PLANNING AND INFRASTRUCTURE COMMITTEE. Present:- Councillor Dean, Convener; Councillor McCaig, Vice Convener; and Councillors Adam, Allan, Boulton, Clark, Corall, Cormack (substituting for Councillor Greig), Cormie, Crockett, Dunbar (substituting for Councillor Kevin Stewart), Jaffrey, Penny and Robertson.

From Article 10 onward, Councillor Farquharson joined the meeting as a substitute for Councillor Milne.

### 1 MINUTE OF PREVIOUS MEETING

The Committee had before it the minute of the previous meeting of 27 October, 2009.

**The Committee resolved:-**

to approve the minute as a correct record.

### 2 COMMITTEE BUSINESS STATEMENT

The Committee had before it a statement of pending and outstanding committee business, which had been prepared by the Head of Democratic Services.

**The Committee resolved:-**

- (i) to delete items 6 (Golden Square, Aberdeen – Car Parking Arrangements), 8 (City Development Company – Next Stage), 9 (Reporting Environmental Performance Measures), 18 (Pinewood/Hazledene, Countesswells Road – Future Use of Sites), 21 (2009/2010 Revenue Budget Monitoring), and 24 (The Aberdeen City Council (Various Roads in North Aberdeen (Traffic Management) Order 2009, subject to these matters being dealt with later on the agenda; and
- (ii) to otherwise note the updates contained therein.

### 3 MOTIONS LIST

The Committee had before it a list of outstanding motions which had been prepared by the Head of Democratic Services.

**The Committee resolved:-**

- (i) in relation to Motion 2 (Motion by Councillor Donnelly – call to introduce a levied ‘Trades Annual Parking Permit’) to note that a meeting of the Controlled Parking

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- Areas Working Party had been arranged for 10 December 2009 to discuss this matter; and
- (ii) to otherwise note the list of outstanding motions.

**4 PERFORMANCE, MONITORING AND TARGET SETTING 2009/2010 - EPI/09/119**

The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure, which provided an update on the Enterprise, Planning and Infrastructure service performance as at September, 2009.

The report presented the key management information and performance indicators for the Enterprise, Planning and Infrastructure Service which consisted of the following four sections:- (1) a progress report from the Director; (2) a summary in the format of a performance indicator balanced scorecard and detailed information supporting those indicators being considered this cycle; (3) a monitoring statement for the Non Housing Capital Programme 2009/2010 as at 30 September, 2009; and (4) a table providing additional information on the performance of road defect repairs.

In relation to EPI304P (% of Street Light Repairs completed within 7 days), and the previous resolution of the Committee to request officers to provide a breakdown of the performance of repairs in the city centre in comparison with outlying areas, the Committee received an oral update from Mike Cheyne (Roads Manager) who explained that street light repairs for the city were undertaken by the three teams who each focused on a separate area e.g. north, south and central. As a result of staff absence in one of the teams, there had been a divergence in the performance across the areas. Each of the teams was now at capacity and the divergence in performance across the areas should now be corrected.

**The Committee resolved:-**

- (i) in relation to EPI304P (% of Street Light Repairs completed within 7 days) to note the oral update from Mike Cheyne, Roads Manager;
- (ii) in relation to EPI101P (Average Sickness Absence – EPI) to note that the target for the service had been amended to 10 days in accordance with the Committee's previous decision; and
- (iii) to otherwise note the performance to date.

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**5 2009/2010 REVENUE BUDGET MONITORING - EPI/09/120**

With reference to article 7 of the minute of the meeting of the Enterprise, Planning and Infrastructure Committee of 27 October, 2009, the Committee had before it a joint report by the Director of Enterprise, Planning and Infrastructure and the City Chamberlain, which advised of the revenue budget performance for the current financial year to date as at 30 September, 2009. The paper confined itself to services relating to the Committee, outlined areas of risk that were immediately identifiable, and explained the responses to these.

Appended to the report was a summary monitoring statement for the revenue budget 2009/2010 which outlined the budget for the year, detailed the actual spend to 30 September, 2009, and explained any variances. The current financial position reflected a projected overspend of £1.444m, less £437,000 of further savings which had been identified. The remaining overspend of £1.007m continued to be the subject of further targeted savings being identified by the service; progress on this aspect would be reported to the next meeting of the Committee on 12 January, 2010. In particular the report highlighted that, in light of the current downturn in building works in the city, income from building applications was not expected to meet the budget for the year. Similarly, planning application income had shown a significant downturn to date. Overall, the current forecast income for the year was £500,000 compared with a budget of £1.2m. To offset the impact of this, the management of vacant posts was being actively pursued as a source of savings and the service was continuing to work with other Heads of Planning and COSLA to lobby the Government for increases in planning fees.

**The Committee resolved:-**

- (i) to note the information on management actions and risks that was contained in the report;
- (ii) to instruct officers to continue to review budget performance and report on service strategies as required to ensure a balanced budget; and
- (iii) to note that officers would report on targeted replacement savings (to balance the projected current overspend) to the Enterprise, Planning and Infrastructure Committee at its meeting on 12 January, 2010.

