

## ENTERPRISE, PLANNING AND INFRASTRUCTURE COMMITTEE

ABERDEEN, 9 November, 2010. – Minute of Meeting of the ENTERPRISE, PLANNING AND INFRASTRUCTURE COMMITTEE. Present:- Councillor Dean, Convener; Councillor McCaig, Vice-Convener; and Councillors Adam, Allan, Boulton (from article 3 onwards), Clark, Corall, Cormie, Crockett (from article 1 to article 24), Fletcher (from article 1 to article 24), Jaffrey, Milne (from article 1 to article 24), Penny, Robertson and John West.

Councillor Graham was in attendance for article 6 only.

From article 24 onwards Councillor Farquharson was in attendance as a substitute for Councillor Milne and Councillor Young was in attendance as a substitute for Councillor Crockett.

### **DETERMINATION OF EXEMPT ITEMS OF BUSINESS**

1. Prior to considering the matters before the Committee, the Committee resolved, in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting for articles 23, 24, 25 and 26 only, so as to avoid disclosure of exempt information of the class described in paragraphs 4, 6 and 9 of Schedule 7(A) to the Act.

### **REQUESTS FOR DEPUTATION**

2. The Committee had before it, in accordance with Standing Order 10(1), a request for deputation from Mrs. Trudi Allan in relation to item 4.1 (Motion by Councillor Graham) on the agenda. The Committee also had before it a request for deputation which had not been received timeously in accordance with Standing Order 10(1) from Mr. Steven Bothwell in relation to item 7.4 (Aberdeen - City Development Company) on the agenda.

Councillor Adam moved as a procedural motion, seconded by Councillor Allan:-

That the request from Mr. Bothwell in relation to item 7.4 (Aberdeen - City Development Company) on the agenda be heard.

On a division, there voted:- for the procedural motion (3) – Councillors Adam, Allan and Crockett; against the procedural motion (11) – the Convener; the Vice-Convener; and Councillors Clark, Corall, Cormie, Fletcher, Jaffrey, Milne, Penny, Robertson and John West.

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

- (i) to hear the request for deputation from Mrs. Trudi Allan in relation to item 4.1, along with the accompanying report; and
- (ii) to reject the procedural motion and thereby not to hear the request for deputation from Mr. Steven Bothwell.

## **MINUTE OF PREVIOUS MEETING**

3. The Committee had before it the minute of its previous meeting of 7 September, 2010.

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

- (i) to add Councillor Corall as being in attendance; and
- (ii) to approve the minute as an accurate record.

## **COMMITTEE BUSINESS STATEMENT**

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

In relation to item 3 (Peacock Visual Arts Centre/Northern Light), the Director of Enterprise, Planning and Infrastructure advised that the Council was in ongoing discussion with the Board of Peacock Visual Arts and that the Board had now made a decision regarding the future and as such the Council would be in a position to report to the next meeting of the Committee.

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

- (i) in relation to item 2 (Energy Futures Centre), to note the Director's assurance that a report on this matter would be submitted to the next meeting of the Committee on 18 January, 2011;
- (ii) in relation to item 3 (Peacock Visual Arts Centre/Northern Light), to note (a) the oral update provided by the Director; and (b) that a report on this matter would be submitted to the next meeting of the Enterprise, Planning and Infrastructure Committee on 18 January, 2011;
- (iii) in relation to item 9 (Controlled Parking Areas Working Party), to request officers to explore the possibility of supplying parking vouchers at the Point and that this information be included in the report back to the Committee on various pay and display permit matters, which was due to be considered at its meeting on 18 January, 2011;
- (iv) to delete item 19 (Enterprise, Planning and Infrastructure Directorate Business Plan 2010-2013);
- (v) to delete items 11 (South Aberdeen Coastal Regeneration Project – Next Steps), 14 (Old Lang Stracht – Request for 30mph Speed Limit), 18 (Townscape heritage Initiative), 25 (2010/2011 Revenue Budget Monitoring), and 28 (North Territory Hub Programme), subject to the matter being dealt with later on the agenda; and
- (vi) to otherwise note the updates contained within the statement.

