

## OPERATIONAL DELIVERY COMMITTEE

ABERDEEN, 6 September 2018. Minute of Meeting of the OPERATIONAL DELIVERY COMMITTEE. Present:- Councillor Bell, Vice Convener in the Chair; Councillor Grant, Vice-Convener; and Councillors Alphonse (from item 13 as substitute for Councillor Townson), Cooke, Cormie, Delaney, Councillor Donnelly, the Depute Provost (as substitute for Councillor Wheeler), Jackie Dunbar (until item 19), Duncan (as substitute for Councillor Lesley Dunbar), Houghton (as substitute for Councillor Lumsden), Hutchison, Macdonald, Nicoll (as substitute for Councillor Jackie Dunbar for item 20) Jennifer Stewart and Townson (until item 13).

**The agenda and reports associated with this minute can be located at the following link:-**

**<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=619&MIId=6184&Ver=4>**

**Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.**

### **DETERMINATION OF URGENT BUSINESS**

1. The Convener had determined that item 11.1, on the agenda, Housing Cases, be considered as a matter of urgency in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, given the need to continue with Council operations.

**The Committee resolved:-**

to agree that the matter be considered as a matter of urgency.

### **DETERMINATION OF EXEMPT BUSINESS**

2. The Convener proposed that items 10.1 and 11.1 on the agenda, Marchburn Park, and Housing Cases, be considered with the press and public excluded.

**The Committee resolved:-**

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to agree to exclude the press and public from the meeting from item 10.1 of the agenda so as to avoid disclosure of information of the classes described in the following paragraphs of Schedule 7(A) to the Act:- paragraphs 3, 4, 6 and 12.

### **DECLARATIONS OF INTEREST**

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3. Councillor Grant, Vice Convener, declared an interest in regard to item 9.8 on the agenda, Alive @ 5, and advised that he would leave the meeting prior to consideration of the item.

Councillor Jackie Dunbar declared an interest in regard to item 11.1 on the agenda, Housing Cases, as a local Councillor, and noted that she would leave the meeting prior to consideration of the item.

**The Committee resolved:-**

to note the declarations of interest from the Vice Convener, Councillor Grant, and Councillor Jackie Dunbar.

### REQUEST FOR DEPUTATION

4. The Convener advised of a deputation request from Alison Gray, Natalie Davidson and Sharon Munro relating to item 10.1 (Marchburn Park)

**The Committee resolved:-**

to accept the request for deputation.

### DEPUTATION

5. The Committee heard from Alison Gray, supported by Natalie Davidson and Sharon Munro, who spoke about their current situation as former residents of Marchburn Park. Ms Gray explained that since the last Committee meeting on 19 April 2018, where they also had a deputation, nobody from the Council had been in touch to advise on progress in terms of what had been happening.

Ms Gray advised that she had been rehoused by the Council, however she had a dispute in regard to damaged items and the reimbursement of loss of goods. Ms Gray sent a letter to the Chief Executive, Angela Scott, and received a response from both Ms Scott and Martin Smith, Area Housing Manager. Ms Gray questioned whether a redacted version of the report from April had been made available and explained how herself, Ms Davidson and Ms Munro simply wished to move forward with their lives and settle the dispute.

Members asked various questions of Ms Gray.

The Convener thanked Ms Gray for her deputation.

### MINUTE OF THE PREVIOUS MEETING OF 29 MAY 2018

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6. The Committee had before it the minute of the previous meeting of 29 May 2018.

**The Committee resolved:-**

to approve the minute as a correct record.

### COMMITTEE BUSINESS PLANNER

7. The Committee had before it the committee business planner as prepared by the Chief Officer – Governance.

**The Committee resolved:-**

- (i) to agree to remove items 4 (Road Safety & Inspection Defect Categorisation Policy and Procedure), 5 (Various small scale traffic management stage 3), 6 (Motion by Councillor McLellan, Don Street), 7 (Motion by Councillor Nicoll, effectiveness of existing measures of road safety around schools), 8 (Private sector housing enforcement funding), 9 (Alive @ 5), 10 (Marchburn Park), 11 (Toilet Facilities in the City Centre for Disabled and Older People with Medical Conditions), 14 (Cemeteries and Burial Grounds Management Rules), 15 (Fleet and Transport MOT Issues) and 16 (Road Winter Service Plan 2018-19);
- (ii) to note that item 13 (Community Food Growing Spaces) had transferred to the Capital Programme Committee;
- (iii) to note that item 29 (Foster Care Fees and Allowances) was to transfer to Full Council; and
- (iv) to otherwise note the information provided in the Committee Business Planner.