**6 CAPITAL BUDGET PROGRESS REPORT - EPI/09/121**

With reference to article 8 of the minute of the meeting of the Enterprise, Planning and Infrastructure Committee of 27 October, 2009, the Committee had before it a joint

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report by the Director of Enterprise, Planning and Infrastructure and the City Chamberlain, providing an update on the progress made on various projects in the Non Housing Capital Programme previously approved by Council (and now aligned to the Enterprise, Planning and Infrastructure Services).

Appendix A to the report outlined the Non Housing Capital Programme projects aligned to the Enterprise, Planning and Infrastructure Services, and provided, for each project, the budget for 2009/2010, spend to the end of September 2009, and the forecast out-turn position. Comments on particular projects, where appropriate, were included in the narrative.

The report advised that the spend to the end of September 2009 reflected payments made and processed but not commitments made and due to be paid by the year end. Also, it had to be noted the budgeted figures included slippage from 2008/2009.

**The Committee resolved:-**

- (i) in relation to project 646 (Glashieburn Flood Prevention) to note officers assurances that a report on this matter would be submitted to the Enterprise, Planning and Infrastructure Committee at its meeting on 12 January, 2009;
- (ii) in relation to project 627 (Aberdeen Western Peripheral Route) to note that the forecast out-turn figure included the Council's contribution to the International School; and
- (iii) to otherwise note the content of the report in relation to the projects outlined at Appendix A.

**7 OFFSHORE NORTHERN SEAS, STAVANGER, AUGUST, 2010 - EPI/09/122**

The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure, which sought approval for the Council's participation in the Offshore Northern Seas (ONS) Conference and Exhibition 2010, (subject to the budgetary process) and the ONS Festival (subject to sourcing the necessary sponsorship) both of which would be held in Stavanger in August 2010. Approval was also sought for the attendance at the events by the Lord Provost, the Leader of the Council, and four officers.

The importance of attendance at the Conference and Exhibition (which had attracted in the region of 35,000 delegates in 2008) for the Council was outlined. The event was as an integral part of the Council's overseas trade development activities, and its ongoing business development and international positioning activities, which were intended to

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ensure economic growth and increased employment opportunities and improve the economic sustainability of the city. Attendance at the ONS Festival (which was held in the evening during the biannual ONS Conference and Exhibition) would also be an opportunity to celebrate 20th anniversary of Aberdeen's twin city link with Stavanger. Details of the Festival programme were provided.

With regard to financial implications of participation, it was advised that existing budgets covered the Councils participation at the biannual ONS Conference and Exhibition; this budget also included the attendance of the Council Leader and two officers. Attendance at the ONS Festival would have significant cost implications (potentially £60,000); it was therefore proposed that sponsorship from other sectors be sourced to cover these costs (as had been achieved in 2008). It was envisaged that packages would be devised that would offer sponsorship opportunities to a number of public sector bodies, private sector companies and media partners. However, it was thought not that one sponsor would be willing to cover all the costs of the event but that a mixture of sponsors would be required. Aberdeenshire Council would also be approached for their support in delivery of this initiative. In addition, it was proposed that £10,000 be allocated from the Twinning Budget to support attendance, and to allow for celebrations of the 20<sup>th</sup> Anniversary of the twinning link to Stavanger.

**The report recommended:-**

that the Committee:-

- (a) approve the participation of the Council in the ONS Exhibition and Conference subject to the budget process;
- (b) approve the participation of the city in the ONS Festival subject to the necessary sponsorship being raised;
- (c) approve the allocation of £10,000 from the twinning budget for use in participating in the festival subject to the budget process; and
- (d) approve the attendance of the Lord Provost, the Leader of the Council and four officers from Enterprise Planning & Infrastructure, to cover the full range of activities at the exhibition and festival.

The Convener, seconded by the Vice-Convener, moved that the recommendations be approved.

As an amendment, Councillor Allan, seconded by Councillor Adam, moved that the recommendations be approved except that the Leader of the Council should not attend.

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On a division, there voted:- for the motion (11) – the Convener, the Vice-Convener, and Councillors Boulton, Clark, Corall, Cormack, Cormie, Dunbar, Jaffrey, Penny, and Robertson; for the amendment (3) – Councillors Adam, Allan and Crockett.

**The Committee resolved:-**  
to adopt the motion.

**8 APPLICATIONS FOR FUNDING FROM THE INTERNATIONAL TWINNING BUDGET 2090/2010 - EPI/09/041**

The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure, outlining two applications for the financial assistance from the 2009/2010 International Twinning Budget.

**The report recommended:-**  
that the Committee:-

- (a) approve a contribution of £4,100 towards travel for four delegates to Regensburg, and translation and marketing costs involved in the delivery of the arts workshops at Regensburg's Social Initiatives Christmas market; and
- (b) approve a contribution of £1,600 towards the costs of the civic dinner (20 participants) and accommodation and hospitality for the visit of the Mayor of Stavanger.

**The Committee resolved:-**  
to approve the recommendation.

**9 ABERDEEN CITY AND SHIRE ECONOMIC FUTURE PROJECT UPDATE - EPI/09/043**

The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure, which provided project updates from the Aberdeen City and Shire Economic Future (ACSEF), the Aberdeen City and Shire Public Private Sector Partnership for Economic Development.

