

Public Document Pack



To: Councillor Yuill, Convener; Councillor Radley, Vice-Convener; and Councillors Ali, Blake, Hazel Cameron, Fairfull, Farquhar, Henrickson, Hutchison, Lawrence, Macdonald, Massey and van Sweeden.

Town House,
ABERDEEN, 12 June 2023

NET ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE

The Members of the **NET ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE** are requested to meet in the **Council Chamber - Town House** on **TUESDAY, 20 JUNE 2023 at 10.00am**. This is a hybrid meeting and Members may also attend remotely.

The meeting will be webcast and a live stream can be viewed on the Council's website. <https://aberdeen.public-i.tv/core/portal/home>

JENNI LAWSON
INTERIM CHIEF OFFICER – GOVERNANCE (LEGAL)

BUSINESS

NOTIFICATION OF URGENT BUSINESS

1.1. There are no items of urgent business at this time

DETERMINATION OF EXEMPT BUSINESS

2.1. There are no items of exempt business

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

3.1. Members are requested to intimate any declarations of interest

DEPUTATIONS

4.1. There are no requests for deputation at this time

MINUTE OF PREVIOUS MEETING

- 5.1. Minute of Previous Meeting of 9 May 2023 - for approval (Pages 3 - 10)
- 5.2. Minute of Special Meeting of 24 May 2023 - for approval (Pages 11 - 14)

COMMITTEE PLANNER

- 6.1. Committee Business Planner (Pages 15 - 22)

NOTICES OF MOTION

- 7.1. There are no Notices of Motion at this time

REFERRALS FROM COUNCIL, COMMITTEES & SUB COMMITTEES

- 8.1. There are no referrals at this time

PERFORMANCE AND RISK

- 9.1. Net Zero, Environment and Transport Performance Report - COM/23/160
(Pages 23 - 42)

NET ZERO / ENVIRONMENT

- 10.1. Den Burn Restoration - Funding Update - COM/23/175 (Pages 43 - 92)

TRANSPORT

- 11.1. Road Safety Budget Programme 2023-2024 - RES/23/164 (Pages 93 - 100)

IIAs related to reports on this agenda can be viewed [here](#)

To access the Service Updates for this Committee please click [here](#)

Website Address: aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Steph Dunsmuir, sdunsmuir@aberdeencity.gov.uk

Net ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE

ABERDEEN, 9 May 2023. Minute of Meeting of the NET ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE. Present:- Councillor Yuill, Convener; Councillor Radley, Vice-Convener; and Councillors Ali, Blake, Hazel Cameron, Fairfull, Farquhar, Henrickson, Lawrence, Macdonald, Massey, McLellan (as substitute for Councillor Hutchison) and van Sweeden.

Also present for articles 6 and 11 – Councillor Malik.

The agenda and reports associated with this minute can be located [here](#).

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.

WITHDRAWN ITEM

1. The Convener advised that item 12.4 (Bus Lane Enforcement Programme Update and Future Planning 2023/24) had been withdrawn from the agenda and that he intended to call a special meeting of the Committee to be held online within the next two weeks to allow the report to be considered timeously.

DETERMINATION OF EXEMPT BUSINESS

2. The Convener proposed that the Committee consider item 13.1 (Roads and Transport Related Capital Budget Programme 2023/24 – Exempt Appendices) with the press and public excluded from the meeting.

The Committee resolved:-

in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of the above item so as to avoid disclosure of information of the classes described paragraph 8 of Schedule 7(A) to the Act.

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

3. The following statements of transparency were noted:-

- in relation to item 7.1 (Notice of Motion by Councillor Malik), Councillor Ali advised that he was a Trustee of Aberdeen Mosque but did not consider that this connection amounted to an interest which would prevent him from participating in the consideration of that item; and
- in relation to item 11.1 (Trees and Woodland), the Convener advised that he was a member of the Woodland Trust and also of the Royal Society for the Protection of Birds; and in relation to items 12.2 (Roads and Transport Related Capital

Net ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE

9 May 2023

Budget Programme 2023/24) and 13.1 (Roads and Transport Related Capital Budget Programme 2023/24 – Exempt Appendices), he was a member of Cycling UK and of the AA, but did not consider that any of these connections amounted to interests which would require him to withdraw from the meeting during consideration of these items.

MINUTE OF PREVIOUS MEETING OF 7 MARCH 2023

4. The Committee had before it the minute of its previous meeting of 7 March 2023 for approval.

The Committee resolved:-

- (i) to note that Councillor Massey had seconded Councillor Houghton’s motion (item 7 on that agenda), rather than Councillor Blake; and
- (ii) to otherwise approve the minute as a correct record.

COMMITTEE BUSINESS PLANNER

5. The Committee had before it the planner of committee business as prepared by the Interim Chief Officer – Governance (Legal).

The Committee resolved:-

- (i) to remove items 4 (Various Small Scale Traffic Management Stage 2) and 12 (Performance Report);
- (ii) to note the reason for the delay to items 10 (Road Safety Plan), 11 (A92 Haudagain Detrunking) and 13 (TECA Traffic Management); and
- (iii) to otherwise note the planner.

NOTICE OF MOTION BY COUNCILLOR MALIK - REFERRED FROM COUNCIL MEETING OF 26 APRIL 2023

6. With reference to the meeting of Council of 26 April 2023, the Committee had before it a Notice of Motion by Councillor Malik in the following terms:-

That Committee:-

- (a) note Council policy on Pay and Display Parking allowed for free Parking on a Sunday between 8am till 1pm;
- (b) agree that the policy allowed many citizens to drive to church for worship and park without the fear of receiving a Fixed Penalty Notice;
- (c) agree that Aberdeen was an extremely tolerant city that was multicultural in its outlook where its citizens appreciated the importance of many faiths and did so in harmony and respect to all faiths within our community;

Net ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE

9 May 2023

- (d) agree that not all religious days were on a Sunday with the Qur'an invoking the importance of Friday as its day of worship; and
- (e) agree therefore to instruct the Chief Officer - Operations and Protective Services to bring forward a report to the Net Zero, Environment and Transport Committee as soon as possible on the feasibility of changing the current policy with options and estimated cost implications.

The Committee heard from Councillor Malik in respect of his Notice of Motion.

The Committee resolved:-

to approve the Notice of Motion.

NOTICE OF MOTION BY COUNCILLOR VAN SWEEDEN - REFERRED FROM COUNCIL MEETING OF 26 APRIL 2023

7. With reference to the meeting of Council of 26 April 2023, the Committee had before it a Notice of Motion by Councillor van Sweeden in the following terms:-

That Committee:-

- (a) note the adverse environmental effects of single use vapes which caused considerable levels of additional litter on our streets and in other public places as well as having a detrimental impact on public health;
- (b) note that research by Material Focus, an independent not-for-profit organisation, had identified that 1.3 million single use vapes were thrown away every week in the UK;
- (c) understand that single use vapes posed a number of concerns, including but not limited to;
 - a. The loss of critical raw materials such as Lithium and Copper
 - b. The impacts of hazardous waste
 - c. The loss of plastic
 - d. Fire risk
- (d) welcome the decision by the Scottish Government to commission a review, led by Zero Waste Scotland into the environmental impacts and management of single use vapes;
- (e) instruct the Chief Officer – Strategic Place Planning to write to the Scottish Government, as part of their review of the environmental impacts and management of single use vapes, expressing Aberdeen City Council's support for a proposed ban on single use vapes and management of single-use vapes, and to support measures to ban their sale;
- (f) instruct the Chief Officer - Strategic Place Planning to report to the Net Zero, Environment and Transport Committee outlining any policy implications of a ban for the Council and to prepare a Council communications campaign highlighting the environmental and health impacts of single-use vapes; and
- (g) instruct the Chief Officer – Strategic Place Planning to write to Lorna Slater MSP, Minister for Green Skills, Circular Economy and Biodiversity in the Scottish

Net ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE

9 May 2023

Government, and to Iain Gulland, Executive Director and Chief Executive Officer of Zero Waste Scotland, making them aware that Aberdeen City Council supports a ban on single use vapes.

The Committee heard from Councillor van Sweeden in relation to her Notice of Motion.

The Committee resolved:-

to approve the Notice of Motion.

PLACE BASED STRATEGY FRAMEWORK - COM/23/121

8. The Committee had before it a report by the Director of Commissioning which explained the framework of place-based strategies in place within the Council, and the interrelationship and interdependencies between them. The report also set out the role of the strategies in the decision-making process and the timeline for their development and review of some of the key strategies.

The report recommended:-

that the Committee –

- (a) note the details of the plans and strategies set out in the report and the indicative timelines provided; and
- (b) instruct the Chief Officer - Strategic Place Planning to keep the framework up to date and report back to this Committee annually, noting that this will be in addition to the ongoing reports to Committee required as part of each plan and strategy review.

The Committee resolved:-

- (i) to note that officers would look at incorporating all masterplan work (including the George Street masterplan) into the work around the plans and framework; and
- (ii) to approve the recommendations.

DRAFT NET ZERO WORKPLAN - COM/23/129

9. The Committee had before it a report by the Director of Commissioning which sought approval of a work plan for city collaborative place-based climate change work, in line with the objectives of the Net Zero Aberdeen Routemap and Aberdeen Adapts: Climate Adaptation Framework.

The report recommended:-

that the Committee –

- (a) note the summary of key collaborative actions progressed in 2022/23; and
- (b) approve the indicative work plan 2023/24 (Figure 1) for partnership activity to support delivery of Net Zero Aberdeen and Aberdeen Adapts.

Net ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE

9 May 2023

The Committee resolved:-

to approve the recommendations.

During discussion of the following item, Councillor Blake advised, for reasons of transparency, that her husband was employed by NatureScot, but she did not feel that this connection amounted to an interest which required her to withdraw from the meeting.

TREES AND WOODLAND - RES/23/132

10. The Committee had before it a report by the Director of Resources which provided an update on the ongoing work to Aberdeen's public trees and woodland following the storms of 2021 and 2022. The report set out information on Environmental Services' sustainability projects and initiatives undertaken to protect and enhance Aberdeen's public trees and woodlands including the work to deliver elements of the Tree and Woodland Strategic Implementation Plan. Finally, the report sought approval for Environmental Services to explore funding options, including grants and sponsorship to help fund further tree planting programmes in Aberdeen.

The report recommended:-

that the Committee –

- (a) note and endorse the information contained within the report; and
- (b) instruct the Chief Officer – Operations and Protective Services, to explore funding options, including grants and sponsorship to help fund further tree planting in Aberdeen.

The Committee resolved:-

- (i) to thank Arboricultural and Environmental Services teams for the significant work carried out following the winter storms – Arwen, Malik and Corrie;
- (ii) to instruct the Chief Officer – Operations and Protective Services to report annually to the Net Zero, Environment & Transport Committee on progress with the objectives of the Tree & Woodland Strategic Implementation Plan (T&WSIP) approved by Operational Delivery Committee in June 2022;
- (iii) to recognise that the interconnectedness of the strategic priorities of T&WSIP and the key performance indicators should be considered together;
- (iv) to instruct the Chief Officer – Strategic Place Planning to take account of the tree planting, woodland and biodiversity objectives included in "A Partnership for Aberdeen" in the upcoming Natural Environment Strategy and to ensure this was in turn included in a refreshed Trees and Woodlands Implementation Plan; and
- (v) to approve the recommendations contained in the report.

Net ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE

9 May 2023

ROAD SIGN POLICY - RES/23/120

11. With reference to article 7 of the meeting of the former Operational Delivery Committee of 31 August 2022, the Committee had before it a report by the Director of Resources which presented a proposed Road Sign policy, including the criteria for determining requests and associated costs.

The Committee heard from Councillor Malik in relation to the report.

The report recommended:-

that the Committee approve the Road Sign Policy as a suitable document for approving discretionary signs applied for in Aberdeen City.

The Committee resolved:-

- (i) to note that officers would meet with the Culter Men's Shed and Councillor Malik to discuss whether the organisation could make any adjustments which would enable them to meet the criteria in the new Road Sign Policy;
- (ii) to note that officers would correct the wording at 3.3 of the policy to 'any sign permitted is erected, maintained and removed in a manner that is safe for all road users';
- (iii) to note that officers would use alternative wording at section 3.5 of the policy instead of 'offender';
- (iv) in relation to section 5.2 and the requirement for no less than five parking spaces, to note that officers would review the policy on an annual basis and this number could be adjusted if required; and
- (v) to approve the recommendation contained in the report.

ROADS AND TRANSPORT RELATED CAPITAL BUDGET PROGRAMME 2023-2024 - RES/23/111

12. The Committee had before it a report by the Director of Resources which outlined the proposed Roads and Transportation programme for the approved 2023/2024 capital budgets and sought approval for the schemes as detailed in the report and their associated appendices.

At this juncture, the Committee heard from Mr Doug Ritchie, Roads and Infrastructure Manager, who advised that there had been a slight error with the appendices to the report and therefore one of the schemes would be presented to the next meeting of the Committee for approval.

The report recommended:-

that the Committee –

- (a) approve the schemes listed in the appendices as the detailed proposals for expenditure within each budget heading; and

Net ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE

9 May 2023

- (b) instruct the Chief Officer - Operations and Protective Services, following consultation with the Head of Commercial and Procurement Services, to undertake or instruct appropriate procedures in accordance with the Council's procurement regulations to procure the works referred to in the exempt appendices for the roads capital budget programme for the financial year 2023/24 and award contracts relating thereto.

The Committee resolved:-

- (i) to note that the NESTRANS related works should have been labelled as Appendix O rather than Appendix P, and that the actual Appendix P (Road Safety Fund expenditure) had been omitted from the agenda and would therefore be presented to the next meeting of the Committee for approval; and
- (ii) to otherwise approve the recommendations contained in the report.

ABERDEEN RAPID TRANSIT OPTIONS APPRAISAL - COM/23/131

13. The Committee had before it a report by the Director of Commissioning which presented the outcomes of a recent report to the NESTRANS Board on the Aberdeen Rapid Transit (ART) Options Appraisal and next steps towards Outline Business Case (OBC).

The report recommended:-

that the Committee –

- (a) note the decision of the NESTRANS Board in relation to the content of the Aberdeen Rapid Transport Detailed Options Appraisal report and agree that it be submitted to Transport Scotland as part of the Bus Partnership Fund (BPF) Gateway Review process; and
- (iii) endorse the NESTRANS Board's decision to progress Options 3A and 5 to Outline Business Case (OBC) and the associated funding request to Transport Scotland, and instruct the Chief Officer – Strategic Place Planning to continue to work with NESTRANS Officers as the OBC developed.

The Committee resolved:-

- (i) to note that officers would provide a service update in relation to any available data on bus patronage which could be shared; and
- (ii) to approve the recommendations contained in the report.

BUS LANE ENFORCEMENT PROGRAMME UPDATE & FUTURE PLANNING 2023/24 - COM/23/130

14. As noted at article 1 of this minute, this report was withdrawn from the agenda.

Net ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE

9 May 2023

In accordance with the decision taken under article 2, the following item was considered with the press and public excluded.

**ROADS AND TRANSPORT RELATED CAPITAL BUDGET PROGRAMME 2023-2024
- RES/23/111 - EXEMPT APPENDICES**

15. The Committee had before it exempt appendices relating to the Roads and Transport Related Capital Budget Programme 2023/24 (article 12 refers).

The Committee resolved:-

to note the exempt appendices.

- **COUNCILLOR IAN YUILL, Convener**

Net Zero, Environment and Transport Committee

ABERDEEN, 24 May 2023. Minute of Special Meeting of the NET ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE. Present:- Councillor Yuill, Convener; Councillor Radley, Vice-Convener; and Councillors Ali, Blake, Hazel Cameron, Fairfull, Farquhar, Henrickson, Hutchison, Lawrence, Macdonald, Massey and van Sweeden.

The agenda and reports associated with this minute can be located [here](#).

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.

JILL BARCLAY

1. The Committee had a moment's silence for Jill Barclay, following the conviction that morning of the man responsible for her death.

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

2. In relation to item 5.1 (Bus Lane Enforcement Programme Update and Future Funding), the Convener advised for reasons of transparency that he was a member of Cycling UK, however he did not consider that this amounted to an interest which would prevent him from participating in the item.

BUS LANE ENFORCEMENT PROGRAMME UPDATE & FUTURE PLANNING 2023/24 - COM/23/130 - DEFERRED FROM MEETING OF 9 MAY 2023

3. The Committee had before it a report by the Director of Commissioning which provided an update on the status of the Bus Lane Enforcement (BLE) programme and sought approval for a new programme of projects to be delivered from 2023/24, using the net surplus from the BLE system.

Members asked a number of questions in relation to the report and the projects outlined within.

The report recommended:-

that the Committee –

- (a) note the progress on the projects funded from the BLE programme up to 2022/23, as detailed in Appendix 1;
- (b) approve the proposed expenditure in relation to the Proposed Bus Lane Enforcement Programme Projects 2023/24, as detailed in Appendix 2;
- (c) agree that the projects identified in Appendix 2 met the requirements of the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011 in that the sums paid by way of charges under these

NET ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE

24 May 2023

Regulations were being used to facilitate the achievement of policies in the Local Transport Strategy; and

- (d) approve the implementation of the Proposed Bus Lane Enforcement Programme of Projects 2023/24 and delegate authority to the Chief Officer - Strategic Place Planning to approve any procurement process, including direct awards, in accordance with procurement legislation and in collaboration with Commercial and Procurement Service (CPS) and CPS Legal.