## **MOTIONS LIST**

5. The Committee had before it a statement of outstanding motions under the Committee's remit, which had been prepared by the Head of Legal and Democratic Services.

**The Committee resolved:-**

- (i) to note that reports on Motions 2 (Councillor John West –Pavement Cafes) and 3 (Councillor Graham – Provost Fraser Drive) would be considered later on the agenda; and
- (ii) to otherwise note the updates contained therein.

**MOTION BY COUNCILLOR GRAHAM – CONVERSION OF THE EXISTING ZEBRA CROSSING FACILITY ON PROVOST FRASER DRIVE TO A PUFFIN CROSSING – EPI/10/237**

6. With reference to article 7 of the minute of the meeting of the Enterprise, Planning and Infrastructure Committee of 7 September, 2010, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided information on the terms of the following motion which had been submitted by Councillor Graham:-

“That the Committee considers the conversion of the existing zebra crossing facility on Provost Fraser Drive to a puffin crossing. The funding for the conversion to come from the 2010/2011 Non-Housing Road Safety and Traffic Calming budget or some other future budget.”

The report advised that since the current zebra crossing had been installed, this topic had been raised on a number of occasions, particularly by the residents of the nearby sheltered housing complex. Following these enquiries surveys had been undertaken all of which had indicated that the existing crossing facility was adequate and that it did not qualify for upgrading to a signalised puffin crossing. As the surveys had been carried some time ago, a further survey was carried out to ascertain the current levels of pedestrian and vehicular movements in the vicinity of the zebra crossing on Provost Fraser Drive.

In terms of the Council’s procedure and criteria for pedestrian crossings, the report advised that the Council used methods outlined by the Department for Transport. The method not only measured both traffic and pedestrian flow, but also other factors such as carriageway width, accident history, and other local facilities such as schools, shops, etc. Various numerical factors were obtained using this method and ultimately a final value combining these factors was used to ascertain whether or not there was justification for the installation of a facility. The procedure and policies applied have been in use for some time and for undertaking in accordance with the policies and procedures approved at a national level as well as ratified by Committee. A conflict value of  $1.0 \times 10^8$  or above would qualify for the provision of a controlled crossing. A value of less than  $0.7 \times 10^8$  would not qualify for any type of crossing facility but the location in question would continue to be monitored.

Specifically in terms of the location at Provost Fraser Drive, the report advised of the survey findings wherein figures for the number of pedestrians crossing as well as traffic flow at the various peak time periods were provided. It was advised that the figures from the survey which was undertaken on 14 September 2010 had resulted in a final  $PV^2$  value of  $0.20 \times 10^8$ , well below the desired criteria of  $1.0 \times 10^8$  for a signalised puffin crossing.

As agreed at the beginning of the meeting (see Article 2 above), the Committee then heard from Mrs Trudi Allan, President of the Quarryhill Court, who advised that residents of Quarryhill had been asking for a puffin crossing at the location since 1989; provided an overview of the history of near incidents at the location and emphasised the importance for safety reasons for having a puffin crossing.

Councillor Graham, was in attendance and spoke to his motion, explaining the rationale behind his request and further emphasised the points raised by Mrs Allan. In particular, Councillor Graham highlighted the reasons why the existing zebra crossing was not sufficient and the safety issues which arose from it.

**The report recommended:-**

that no further action was required in relation to the conversion of the existing zebra to a puffin crossing on Provost Fraser Drive and that otherwise the content of the report be noted.

Councillor Graham, seconded by Councillor Allan, moved:-

that the existing crossing facility on Provost Fraser Drive be converted to a puffin crossing, with the funding for the conversion to come from the 2011/2012 Non-Housing Road Safety and Traffic Calming budget.