**The Committee resolved:-**

- (i) to note the actions being taken by ACSEF; and
- (ii) to receive reports on developments achieved by ACSEF at future meetings of the Committee.

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**10 CLIMATE CHANGE COMMITMENTS AND CARBON REDUCTION COMMITMENT - EPI/09/066**

The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure, which sought approval for the Council to sign up to two national campaigns on climate change, namely:- 10:10 Commitment and the Prince's May Day Network. Details of the Council's obligations under the new mandatory national emission trading scheme "Carbon Reduction Commitment". Approval for the attendance of an elected member and officer at the Scottish event of the United Nations Climate Change Conference (COP15) in Copenhagen in December 2009, was also sought.

Details of both of the national campaigns were outlined as were the implications for the Council of committing to these. In particular regarding the Prince's May Day Network it was advised that, if the Council joined the network, it should make one or more of the following six pledges:-

Pledge 1: Measure and report your business' carbon emissions publicly, or to Scottish Business in the Community

Pledge 2: Manage your carbon emissions by developing a carbon action plan, including setting an absolute target

Pledge 3: Take action to reduce your business' carbon emissions

Pledge 4: Encourage employees to reduce their carbon emissions at home and at work

Pledge 5: Work in partnership with suppliers to reduce carbon emissions in the supply chain

Pledge 6: Encourage your customers to take action on climate change

Given the work the Council was already undertaking, it was recommended that the Council make pledges 1 to 4.

**The Committee resolved:-**

- (i) that the Council sign the 10:10 Commitment;
- (ii) that the Council sign the Prince's May Day Network and makes pledges 1 to 4(set out above); and
- (iii) to note the new National Carbon Reduction Commitment obligation, and instruct the Director of Corporate Governance to keep Members apprised of the potential financial impact of this obligation on the Council as more details became available.

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**11 CITY DEVELOPMENT COMPANY - EPI/09/058**

With reference to article 11 of the minute of the meeting of the former Policy and Strategy Committee of 9 June, 2009, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure, which provided an update on progress towards the establishment of an Aberdeen City Development Company (CDC).

A detailed overview of the economic context for Aberdeen was provided in which it was explained that the City Development Company would seek to remedy pockets of “market failure” within the City region, to contribute to the sustainable “macro” economic future of the area, and to facilitate with partners the capturing of value for targeted beneficiaries, within a charitable/regeneration role.

The high level proposed principles of the CDC were set out and it was advised that these principles would be reflected within its proposed Articles of Association (as summarised in the report). The Articles of Association would be progressed for final approval by the Office of the Scottish Charity Regulator (OSCR) and City Solicitor in due course. The role, benefits and aims of the CDC were also outlined. The CDC was a mechanism to allow local authorities to use their assets to realise long-term investment from the private sector for regeneration projects.

With regard to the transferring of assets from the Council to the CDC, it was advised that, at present, Brodies had prepared a draft Heads of Terms which laid out the parameters upon which the Council and the CDC would transfer defined assets for the company project purposes. The Heads clearly outlined that the company should undertake the promotion and development of assets in terms of its charitable purposes and related objectives only, and in accordance with a business plan agreed between the Council and the company. Details of the relationship between the company and other initiatives and programmes being supported by the Council at this time was provided.

In terms of partnership arrangements, the Council had been advised that, at the moment, the founding members of the CDC could consist of Aberdeen City Council and Scottish Enterprise. The intended inclusion of ACSEF as a founding member was not possible while that body lacked “legal entity” status. There were two options for inclusion of ACSEF, whereby individual ACSEF Directors could become admitted Members conferred by the two founding members, or ACSEF became a legal entity prior to the incorporate of the City Development Company. It was anticipated that ACSEF would hold a Board Meeting in November 2009 at which this matter could be



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discussed. The Director of Enterprise, Planning and Infrastructure was progressing discussions with the Scottish Enterprise regarding their membership.

In relation to the CDC Board structure, it was advised that the Board would be separate from the Council and would consist of a maximum of twelve Directors. Of those the Council would be entitled to appoint a maximum of four positions. The Convener of the Enterprise, Planning and Infrastructure Committee and the Director of Enterprise, Planning and Infrastructure Service were requested to nominate private sector representatives to sit as a Chairperson, and as remaining Directors of Aberdeen City Development Company Board, following discussion with founding partners.

The CDC project was progressing well against its anticipated milestones and targets. The next steps in the critical path included the acquisition of consultancy support towards the development of the Business Plan and the submission of an application to the Office of the Scottish Charity Regulator for Charitable Status.