The Committee resolved:-

- (i) to note that the Chief Officer – Strategic Place Planning would circulate the list of core path priority works and footway repairs (page 17 of the agenda refers);
- (ii) to note that the Chief Officer – Strategic Place Planning would advise Councillor Blake outwith the meeting in relation to Core Path 56 and whether this would be through Hazlehead Golf Course or around the perimeter;
- (iii) in relation to the query from Councillor Blake about the GIS information for cycle parking in her ward, to note that the Chief Officer – Strategic Place Planning would discuss out of date GIS information with appropriate officers and revert to Councillor Blake accordingly;
- (iv) to note that the Chief Officer – Strategic Place Planning would discuss the timeline for the repair of the Back Wynd steps with appropriate officers and advise Members accordingly;
- (v) in relation to cycle parking and maintenance stations (page 28 of the agenda refers), to note that the Chief Officer – Strategic Place Planning would circulate the list of locations to Members outwith the meeting;
- (vi) in relation to the Glashieburn School path project, to note that the Chief Officer – Strategic Place Planning would ask relevant officers to provide Members with an update on timelines and progress;
- (vii) to note that the Chief Officer – Strategic Place Planning would circulate a list of the cycle counter locations to Members outwith the meeting and if there were plans to roll these out in other locations;
- (viii) to note that the Chief Officer – Strategic Place Planning would ask appropriate officers to provide Members with an update on when the Donald’s Way Step Refurbishment programme was due to commence;
- (ix) in relation to the funding for Gaelic Medium Education transport, to note that the Chief Officer – Strategic Place Planning would ask relevant officers to ensure that journey sharing / environmentally friendly options were used where possible;
- (x) to request that officers clarify whether the £55,000 for the supported bus service for Kingswells was to provide additional travel options or whether it was in relation to the already announced service;
- (xi) to note that officers would provide an update to Members on the number of children who would be utilising the Gaelic Medium Education transport;
- (xii) to note that the Chief Officer – Strategic Place Planning would ascertain whether the contract with Stagecoach was only for this financial year and advise Members accordingly;
- (xiii) to approve recommendations 2.1 to 2.4 as contained in the report;

NET ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE

24 May 2023

- (xiv) to welcome the range of small and impactful projects which the Bus Lane Enforcement Programme supported across the city on an annual basis;
- (xv) to note the recent increase in Penalty Charge Notices (Parking Fines) announced by the Scottish Government, the first increase in over 22 years, but that this did not include a corresponding increase in Bus Lane Enforcement fines which remained unchanged in over 10 years;
- (xvi) to note that Glasgow City Council are writing to the minister to seek approval for a similar increase in Bus Lane Enforcement fines and that they have sought support from Aberdeen City Council with their submission;
- (xvii) to instruct the Chief Officer - Strategic Place Planning to notify Glasgow City Council that the Convener of Net Zero, Environment and Transport Committee, in consultation with the Convener of Finance and Resources Committee, agreed to support the letter on behalf of Aberdeen City Council;
- (xviii) to note the recent announcement of £200,000 of funding to support the bus priority works in the city centre as part of the Bus Partnership Fund, which had secured £12million of capital and revenue investment to date;
- (xix) to note the complexity of the Bus Partnership Fund programme and that this would increase in the coming months and years;
- (xx) to instruct the Chief Officer - Strategic Place Planning to set aside £272,000 from the Bus Lane Enforcement surplus of £389,000 in 22/23 to support the management of the Bus Partnership Fund project over the next three years, with any underspend put back into the Bus Lane Enforcement programme;
- (xxi) to note the recent decision of the Education and Children's Services Committee in relation to Gaelic education, and the re-tender for the supported bus service from Kingswells to the City Centre being above budget;
- (xxii) to instruct the Chief Officer - Strategic Place Planning to allocate £62,000 to school transport associated with Gaelic education and £55,000 to the supported service from Kingswells, from the 22/23 Bus Lane Enforcement Surplus; and
- (xxiii) to instruct the Chief Officer - Strategic Place Planning to prepare a service update for the meeting of 31 October 2023 which set out progress or otherwise with BLE projects during 2023.

- **COUNCILLOR IAN YUILL, Convener**

This page is intentionally left blank

	A	B	C	D	E	F	G	H	I	J
1	NET ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE BUSINESS PLANNER The Business Planner details the reports which have been instructed as well as reports which the Functions expect to be submitting for the calendar year.									
2	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Director	Terms of Reference	Aberdeen Adapts and Net Zero Themes	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
3	20 June 2023									
4	Net Zero, Environment & Transport Performance Report	To present the performance report		Louise Fox	Data and Insights	Customer	7	N/A		
5	Roads and Transport Related Capital Budget Programme 2023-2024	Net Zero, Environment & Transport 09/05/23 - to note that the NESTRANS related works should have been labelled as Appendix O rather than Appendix P, and that the actual Appendix P (Road Safety Fund expenditure) had been omitted from the agenda and would therefore be presented to the next Committee for approval		Vycki Ritson	Operations and Protective Services	Resources	8	N/A		
6	Road Safety Plan 2023-2027	To be presented every second year - noted at November 2022 Net Zero, Environment & Transport Committee that the report would be presented to January 2023 meeting instead of August 2023, with reporting moving to January annually thereafter - delayed to March 2023 due to issues with accessing the data		Vycki Ritson / Naomi McRuvie	Operations and Protective Services	Resources	8	Mobility	D	The report will not be available for this committee. Data analysis is ongoing. It is now proposed to report an updated Road Safety Plan to NZET on 29/8/23.
7	A92 Haudagain Improvement – Detrunking Settlement	To present the details of the final settlement for the remaining sections of Trunk Road on Anderson Drive / Great Northern Road and Auchmill Road. Contractor working on the Haudagain Improvement for Transport Scotland failed to complete the scheme before 31/3/2022. Although the scheme opened 16/5/22, this means that the earliest the old Trunk Road will be detrunked is 31/3/2023. Officers expect that this report will not come back to committee until May 2023 at the earliest		Doug Ritchie	Operations and Protective Services	Resources	8	Mobility	D	The settlement is still awaited from Scottish Government and the report will also require to go before Finance and Resources Committee before coming to this committee.
8	Den Burn Restoration Project	Net Zero, Environment & Transport 10/01/23 - to instruct the Chief Officer - Strategic Place Planning, following consultation with the Chief Officer - Operations and Protective Services, to explore opportunities for external funding to cover the costs of delivering the project and report back to committee on 7 March on next steps.		Sue Cumming	Strategic Place Planning	Commissioning	1 and 6	Natural Environment		

	A	B	C	D	E	F	G	H	I	J
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Director	Terms of Reference	Aberdeen Adapts and Net Zero Themes	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2	Pay and Display Policy - Notice of Motion by Cllr Malik	Net Zero, Environment & Transport - 09/05/23 - to agree the Notice of Motion and to instruct the Chief Officer - Operations and Protective Services to bring forward a report to the Net Zero, Environment and Transport Committee as soon as possible on the feasibility of changing the current pay and display policy with options and estimated cost implications.		Doug Ritchie	Operations and Protective Services	Resources	8	N/A		
17	Single Use Vapes - Notice of Motion by Cllr van Sweeden	Net Zero, Environment & Transport - 09/05/23 - to Instruct the Chief Officer – Strategic Place Planning to report to the Net Zero, Environment and Transport Committee outlining any policy implications of a ban for the Council and to prepare a Council communications campaign highlighting the environmental and health impacts of single-use vapes		David Dunne	Strategic Place Planning	Commissioning	TBC	TBC		
18	Traffic Management Measures for TECA site	To advise of the functionality and success of the measures installed within and around the TECA site, this being based on a review from the events held to date. Service updates were issued in November 2020 and May 2021 to outline the delay. The instruction from committee was to report back after 1 year of facility opening. Due to the COVID and slow return to those traveling by bus and other public transport, required surveys have not been able to be concluded. Work currently ongoing with staff at TECA to monitor parking and travelling behaviours during the 2022 summer/autumn events. These additional surveys will be required between now and December 22, during which some larger events will take place. Report unlikely to return to committee until May 2023. Temporary Traffic Regulation Orders will be extended to maintain current restrictions, and additional restrictions will be introduced for any event that may require them in the interim.		Vycki Ritson	Operations and Protective Services	Resources	8	Mobility		
19	North East Scotland Roads Hierarchy	To inform Members of the outcomes of a recent road reclassification exercise, undertaken in accordance with the revised Roads Hierarchy for the North East of Scotland, and to seek approval to undertake communication and awareness-raising of the revisions.		Will Hekelaar	Strategic Place Planning	Commissioning	7 and 8	Mobility		
20										
21	31 October 2023									
22	Net Zero, Environment & Transport Performance Report	To present the performance report		Louise Fox	Data and Insights	Customer	7	N/A		
23	A92 (Bridge of Don to Bridge of Dee) Multi-Modal Transport Corridor Study	City Growth & Resources 21/09/22 - to instruct the Chief Officer – Strategic Place Planning to report back to the Net Zero, Environment and Transport Committee with the Detailed Appraisal and Outline Business Case and next steps by March 2023	The initial appraisal was conducted in September 2022. Work required means that both the detailed appraisal and the outline business case are now expected to be reported in late Summer. It is therefore recommended by officers that this be reported in September	Tony Maric	Strategic Place Planning	Commissioning	8	Mobility		

This page is intentionally left blank

ABERDEEN CITY COUNCIL

COMMITTEE	Net Zero, Environment and Transport
DATE	20 June 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Net Zero, Environment and Transport Performance Report
REPORT NUMBER	COM/23/160
DIRECTOR	Gale Beattie
CHIEF OFFICER	Martin Murchie
REPORT AUTHOR	Louise Fox
TERMS OF REFERENCE	7

1. PURPOSE OF REPORT

- 1.1 To present Committee with the status of appropriate key performance measures relating to the services falling within its remit.

2. RECOMMENDATION

- 2.1 That the Committee note the report and provide comments and observations on the performance information contained in the report Appendix A.

3. CURRENT SITUATION

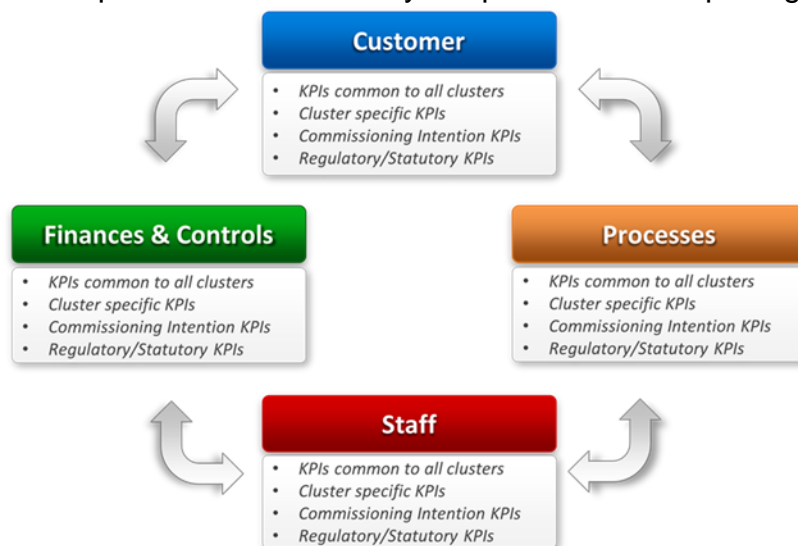
Report Purpose

- 3.1 This report is to provide members with key performance measures in relation to certain appropriate services as expressed within the 2022/23 Council Delivery Plan.

Report Structure and Content

- 3.2 Performance Management Framework Reporting against in-house delivery directly contributing to, or enabling delivery against, the city's Local Outcome Improvement Plan, (LOIP) has informed development of successive Council Delivery Plans, including the 2022/23 Council Delivery Plan that was agreed by Council on the 7th March 2022 and also the 2023/24 Council Delivery Plan agreed on 1st March 2023.
- 3.3 The Council's Performance Management Framework, supporting and enabling scrutiny against progress of the Council Delivery Plan and its key measures, establishes a robust performance management and reporting system which encompasses single and multi-service inputs, outputs and outcomes.
- 3.4 Service standards against each function/cluster, associated with Council delivery planning, offer continuous insight into the effectiveness, and accessibility of core service provision to the Council's stakeholders and city communities.

- 3.5 Where appropriate, data capture against these standards is now directly incorporated within the suite of metrics contained within Appendix A and will be reported against on either a monthly, quarterly or annual basis. These will be updated for future cycles to include any new or amended standards for 2023/24.
- 3.6 The Performance Management Framework provides for a consistent approach within which performance will be reported to Committees. This presents performance data and analysis within four core perspectives, as shown below, which provides for uniformity of performance reporting across Committees.



- 3.7 This report, as far as possible, details performance up to the end of March 2023 or Quarter 4 2022/23, as appropriate. On this occasion certain annual measures are included, as reported in the 2021/22 Local Government Benchmarking Framework report. It also includes an update on performance against the annual maximum cap of carbon emissions (tCO₂e) and progress towards meeting the annual carbon savings target (tCO₂e).
- 3.8 Appendix A provides an overview of performance across certain relevant services, with reference to recent trends and performance against target. It also includes, at appropriate points in the Appendix, further analysis of several performance measures which have been identified as of potential interest in terms of either performance implications, data trends or changes in these metrics. These are listed below:
- % of complaints resolved within timescale (stage 1 and 2) – Roads
 - % Waste diverted from Landfill
- 3.9 Within the summary dashboard the following symbols are also used:

Performance Measures


Traffic Light Icon



On target or within 5% of target



Within 5% and 20% of target and being monitored

 Below 20% of target and being actively pursued

 Data only – target not appropriate

Where narrative analysis of progress against service standards is provided and has been attributed with a RAG status by the relevant Service Manager, these are defined as follows:

RAG Status

- **GREEN** – Actions are on track with no delays/issues emerging
- **AMBER** – Actions are experiencing minor delays/issues emerging and are being closely monitored
- **RED** - Actions are experiencing significant delays/issues with improvement measures being put in place

Children's Rights

3.10 This report contains no recommendations or content that require for the direct accounting of impact on children's rights.

4. FINANCIAL IMPLICATIONS

There are no direct financial implications arising out of this report.

5. LEGAL IMPLICATIONS

There are no direct legal implications arising out of this report.

6. ENVIRONMENTAL IMPLICATIONS

There are no direct environmental implications arising out of this report

7. RISK

The assessment of risk contained within the table below is considered to be consistent with the Council's Risk Appetite Statement.

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic	None	NA	NA	NA
Compliance	No significant legal risks.	Publication of service performance information in the public domain ensures that the	L	Yes

		Council is meeting its legal obligations in the context of Best value reporting.		
Operational	No significant operational risks.	Oversight by Elected Members of core employee health and safety/attendance data supports the Council's obligations as an employer	L	Yes
Financial	No significant financial risks.	Overview data on specific limited aspects of the cluster's financial performance is provided within this report	L	Yes
Reputational	No significant reputational risks.	Reporting of service performance to Members and in the public domain serves to enhance the Council's reputation for transparency and accountability.	L	Yes
Environment / Climate	None	NA	NA	NA

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
Impact of Report	
Aberdeen City Council Policy Statement	None
Aberdeen City Local Outcome Improvement Plan	
Prosperous Economy Stretch Outcomes	The Council aims to support improvement in the local economy to ensure a high quality of life for all people in Aberdeen. This report monitors indicators which reflect current economic activity within the City and actions taken by the Council to support such activity.
Prosperous People Stretch Outcomes	The Council is committed to improving the key life outcomes of all people in Aberdeen. This report monitors key indicators impacting on the lives of all citizens of Aberdeen. Thus, Committee will be enabled to assess the effectiveness of measures already implemented, as well as allowing an evaluation of future actions which may be required to ensure an improvement in such outcomes.