### NOTICE OF MOTION BY COUNCILLOR DELANEY - REDUCE PLASTIC WASTE

8. With reference to Article 18 of the minute of meeting of Council of 2 July 2018, the Committee had before it the following Notice of Motion by Councillor Delaney:-

“That Council -

- (i) acknowledges the challenges faced in maintaining its infrastructure to an acceptable standard as a result of year on year underfunding by successive Scottish Governments;
- (ii) acknowledges the need to explore new technologies in order to discharge its functions in a more cost effective and environmentally friendly manner;
- (iii) commits to investigating ways to reduce plastic waste and looking for innovative ways to reuse residual plastic waste;
- (iv) acknowledges the reduced cost and apparent increased longevity of so called “plastic roads” whereby recycled plastic pellets are incorporated into an asphalt mixture to fill potholes and to resurface roads;
- (v) welcomes the successful resurfacing of the A7 in Carlisle and notes the trials of this product in Dumfries & Galloway and Enfield;

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- (vi) instruct the Chief Operating Officer to investigate the feasibility of trialling “plastic roads” in Aberdeen and to report back to the appropriate committee(s).”

**The Committee resolved:-**

to approve the Notice of Motion and to instruct the Chief Operating Officer to investigate the feasibility of trialling plastic roads in Aberdeen and to report back to the Committee in due course.

### **NOTICE OF MOTION BY COUNCILLOR YUILL - COMMUNITY SPEEDWATCH**

9. With reference to Article 17 of the minute of meeting of Council of 2 July 2018, the Committee had before it the following notice of motion by Councillor Yuill:-

- (i) “That this Council: notes with concern that speeding remains a problem on some roads in communities across Aberdeen;
- (ii) welcomes the ongoing action taken by the police to tackle this problem but recognises that limited police resources restrict the amount of police time that can be devoted to this;
- (iii) notes that “Community Speedwatch” initiatives, where members of the public are trained by the police to use speed guns, elsewhere in Scotland and across the UK have played a part in reducing speeds and changing driver behaviour;
- (iv) instructs the Chief Officer – Operations and Protective Services to discuss with Police Scotland how “Community Speedwatch” could be introduced in Aberdeen.”

**The Committee resolved:-**

to approve the Notice of Motion.

### **PERFORMANCE REPORT - COM.18.092**

10. The Committee had before it a report by the Chief Operating Officer and the Director of Customer, which provided Members with a summary of the key performance measures relating to the Operations Function. Appended to the report were the performance summary dashboard and the performance analysis of exceptions.

**The report recommended:-**

That the Committee –

- a) provides comments and observations on the performance information contained in the report and highlight any indicators or areas of service they would like to see featured in new reports; and
- b) approves the suggested new approach as shown in appendix A, parts 1, 2 and 3.

Members asked various questions in regard to the Performance Report.

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

- (i) to request that in relation to the target of 7 days for street light repairs, that a new indicator be added to highlight if repairs are not successfully completed in 4 weeks;
- (ii) to request that officers look into the robustness of the Scottish Housing Charter and to report back to members; and
- (iii) to approve the suggested new approach as shown in Appendix A, parts 1, 2 and 3.

### **VARIOUS SMALL SCALE TRAFFIC MANAGEMENT DEVELOPMENT ASSOCIATED PROPOSALS STAGE 3 - OPE.18.086**

11. The Committee had before it a report by the Chief Operating Officer, which following the statutory consultation process, considered objections that had been lodged with respect to proposed Traffic Regulation Orders.

### **The report recommended:-**

That the Committee -

- (a) acknowledge the 14 objections received as part of the statutory consultation;
- (b) in relation to the Aberdeen City Council proposals to make "The Aberdeen City Council (Mannofield Area, Aberdeen) (20mph Speed Limit and Prohibition of Waiting) Order 201 (X), overrule the objections received and approve this order be made as originally envisaged;
- (c) in relation to the "The Aberdeen City Council (Mastrick Road (Inset), Aberdeen) (Prohibition of Waiting) Order 201 (X), overrule the objections received and approve this order be made as originally envisaged; and
- (d) in relation to the Aberdeen City Council (Powis Circle/Powis Crescent/Bedford Avenue, Aberdeen) (Prohibition of Waiting) Order 201 (X), overrule the objection received and approve this order be made as originally envisaged.

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

- (i) to approve recommendations (a), (b) and (c); and
- (ii) to agree that the Powis Area Traffic Management proposals be revised to remove all of the proposed waiting restrictions from Powis Circle and Powis Crescent and parts of Bedford Avenue, leaving the proposed waiting restrictions on Bedford Avenue to be implemented as advertised between Bedford Road and the layby on Bedford Avenue beside the shops.

### **DON STREET AND CHEYNE ROAD ISLAND GARDEN - NOTICE OF MOTION BY COUNCILLOR MCLELLAN**

12. With reference to Article 11 of the minute of meeting of the Communities, Housing and Infrastructure Committee of 16 January 2018, the Committee had before it a report

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by the Chief Operating Officer, which responded to Councillor McLellan's notice of motion in regard to the island garden and trees at the corner of Don Street and Cheyne Road, within the Old Aberdeen conservation area which were removed in July 2017.