### **The Committee resolved:-**

- (i) to note the progress to date in the development of the City Development Company partnership options;
- (ii) to authorise the City Solicitor to execute the Articles of Association as summarised at section 6.13 of the report, and submit the same to the Office of the Scottish Charity Regulator as part of the City Development Company's application for charitable status;
- (iii) to authorise officers to utilise the Office of Government Commerce (OGC) Multi-Disciplinary Consultancy Framework Agreement to obtain external business and financial planning consultancy support, subject to the outcome of an appropriate due diligence of the procurement method and contractual terms and conditions by the City Solicitor;
- (iv) to authorise the Convener of the Enterprise, Planning & Infrastructure Committee, jointly with the Director of Enterprise, Planning & Infrastructure Service, to appoint the Chairperson and private sector representatives following discussion with the founding partners;
- (v) in light of the previous Committee instruction, to approve the proposed process of establishment of a City Development Company Project Board, and that the composition of the Board be four elected members (three administration members and one opposition member) as Directors; and
- (vi) to request officers to recirculate to Councillor Crockett the Mackay Consultantseconomic report for August 2009.

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**12 WIRE ROPE SUPPORT SYSTEM FOR BANNERS AND FESTIVE DISPLAYS  
ON UNION STREET - EPI/09/078**

With reference to article 35 of the minute of the meeting of the former Resources Management Committee of 26 August, 2008, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure, which informed of progress made to date regarding the structural assessment of the existing wire rope support system for banners and festive displays on Union Street, and advised on the development of proposals for necessary improvements to the system.

By way of background the report provided details of the current wire rope support system in place, and outlined the concerns that remained regarding the load carrying capacity of the system. As a result of these concerns, a remote monitoring system was installed to measure the service loads on the cables for both festive lights and banners. The data collected indicated that a maximum loading of two tonnes per rope was realistic for a fifteen year return period, and that this figure should be used for designing the improvements to the system. However, it was highlighted that the actual pull out capacity of the individual granite facing blocks (to which each rope end was anchored) was an unknown factor. Details of the improvements required were outlined.

Following completion of the proposed improvements, monitoring of the improved system would continue, and be used to ensure that any adjustments did not overstress the system. The monitoring system would also be used to check that all ropes were at the correct level of pre-tension. Also, until such time as the improvements were carried out, the remote monitoring system would be used in conjunction with inspections and weather forecasts to manage risks to the existing support system.

With regard to financial implications, it was advised that estimated capital funding of £70,000 would be required to implement the necessary improvements (excluding any legal costs that might be incurred), as well as anticipated revenue costs of £1500 for annual inspection and monitoring costs. In addition, because the new fixings and ropes had a limited service life, it was recommended that a rolling programme of fixings and rope renewal be established from year five following the improvement works. The estimated cost of the rolling programme was £5,000 per annum.

**The Committee resolved:-**

- (i) to instruct the appropriate officers to approach the building owners affected by the proposals and to progress any necessary legal agreements;

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- (ii) to refer the report to the Finance and Resources Committee for consideration of funding from the Non-Housing Capital budget to allow the necessary improvements to proceed;
- (iii) to note the requirements for the ongoing inspection and maintenance of the ropes;
- (iv) to approve the adoption of a rolling programme of rope and fixings renewals, and to instruct officers to submit a bid for funding from the revenue budget to cover this programme; and
- (v) to instruct officers to include a statement of the Safe Working Load for the ropes in all future contracts for supplying and erecting displays of lights and banners on the ropes.

**13 PINWOOD AND HAZLEDENE - EPI/09/116**

With reference to article 59 of the minute of the meeting of the Finance And Resources Committee of 17 September, 2009, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure, which advised of the planning implications of delaying the marketing of Council-owned housing sites at Pinewood and Hazledene.

The current and future planning position regarding the two Council owned sites at these locations was outlined, as were the requirements placed on local authorities from the National Planning Policy. The main issues arising from any delay in marketing the sites was that objectors and developers promoting competing sites could argue that the sites were not effective. This was already the case with Pinewood and Hazledene. There were a number of possible consequences here and details of each were provided.

In summary, the report advised that marketing Council owned allocated sites would show that the Council was committed to their delivery. This removed arguments that the sites were constrained, and ensured that they were part of the five year effective supply, and that the Council met its statutory requirements. It would also help to demonstrate in future that the Council was leading by example, and that the Council was willing to deliver other sites proposed in future plans, such as the new Local Development Plan, which could thereby gain greater credibility. The risk of appeals, with their associated costs would also be reduced. Finally, increasing the supply of family housing, including affordable housing, and reducing movement out of the city, would be consistent with the Structure Plan.

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### **The Committee resolved:-**

- (i) to refer the report to the Finance and Resources Committee Information Bulletin; and
- (ii) to otherwise note the report.

### **14 GOLDEN SQUARE CAR PARK**

With reference to article 13 of the minute of the meeting of the former Policy and Strategy Committee of 2 September 2008, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure recommending the advertisement of a traffic order to bring within existing controlled parking regimes the central area of Golden Square.

It was also proposed that officers continue discussions with the Royal British Legion on a range of issues arising from their traditional (but informal) involvement with parking arrangements at this location, and to report back on these, but otherwise to prepare a bid for capital funding from the 2010/2011 capital plan on the basis of a spend to save to cover the cost of carrying out works to allow the enforcement of a traffic order.

In the course of discussions, and in response to a question from Councillor Cormie, the officials confirmed that residential entitlement here would be in line with the existing rules for the rest of the zone, namely, a limit of one permit per household.