Prosperous Place Stretch Outcomes	The Council is committed to ensuring that Aberdeen is a welcoming place to invest, live and visit, operating to the highest environmental standards. This report provides essential information in relation to environmental issues allowing the Committee to measure the impact of any current action.
Regional and City Strategies	None

9. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	The recommendations arising from this report do not require that a full Impact Assessment is completed
Data Protection Impact Assessment	Not required

10. BACKGROUND PAPERS

Council Delivery Plan 2022/23 – CUS/22/059

Council Delivery Plan 2023/24 – COM/23/074

[Local Outcome Improvement Plan 2016-2026](#) (July 2021 Refresh)

11. APPENDICES

Appendix A – Performance Summary Dashboard

12. REPORT AUTHOR CONTACT DETAILS

Louise Fox

Strategic Performance and Improvement Officer

lfox@aberdeencity.gov.uk













This page is intentionally left blank




Net Zero, Environment and Transport Committee Performance Report Appendix A

Operations and Protective Services







Environmental Services

1. Customer – Environmental Services







Performance Indicator	Q2 2022/23		Q3 2022/23		Q4 2022/23		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Total No. complaints received (stage 1 and 2) - Environment	27		13		6		
% of complaints resolved within timescale (stage 1 and 2) - Environment	63%		92.3%		100%		75%
% of complaints with at least one point upheld (stage 1 and 2) - Environment	18.5%		38.5%		66.7%		
Total No. of lessons learnt identified (stage 1 and 2) - Environment	1		0		0		

Performance Indicator	Q2 2022/23		Q3 2022/23		Q4 2022/23		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Number of Partners / Community Groups with links to national campaigns - Green Thread	142		240		128		

1. Processes - Environmental Services

Performance Indicator	Jan 2023		Feb 2023		Mar 2023		2022/23 Target
	Value	Status	Value	Status	Value	Status	
*% Streets free from litter and refuse (in line with Keep Scotland Beautiful LEAMS standards)	86.6%		86.6%		86.6%		80%
**% Open spaces satisfactorily maintained (in line with APSE national benchmarking LAMS standards)	Data unavailable						87%
Number of Complaints upheld by Inspector of Crematoria	0		0		0		0







Appendix A







Performance Indicator	Jan 2023		Feb 2023		Mar 2023		2022/23 Target
	Value	Status	Value	Status	Value	Status	
% Outdoor play areas visited, inspected, and maintained to national standards on a fortnightly basis	100%		100%		100%		100%
% Water safety equipment inspected within timescale	98.6%		99.2%		97%		100%

*86.6% is the figure for period Dec to March

** No surveys taking place over winter months

2. Staff - Environmental Services

Performance Indicator	Q2 2021/22		Q3 2022/23		Q4 2022/23		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Accidents - Reportable - Employees (No in Quarter - Environment)	0		1		1		
Accidents - Non-Reportable - Employees (No in Quarter - Environment)	4		3		0		

Performance Indicator	Jan 2023		Feb 2023		Mar 2023		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Sickness Absence - Average Number of Days Lost - Environmental	10.6		10.7		11.1		10
Establishment actual FTE	329.41		330.09		332.7		

3. Finance & Controls - Environmental Services

Performance Indicator	Jan 2023		Feb 2023		Mar 2023		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Staff Costs - % Spend to Date (FYB)	83.8%		91.5%		101%		100%

Performance Indicator	2019/20		2020/21		2021/22		2021/22 Target
	Value	Status	Value	Status	Value	Status	
*Cost of Parks and open spaces per 1,000 of population	£12,918		£12,796		£14,281		£20,315
*Net Cost of street cleaning per 1,000 of population	£7,784		£6,941		£9,036		£14,860

*Target and status based on Scottish national average

Fleet and Transport

1. Customer – Fleet and Transport

Performance Indicator	Q2 2022/23		Q3 2022/23		Q4 2022/23		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Total No. complaints received (stage 1 and 2) - Fleet	0		0		2		
% of complaints resolved within timescale (stage 1 and 2) - Fleet	No complaints Q2/Q3				100%		75%
% of complaints with at least one point upheld (stage 1 and 2) - Fleet					50%		
Total No. of lessons learnt identified (stage 1 and 2) - Fleet					0		

2. Processes – Fleet and Transport

Performance Indicator	Q2 2022/23		Q3 2022/23		Q4 2022/23		2022/23 Target
	Value	Status	Value	Status	Value	Status	
% HGVs achieving first time MOT pass	94.1%		100%		96.4%		100%
% Light Vehicles achieving first time MOT pass	91%		96.8%		96.1%		100%
% of Council fleet - alternative powered vehicles	11.5%		11.5%		12.2%		
% of Council fleet lower emission vehicles (YTD)	88.5%		88.7%		88.9%		100%







3. Staff – Fleet and Transport

Performance Indicator	Q2 2022/23		Q3 2022/23		Q4 2022/23		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Accidents - Reportable - Employees (No in Quarter - Fleet)	0		0		1		
Accidents - Non-Reportable - Employees (No in Quarter - Fleet)	0		0		0		

Performance Indicator	Jan 2023		Feb 2023		Mar 2023		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Sickness Absence - Average Number of Days Lost - Fleet	6.3		6.4		6.5		10
Establishment actual FTE	37.23		36.55		36.55		













4. Finance & Controls – Fleet Transport

Performance Indicator	Jan 2023		Feb 2023		Mar 2023		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Staff Costs - % Spend to Date (FYB)	83.1%		91.5%		99.7%		100%

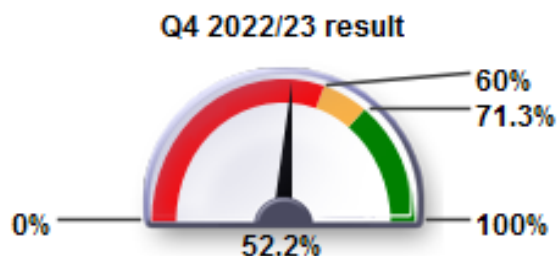
Performance Indicator	Q2 2022/23		Q3 2022/23		Q4 2022/23		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Fleet Services - % of LGV/ Minibuses/ Small Vans Vehicles under 5 years old	66.75%		66.92%		67.65%		80%
Fleet Services - % of large HGV vehicles under 7 years old	77.39%		77.39%		77.39%		80%

Roads and Infrastructure

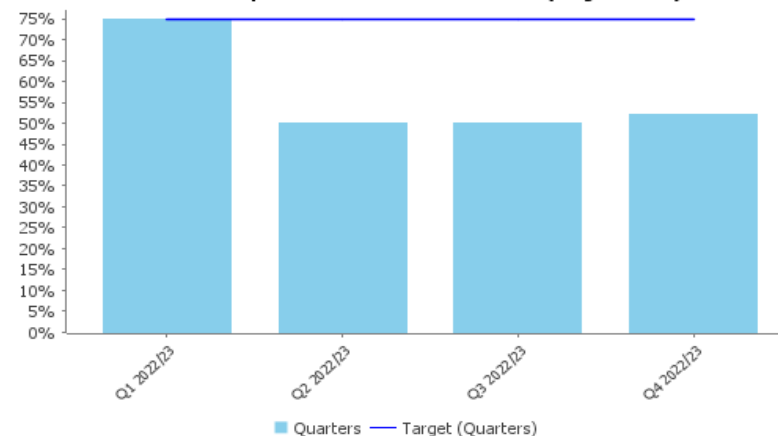
1. Customer - Roads

Performance Indicator	Q2 2022/23		Q3 2022/23		Q4 2022/23		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Total No. complaints received - Roads	12		34		23		
% of complaints resolved within timescale - Roads	50%		50%		52.2%		75%
% of complaints with at least one point upheld (stage 1 and 2) - Roads	25%		44.1%		30.4%		
Total No. of lessons learnt identified (stage 1 and 2) - Roads	1		6		1		

% of complaints resolved within timescale (stage 1 and 2) - Roads



CDPRDS003 % of complaints resolved within timescale (stage 1 and 2) - Roads



Why is this important?

Complaint handling is a statutory requirement. Like all Local Authorities, we follow the Model Complaints Handling Procedure set out by the Scottish Public Services Ombudsman (SPSO). This includes the timescales for response which we aim to meet wherever possible. This SPI is most closely linked to the Prosperous People Theme within the Local Outcome Improvement Plan as the effective handling of complaints ensures that people are supported appropriately when and if necessary.

Benchmark Information:

A benchmarking exercise is undertaken on an ad hoc basis by the SPSO which compares each Scottish Local Authority's performance in complaint handling. No recent benchmarking exercises have taken place.

Target:

The target for this measure has been maintained at 75% for 2022/23.

This is what the data is saying:

During 2022/23 there have been an average of 22.25 complaints per quarter. This is a decrease of approximately 10 per quarter when compared to 2021/22. However, with the exception of Q1, for the rest of the year performance has not been in line with target and has been of around 50%. This was also the case for Q4 with the percentage of complaints resolved within timescale performance sitting at 52.2%, or 12 of the 23 complaints received.

This is the trend:

As stated above, there has been minimal movement during quarters 2, 3 and 4 with performance remaining in the region of 50%. However, moving into Q1 of 2023/24, performance so far is positive with 13 of the 15 complaints received during Q1 to date (86.67%) being resolved within the timescale set.

This is the impact:

Some of the consequences of this performance are:

- An inconsistent customer experience
- Some customers are experiencing a longer wait than originally advised, potentially resulting in poorer customer satisfaction levels.

These are the next steps we are taking for improvement:

Roads Service performance for responding to complaints within timescale fell during Quarters 2, 3 and 4 in 2022 / 2023. This is believed to mainly be due to the substantial increase in capital investment works that the Roads Service was delivering during that time and the short weather window available over the spring summer and autumn months. The demands this high priority work placed on the service was compounded by a lack of staff resources which resulted in a backlog of complaints and other works. Staff resources through Quarter 4 were also stretched due to the challenging winter period.

However, through the Performance Board, and working with our existing staff, an improvement plan has been put in place, and the Roads Service are currently up to date with all complaints responses.

Responsible officer:

Doug Ritchie

Last Updated:

Q4 2022/23

2. Processes - Roads

Performance Indicator	Jan 2023		Feb 2023		Mar 2023		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Percentage of all streetlight repairs completed within 7 days	95.24%		95.97%		97.86%		90%
Number of Street Light Repairs completed within 7 days	200		119		137		
Potholes Category 1 and 2 - % defects repaired within timescale	86.65%		97.5%		91.43%		95%
Potholes Category 1 and 2 - No of defects repaired within timescale	1,605		1,013		1,472		

Performance Indicator	2019/20		2020/21		2021/22		Target 2021/22
	Value	Status	Value	Status	Value	Status	
Percentage of A class roads that should be considered for maintenance treatment	23.4%		21.1%		20.6%		27.6%
Percentage of B class roads that should be considered for maintenance treatment	23.27%		23.8%		25.27%		33.61%
Percentage of C class roads that should be considered for maintenance treatment	22.97%		22.9%		22.04%		33.14%
Percentage of unclassified roads that should be considered for maintenance treatment	31.92%		30.6%		30.27%		36.65%

*Target and status based on Scottish national average

3. Staff - Roads

Performance Indicator	Q2 2022/23		Q3 2022/23		Q4 2022/23		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Accidents - Reportable - Employees (No in Quarter - Roads)	0		0		2		
Accidents - Non-Reportable - Employees (No in Quarter - Roads)	1		1		3		

Performance Indicator	Jan 2023		Feb 2023		Mar 2023		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Sickness Absence - Average Number of Days Lost - Roads	11.7		11.8		12.1		10
Establishment actual FTE	157.96		159.57		159.59		

4. Finance & Controls - Roads

Performance Indicator	Jan 2023		Feb 2023		Mar 2023		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Staff Costs - % Spend to Date (FYB)	76%		84.1%		92.4%		100%

Waste Services

1. Customer - Waste

Performance Indicator	Q2 2022/23		Q3 2022/23		Q4 2022/23		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Total No. complaints received - Waste	40		68		63		
% of complaints resolved within timescale - Waste	82.5%		86.8%		88.9%		75%
% of complaints with at least one point upheld (stage 1 and 2) - Waste	67.5%		67.6%		69.8%		
Total No. of lessons learnt identified (stage 1 and 2) - Waste	1		10		0		

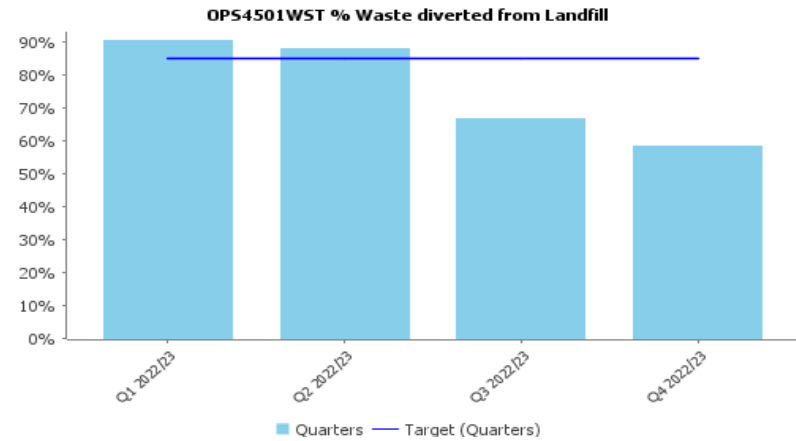
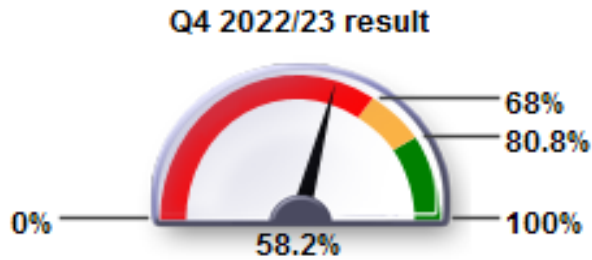
2. Processes – Waste

Performance Indicator	Q2 2022/23		Q3 2022/23		Q4 2022/23		2022/23 Target
	Value	Status	Value	Status	Value	Status	
*% Waste diverted from Landfill	87.7%		66.4%		58.2%		85%
*Percentage of Household Waste Recycled/Composted	42.7%		41.5%		41.7%		50%

*% Waste diverted from Landfill/% Household Waste Recycled/Composted – These figures are intended and used for internal monitoring only and are based on a rolling 12-month period.

Performance Indicator	Jan 2023		Feb 2023		Mar 2023		2022/23 Target
	Value	Status	Value	Status	Value	Status	
% Overflowing Communal Bin Enquiries responded to within 2 working days	80.7%		96.2%		99.5%		100%

% Waste diverted from Landfill



Why is this important?

Meets local and national policy ambitions as well as statutory requirements.

Benchmark Information:

This is an internal measure and is not benchmarked nationally.

Target:

The target for 2022/23 has been set at 85%.

This is what the data is saying:

The percentage of waste diverted from landfill up to the end of Quarter 4 2022/23 is 58.2%, a decrease of approximately 8% points from Quarter 3 and is now 32% points lower than at the end of Quarter 1. Note that these figures are based on a rolling 12-month period and not the specific previous quarter only therefore these figures reflect the entire 12-month period prior to the report date.

This is the trend:

There has been a significant reduction in the percentage of waste diverted from landfill since the start of 2022/23. The main reasons for this are the Altens fire and the delay to the opening of the NESS energy from waste plant.

This is the impact:

Prior to the fire, residual waste was being processed at the refuse derived fuel facility at Altens and then sent for energy from waste in northern Europe. Following the fire in July 2022, all residual waste had to be diverted to landfill. The Ness Energy Facility was due to open in late 2022 but has been delayed. Therefore, the waste continued to go to landfill until Ness was able to begin accepting this material in February 2023.

Ness Energy is now accepting almost all of the city's residual waste and therefore the diversion rates will increase provided the Ness facility remains operational (currently undergoing commissioning).

The Altens facility remains unavailable and therefore the contingency tipping arrangements for recyclable material are still in place, meaning there are still limitations on the opportunity to maximise recycling, which is also impacting, albeit less so, on diversion rates. Furthermore, the continued closure of East Tullis HWRC which was necessary to complete the works for the district heating scheme may also have had some negative impact on the recycling rates. The HWRC re-opened in early May.

These are the next steps we are taking for improvement:

The drop in the diversion rate is due to factors out with our control. However, we are working with the Ness Energy team to ensure a smooth transition to the new arrangements.







Responsible officer:




Pamela Walker




Last Updated:

Q4 2022/23




3. Staff – Waste







Performance Indicator	Q2 2022/23		Q3 2022/23		Q4 2022/23		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Accidents - Reportable - Employees (No in Quarter - Waste)	0		1		1		
Accidents - Non-Reportable - Employees (No in Quarter - Waste)	5		0		3		

Performance Indicator	Jan 2023		Feb 2023		Mar 2023		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Sickness Absence - Average Number of Days Lost - Waste	10.3		10.7		11.2		10

Performance Indicator	Jan 2023		Feb 2023		Mar 2023		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Establishment actual FTE	181.51		180.96		180.66		

4. Finance & Controls – Waste

Performance Indicator	Jan 2023		Feb 2023		Mar 2023		2022/23 Target
	Value	Status	Value	Status	Value	Status	
Staff Costs - % Spend to Date (FYB)	83.5%		91.9%		100.3%		100%



Performance Indicator	2019/20		2020/21		2021/22		2021/22 Target
	Value	Status	Value	Status	Value	Status	
*Net cost per waste collection per premise	£48.87		£48.38		£51.07		£70.15
*Net cost per waste disposal per premise	£144.91		£125.96		£124.79		£100.33

*Target and status based on Scottish national average

Strategic Place Planning





Climate and Sustainability Policy

Carbon Budget

Performance Indicator	Current Status
We will remain within the annual maximum cap of carbon emissions (tCO2e) and meet the annual carbon savings target (tCO2e)	
Carbon Budget 2022/23 (Phase 1)	
Phase 1 of the Carbon Budget was implemented in 2022/23. Provisional emissions data* collated for Quarters 1 -3 indicates tonnes of carbon dioxide equivalent (tCO2e) for water and energy consumption (Council buildings) was on track to remain under the maximum cap on emissions for 2022/23. Final year end data for these emission sources is currently being collated.	
Carbon Budget 2023/24 (Phase 2)	
The carbon budget of 26,474 tonnes carbon dioxide equivalent (tCO2e) and an annual savings target of 2,482 tCO2e for 2023/24, was set at Council, 1 March 2023. Phase 2 is expanding the carbon budget to additional Council emission sources. The workplan for Phase 2 of the carbon budget has been produced. A deep dive of tCO2e from grey fleet (staff business travel) has taken place. Staff engagement on the carbon budget is scheduled for June (staff intranet/ information sessions).	