As an amendment, the Convener, seconded by the Vice-Convener, moved:-

that consideration of the conversion of the existing zebra crossing on Provost Fraser Drive to a puffin crossing be referred to the budget process for 2011/2012.

On a division, there voted:- for the motion (6) – Councillors Adam, Allan, Boulton, Crockett, Milne and Graham; for the amendment (10) – the Convener; the Vice-Convener; and Councillors Clark, Corall, Cormie, Fletcher, Jaffrey, Penny, Robertson and John West.

**The Committee resolved:-**

to adopt the amendment.

**MOTION BY COUNCILLOR JOHN WEST – PAVEMENT CAFÉS - EPI/10/195**

7. With reference to article 16 of the minute of the meeting of the Council of 19 May, 2010, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure in response to the following notice of motion submitted by Councillor John West:-

“In order to promote the café culture, the Council should organise a meeting with representatives of the restaurant and café trade, planning, licensing and road officials with a view to identifying and removing barriers for successful pavement seating.”

The report advised that the Council supported and encouraged the provision of pavement cafés in the city as they made a positive contribution by adding vitality, colour, life and interest to the streetscene. However, it also highlighted that whilst the provision of street cafés was encouraged, it was important that they were properly administered and managed to ensure that they met the high standards expected in the city. In particular they should not obstruct the footway or create a

hazard for pedestrians especially for blind, partially sighted and other disabled people and they should also be attractive areas to sit in. To assist in making decisions for granting permissions for chairs and tables, outside premises on the public highway a Pavement Cafés Design Guide had been developed and approved by the Council.

In terms of the Pavement Cafés Design Guide, it was highlighted that prior to operating a pavement café the guide identified two permissions that were required by the Council which appeared to be the main barriers identified by trade premises, namely:- (1) planning approval, and (2) road permit.

Firstly, in terms of planning approval, it was advised that a pavement café required planning approval under the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 Part 4 – Temporary Buildings and Uses (Class 15). The Planning Service interpreted this part of the order as meaning that planning permission was required for any of the following aspects in relation to a pavement café:-

- (a) pavement cafés which comprise furniture which was permanent or not readily moveable;
- (b) pavement cafés which were in operation for more than twenty-eight days in total in any calendar year; and
- (c) pavement cafés which were stand alone activities and not associated with existing premises if in use for more than twenty-eight days in total in any calendar year.

Planning permission was not required if the café was on private land which already had permission for the use. The cost of a planning application at present was £319 and there was an additional cost of £60 for an advert if the premises were licensed. Enquiries to other local authorities indicated that there was no consistent approach but the Planning Service maintained that the Council were unable to waive the requirement for planning and/or the application fee as this was national legislation and the Council were legally obliged to continue with the procedure.

Secondly, in relation to the road permit, it was advised that it was also necessary to obtain the approval of the Road Authority for placing of tables and chairs on the public footway. This was to ensure that the lay-out of the tables and chairs did not cause an obstruction to pedestrians in accordance with Section 59 of the Roads (Scotland) Act. The cost of obtaining a road permit was £150 annual administration fee plus £25 per chair paid annually. It was estimated that an average application should take approximately four to five hours to progress including a site visit and so there was a cost implication to the Council of approximately £100 in salaries.

The report provided a detailed overview of the comments received following consultation on this matter and also of other issues which had arisen from the current policy. A copy of the Council's Pavement Cafés on the Public Footway policy was appended to the report.

**The report recommended:-**

that the Committee note the contents of this report and if considered necessary to instruct officers to review the policy document for the placing of tables and chairs on the public footway.

**The Committee resolved:-**

- (i) to modify the cost for a road permit for up to 24 chairs to an annual fee of £100 only; that the £25 charge per chair, that was currently in place be removed for pavement cafes with up to 24 chairs; to refer this matter to the Finance and Resources Committee for approval, and that otherwise the cost for more than 24 chairs and the policy remain unchanged;
- (ii) to request officers to review and refresh the wording of the current policy to ensure that it was concise and used plain English; and
- (iii) to request officers to write to the Scottish Government to advise that although the Committee was aware of forthcoming consultation in this regard they wished, at this time, to request that the Scottish Government consider reducing the existing administrative requirements for pavement cafes in terms of planning.