### **The Committee resolved:-**

- (i) to approve the recommendations outlined above but to decline meantime to approve particular details about charging and time limitation, and to affirm simply that the traffic order be advertised in such a way as to ensure that such arrangements be consistent with other city centre parking arrangements at the time in question.

### **15 GRAMPAN ROAD/GLENBERVIE ROAD - ACCOMODATION ROAD/BEACH ESPLANADE - PARK BRAE, CULTS - QUEENS ROAD/HAZLEDENE ROAD - INCHGARTH ROAD - KINGSWELLS BYPASS/ACCESS ROAD TO FAIRLEY ROAD - ADELPHI LANE - NORTH DEESIDE ROAD, CULTS**

The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure providing an account of traffic management measures considered necessary at the above locations. Waiting restrictions were proposed at Grampian

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Road/Glenbervie Road, Park Brae in Cults, and at Queens Road/Hazledene Road. A loading ban was intended at North Deeside Road and a 30 mph speed limit at Inchgarth Road. Prohibitions of left and right turns respectively were recommended for Accommodation Road/Beach Esplanade and the Kingswells bypass location. Finally, at Adelphi Lane, limitations on pedestrian access were linked to the current right of way extinguishment order.

**The Committee resolved:-**

to request the officials to carry out preliminary statutory consultation and legislation to provide for these schemes, to move straight to substantive statutory advertisement if there were no significant preliminary responses, and thereafter to report back.

**DECLARATION OF INTEREST**

**Councillor Dunbar declared an interest in the subject matter of the following article by virtue of her status as a shareholder in Tesco. Councillor Dunbar did not consider it necessary to withdraw from the meeting.**

**16 VICTORIA STREET, DYCE - PROPOSED ZEBRA CROSSING WITH ASSOCIATED PROHIBITION OF WAITING AT ANY TIME**

With reference to minute of meeting of the Committee of 27 October, 2009 (Article 16 refers) there had been circulated a report by the Director of Corporate Governance presenting detailed observations prepared by the roads officials on the basis of fresh traffic surveys exploring the need for a zebra crossing at Victoria Street in Dyce.

It was recalled that associated waiting restrictions at the location had been included in The Aberdeen City Council (Various Roads in North Aberdeen) (Traffic Management) Order 2009. The Committee had approved this order on 27 October with the exception of its Victoria Street provisions. This had been because of a request from one of the local members, Councillor Clark, that further investigations be carried out in this case, whereupon the legislation had been approved with the exception of that element.

In the course of discussions, Councillor Clark acknowledged the case made in the technical report but suggested that the need for this crossing should have been brought out in the course of the planning process.

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**The Committee resolved:-**

that the intended crossing be affirmed and the associated prohibition of waiting at any time be approved to the effect that the Aberdeen City Council (Various Roads in North Aberdeen) (Traffic Management) Order 2009 was now able to be implemented fully, and as originally advertised.

**17 STRATEGIC TRANSPORTATION PROJECTS**

With reference to article 12 of the minute of the meeting of the former Policy and Strategy Committee of 9 June 2009, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure providing a detailed account of progress to date on strategic transportation projects. These projects flowed from the development of the Regional Transport Strategy (RTS), which was produced by NESTRANS, and the Council's own Local Transport Strategy (LTS).

**The report recommended:-**

that the Committee –

- (a) acknowledge and agree the content of the circulated report in relation to all the projects identified, including the programmes and key milestones outlined in it;
- (b) note and approve in principle the findings of the study into the use of High Occupancy Vehicle (HOV) Lanes and Large Vehicle (LV) Lanes;
- (c) agree that a medium length HOV lane be progressed as a trial as soon as the Western Peripheral Route and the A90 Park & Choose were in place, and that consideration be given to traffic signal detection of large vehicles heading southbound on Wellington Road (rather than a trial LV lane);
- (d) agree to the removal of Item 203 (work with the Dyce Transport Management Organisation (TMO) to introduce workplace parking charges at employment locations) from the Regional Transport Strategy Bus Action Plan, as requested by NESTRANS;
- (e) welcome and agree the content of the NESTRANS Delivery Plan with the exception of Item 203 (as above);
- (f) instruct officers to take the Delivery Plan into account in the future preparation of transportation related non-housing capital and revenue budgets;
- (g) acknowledge the work done to date on the future operation of Park and Ride;
- (h) instruct officers to continue to work with partners to identify the levels and standards of future Park and Ride services to be specified in a potential tender document, including the best method(s) of service delivery and procurement;
- (i) instruct officers to provide regular updates on the progress of the future operation of Park and Ride, including referral to the Finance and Resource

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Committee as soon as the detail of any financial implications had become known;

- (j) note the 2008 air quality monitoring results as detailed in the Updating and Screening Assessment report of July 2009, and instruct officers to continue to develop a new Air Quality Action Plan; and
- (k) note the consultation response to the Aberdeenshire Council Draft Bus Information Strategy.

The Convener, seconded by the Vice-Convener, moved approval of these recommendations.

Councillor Allan moved as an amendment, seconded by Councillor Adam:-

that recommendations (d), (g), (h), (i), (j) and (k) be approved but that recommendation (a) be approved with the exclusion of the phrase “in relation to all of the projects identified”, recommendation (b) be approved with the exclusion of the phrase “and approve in principle” and recommendations (c), (e) and (f) be deleted.