*Provisional figures may include some estimates

Traffic Light Icons Used

	On target or within 5% of target
	Within 5% and 20% of target and being monitored
	Below 20% of target and being actively pursued
	Data only – target not appropriate

This page is intentionally left blank

ABERDEEN CITY COUNCIL

COMMITTEE	Net Zero, Environment and Transport Committee
DATE	20 June 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Den Burn Restoration – Funding Update
REPORT NUMBER	COM/23/175
DIRECTOR	Gale Beattie
CHIEF OFFICER	David Dunne
REPORT AUTHOR	Sue Cumming
TERMS OF REFERENCE	1 and 6

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to update members on progress in securing funding to develop and deliver the Den Burn Restoration, and to seek Committee approval to enter into the Memorandum of Understanding with SEPA to develop the project further.

2. RECOMMENDATIONS

That Committee:-

- 2.1 note the success of funding secured to date and instruct the Interim Chief Officer Governance following consultation with the Chief Officer Strategic Place Planning to enter into a Memorandum of Understanding with SEPA detailing how Aberdeen City Council and SEPA will work together to try to further develop the project; and
- 2.2 instruct the Chief Officer Strategic Place Planning to: continue to seek additional funding; evolve the project scope in line with available funding; and report back to this Committee once the required funding has been secured.

3. CURRENT SITUATION

- 3.1 The Net Zero, Environment and Transport Committee, held on the 10th January 2023 (COM/23/024), instructed the Chief Officer - Strategic Place Planning to explore opportunities for external funding to deliver this project and report back. This report sets out the proposed funding arrangements for the design stage and updates members on progress to secure construction funding.
- 3.2 The Den Burn Restoration project is a 2.3km stretch from Maidencraig to Kingsgate and aims to:
- Improve the burn by re-meandering to remove straight sections, returning it to a more natural course;

- Create an enhanced wetland habitat;
- Improve biodiversity for the area;
- Reconnect people to nature;
- Provide paths to link communities and improve recreation; and
- Improve the aesthetics of the blue/green infrastructure network.

3.3 The project is complex and will be delivered over several years. Detailed design will be informed by geomorphology, flood modelling and ecological surveys. Civil engineering will be required to create new meanders along the burn and divert the water course along the new route. Due to the scale of the project, it may require further environmental assessment however, the medium to long term environmental, health and wellbeing, and social benefits of the project outweigh the longer delivery time.

3.4 Following the last report to this Committee, work has been undertaken to obtain revised costs, where possible, and investigate potential funding sources. Currently the project is at concept stage with some project design costs estimated from 2021. Further indicative costs have been obtained for ecological survey, ground contamination, planning, as well as public engagement, project management and contingency.

Table 1 sets out the various sources of funding that have been secured and others being investigated. SEPA have agreed in principle to provide 50% of the burn restoration funding, from their Water Environment Fund (WEF).

3.5 The Council's Natural Environment Policy team have been holding fortnightly meetings with SEPA to help design the project and create a strong working relationship with them.

3.6 This project has also secured Bus Lane Enforcement (BLE) funding, covering 50% of the costs of the path works element of the project. In addition, NESTRANS have agreed to fund the other 50% and have agreed that if required they could fund 100%. It is now considered that the project will be able to attract further match funding from other sources which is outlined in the Financial Implications section.

3.7 The funding offered to date is for capital work only and there is currently no revenue funding for this project. If this project is to be constructed a revenue budget will be required to maintain the paths and bridges to ensure this infrastructure remains useable for the foreseeable future. Only by having a well maintained path network that is accessible for all, will the health, wellbeing and social benefits associated with this project be met.

3.8 Approval is sought to continue with the proposed funding approach and to sign the Memorandum of Understanding (MoU) with SEPA to start detailed design of the project. The MoU is not legally binding nor a funding agreement.

4. FINANCIAL IMPLICATIONS

- 4.1 As set out above SEPA have agreed to fund 50% of this project which includes detailed design and construction through SEPA's Water Environment Fund. Official written confirmation has been sent and we have replied with a holding statement in May.
- 4.2 The estimated costs from 2021 for geomorphology and flood risk for the project are approximately £230K for the whole stretch. However, this did not include updating technical site surveys needed to inform design, community engagement, carbon sequestration assessment, project management or pre-planning application fees. The revised cost for detailed design is more likely in the region of £400K with 50% secured from various funders. An additional £200K match funding is required for the detailed design stage. Only after detailed design is completed can accurate construction costs be obtained but is expected to be in the region of £2.1 Million pounds.
- 4.3 The project has been approved funding from BLE funding to cover 50% of the path works with NESTRANS. In addition, NESTRANS have agreed that they could fund all the path works for design and for construction. At this stage it is expected both NESTRANS and BLE money will be used to fund the project, this is partly as it may increase options for funding maintenance of the path in the future.
- 4.4 SEPA have agreed to fund 50% towards the entire scope of the project to cover design and construction over several years. The detail of this funding is shown in Table 1. Timing of additional funding sources to match SEPA's funding will be time sensitive.
- 4.5 Additional funding is also being sought and is detailed below in Table 1. If Aberdeen City Council are unable to obtain funding for Just Transition Fund or timescales no longer align, we will re-evaluate the project and only stretches 7 and 8 of the Den Burn will be restored if other suitable funding cannot be obtained. The design cost of the restoring stretches 7 and 8 only is approximately £215K.

Table 1: Outlines funding sources secured and proposed.

Source	To Fund	Amount	Timescales	Notes
Funding secured				
SEPA	Burn design and construction	50% agreed Actual amount dependant on securing match funding.	Secured in April. Draw down is subject to securing match funding and will be in increments.	Funding offer been sent out and holding statement provided.

Source	To Fund	Amount	Timescales	Notes
Bus Lane Enforcement (BLE)	Path design and construction	50%	Secured via Net Zero, Environment and Transport Committee 24 th of May 2023	As 50% match funding for NESTRANS. Option to also seek a maintenance budget.
NESTRANS	Path design and construction	50%	Provided on written confirmation that project will be funded	As 50% match for BLE funding. Option to seek a maintenance budget.
Further funding options				
Just Transition Fund (JTF) Just Transition Fund: year one projects - gov.scot (www.gov.scot)	Design and Construction	£200K	Fund was to open in March but has been delayed while ScotGov improve application process.	Similar projects funded previously. Aiming to host meeting with JTF prior to submission to promote project and gage interest.
Private sector investment	Design and construction	Initially Design only £200K	Approach private companies June/July	Some initial discussions taking place with companies.
UK Shared Prosperity Fund	Design stage	£40K	Apply in 2023 for funds in 2024/25	Apply if Just Transition Fund unsuccessful.
Vattenfall Community Fund	Design	£15K per year, max £30K/3 Years.	April 2024 and decision July 2024	Apply if Just Transition Fund unsuccessful.

4.6 It is proposed that the project will be fully funded by external funding sources and project delivered over several years. Funding offered to date is for capital works only. If this project is progressed to construction it will require a new ongoing revenue budget to maintain paths and bridges.

5. LEGAL IMPLICATIONS

5.1 There are no direct legal implications.

6. ENVIRONMENTAL IMPLICATIONS

6.1 It is proposed to complete the project in phases to a) take advantage of external funding and b) minimise the impact on wildlife seasons. There will be some habitat disturbance during construction, which will be appropriately managed and overall offset by the medium to long term gains for biodiversity.

- 6.2 This is a 'nature positive' project, contributing to our LOIP Stretch Outcome 15 of protecting/managing 26% of Aberdeen area by 2026.
- 6.3 Earlier this year Aberdeen City Council declared a Climate and Nature Emergency. To address these twin interlinked crises, works adapting to climate change and biodiversity loss will need to be undertaken in Aberdeen. This will include providing high quality blue/ green infrastructure within the city to provide resilience to nature and people. This proposal fits within Aberdeen Adapts and Climate Adaptation Framework by providing a nature-based solution in protecting water quality and creating high quality habitat for nature. This project is also listed in the Aberdeen City Council Climate Change Project Register 2021 –2025, page 13.
- 6.4 Where possible local materials will be used such as fallen dead trees and plants from local nurseries to ensure that sustainability has been considered and carbon emissions are kept low.

7. RISK

- 7.1 The Den Burn Restoration project is an active project with SEPA who are keen to work on the project to at least detailed design as either a full project or a partial restoration. The Natural Environment Policy Team agree that working on this project to detailed design would be beneficial so at a later date the Council could easily obtain revised costs for construction.
- 7.2 Environmental Services who are responsible for path management have identified the lack of certainty over an annual maintenance budget as a risk to the project if constructed. The new path associated with this project will create links to existing paths to loop around the burn and cross it using bridges. To ensure that bridges and paths are kept in good useable condition an annual maintenance budget will be required. Maintenance funding for path work is normally difficult to obtain. A couple of options are through BLE and NESTRANS but these are not well tried and tested to offer the funding security needed for this project. In addition, a funding application would need to be applied every year to secure funding. The Natural Environment Policy Team will work with Environment Services to design a low maintenance path where possible but the project will require an annual maintenance budget in the medium to long term.

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	No significant risk but not delivering project would risk commitment to our Biodiversity Duty and Nature Conservation Strategy	We have regular meetings with SEPA about this project and they are happy we are meeting the WEF objectives. We plan to have a meeting with the Just Transition Panel to raise awareness of the project and gage interest	Low	N/A
Compliance	No significant risk but not delivering project would risk commitment to our Biodiversity Duty and Nature Conservation Strategy	Local Authorities are being encouraged to be nature positive by 2030. To achieve this, we need to be proactive and take opportunities to improve biodiversity when they arise, such as delivering this project, especially when there are multiple benefits that can be achieved.	Low	N/A
Operational	No Significant Risk for detailed design.	Design to reflect no/low maintenance options	Low	N/A
Financial	Funding may not be granted by other external sources required to fund the project. If project is progressed to construction appropriate revenue funding	With the WEF funding from SEPA, BLE and Nestrans funding it should be easier to attract other external funding partners.	Low	Yes

	will need to be allocated.			
Reputational	No Significant Risk but not being seen to deal with the nature crises/biodiversity loss whilst also enhancing the local environment for recreation etc may have a negative reputational risk	Ensuring we work collaboratively internally with different ACC departments to ensure it delivers multiple benefits both internally and externally.	Low	N/A

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2022-2023</u>	
Aberdeen City Council Policy Statement	Impact of Report
<u>Working in Partnership for Aberdeen</u>	<p>The proposals within this report support the delivery of the following aspects of the policy statement:-</p> <ul style="list-style-type: none"> • We Strive to achieve Net Zero to ensure a Just Transition is fair, both economically and socially for the citizens of Aberdeen. • Improving active travel infrastructure. • Seek to make Aberdeen a UNICEF child friendly City by creating outdoor spaces that they can enjoy and help with their health and wellbeing.
<u>Aberdeen City Local Outcome Improvement Plan 2016-26</u>	
Prosperous Place Stretch Outcomes	<p>The proposals within this report impact in two areas of the delivery plan. The proposal will support the delivery of LOIP Stretch Outcome 14 Increase sustainable travel: 38% of people walking and 5% of people cycling as main mode of travel by 2026.</p> <p>and 15 – Addressing the nature crisis by protecting/ managing 26% of Aberdeen’s area for nature by 2026.</p> <p>The paper updates on the funding situation and seeks approval to progress project further to detailed project design. Delivering the Den Burn Restoration project would improve biodiversity whilst improving people’s experience of active travel to help maintain the habit of active travel.</p>
Prosperous People (Children & Young People)	The proposals will support the delivery of LOIP Stretch Outcome 4

	<p>95% of children (0-5 years) will reach their expected developmental milestones by the time of their child health reviews by 2026. Through Key Driver 4.3 Improving health and reducing inequalities. Stretch outcome 5</p> <p>90% of children and young people will report that their experiences of mental health and wellbeing have been listened to by 2026. This is reflected in interactions, activities, supports and services. Through Key Driver 5.2 Increasing children’s knowledge and understanding of their own physical and mental wellbeing and take an early intervention and prevention approach.</p>
<p>Regional and City Strategies <u>Regional Strategies:</u> Aberdeen Adapts, Regional Transport Strategy) <u>City Strategies and Strategic Plans</u> (Local Development Plan) <u>Council Strategies</u> (LOIP)</p>	<p>The proposal of the Den Burn restoration within this report supports Net Zero Aberdeen, Aberdeen Adapts, the Strategic Development Plan and Local Development Plan by creating blue/green infrastructure within the city to provide resilience to climate change for nature and people. In addition, this proposal promotes active travel and aims to enhance user experience to create and maintain long term active travel habits, supporting the Local Transport Strategy.</p> <p>Supports LOIP as referred to in above table</p>

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Not required
Data Protection Impact Assessment	Not required
Other	Not required

10. BACKGROUND PAPERS

Den Burn Restoration –Project Continuation COM23/024
 BEGIN Project CHI15207
 Flooding Mitigation Projects CH17165
 Den Burn Project Start Up Sheet

11. APPENDICES

Appendix A Den Burn Feasibility

Appendix B Appendix F extract of Den Burn Valley Options

Appendix C Memorandum of Understanding (MoU)

12. REPORT AUTHOR CONTACT DETAILS

Name	Sue Cumming
Title	Senior Environmental Planner
Email Address	sucumming@aberdeencity.gov.uk
Tel	07584 275950

This page is intentionally left blank



Table 7.1: Ranking of Preferred Options

Reach/ Option	Rank
Reach 8 Option 4	1
Reach 7 Option 5	2
Reach 3 Option 4	3
Reach 4 Option 5	4
Reach 5 Option 3	5
Reach 6 Option 2	6

Figure 2.3. Illustrative Sketch Depicting a Post-restoration Landscape

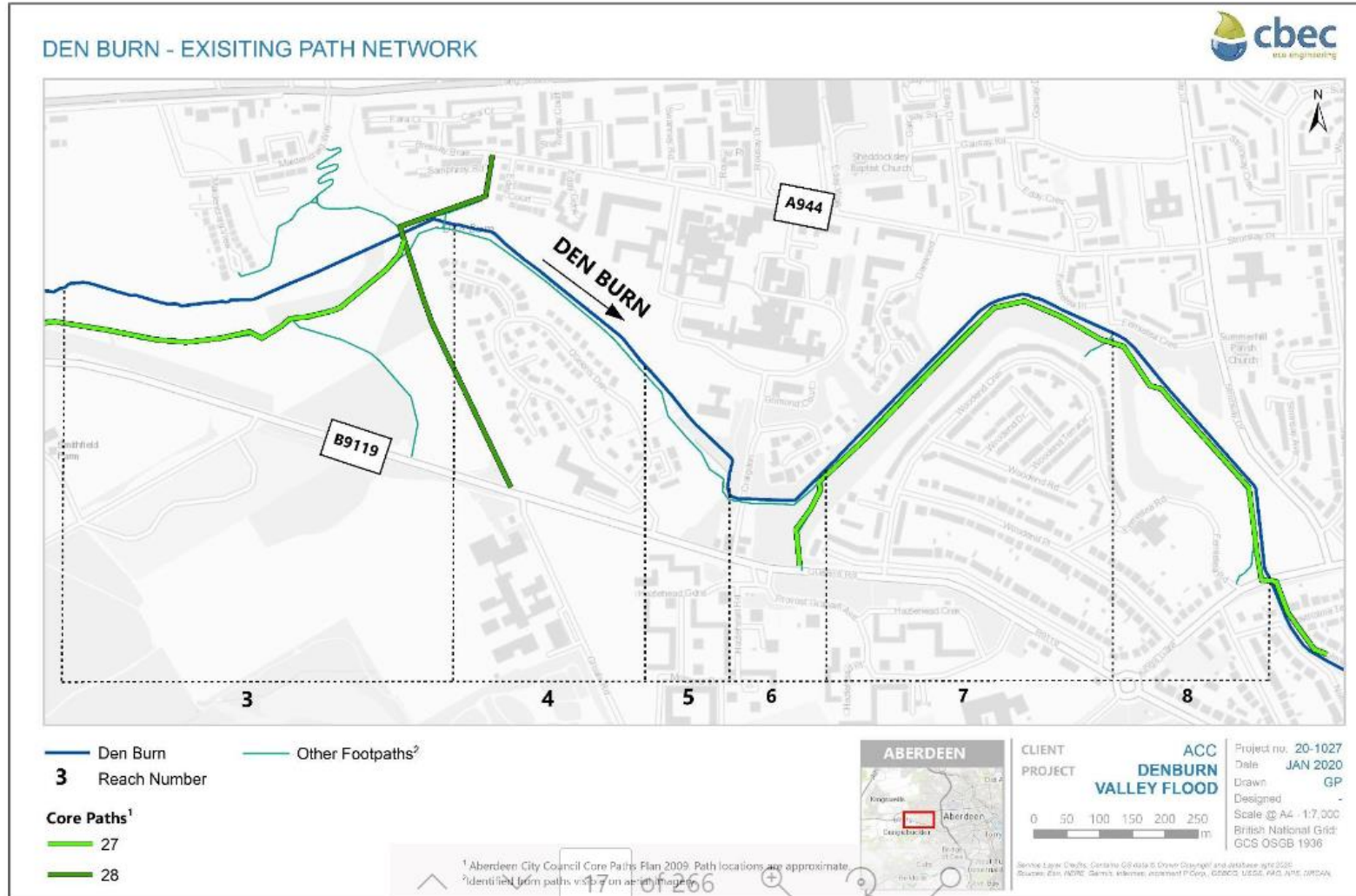


Figure 2.2 Den Burn Valley path network.