**PERFORMANCE REPORT – EPI/10/216**

8. With reference to article 8 of the minute of the meeting of the Enterprise, Planning and Infrastructure Committee of 7 September, 2010, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided an update on the Enterprise, Planning and Infrastructure key performance measures and progress of improvement work against the priorities for the Service, which consisted of two sections, namely (1) a highlight report by the Director; and (2) a summary report detailing the key performance indicators and improvement actions identified to measure the performance and progress of each priority up to 31 August, 2010.

The report explained that in accordance with the decision of the Corporate Policy and Performance Committee of 29 April, 2010 (article 6 refers) a consolidated performance report would be presented to the Committee on a quarterly basis. The report pulled together all the Service's Plan Priorities (Priorities 1 to 6) and within each of these groups the actions and relevant key performance measures. A section entitled 'Management Information – Key Performance Indicators' which presented performance measures that did not fall under the 6 priorities within the Service Business Plan but still required to be reported to Committee e.g. absence monitoring had been included.

In terms of the revised format, it was highlighted that it should be viewed as 'work in progress' as the current priorities might be subject to change in the future. In addition work was currently underway with colleagues in Finance Services to incorporate full financial reporting in the near future. Finally, a review of service risks was also being undertaken; on completion the Service Risk Register would be added to the detail in Appendix 1 and reported to future meetings of the Committee.

On consideration of the report the Committee highlighted and commended the Service for its achievement on energy consumption, where a reduction of 14.3% in the level of heat and light consumed within Council owned properties was achieved

in comparison with a target of 2%. The Head of Asset Management and Operations provided an overview of the steps which had been undertaken to achieve this.

The Committee also welcomed the detailed narrative and breakdown of figures between short term absence (4.8 days) and long term absence (over 4 weeks) (7.4 days). The report advised that overall, the service continued to fall short of the Council target of 10 days lost per annum per employee with a current score of 12.2 days. Further analysis of the figures had indicated that although the Service's score had consistently exceeded the target since April, 2010 this only applied to Asset Management and Operations with all other service areas coming in at less than 10 days. The Service was now carrying out a more detailed analysis in relation to Asset Management and Operations focussing on categories of sickness, number of short term absences compared to long term absences and additional employee details in order to identify steps the Service might take to improve performance.

**The Committee resolved:-**

to note the information provided and the performance of the Service to date.

## **CAPITAL BUDGET PROGRESS REPORT – EPI/10/268**

9. With reference to article 9 of the minute of the meeting of the Enterprise, Planning and Infrastructure Committee of 7 September, 2010, the Committee had before it a joint report by the Director of Enterprise, Planning and Infrastructure and the Head of Finance which provided an update on the progress made on various projects within the Non-Housing Capital Programme previously approved by Council (now aligned to the Enterprise, Planning and Infrastructure Services).

Appendix A to the report outlined the Non-Housing Capital Programme Projects aligned to the services and provided, for each project, the budget for 2010/2011, spend to date to the end of September, 2010 and the forecast outturn position. Comments on particular projects, where appropriate, were included in the narrative.

The report advised that the spend to the end of September, 2010 only reflected payments made and processed and therefore excluded any commitments that had been made which would be due to be paid by the end of the year. Such commitments would be reflected in the forecast position.

It was highlighted that a number of project budgets for 2010/2011 had been updated to include amounts carried forward from 2009/2010. These carry-forwards were agreed at the Finance and Resources Committee meeting of the 28 September 2010. The amounts carried forward against each project were noted in Appendix A.

**The Committee resolved:-**

to note the contents of the report in relation to the projects outlined at Appendix A.