The notice of motion instructed the then Interim Director of Communities, Housing and Infrastructure to carry out an options appraisal for the site in consultation with the Old Aberdeen Community Council, and included in the options appraisal should be the costs and detail of finding out the long term solution for the site taking into account the needs of the Great Aberdeen Run and the local community, and thereafter report their findings to the most appropriate committee.

### **The report recommended:-**

That the Committee –

- (a) notes the actions undertaken to date and the consultation with the local community; and
- (b) agrees that officers do not proceed with the permanent reinstatement of the island garden and trees at the corner of Don Street and Cheyne Road until such time as the contract, or any extensions to the contract, for a running event within Aberdeen City is concluded.

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

- (i) to approve recommendation (a); and
- (ii) to instruct the Chief Operations Officer to proceed with options for a permanent reinstatement of the island garden and trees at the corner of Don Street and Cheyne Road, taking the £10,000 required, from contingencies. The reinstatement should accommodate Great Aberdeen Run operational requirements and be developed in consultation with the local community.

**At this juncture, Councillor Alphonse replaced Councillor Townson.**

## **EFFECTIVENESS OF EXISTING MEASURES OF ROAD SAFETY AROUND SCHOOLS- NOTICE OF MOTION COUNCILLOR NICOL**

**13.** With reference to Article 11 of the minute of meeting of the Communities, Housing and Infrastructure Committee of 29 August 2017, the Committee had before it a report by the Chief Operating Officer, which detailed the investigation into the safety practices on the road network around schools and made recommendations in terms of options for improvement, following the notice of motion from Councillor Nicoll.

### **The report recommended:-**

That the Committee –

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- (a) approve the proposals in paragraph 3.7 in principle, and instruct the Chief Officer - Operations and Protective Services to contact schools that would be eligible for loading restrictions with a view to engaging 3 to 4 schools to take part in the trial;
- (b) instruct the Chief Officer - Operations and Protective Services to commence the necessary legal procedure of initial consultation with Police Scotland, Scottish Ambulance Service, Scottish Fire and Rescue Service, Public Transport Operators, Freight Transport Association, Road Haulage Association and any other organisations representing persons likely to be affected by any provision in the order as the authority considers appropriate e.g. Community Councils, Aberdeen Cycle Forum, Disability Equity Partnership etc. If no objections are received, then progress to the public advertisement; and
- (c) note that following the public advertisement, if there are no objections, the Traffic Regulations Orders may be made by way of delegated authority. In the event of objection(s) being lodged, instruct the Chief Officer - Operations and Protective Services to report the results to a future meeting of this Committee.

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

to approve the recommendations contained within the report.

### **ROADS WINTER SERVICE PLAN 2018-2019 - OPE.18.126**

**14.** The Committee had before it a report by the Chief Operating Officer, which presented the proposed Roads Winter Service Plan and explained significant changes from previous years.

### **The report recommended:-**

That the Committee –

- (a) approve Appendix 1 Roads Winter Service Plan for 2018-19 including the changes made to accommodate The Society of Chief Officers of Transportation in Scotland (SCOTS) updated guidance on the use, in Scotland, of the UK guidance document Well Managed Highways Code of Practice Appendix H;
- (b) instruct officers to continue with the comparison of similar urban authorities' winter services both in terms of operation and cost;
- (c) instruct officers to review further guidance issued by SCOTS and consider incorporation of this guidance in future Winter Service Plans;
- (d) instruct officers to continue examining the implications of the anticipated additional maintenance burden for the winter maintenance provision from the de-trunking of sections of the A90/A96 following completion of the Aberdeen Western Peripheral Road and to reduce the cost implications of this where possible;
- (e) instruct officers to examine the possible benefits and savings achievable through route optimization and automated gritting; and
- (f) delegate authority to the Chief Officer - Operations and Protective Services, following consultation with the Chief Officer - Finance to continue to deliver the Winter Maintenance Service where the allocated budget is exceeded due to

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extreme weather, noting that this would be funded through use of the Council's contingency budget and reported to the City Growth and Resources Committee through the following quarterly financial performance report; and

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

- (i) to approve the recommendations as contained within the report;
- (ii) to offer thanks to all of the officers involved with the Winter Maintenance for the city, for their continued efforts and hard work; and
- (iii) to request that media releases are publicised early in order to inform residents about the deadline for community sand bags.

### **FLEET AND TRANSPORT MOT ISSUES - OPE.18.127**

**15.** The Committee had before it a report by the Chief Operating Officer, which provided members with information on MOT issues, following the results of a Freight Transport Association (FTA) Audit and the associated Corporate Investigation inquiry.