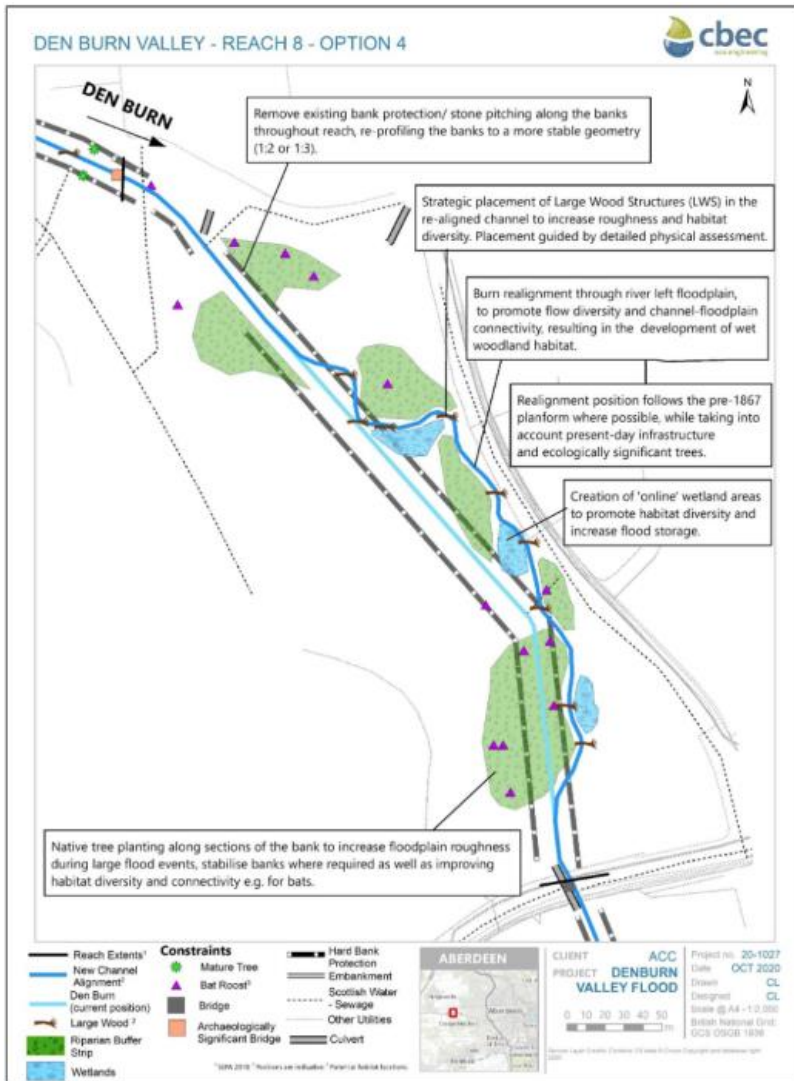


Figure 6.23: Management Reach 8 – Option 4.

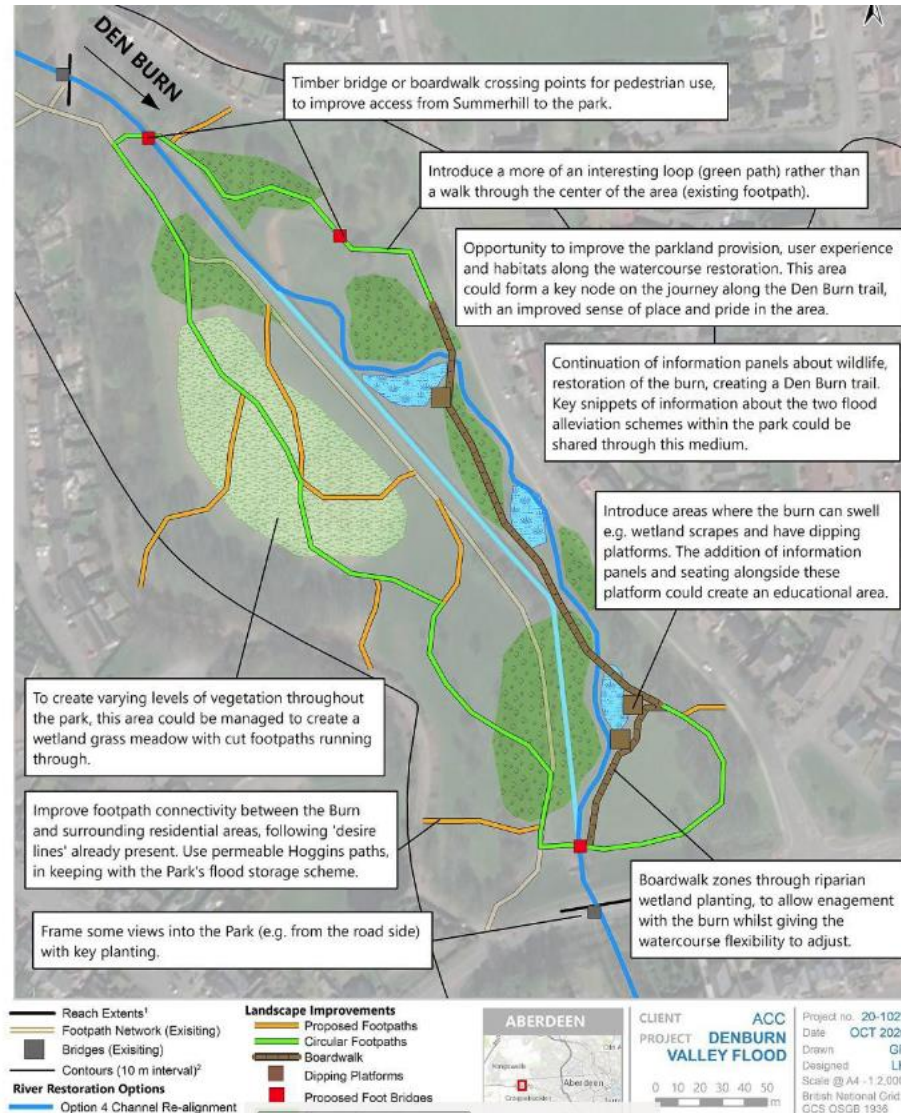


Table 7.1: Ranking of Preferred Options

Reach/ Option	Rank
Reach 8 Option 4	1
Reach 7 Option 5	2
Reach 3 Option 4	3
Reach 4 Option 5	4
Reach 5 Option 3	5
Reach 6 Option 2	6



Reach 8: Option 4

Den Burn: Feasibility

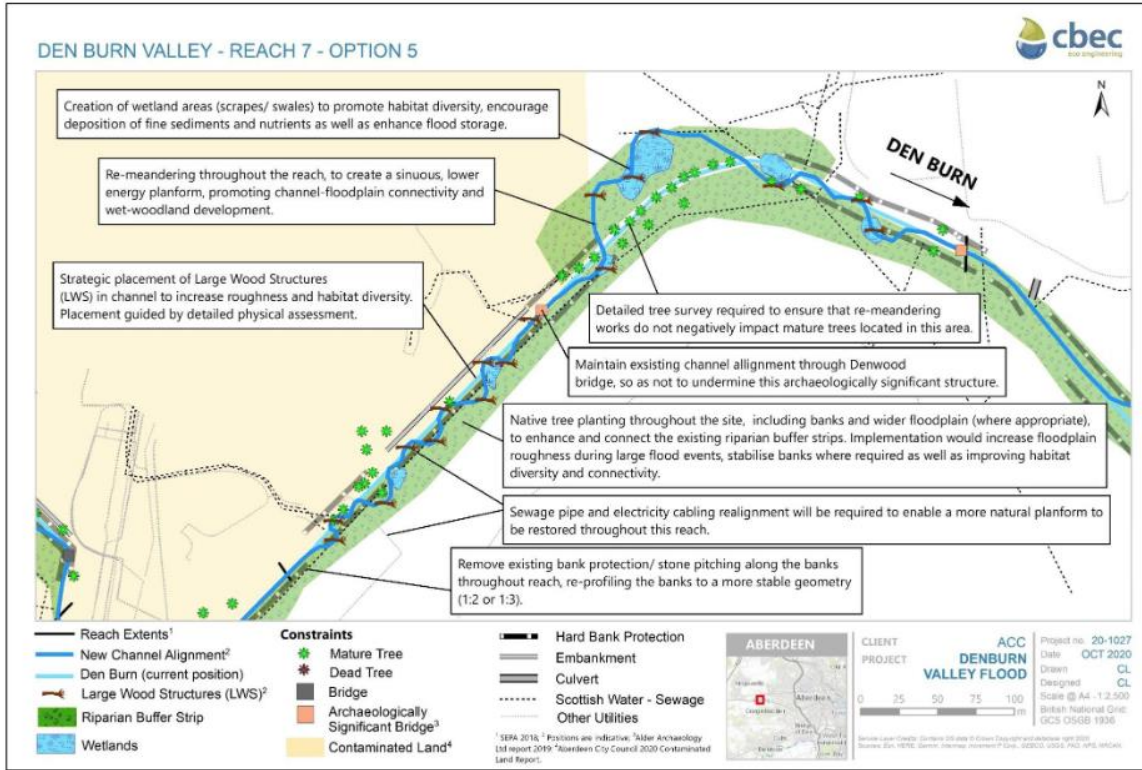


Figure 6.19: Management Reach 7 – Option 5.

Table 7.1: Ranking of Preferred Options

Reach/ Option	Rank
Reach 8 Option 4	1
Reach 7 Option 5	2
Reach 3 Option 4	3
Reach 4 Option 5	4
Reach 5 Option 3	5
Reach 6 Option 2	6

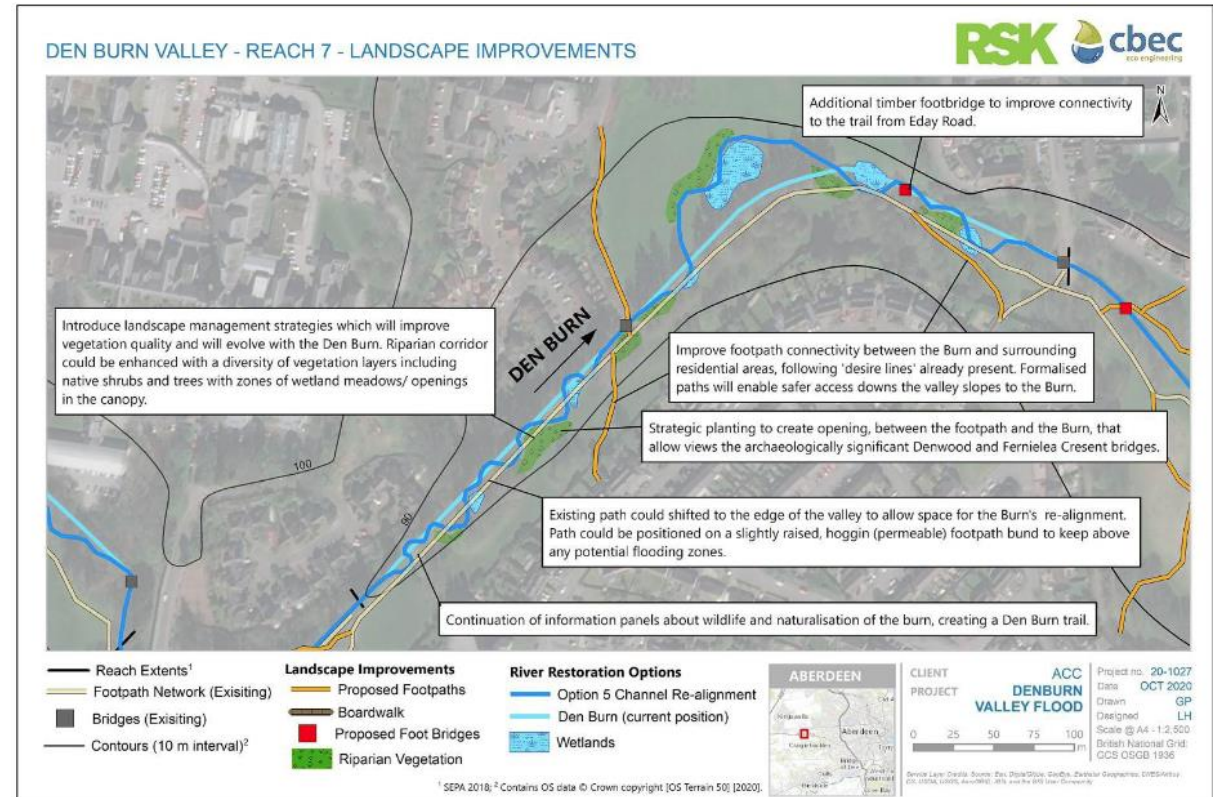


Figure 6.20: Management Reach 7 – Landscaping and Access Opportunities

Reach 7 – Option 3



Reach 7: Option 3



Den Burn: Feasibility



Page 59

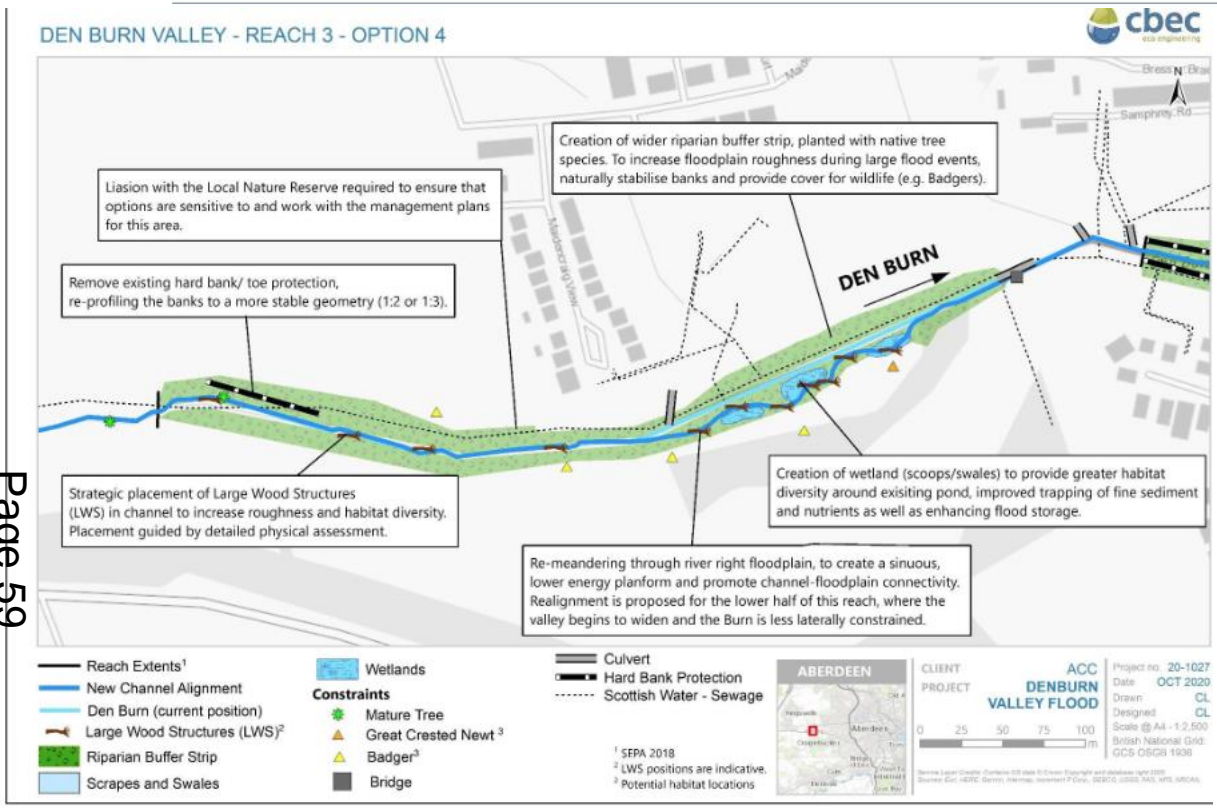


Figure 6.3: Management Reach 3 – Option 4.