## **2010/2011 REVENUE BUDGET - EPI/10/269**

10. With reference to article 10 of the minute of the meeting of the Enterprise, Planning and Infrastructure Committee of 7 September, 2010, the Committee had before it a joint report by the Director of Enterprise, Planning and Infrastructure and the Head of Finance, which highlighted the current year revenue budget performance to date for the services which related to the Committee and advised on any arrears of risk and management action.

Appended to the report was a summary monitoring statement for the revenue budget 2010/2011 which outlined the budget for the year, detailed the actual spend to end September, 2010, and explained variances. It also outlined whether or not there were any cost pressures that were immediately identifiable from the expenditure incurred to date and the actions being undertaken to manage these.

At this time the following areas of risk were highlighted together with the management action being taken. Planning application fee income was £40,000 below budget to date and although this represented an improvement on the position reported previously there was a risk that the improving trend would not continue. In addition, a budgeted income of £187,000 from the Neighbour Notifications would not be realised due to the necessary increase in planning application fees not being implemented by the Scottish Government. Two of the budgeted savings proposals, one being in relation to the closure of Summerhill and the other relating to defraying the maintenance cost of the Real Time Passenger Information system for public transport, had not yet been achieved. However, service managers had identified alternative means of achieving the savings. Finally, it was advised that the Architectural Design service had seen a significant decline in its workload as a result of the reduced value of capital works being undertaken by the Council. It was anticipated that the Service would see a shortfall in income of £1.2 million and it was working to reduce costs to mitigate the impact of this shortfall. To mitigate the effect of these risks, the management of vacant posts was being actively pursued and savings of £700,000 were anticipated for the full year.

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

- (i) to note the report on the performance to date and the forecast out-turn and the information on risks and management action that was contained therein;
- (ii) to instruct officers continue to review budget performance and report on service strategies as required to ensure a balanced budget; and
- (iii) to instruct officers to report, in due course, on the actual out-turn compared to budget following completion of the 2010/11 financial statements.

## **SOUTH ABERDEEN COASTAL REGENERATION PROJECT (SACRP) – PROJECTS AND PROGRAMMES – EPI/10/217**

11. With reference to article 4 of the minute of the meeting of the Enterprise, Planning and Infrastructure Committee of 23 February, 2010, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised of the developments of projects and programmes following the completion in February 2010 of the feasibility work identified in the scoping report that was undertaken by the University of Aberdeen for the development of the South Aberdeen Coastal Regeneration Project.



The report provided a detailed background to the study and its wider aims and future benefits for the area. The report advised that to date, the attention had been given to developing or supporting work that had focused on the following six projects/themes: -

- The Torry Battery
- Torry Community Wetlands Project
- The SSSI at Nigg Bay
- Coastal Paths and interpretation points from the mouth of the Harbour to Cove
- The Marine and Coastal Resource Centre at Nigg Bay
- Climate Challenges and Marine Spatial Planning

Details of the work undertaken for each of the above projects were provided.

Finally, the report advised that it was envisaged that the projects would deliver benefits that would be cumulative over a ten to twenty year timescale, enabling a turnaround in the degraded environmental conditions that have built up over a long period of time. Early commitment to projects and sub-projects could help bring forward these anticipated benefits, and would provide a rich backdrop to the heritage and changing climate conditions affecting the North East.

The principle focus for the work of the Project Steering Group was the development of projects that promoted the goal of sustainability linked to offsets in climate change, and would also be well placed to attract external investment. In support of this goal, the Torry Community Council at a recent meeting agreed to form a fund raising group that would have the ability to bid for awards of funds that the statutory sector was unable to bid for. If any bids were successful, then a multi agency and community focused approach would be deployed in the creation of any such project, e.g. interpretation / seating / planting.