On a division, there voted:- for the motion (12) – the Convener; Vice-Convener; and Councillors Boulton, Clark, Corall, Cormack, Cormie, Dunbar, Farquharson, Jaffrey, Penny and Robertson; for the amendment (3) – Councillors Adam, Allan and Crockett.

**The Committee resolved:-**

to adopt the terms of the motion.

**18 BERRYDEN CORRIDOR - TRANSPORT INFRASTRUCTURE IMPROVEMENTS**

With reference to article 13 of the minute of the meeting of the former Policy and Strategy Committee of 4 September 2007, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure presenting an extremely detailed Option Appraisal report (with full supporting documentation) for action to improve the Berryden corridor. This report recommended approval of the preferred option for progression to detailed design (i.e. the so-called “Do Something” option for the corridor, in association with a bus gate on Bedford Road), and that the officials report back on detailed design, costs and programming.

The Convener, seconded by the Vice-Convener, moved approval of these recommendations.

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Councillor Allan moved as an amendment, seconded by Councillor Adam:-

that all earlier proposals for road improvements in this area now be re-examined, that the need to prioritise the maintenance of the current road network be recognised, and that the Scottish Government be pressed for an early response on the question of improvements at the Haudagain roundabout.

On a division, there voted:- for the motion (12) – the Convener; Vice-Convener; and Councillors Boulton, Clark, Corall, Cormack, Cormie, Dunbar, Farquharson, Jaffrey, Penny and Robertson; for the amendment (3) – Councillors Adam, Allan and Crockett.

### **The Committee resolved:-**

to adopt the motion.

### **19 (1) ACCESS FROM THE NORTH - AN INTEGRATED TRANSPORT SOLUTION (2) ACCESS FROM THE NORTH PROPOSALS "THIRD DON CROSSING"**

With reference to article 35 of the minute of the meeting of the former Resources Management Committee of 4 December 2007, and article 12 of the minute of the meeting of Council of 20 May 2009, there had been circulated two reports by the Director of Enterprise, Planning and Infrastructure on the above matters. The first of these reports advised the Committee of the outcomes from the study to develop "An Integrated Transport Solution" for access to Aberdeen from the north. This study developed sustainable transport solutions to improve access to and from the north of the city, supporting national, regional and local policy objectives for modal shift and reduced levels of car use. The study also sought to "lock in" the benefits of the proposed Third Don Crossing.

The second report proposed amendments to the cycling provisions for the Third Don Crossing, as well as a minor realignment to the road line to increase the distance between it and flats (at Grandholm Village) built after selection of the original line.

In respect of this, the combined recommendations were that the Committee:-

- (a) note the work carried out to date and outlined in the full study report;
- (b) approve in principle the pedestrian, cycling and public transport measures identified in that report as part of a programme of sustainable transport measures to improve access from the north of the city;



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- (c) instruct the appropriate officials to progress the detailed design and delivery of those measures with the Third Don Crossing Programme, the Berryden Corridor Improvements Programme and other programmes about to be undertaken through routine traffic management and road safety plans;
- (d) request a regular report back on progress in these matters, including the development of a Delivery Programme;
- (e) approve the revised cycling arrangements; and
- (f) approve the realignment of the proposed road line in the vicinity of the new flats at Grandholm Village, all as outlined in the circulated papers.

The Convener, seconded by the Vice-Convener, moved these combined recommendations.

Councillor Crockett moved as an amendment, seconded by Councillor Adam:-  
that no action be taken on the recommendations and that officers be requested to investigate sustainable transport measures *other than* a Third Don Crossing.

On a division, there voted:- for the motion (12) – the Convener; Vice-Convener; and Councillors Boulton, Clark, Corall, Cormack, Cormie, Dunbar, Farquharson, Jaffrey, Penny and Robertson; for the amendment (3) – Councillors Adam, Allan and Crockett.

**The Committee resolved:-**  
to adopt the motion.

## **20 FLOOD RISK MANAGEMENT (SCOTLAND) ACT 2009**

The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure outlining the new responsibilities (listed at appendix A to the report) of the Council under the above legislation.

The indicative average additional costs to local authorities for implementing the Act were:- £1,140 for the period 2010/2011 up to 2014/2015, £240,000 per annum post 2015, and £10,000 per annum for local authority functions and new statutory processes. No additional funding had been made available by the Scottish Government to implement the requirements of the Act.

**The Committee resolved:-**

- (i) to note the responsibilities placed on local authorities by the new Act, and also the indicative costs involved;

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- (ii) to request a further report in due course with details of staffing and other resource implications;
- (iii) to authorise the use of funding from the roads revenue budget to meet the cost of implementing the Act in the present financial year; and
- (iv) to refer the matter, and its cost implications, to the budget process.

**21 KINGSWELLS PARK AND RIDE INSTALLATION OF VEHICLE HEIGHT CONTROL BARRIERS - EPI/09/080**

The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure, which sought approval for the installation of vehicle height control barriers on the access roads to the Kingswells Park and Ride.