Reach/ Option	Rank
Reach 8 Option 4	1
Reach 7 Option 5	2
Reach 3 Option 4	3
Reach 4 Option 5	4
Reach 5 Option 3	5
Reach 6 Option 2	6

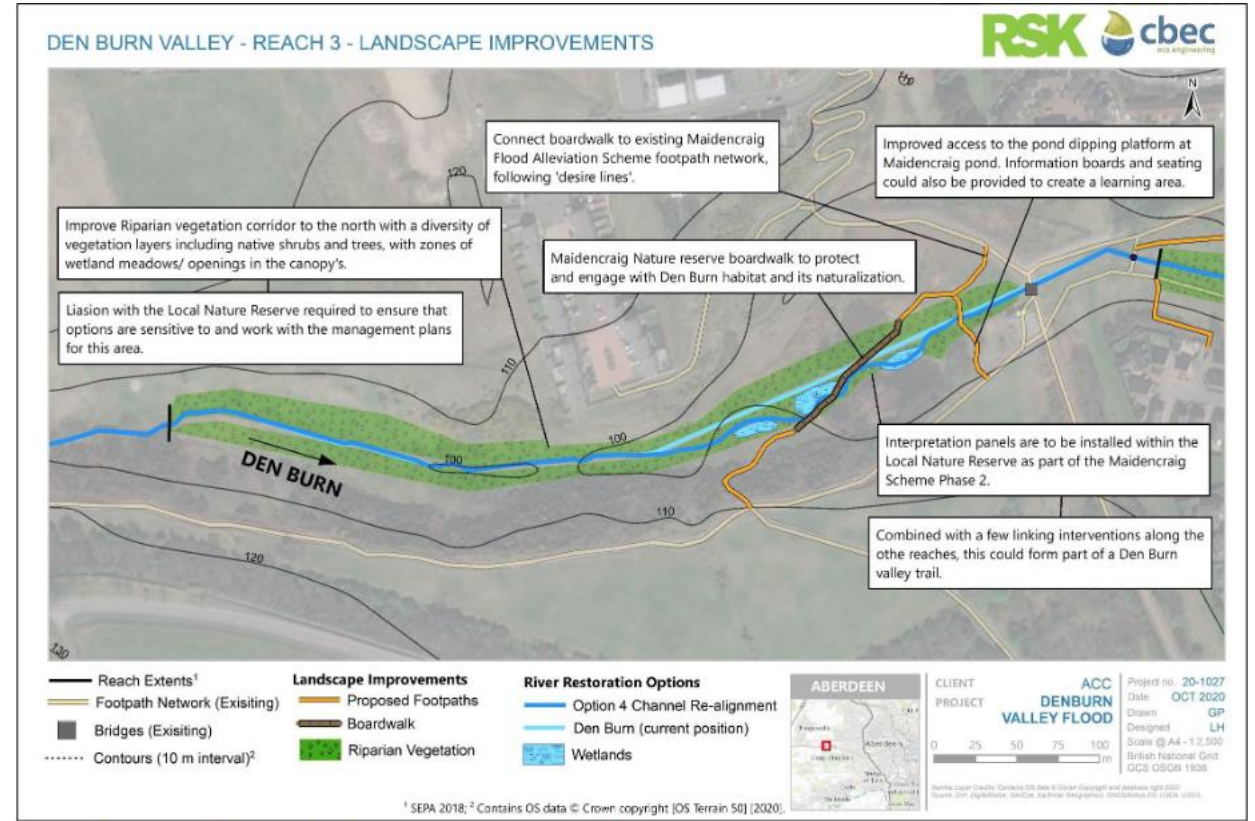


Figure 6.4: Management Reach 3 – Landscaping and Access Opportunities

Reach 3 – Option 3



Den Burn: Feasibility

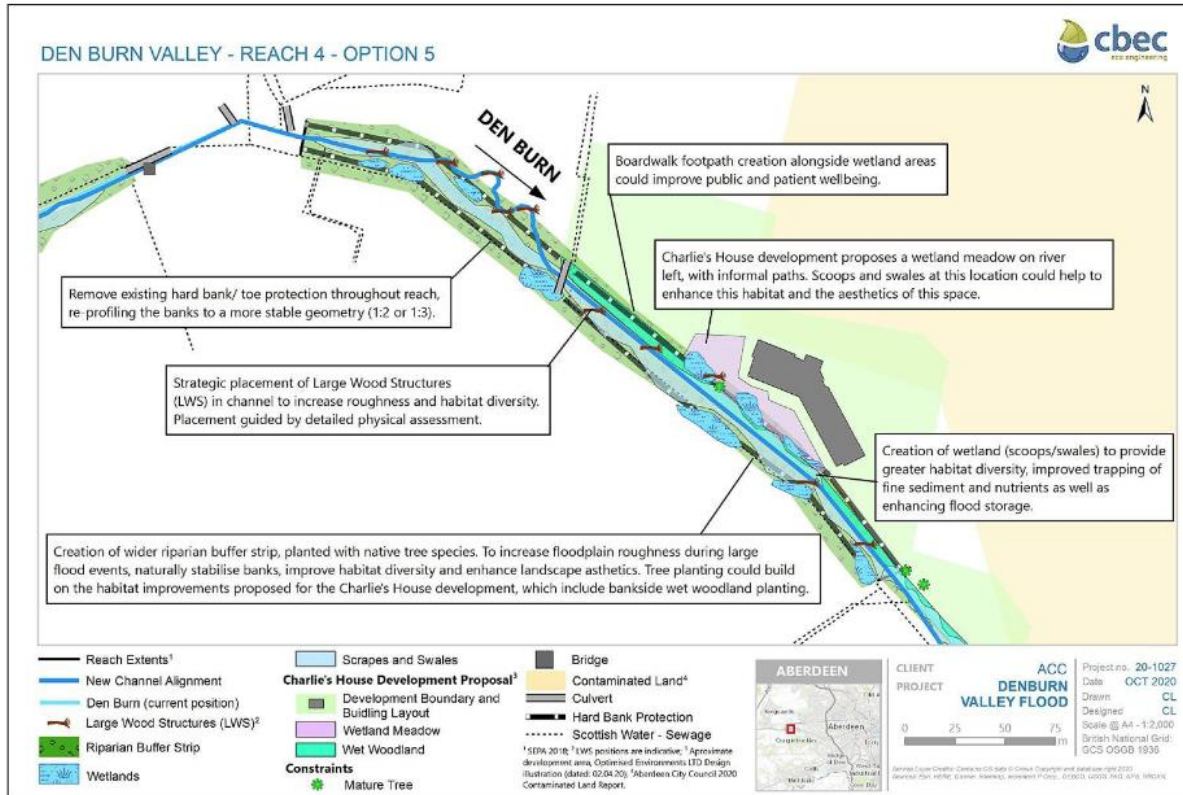


Figure 6.8: Management Reach 4 – Option 5.

Reach/ Option	Rank
Reach 8 Option 4	1
Reach 7 Option 5	2
Reach 3 Option 4	3
Reach 4 Option 5	4
Reach 5 Option 3	5
Reach 6 Option 2	6

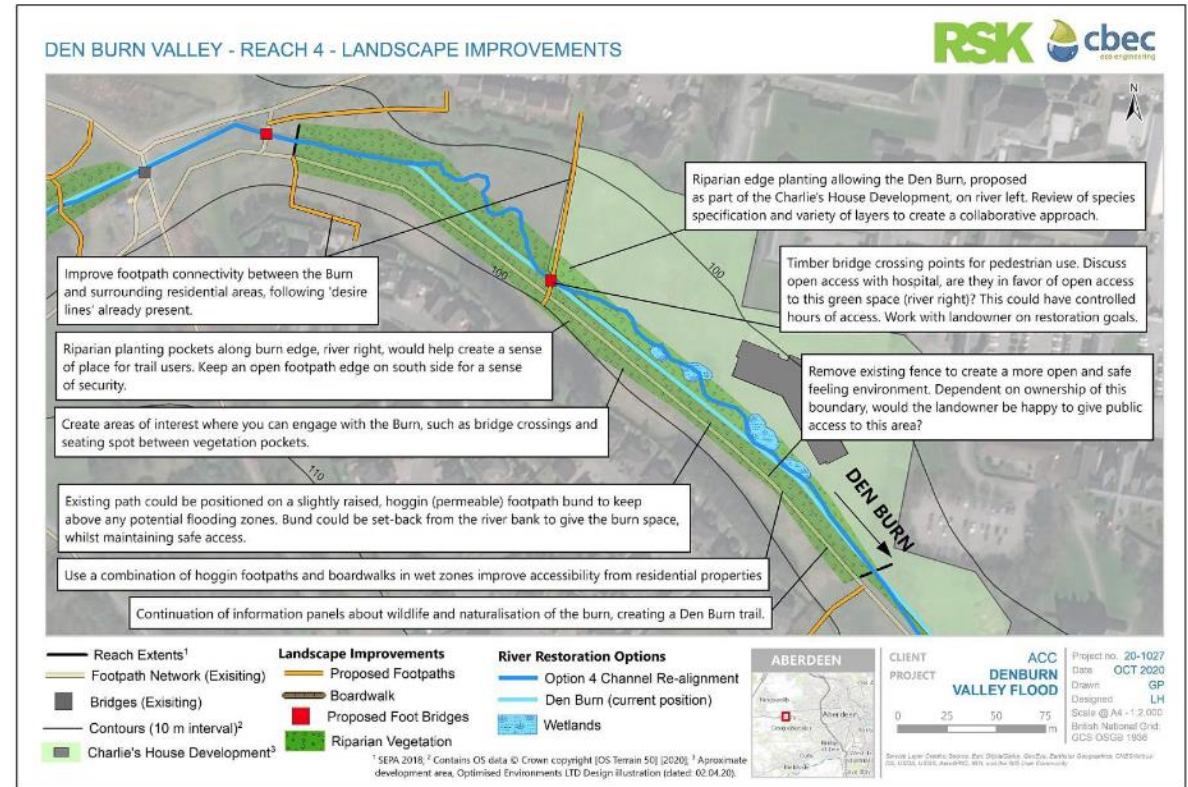


Figure 6.9: Management Reach 4 – Landscaping and Access Opportunities

Reach 4 – Option 4



DEN BURN VALLEY - REACH 5 - OPTION 3

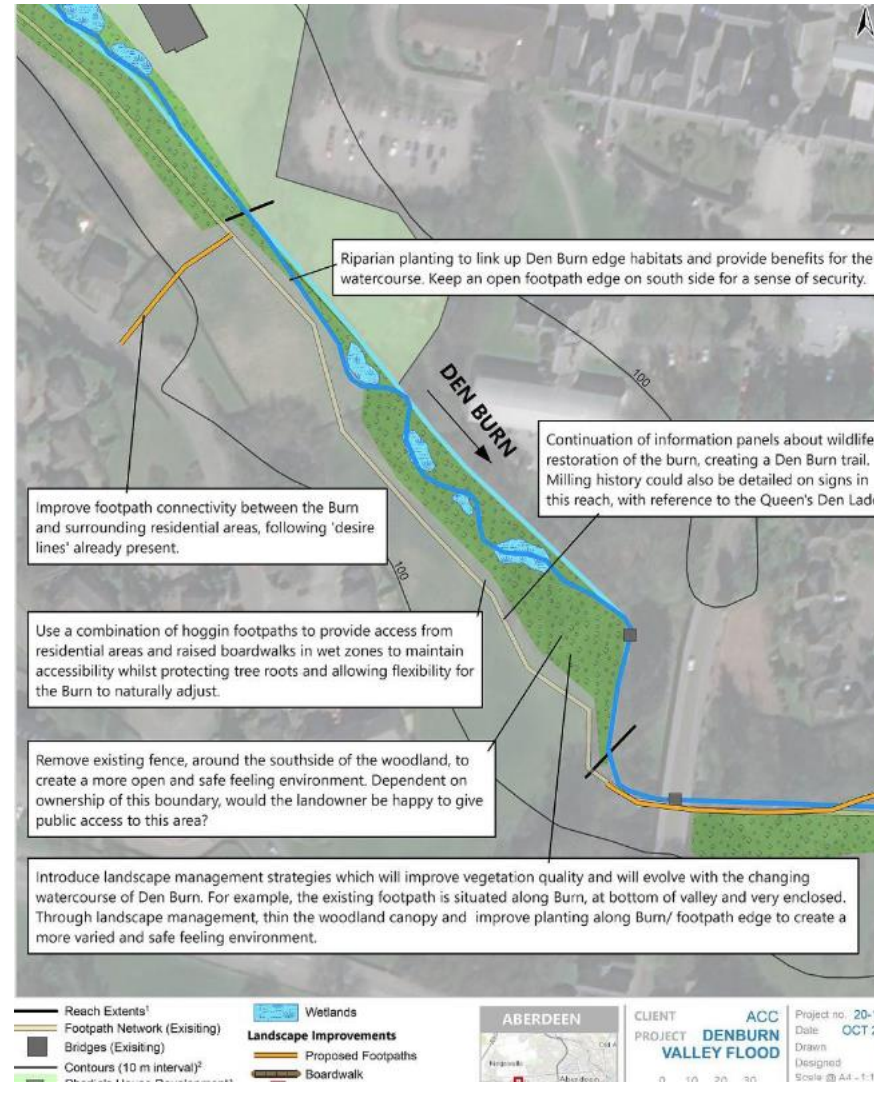
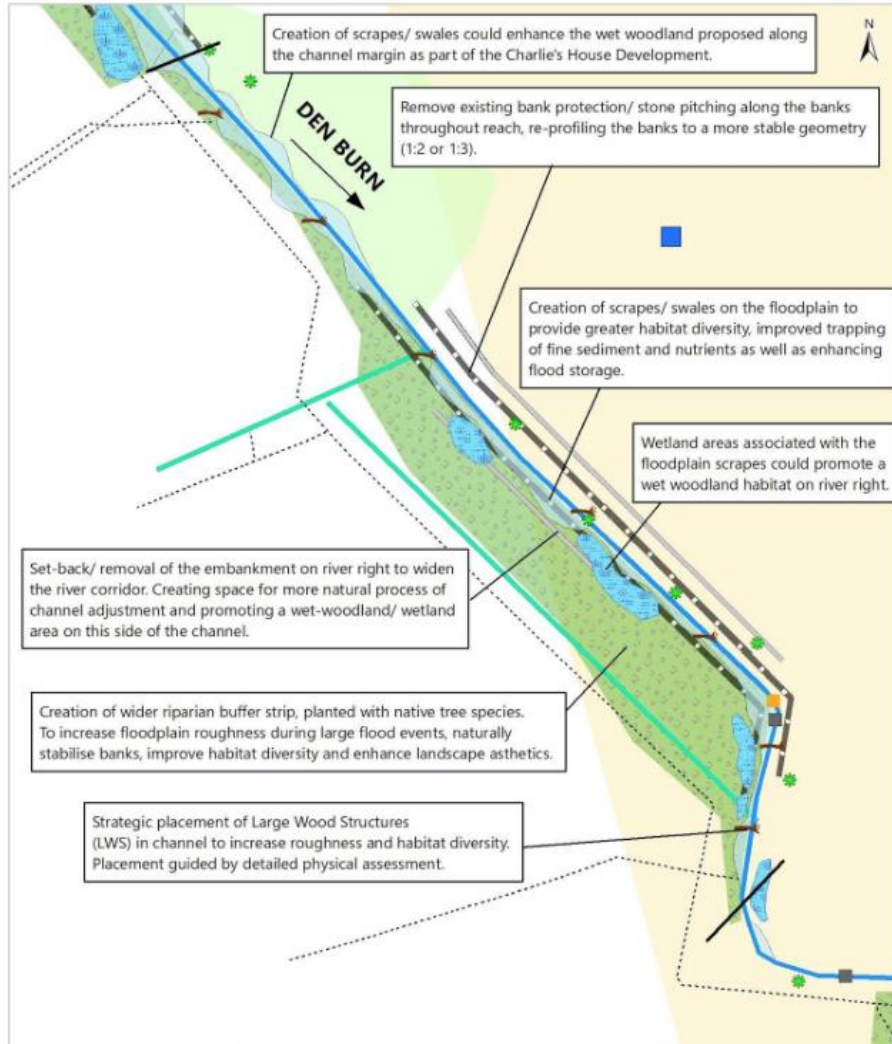


Table 7.1: Ranking of Preferred Options

Reach/ Option	Rank
Reach 8 Option 4	1
Reach 7 Option 5	2
Reach 3 Option 4	3
Reach 4 Option 5	4
Reach 5 Option 3	5
Reach 6 Option 2	6

Reach 5 – Option 2



Den Burn: Feasibility



Page 65

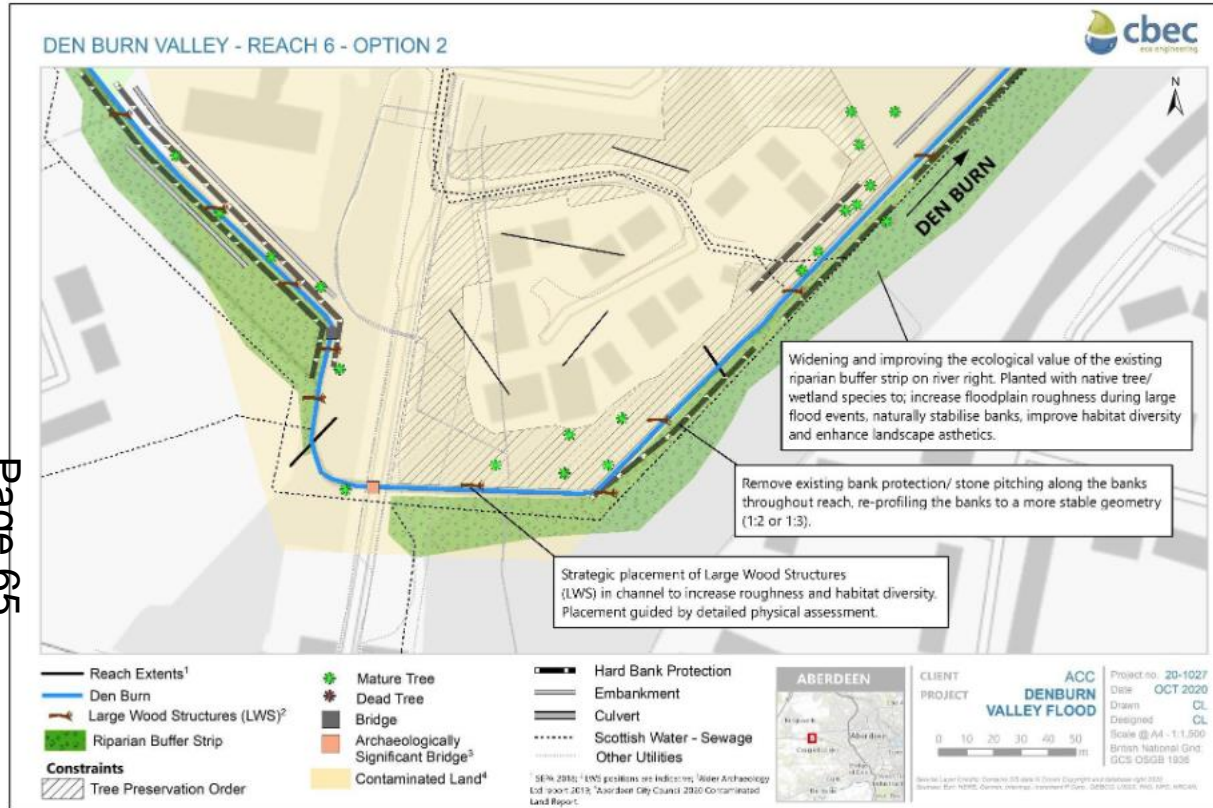


Figure 6.14: Management Reach 6 – Option 2.