### **The report recommended:-**

That the Committee acknowledge the update to address the matters raised in the FTA Audit report and endorse forwarding the report to Audit, Risk and Scrutiny Committee and be advised of the continuing Corporate Investigation inquiry.

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

to approve the recommendation as contained within the report.

### **ACC ROAD INSPECTION POLICY AND MANUAL - OPE.18.003**

**16.** The Committee had before it a report by the Chief Operating Officer, which sought approval for the new Road Safety Inspection Manual which would enable the Council to fulfil its statutory obligation under the Roads (Scotland) Act 1984.

### **The report recommended:-**

That the Committee –

- (a) approve the Road Safety Inspection Policy appended to the report; and
- (b) approve the Roads Safety Inspection Manual appended to the report; and

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

- (i) to approve the recommendations as contained within the report; and
- (ii) to request that officers look at ways of making the two policy documents more user friendly online.



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### **CEMETERIES AND BURIAL GROUNDS MANAGEMENT RULES 2018 - OPE.18.094**

17. The Committee had before it a report by the Chief Operating Officer, which sought approval to make new Management Rules for Cemeteries and Burial Grounds within the remit of the Council.

**The report recommended:-**

That the Committee -

- (a) approves the draft Aberdeen City Council (Cemeteries and Burial Grounds) Management Rules 2018 as set out in Appendix 2 subject to the appropriate consultation being undertaken;
- (b) instructs the Chief Officer - Operations and Protective Services to carry out a public consultation on the proposed Management Rules;
- (c) instructs the Chief Officer - Operations and Protective Services to report back to committee if significant objections and comments are received during the consultation with: (a) the results of the public consultation; and (b) with a recommendation as to the form the Management Rules should take following the public consultation; and
- (d) instructs the Chief Officer - Governance to sign the Management Rules on behalf of Aberdeen City Council if no significant objections or comments are lodged following the consultation.

**The Committee resolved:-**

- (i) to approve the recommendations as contained within the report; and
- (ii) to request that the Chief Operations Officer clarify the position in regard to burials without coffins and to notify members of the findings.

### **DECLARATION OF INTEREST**

**In accordance with Article 3 of the minute, Councillor Grant, Vice Convener, declared an interest in the following item due to his employment with Aberdeen Inspired. Councillor Grant left the meeting and took no part in the consideration or deliberation of the item therein. Councillor Grant was replaced by Councillor Graham for this item.**

### **ALIVE @ 5 - OPE/18/097**

18. The Committee had before it a report by the Chief Operating Officer, which sought approval to vary the operational hours of four off-street car parks in line with the "Alive @ 5" scheme.

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### **The report recommended:-**

That the Committee –

- (a) approves the alteration of the charging hours of four multi storey off-street car parks (Denburn, Chapel Street, Frederick Street and West North Street) to 8am – 5pm, Monday – Saturday, unchanged on Sundays, with effect from 1 October 2018 for a six month trial period and instruct Chief Officer - Operations and Protective Services to implement the approved charging hours;
- (b) approves the alteration of the charging hours of Marischal College off-street car park to 8am - 5pm, Saturday only, with effect from 1 October 2018 for a six month trial period and instruct the Chief Officer - Operations and Protective Services to implement the approved charging hours; and
- (c) instructs the Chief Officer - Operations and Protective Services to review the progress of the trial and report back to the Operational Delivery Committee on 14 March 2019.

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

to approve the recommendation as contained within the report.

**In accordance with the decision recorded under article 2 of this minute, the following items of business were considered with the press and public excluded**

## **MARCHBURN PARK**

**19.** The Committee had before it a report by the Director of Customer Services, which provided an update on issues relating to 3, 8 and 15 Marchburn Park.

### **The report recommended:-**

That the Committee –

- (a) notes the progress to resolve this matter; and
- (b) instructs the Chief Officer - Early Intervention and Community Empowerment to bring a report to the Audit, Risk and Scrutiny Committee following conclusion of the matters detailed within the report.

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

to approve the recommendations as contained within the report.

## **MATTER OF URGENCY**

**The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, that the**

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following item be considered as a matter of urgency in order to continue with Council operations.

### DECLARATION OF INTEREST

In accordance with Article 3 of this minute, Councillor Jackie Dunbar declared an interest in the following item as a local member for the area. Councillor Jackie Dunbar left the meeting prior to consideration of the item and took no part in the deliberation or consideration therein. Councillor Jackie Dunbar was replaced by Councillor Nicoll for the item.

### HOUSING CASES REVIEW

20. The Committee had before it a report by the Director of Customer, which considered three requests for rehousing from current tenants outwith the allocations policy.

**The report recommended:-**

that the Committee approves option 2 for all three cases in order that the families can be rehoused.

**The Committee resolved:-**

to approve the recommendation as contained within the report.

- Councillor Philip Bell, Acting Convener

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