Over recent years there had been numerous incidents where members of the travelling community had used the Kingswells Park and Ride car park as an unofficial stopping site. This had led to complaints and concerns from other car park users, and to the local community council petitioning the Council for action on this matter. The barriers proposed would prevent caravans and mobile homes accessing the car park but would allow authorised service vehicles to take access via a lockable gate. Appended to the report was the equality and human rights impact assessment for this matter, and a general arrangement plan.

**The Committee resolved:-**

to note the reasons for installing the barriers and approve their installation at the earliest possible opportunity.

**22 ABERDEEN WESTERN PERIPHERAL ROUTE - ACCEPTANCE OF TENDERS - EPI/09/123**

The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure, which discussed the arrangements for acceptance of tenders for ongoing works and services required for the Aberdeen Western Peripheral Route (AWPR) in advance of the main construction works.

By way of background the report advised that in April 2003, Scottish Ministers announced that the AWPR would be promoted by the Scottish Executive (now Scottish Government) as a trunk road within a funding partnership of the Executive, Aberdeen City Council and Aberdeenshire Council. Under the terms of Section 4 of the Roads

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(Scotland) Act 1984, Aberdeen City Council was the Appointed Agent for the Scottish Ministers. The Agency Agreement required the Council to procure all necessary contracts and services required to deliver the AWPR in co-operation and consultation with Aberdeenshire Council. Previously the award of contracts and services related to the design process of the AWPR had been subject to dispensation approved by Council at its meeting on 9 March 2009. However, as the AWPR moved towards the next phase of project development there would be a need to procure further services and advance works in preparation for the main construction contract. These could be considered as advanced works and services related to the main construction (rather than design), and accordingly there was a need to have an appropriate approval system in place. At present Scottish Ministers were currently considering the Reporter's report prior to making announcement on the proposed scheme. An outcome in favour of the preferred route would allow the Scottish Ministers to make the Orders which would then be laid before the Scottish Parliament for final approval.

In order to avoid delays in the procurement process, it was recommended that powers were delegated to the Corporate Directors of Enterprise, Planning and Infrastructure and Corporate Governance, with the consent of the City Solicitor and City Chamberlain and in consultation with the Conveners of the Enterprise, Planning and Infrastructure and Finance and Resources Committees, to accept the most economically advantageous tenders for various advanced works and services required for the AWPR, subject to the receipt of approvals from other funding partners. Delegation of the powers recommended would require the suspension of Standing Orders 75 and 76 to the extent necessary to permit the delegation of powers.

Members were also asked to authorise the use of external Framework Agreements, if appropriate, by delegating powers to the same officers to award a contract via a Framework Agreement. This was subject to the caveat that the use of a Framework would require to be preceded by an assessment of its suitability, the robustness of the procurement process undertaken by the procuring organisation, and full due diligence of the standard contractual terms and conditions applicable to the Framework by the City Solicitor. This would ensure that the Council was not exposed to any legal risk arising from the procurement process or contractual terms, or alternatively, would identify any such risks thereby enabling an informed decision to be made in terms of whether the risk could be managed. The recommendations were necessary to ensure that the project was being developed within a delivery timescale to meet the stated aim of the Scottish Ministers. To achieve this timetable, officers would strive to ensure, where possible within the constraints in which they operated, that the potential for delays to the project was minimised. The standard procedure of reporting each

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contract to the appropriate Committee would invariably lead to delays in the approval process which could then have an impact upon the overall programme.

In the event where the estimated value of the works or services exceeded the EU procurement threshold for local authorities, the works or services would be procured in accordance with the Public Contracts (Scotland) Regulations 2006, with advertisement in the Official Journal of the European Union (OJEU). The anticipated works or services were as follows:-

<b>Works and Services</b>	<b>Indicative Value</b>
Financial consultancy services	£1,000,000
Legal consultancy services	£500,000
Non-invasive archaeological advanced works	£150,000
Main archaeological advanced works	£2,850,000
Advanced landscaping works	£150,000
Supplementary ground investigation	£500,000
Hydrological monitoring	£150,000

Different arrangements would be necessary for the procurement and award of the main construction contract and this would be the subject of further reports to the relevant committee.

In the course of discussions, Councillor Boulton proposed the following addendum to the recommendations detailed above, namely, "that there be no further tender for works until final approval for the AWPR had been announced by the Scottish Ministers".

### **The Committee resolved:-**

- (i) to approve the suspension of Standing Orders 75 and 76 to the extent necessary to permit the delegation of powers;
- (ii) to delegate the power to accept the most economically advantageous tenders for various advanced works and services required for the AWPR to the Corporate Directors of Enterprise, Planning and Infrastructure and Corporate Governance, with the consent of the City Solicitor and City Chamberlain and in consultation with the Conveners of the Enterprise, Planning and Infrastructure and Finance and Resources Committees, subject to the receipt of approvals from other funding partners;
- (iii) to delegate power to the Corporate Directors of Enterprise, Planning and Infrastructure and Corporate Governance, with the consent of the City Solicitor and City Chamberlain, to utilise Framework Agreements where appropriate,

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- subject to consultation with the Conveners of the Enterprise, Planning and Infrastructure and Finance and Resources Committees, and to the receipt of approvals from other funding partners; and
- (iv) that there would be no further tender for works until final approval for the AWPR had been announced by the Scottish Ministers.