Reach/ Option	Rank
Reach 8 Option 4	1
Reach 7 Option 5	2
Reach 3 Option 4	3
Reach 4 Option 5	4
Reach 5 Option 3	5
Reach 6 Option 2	6

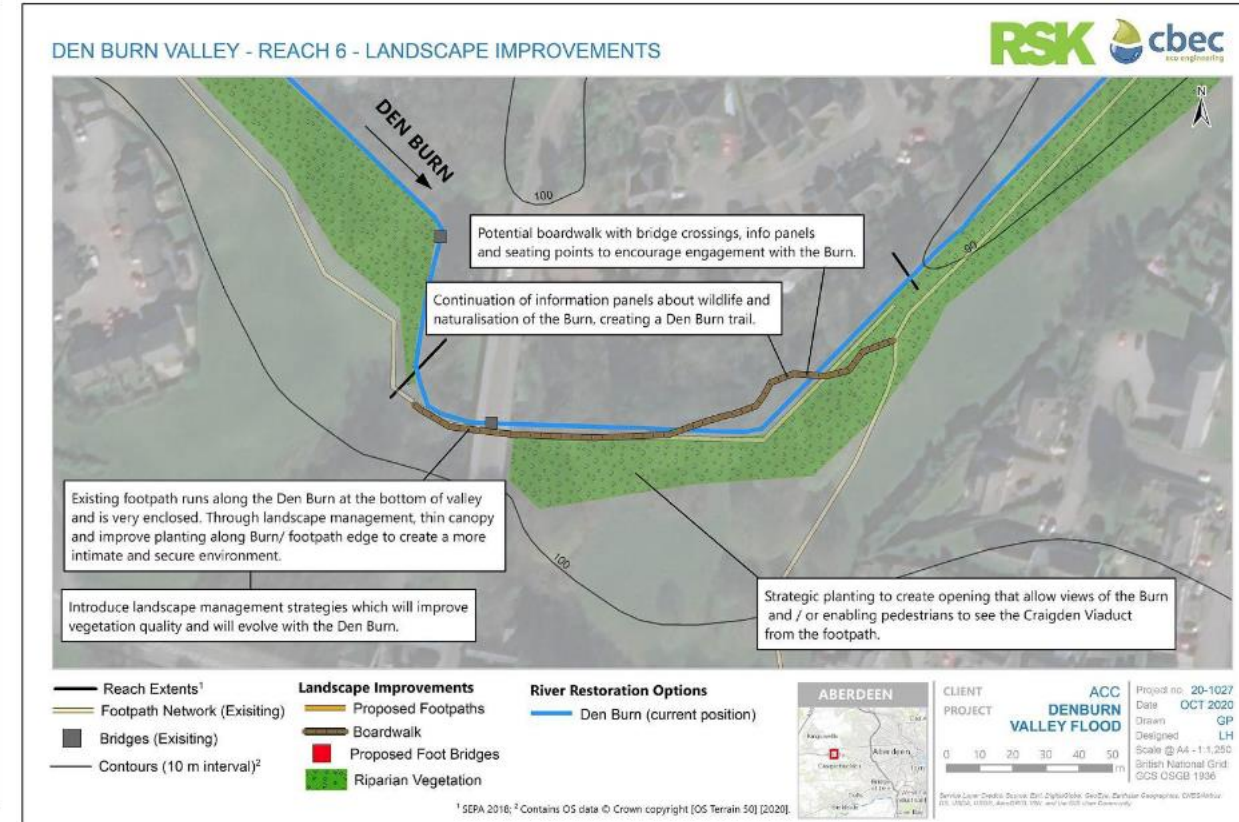


Figure 6.15: Management Reach 6 – Landscaping and Access Opportunities

Reach 6 – Option 2





This page is intentionally left blank

APPENDIX F

ARTISTIC VISUALISATIONS OF RESTORATION OPTIONS

Note: The options illustrated for each reach do not necessarily reflect the preferred option for that reach. A range of options were selected to provide the Project Group and stakeholders with sufficient examples of the suite of potential measures available.

Reach 3 – Option 3



Reach 4 – Option 4



Reach 5 – Option 2



Reach 6 – Option 2



Reach 7 – Option 3



Reach 8 – Option 4





cbec eco-engineering UK Ltd

The Green House

Beechwood Business Park North

Inverness

IV2 3BL

01463 718831

... - WEF ...

MEMORANDUM OF UNDERSTANDING

between

SCOTTISH ENVIRONMENT PROTECTION
AGENCY

and

... COUNCIL

TABLE OF CONTENTS

1. DEFINITIONS	3
2. PURPOSE OF THE MOU	4
3. KEY OBJECTIVES FOR THE PROJECT	4
4. PRINCIPLES OF COLLABORATION	4
5. GOVERNANCE PRINCIPLES	5
6. ROLES AND RESPONSIBILITIES	5
7. RESPONSIBLE OFFICERS	6
8. INFORMATION ASSET OWNERS	7
9. INCOME AND EXPENDITURE	7
10. REVIEW	8
11. DISPUTE RESOLUTION PROCEDURE	8
12. DATA SECURITY	8
13. DATA PROTECTION	9
14. TERM AND TERMINATION	9
15. VARIATION	9
16. STATUS	10
17. MISCELLANEOUS	10
SCHEDULE PART A: THE PROJECT	12
SCHEDULE PART B - GOVERNANCE ARRANGEMENTS	14

THIS MEMORANDUM OF UNDERSTANDING (“MoU”) is made between:-

- (1) SCOTTISH ENVIRONMENT PROTECTION AGENCY, a body corporate established under Section 20 of, and Schedule 6 to, the Environment Act 1995, having its principal place of business at Strathallan House, Castle Business Park, Stirling, FK9 4TZ (it and its successors and assignees being hereinafter referred to as “SEPA”);
- (2) [REDACTED] a LOCAL AUTHORITY constituted by the Local Government etc (Scotland) Act 1994 and having its registered head office at [REDACTED] (it and its successors and assignees being hereinafter referred to as “[REDACTED] Council”)

(each a “Party” and together the “Parties”).

WHEREAS:-

- (A) SEPA and [REDACTED] COUNCIL have agreed to work together on the project detailed in Part A of the Schedule to this MoU (the “Project”).
- (B) The Parties wish to record the basis on which they will collaborate with each other on the Project. This MoU sets out:
 - (a) the key objectives of the Project;
 - (b) the principles of collaboration;
 - (c) the governance structures the parties will put in place; and
 - (d) the respective roles and responsibilities the Parties will have during the Project.

THE PARTIES HAVE AGREED as follows:-

1. DEFINITIONS

For the purposes of this MoU:-

- 1.1. “Commencement Date” means the last date of execution hereof;
- 1.2. “Funding Agreement” means the agreement for the provision of a grant of WEF funds, from SEPA to the Grantee.
- 1.3. “Information Asset Owner” has the meaning provided in clause 8;
- 1.4. “Key Objectives” means the key objectives of the Project set out in Part A of the Schedule to this MoU;
- 1.5. “MoU” means this Memorandum of Understanding;

- 1.6. “Principles” means the principles as set out in Clause 4;
- 1.7. “Project” is the Project identified at Schedule Part A;
- 1.8. “Project Board” is as defined and composed in Schedule Part B;
- 1.9. “Responsible Officer” has the meaning provided in clause 7.
- 1.10. “SEPA” means the Scottish Environment Protection Agency, whose principal office is at Strathallan House, Castle Business Park, Stirling, FK9 4TZ, which includes their statutory successors and permitted assignees;
- 1.11. “Working Day” means each day when banks are open for normal business in Edinburgh (excluding Saturdays & Sundays and public holidays in Edinburgh)

2. PURPOSE OF THE MOU

- 2.1. This MoU has been drawn up following discussions between the Parties. It reflects the wishes of the Parties to collaborate on the Project.

3. KEY OBJECTIVES FOR THE PROJECT

- 3.1. The Parties shall undertake the Project to achieve the Key Objectives set out in Part A of the Schedule to this MoU.
- 3.2. The Parties acknowledge that the current position with regard to the Project and the contributions already made (financial and otherwise) are as detailed in Part A of the Schedule to this MoU.

4. PRINCIPLES OF COLLABORATION

- 4.1. The Parties agree to adopt the following principles when carrying out the Project (the “Principles”):
 - 4.1.1. collaborate and co-operate - establish and adhere to the governance structure set out in this MoU to ensure that activities are delivered and actions taken as required;
 - 4.1.2. be accountable - take on, manage and account to each other for performance of the respective roles and responsibilities set out in this MoU;
 - 4.1.3. be open - communicate openly about major concerns, issues or opportunities relating to the Project;
 - 4.1.4. learn, develop and seek to achieve full potential - share information, experience, materials and skills to learn from each other and develop effective working practices, work collaboratively to identify solutions, eliminate duplication of effort, mitigate risk and reduce cost;

- 4.1.5. adopt a positive outlook - behave in a positive, proactive manner;
- 4.1.6. adhere to statutory requirements and best practice - comply with applicable laws and standards including EU procurement rules, data protection and freedom of information legislation;
- 4.1.7. act in a timely manner - recognise the time-critical nature of the Project and respond accordingly to requests for support;
- 4.1.8. manage stakeholders effectively;
- 4.1.9. deploy appropriate resources - ensure sufficient and appropriately qualified resources are available and authorised to fulfil the responsibilities set out in this MoU; and
- 4.1.10. act in good faith to support achievement of the Key Objectives and compliance with these Principles.

5. GOVERNANCE PRINCIPLES

- 5.1. The following guiding principles are agreed. The Project's governance will:
 - 5.1.1. provide strategic oversight and direction;
 - 5.1.2. be based on clearly defined roles and responsibilities at organisation, group and, where necessary, individual level;
 - 5.1.3. Form a Project Group consisting/supported by technical specialists responsible for delivering project stages;
 - 5.1.4. Form a Project Board with suitable representation to provide governance support, strategic oversight and direction to the Project Group.
 - 5.1.5. align decision-making authority with the criticality of the decisions required;
 - 5.1.6. be aligned with Project scope [and each Project stage] (and may therefore require changes over time);
 - 5.1.7. leverage existing organisational, group and user interfaces;
 - 5.1.8. provide coherent, timely and efficient decision-making; and
 - 5.1.9. correspond with the key features of the Project governance arrangements set out in Schedule Part B

6. ROLES AND RESPONSIBILITIES

- 6.1. The Parties shall undertake the following roles and responsibilities to deliver the Project.

Activity	SEPA	Council
Provide funds for the project, subject to appraisal, for which SEPA is responsible for contributing, in accordance with the Funding Agreement, subject to the Project meeting defined stage gates.	Lead	Assure
Provide funds for the project for which Council is responsible for contributing.	Assure	Lead
To act as Project Leader, leading and directing the various elements comprised in the Project, co-ordinating the works and services to be performed by those engaged in the Project, monitoring the performance of those engaged in the project, and reporting to SEPA's Responsible Officer on the progress and performance of the Project.	Assure	Lead
Contributing specialist technical input	Joint-Lead	Joint-Lead

6.2. For the purpose of the above table:

Lead: the Party that has principal responsibility for undertaking the particular task, and that will be authorised to determine how to undertake the task. The Lead must act in compliance with the Key Objectives and Principles at all times, and consult with the other Party in advance if they are identified as having a role to Assure the relevant activity;

Assure: the Party that will defer to the Lead on a particular task, but will have the opportunity to review and provide input to the Lead before they take a final decision on any activity. All assurance must be provided in a timely manner. Any derogations raised must be limited to raising issues that relate to specific needs that have not been adequately addressed by the Lead and/or concerns regarding compliance with the Key Objectives and Principles.

7. RESPONSIBLE OFFICERS

7.1. Each Party shall appoint an individual as its Responsible Officer who shall represent such Party and be responsible for the day-to-day operation of the MoU.

7.2. Each Party may replace its Responsible Officer, whether temporarily or permanently, by giving written notice to the other Party. A Party shall use its reasonable endeavours to issue any such notice prior to the replacement being made.

7.3. The Responsible Officer for SEPA is:

name

address

Tel: ..

...@sepa.org.uk

7.4. The Responsible Officer for ... Council is:

...

8. INFORMATION ASSET OWNERS

8.1. Each Party shall appoint an individual as its Information Asset Owner who shall represent such Party and be responsible for the security of and release of information to be provided or shared as part of this MoU.

8.2. Each Party may replace its Information Asset Owner, whether temporarily or permanently, by giving written notice to the other Party. A Party shall use its reasonable endeavours to issue any such notice prior to the replacement being made.

8.3. The Information Asset Owner for SEPA is:

name

address

Tel: ..

...@sepa.org.uk

8.4. The Information Asset Owner for ... Council:

...

9. INCOME AND EXPENDITURE

9.1. Except as otherwise provided, the Parties shall each bear their own costs and expenses incurred in complying with their obligations under this MoU.

9.2. The Parties agree to share the costs and expenses arising in respect of the Project between them in accordance with the Funding Agreement entered into by the Parties.

- 9.3. The Parties shall remain liable for any losses or liabilities incurred due to their own or their employee's actions and neither Party intends that the other Party shall be liable for any loss it suffers as a result of this MoU.
- 9.4. SEPA will undertake a stage review process between each stage of the Project, and will appraise the merits of SEPA's continued funding of the Project. ... Council shall not commence any work, spend any granted funds or commit any granted funds until SEPA's Responsible Officer has approved in writing, progression to the relevant stage. SEPA's approval of progression to the relevant stage shall not be unreasonably withheld, however will be subject to continuing internal appraisal of the project.
- 9.5. ... Council shall be responsible for administering all funds received in respect of the Project.

10. REVIEW

- 10.1. This MoU shall be reviewed on each anniversary of the Commencement Date with a view to evaluating the effectiveness of the Project and whether any amendments to MoU are required.
- 10.2. Notwithstanding the provisions of Clause 10.1, either Party may require a review of the MoU at any time by serving 4 weeks written notice on the other Party, stating the Party's concerns regarding the Project and the MoU and summarising what changes it believes are necessary.
- 10.3. Where a review of this MoU is required under Clauses 10.1 or 10.2, the Parties shall meet to consider the Project and the MoU.

11. DISPUTE RESOLUTION PROCEDURE

- 11.1. If either Party has any issues, concerns or complaints about the Project, or any matter in this MoU, that Party shall notify the other party's Responsible Officer and the Parties shall seek to resolve the issue by a process of consultation. Such consultation shall take place within 10 working days of the date of receipt of a notice issued under this Clause 11 or as soon as reasonably practicable. If the issue cannot be resolved within 10 working days of consultation, the matter may be escalated to the Project Board for resolution. If the matter cannot be resolved by the Project Board within a reasonable time, either party may refer the matter to the chief executive (whosoever termed) of the other Party and the chief executives (or their nominees) of the Parties shall then meet to seek to resolve such issues, concerns or complaints.

12. DATA SECURITY

- 12.1. The Parties shall comply in full with all laws and guidance applicable to SEPA and to ... Council, including but not limited to, those relating to data security,

and accordingly, shall comply with the mandatory requirements of the Security Policy Framework (as amended from time to time) by HM Government, including the Baseline Personnel Standard.

- 12.2. Each Party shall release data for use for the purposes of this MoU only after obtaining the agreement of its Information Asset Owner.

13. DATA PROTECTION

- 13.1. The Parties do not otherwise anticipate that they will share any Personal Data, jointly Process any Personal Data, or that either Party will Process any Personal Data on behalf of the other under or in connection with this MoU or the Project. If and to the extent that (i) the Parties will share Personal Data with each other; (ii) the Parties will jointly Process any Personal data; and/or (ii) either Party is to Process Personal Data on behalf of the other, then the Parties will first enter into a data processing agreement or data sharing agreement (or a variation to this MoU) on terms acceptable to SEPA.
- 13.2. Notwithstanding Clause 13.1, each party shall comply with its obligations under Data Protection Law.
- 13.3. In this Clause 13, “**Personal Data**” and “**Processing**” shall have the meanings given to those terms in the General Data Protection Regulation 2016/679 and the Data Protection Act 2018 and any other applicable laws relating to the processing of personal data and privacy from time to time (“**Data Protection Law**”), and “**Process**” shall be construed accordingly.

14. TERM AND TERMINATION

- 14.1. This MoU shall commence on the Commencement Date, and shall expire and shall expire 5 years after the Commencement Date or such later other as may be agreed between the Parties.
- 14.2. Either Party may terminate this MoU by giving at least three months’ notice in writing to the other Party at any time.
- 14.3. Notwithstanding termination of this MoU under Clause 14.1 or 14.2, the Parties shall continue to co-operate in accordance with this MoU with respect to all requests for assistance that were made under the MoU prior to the termination.

15. VARIATION

This MoU, including the Schedule, may only be varied by written agreement of both Parties.

16. STATUS

16.1. This MoU is not intended to be legally binding, and no legal obligations or legal rights shall arise between the Parties from this MoU. The Parties enter into the MoU intending to honour all their obligations.

16.2. Nothing in this MoU is intended to, or shall be deemed to:-

16.2.1. establish any partnership or joint venture between the Parties, constitute any Party as the agent of any other Party, nor authorise any of the Parties to make or enter into any commitments for or on behalf of the other Party; and

16.2.2. adversely affect or prejudice the ability of SEPA to act in its capacity as a regulator.

17. MISCELLANEOUS

The Parties shall execute one principal copy of this MoU which shall be retained by SEPA. Certified copies of the MoU shall be supplied by SEPA on request.

IN WITNESS WHEREOF these presents comprising this and the 10 preceding pages are executed as follows:-

SIGNED for and on behalf of
SCOTTISH ENVIRONMENT PROTECTION AGENCY by
[redacted] at [redacted] on the [redacted]

[redacted]

in the presence of:-

Witness:

Full Name:

Address.....

.....

SIGNED for and on behalf of

... COUNCIL by ...

at ... on the ...

...

in the presence of:-

Witness

Full Name

Address

.....

This is the Schedule referred to in the foregoing MoU among Scottish Environment Protection Agency and ... Council

SCHEDULE

PART A: THE PROJECT

Project overview

The ... Restoration Project aims to restore natural river morphology and associated river habitats in combination with wider socio-economic improvements such as reduced flood risk and improved climate change resilience; improved access, greenspace and amenity; and nourish a stronger connection between the local community and the river environment in The project will be coordinated by ... COUNCIL and will contribute towards flood risk attenuation and climate change resilience work being undertaken by ... COUNCIL. SEPA and ... COUNCIL are working together to provide environmental restoration with a range of wider benefits for the local community including improved access, recreation and visual amenity; and awareness and connectivity with the river environment.

In order to maximise the benefits of the project, SEPA and ... COUNCIL will provide and share relevant expertise and information, and work in a positive manner together to achieve project success. This MoU describes how SEPA and ... COUNCIL will work together to support the project.

SEPA will provide funding and offer relevant expertise, form part of the project board and project group; ... COUNCIL will hold and manage funds in accordance with the Funding Agreement, commission works and form part of the project board and project group.

The Key Objectives

The objectives of the project are to deliver the following:

- Make significant improvement to the river's physical condition and morphological status in order to achieve Good Ecological Potential, or as close as possible;
- Reduce flood risk to communities and improve resilience to climate change;
- Improve and enhance instream and riparian habitat and biodiversity of the waterbody;
- Improve access, recreation opportunities and visual amenity in the area;
- Ensure the work aligns with ... Council's green network strategy.

- Increase awareness and connectivity of the local community with the river environment.

The existing position

...

Funding

SEPA Funding of the Project shall be governed by the Funding Agreement. Funding will be granted from SEPA's Water Environment Fund (WEF) to ... COUNCIL who will also contribute funds to ensure all objectives of the project can be delivered. ... COUNCIL will use the funds to contract a consultant to produce ... which meets the key objectives outlined above. No guarantee is given on future funding.

To date the following funding has been agreed:

- WEF funding confirmed for RIBA Stage 1 – feasibility work (£50K).
- AC confirmed funding for RIBA Stage 1 – feasibility work (£25K)

Funding contribution 20/21 has been agreed:

- WEF funding for RIBA Stage 2 & 3- concept and developed design (£100K)
- AC funding for RIBA Stage 2 & 3- concept and developed design (£35K)

SCHEDULE PART B - GOVERNANCE ARRANGEMENTS

1. **Overview**

- 1.1. The governance structure defined below provides a structure for the development and delivery the Project.

2. **Project Group**

- 2.1. The Project Group provides technical expertise and partnership support to assist the Project Lead in delivering their role. The Project Group Members are:

2.1.1. ...

2.1.2. ...

2.1.3. ...

- 2.2. Other technical specialists from ... Council or SEPA may join Project Group meetings when deemed appropriate.

3. **Reporting**

- 3.1. Project reporting shall be undertaken as follows:

3.1.1. **Project Group:** An action log will be recorded for each Project Group meeting. Any additional reporting requirement shall be at the discretion of the Project Group.

3.1.2. **Organisational:** the Project Group shall be responsible for updating the Project Board.

4. **Project Group Terms of Reference**

4.1. *Remit*

4.1.1. Manage project programme and finances;

4.1.2. Identify risks/issues in the project

4.1.3. Provide support and technical specialist assistance to Project Lead;

4.1.4. Provide updates to the Project Board

4.2. *Decision Making*

4.2.1. Decisions by the Project Group shall be agreed by consensus

4.3. *Meetings*

4.3.1. The Project Group shall meet regularly during the existence of this Memorandum of Understanding to carry out its duties.

4.3.2. The Project Group shall comprise a minimum quorum of 1 authorised representative nominated from each Party.

5. Project Board

5.1. The Project Board provides strategic oversight and direction to the Project. The Project Board members are:

5.1.1. ...

5.1.2. SEPA, Unit Manager

5.2. Other Project Board members from ... Council, SEPA or identified Stakeholder may be added to the Project Board

6. Reporting

6.1. Project reporting shall be undertaken as follows:

6.1.1. **Project Board:** Minutes and actions will be recorded for each Project Board meeting. Any additional reporting requirement shall be at the discretion of the Project Board.

6.1.2. **Organisational:** the Project Board members shall be responsible for reporting into their respective sponsoring organisation. Project Board required to review reports before being issued.

7. Project Board Terms of Reference

7.1. *Remit*

7.1.1. Set out and vary the budget and business plan;

7.1.2. Approve all design and final requirements of the partners;

7.1.3. Ensure the effective running of the project.

7.2. *Decision Making*

7.2.1. Decisions by the Project Board shall be agreed by consensus

7.3. *Meetings*

7.3.1. The Project Board shall meet regularly during the existence of this Memorandum of Understanding to carry out its duties.

- 7.3.2. The Project Board shall comprise a minimum quorum of 1 authorised representative nominated from each Party.
- 7.3.3. The Project Board shall meet at SEPA Perth office or Dundee Doubletrees Hilton Hotel or such other locations as the Project Board members may determine, and will be held monthly or at such other intervals as the members of the Project Board may determine.
- 7.3.4. The Project Board members shall not be involved in considering planning applications or CAR Licenses (and if involved in considering planning applications or CAR Licenses, Parties shall ensure probity and that no challenge on that basis can successfully be made to any planning permission or license granted).
- 7.3.5. A Project Board member may nominate a substitute representative to attend a meeting in their place by notifying the other Party in advance.
- 7.3.6. Other representatives of the Parties shall be entitled to attend meetings of the Project Board at the discretion of the Project Board.
- 7.3.7. The Project Board shall require minutes to be made of all meetings of the Project Board and these shall be evidence of the proceedings. Minutes of the Project Board's actions and decisions shall be circulated in a timely manner to the Project Board members.
- 7.3.8. Project Board members shall declare any interest which could be prejudicial to the Project Board, prior to any Project Board meeting.
- 7.3.9. The appointment of the chairman shall be made by consensus of the Project Board members. If the chairman is not present at any Project Board meeting the Project Board members may appoint one of their number present to act as chairman for the purpose of the meeting.

ABERDEEN CITY COUNCIL

COMMITTEE	Net Zero, Environment and Transport
DATE	20 June 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Road Safety Budget Programme 2023-2024
REPORT NUMBER	RES/23/164
DIRECTOR	Steven Whyte
CHIEF OFFICER	Mark Reilly
REPORT AUTHORS	Vycki Ritson
TERMS OF REFERENCE	7, 8

1. PURPOSE OF REPORT

- 1.1 This report outlines the proposed Road Safety programme for the approved 2023/2024 capital budgets. Members are asked to approve the schemes as detailed in this report and associated appendix. This report should be read in conjunction with the appendices and the report presented to the 9th May 2023 Net Zero Environment & Transport Committee detailing the [Roads and Transport Related Capital Budget Programme 2023-2024](#).
- 1.2 It is vital and business critical that these schemes are approved at the Net Zero, Environment and Transport Committee to allow officers to continue with the design and procurement preparations necessary to facilitate the numerous capital schemes and associated contracts. Work has already commenced on a number of previously approved schemes in order that the approved budget can be delivered during the weather window for such works. It should be noted that for many of these works, the Scottish Roadworks Commissioner mandates a minimum three-month notice period prior to commencement of works, and in order to allow the completion of the programme outlined in this report, many of these notices have already been placed.

2. RECOMMENDATIONS

That the Committee:-

- 2.1 approves the schemes listed in appendices A & B as the detailed proposals for expenditure within each budget heading; and
- 2.2 instructs the Chief Officer - Operations and Protective Services, following consultation with the Head of Commercial and Procurement Service, to undertake or instruct appropriate procedures in accordance with the Council's procurement regulations to procure the works referred to in the appendices for the Road Safety and Road Safety Infrastructure funds as part of the capital budget programme for the financial year 2023/24 and award contracts relating thereto.

3. CURRENT SITUATION

- 3.1 With the 2022/23 financial year being the first since 2020 to be entirely free of Covid restrictions, there has been a return to normal operating conditions. Covid measures presented a significant challenge to operations and led to works having to be condensed into a particularly short timeframe. Officers anticipate that a recurrence of similar measures is unlikely in 2023/24.
- 3.2 Last year officers reported concerns that the Russian invasion of Ukraine may have implications for the cost of road surfacing materials. Whilst an increase in bitumen was observed, cost increases were lower than feared at around 10% - previous predictions were that this figure could have been closer to 15%. However, officers have been cautious with the cost estimations for the coming years schemes as we have recognised that there is ongoing price volatility within the supply chain, especially with regards to oil derived products.
- 3.3 Estimated costs for the individual proposed works are included in the appendices to this report.
- 3.4 The appendices to this report set out the proposed capital works which will be funded through the approved capital budgets for each of the following areas:

Appendix	Budget title	Budget Value
A	Road Safety Fund	£200,000
B	Road Safety Infrastructure Fund	£255,839
Total Capital		£455,839

- 3.5 Estimated costs for the individual proposed works are included in the appendices.
- 3.6 The proposals presented are in line with the Local Transport Strategy to provide safe road crossings, promote active travel and reduce traffic speeds with the aim of contributing to accident reduction and the improvement of safety for all road users. The updated Road Safety Plan is to be presented to this committee in August. Priority actions from that document may be taken forward from the Road Safety funds this financial year if resources allow.

4. FINANCIAL IMPLICATIONS

- 4.1 Expenditure will be in accordance with the Council's approved capital budgets for the 2023/2024 financial year.
- 4.2 It should be noted that outside market challenges have the potential to significantly impact this, and future, year's programmes. The ongoing war in Ukraine, the continued post-pandemic economic climate and Brexit have led to increased and uncertain prices from suppliers. Whilst prices have stabilised somewhat since 2022, a significant degree of uncertainty remains. All financial values in this report are based upon best estimates of what costs will be this

year, however if material prices, inflation & labour and plant costs continue to rise, sums significantly higher than those quoted in this report will be required. There is a significant risk that should material prices continue to rise, it may not be possible to complete the programmes outlined in the appendices to this report.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations of this report.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 Resurfacing and renewing carriageway and footway assets with bituminous materials comes with an inherent negative environmental impact due to the use of quarried materials and oil-based binders. However, as material technologies evolve, opportunities for lower carbon surfacing are starting to come to market.
- 6.2 In February 2023 Aberdeen City Council laid a section of the North Deeside Road (A93) in Peterculter using warm mix asphalt. This material differs from a standard asphalt in that it is produced at lower temperatures than a standard asphalt. With significant carbon emissions associated with heating of asphalt material, this in turn has the effect of a lower carbon footprint product as well as reducing fumes. The performance of this material will be monitored and its value, both financial and environmental will be evaluated. Officers are continually monitoring the market for lower carbon surfacing solutions and will investigate the viability of performing further trials of any products which may be suitable for use on the Aberdeen network.
- 6.3 The use of techniques to preserve carriageway which is in good condition to minimise resurfacing are also being investigated, however many asphalt preservation methods continue to be targeted at higher speed network and are not all particularly appropriate for urban networks.
- 6.4 Electric plant (including vans, diggers) and tools, such as saws, continue to be trialled with a view to reducing operational carbon output. Hydrogen powered vehicles remain a consideration for fleet replacement, however it should be noted that while some hydrogen powered vehicles exist as potential replacements to some diesel fleet, lead times and pricing can significantly reduce the viability of these options.
- 6.5 The roads service will review sites where footway resurfacing is being carried out to identify sites where it may be appropriate to plant trees. While trees have a positive environmental impact, care must be taken to only plant where appropriate so as not to cause damage to the surrounding footway and carriageway assets which could negate any benefit brought by the tree.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	Failure to appropriately maintain the assets outlined in this report will lead to network deterioration, risking the Council's ability to deliver on its LOIP.	By appropriately maintaining assets, the Council can ensure that strategic risk level is minimised.	L	Yes
Compliance	It is a statutory duty for the Council to maintain adopted assets. Failure to do so would be a breach of this duty and would render the Council open to legal claims for compensation.	By appropriately maintaining assets and operating a robust set of inspection regimes, the Council can minimise risk of statutory non-compliance.	L	Yes
Operational	Failure to adequately maintain assets will lead to deterioration and increased numbers of safety defects/maintenance issues on those assets. This will create a substantial operational burden.	By appropriately maintaining assets, the Council can ensure that the operational burden resulting from safety defects is minimised.	L	Yes
Financial	Failure to adequately maintain assets will lead to increased deterioration and increased future repairs costs across the network.	Appropriate maintenance of assets will lead to a lower whole of life asset maintenance cost.	L	Yes
Reputational	The deterioration of the assets to which this report relates are highly visible to our customers. Failure to maintain these will result in reputational damage. A significant number of customer enquiries relate to the conditions of these assets.	By appropriately maintaining assets, reputational damage can be minimised, although it is acknowledged that a level of dissatisfaction with asset condition will always exist.	L	Yes
Environmental	The activities associated with completing the works outlined in this report	Appropriate maintenance of assets and using lower carbon solutions where available will	L	Yes

	have a negative environmental impact	mitigate negative environmental impact.		
--	--------------------------------------	---	--	--

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
	Impact of Report
<p>Aberdeen City Council Policy Statement</p> <p><i>Section iii Place 5. Continue to invest to resurface damaged roads and pavements throughout the city</i></p>	<p>The proposals within this report are included within the approved rolling programme of additional capital funding over the five-year period from 2023 to 2028 for the additional investment in roads.</p>
<u>Aberdeen City Local Outcome Improvement Plan</u>	
<p>Prosperous Place Stretch Outcomes</p>	<p><i>14. Increase sustainable travel: 38% of people walking and 5% of people cycling as main mode of travel by 2026.</i></p> <p>This report details footway and carriageway improvement schemes which are necessary to provide customers with a safe infrastructure for walking and cycling.</p>
<p>Regional and City Strategies</p> <p>NESTANS Regional Transport Strategy 2040</p>	<p>The proposals set out in the appendices to this report support the NESTRANS regional transport strategy and include schemes funded by NESTRANS.</p>

9. IMPACT ASSESSMENTS

Assessment	Outcome
<p>Integrated Impact Assessment</p>	<p>This report has positive implications for safer travel and improved network accessibility.</p>

10. BACKGROUND PAPERS

10.1 Roads and Transport Related Budget Programme 2023-2024

11. APPENDICES

11.1 The full list of appendices is outlined below:

Appendix A **Road Safety Fund**

A new Road Safety Fund of £200,000 per annum was approved through the budget process at Council on 1 March 2023. The programme for these works will provide significant road safety benefits in an effort to achieve accident reduction as well as reduce the number and severity of injuries sustained in road traffic accidents across the city. All schemes will be implemented as soon as possible subject to the successful promotion of any required legislation.

Appendix B **Road Safety Infrastructure Fund (Transport Scotland Grant)**

Programme of the proposed capital fund available from Transport Scotland for local authorities to bid for, to deliver road safety interventions to assist in reaching Scotland's Road Safety Framework to 2030 - Safe Systems aspirations.

12. REPORT AUTHOR CONTACT DETAILS

Name	Vycki Ritson
Title	Team Leader
Email Address	vritson@aberdeencity.gov.uk
Tel	01224 069577

APPENDIX A - Proposed Road Safety Fund Expenditure

DESCRIPTION OF WORK		Overall Budget
RS01 Road Safety	Landscaping at roundabouts to improve visibility. CCTV on George Street to monitor traffic movements and pedestrians safety.	£120,000.00
RS02 Road Safety Plan	Monitor road traffic collision data and determine areas of focus.	£5,000.00
RS03 Road Safety Promotion	Investigate option of a road safety resource for schools.	£15,000.00
RS04 Traffic Management	Investigate and implement traffic management measures across the city network to improve safety for all road/ transport users.	£60,000.00
	Total (RS)	£200,000.00

APPENDIX B - Proposed Road Safety Infrastructure Fund Expenditure

These schemes are subject to approval by Transport Scotland in line with the guidance provided in the grant offer letter of 9/6/2023.

DESCRIPTION OF WORK		Overall Budget
RS05 Driver Education	Implementation of vehicle activated signs at existing and new sites.	£140,839.00
RS06 Route Action Measures	Corridor improvements to signing, lining and reflective markers.	£50,000.00
RS07 Location specific actions	Hilton Drive/ Hilton Road improvements, initial actions.	£65,000.00
	Total (RSIF) (total award still to be confirmed)	£255,839.00

This page is intentionally left blank