### **23 JET PATCHERS - ROAD REPAIR MACHINE - EPI/09/136**

With reference to article 5 of the minute of the meeting of the former Continuous Improvement Committee of 24 February 2009, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure, which reviewed the operation, effectiveness and benefits of the Jetpatcher road repair machine, and presented future options for increasing the output and costs for the operation.

The effectiveness and costs of the Jetpatcher in comparison with the deferred set patching and structural permanent patching were outlined in this report. With an operating cost of approximately £3,600 per week or £98 per hour (plus additional costs for Traffic Safety and Control which could add about £300 to the weekly bill) the Jetpatcher had proved effective at providing a lasting repair to both deep and shallow pot holes, as well as sealing crazed areas of carriageways. Appended to the report were details of the number of total repairs on a weekly basis and an example of the weekly work, including the number of pot holes repairs, hours operated and quantity of materials used.

In order to maintain the effectiveness of the operation and in order to keep pace with the ever increasing number of potholes the following options were being considered:-

1. Purchase a second Jetpatcher – this would have immediate capital budget implication of approximately £140,000. There would be a revenue cost of £3,600 per week to the revenue budget to cover operational costs.
2. Increase the operating hours of the existing Jetpatcher. It would be possible to do this by extending the working day and working at weekends. This would increase the output of the operation with no further Capital Budget implications. The revenue costs would be as follows:- Labour (48 hour week) - £2,000; and Plant (capital costs covered in 37 hour but increased running costs) - £1,300; and Material - £900. This gave an operating cost of £88 per hour.
3. Increase the operating hours of the existing Jetpatcher by double shifting the operation. This would effectively double the output of the operation with no

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further capital budget implications. The revenue costs would be as follows:- Labour (24 hour week) - £3,000; Plant (capital costs covered in 37 hour but increased running costs) - £1,600; and Material - £1,600. This gave an operating cost of £84 per hour. This double manning of the machine would require to train up additional operators.

4. Increase the output of the Jetpatcher by reducing the lost time operations. This could be done by providing an additional squad to carry out the fit up for the repairs ahead of the machine:- (a) remove or protect the vehicles in the locus; (b) carry out preparatory works ahead of operation; and (c) tidy up behind the operation. There would be a revenue budget cost of £1,600 for this resource operating normal hours. This would be increased to £2,800 to work alongside the Jetpatcher, if it was working extended hours. At present the Council could not justify this additional cost to output.

### **The Committee resolved:-**

- (i) to note the current Jetpatcher operations; and
- (ii) to note the options available to increase the number of repairs undertaken against a background of prudent financial management as part of the 2010/2011 budget process.

## **24 FLEET MANAGEMENT INFORMATION SYSTEM - EPI/09/135**

With reference to article 30 of the minute of the meeting of the former Resources Management Committee of 10 March, 2009, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure, which provided an update on the outcome of a tendering exercise undertaken to identify the preferred bidder for a replacement fleet management information system, and requested permission to award the contract to the preferred bidder.

The invitation to tender for a new fleet management system had been issued on 25 September 2009, and two tenders had been received. Following the evaluation exercise of the submissions (the assessment factors used in the evaluation were outlined, as were the prices/cost of services submitted by the bidders and scores allocated), company A (Civica UK Ltd) had achieved the highest score and had been identified as the preferred bidder .

### **The Committee resolved:-**

- (i) to approve the capital spend from existing budget allocation; and

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- (ii) to approve awarding the contract with the preferred bidder (Civica UK Limited) for the procurement and implementation of a replacement fleet management information system.

**EXEMPT INFORMATION**

The Committee resolved in terms of Section 50(B)(4) of the Local Government (Scotland) Act 1973 to exclude the press and public from the meeting during consideration of the following item of business so as to avoid disclosure of exempt information of the class described in the paragraph 6 of Schedule 7(A) to the Act.

**MATTER OF URGENCY**

The Convener intimated that she had directed in terms of Section 50 (B) (4) (b) of the Capital Local Government (Scotland) Act 1973 that the following item of business be considered as a matter of urgency to comply with an outstanding decision of the former Resources Management Committee which required that a report from the Board of the AECC be presented to Committee each cycle.

**DECLARATION OF INTEREST**

The Convener declared an interest in the subject matter of the following article by virtue of being the Council's representative of the Board of the Aberdeen Exhibition and Conference Centre. The Convener did not consider it necessary to withdraw from the meeting.

**25 ABERDEEN EXHIBITION AND CONFERENCE CENTRE LIMITED - EPI/09/107**

With reference to article 46 of the minute of the meeting of the former Resources Management Committee of 5 May, 2009, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure, which informed of the summary trading and budget deficit position of Aberdeen Exhibition and Conference Centre Limited for the period to 31 August, 2009.

**The Committee resolved:-**

- (i) to note the contents of the report; and

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- (ii) to request that future reports on this matter include benchmarking figures for other exhibition centres across the UK.
- **COUNCILLOR DEAN, Convener.**