**The Committee resolved:-**

- (i) to note the progress made to date on inter-agency support for the a range of projects and sub-projects through the leadership and co-ordination role undertaken by the Project Steering Group (PSG);
- (ii) to endorse the continuing development of funding proposals in support for the restoration of the Torry Battery and enhancement of its environment, and agree to support the sponsorship a Torry Battery day to commemorate the 150<sup>th</sup> Anniversary of its construction, to be scheduled for the summer months of 2011 as set out in section 6.2.1 of the report;
- (iii) to agree to the continuing development of a funding bid in 2011 for European and other funding streams or the creation of the Torry Community Wetland Project, as set out in section 6.2.2. of the report;
- (iv) to accept an invitation by the East Grampian Coastal Partnership and the University of Aberdeen to give a presentation to Members, Officers and Partners on emergent themes of Marine Spatial Planning that links to the new legislation of the Marine (Scotland) Act 2010 as set out in section 6.2.4 of the report; and
- (v) to agree to receive a report back to the Enterprise, Planning and Infrastructure Committee at its meeting on 24 May 2011, and that a report for

information be submitted to the following meeting of the Housing and Environment Committee.

**‘ONE ABERDEEN’ CITY DEVELOPMENT COMPANY – BUSINESS PLANNING  
– EPI/10/273**

**12.** With reference to article 11 of the minute of the meeting of the Enterprise, Planning and Infrastructure Committee of 26 November, 2009, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided an update on progress towards the establishment of an Aberdeen City Development Company.

The report advised that since the last report to Committee regarding the City Development Company (CDC) ‘One Aberdeen’, there had been increasing pressures upon the Council’s financial position, and the emerging Business Plan had been re-drafted in light of this. However the need for the delivery of regeneration and economic development strategies and outcomes was as great as ever, if not even greater.

In terms of the current position with ‘One Aberdeen’, it was advised that the business plan was now operating on the basis that not only would this delivery vehicle be established without subsidy from Government, but that it would also place no burden upon City Council finances which was a shift from the initial expectation that resources would be made available at the vehicle’s inception without a need for financial repayment, in keeping with previous local authority practice in Scotland. The financially measurable outputs that could be expected from the involvement of the One Aberdeen as well as any shortlisted assets for transfer to the company would be reported to a future Finance and Resources Committee, however a broader set of indicators for outcome monitoring were detailed at the end of the business plan attached to this report.

Finally, it was advised that due to financial constraints and following internal consultations, it was now intended that the asset and financial elements of this work be considered by the Enterprise, Planning and Infrastructure Asset Management Group at their December 2010 and January 2011 meetings followed by the submission of an agreed short list of assets to the Finance and Resources Committee meeting of 21 April 2011.

The draft Strategic business plan for the creation of a city development company – Non Financial Extract developed by Ernst and Young was appended to the report.

**The report recommended:-**

that the Committee commends and endorses the regeneration and economic development aims of the proposed City Development Company – ‘One Aberdeen’ Business Plan.

The Convener, seconded by Councillor, moved:-

that the recommendation be approved.

Councillor Crockett, seconded by Councillor Adam, moved:-

that the Committee did not commend or endorse the regeneration and economic development aims of the proposed City Development Company – ‘One Aberdeen’ Business Plan.

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

**The Committee resolved:-**

to adopt the motion.

### **DIGITAL NETWORK DEVELOPMENT – EPI/10/263**

**13.** The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised of the current work being undertaken to develop opportunities and infrastructure based on Next Generation Access (NGA) communications technologies, and also on early discussions with Alcatel-Lucent on the opportunities for infrastructure and service developments in Aberdeen City (and potentially beyond) and proposed delivery models to deliver on these.

By way of background the report provided an overview of the national context surrounding next generation broadband. In particular the report highlighted that the Economic and Societal case for NGA technologies was considered in: A Framework for Evaluating the Value of Next Generation Broadband, Broadband Stakeholder Group (June 2008) and that overall the BSG report made clear that future NGA technology would deliver added economic and social value.

Turning to the local context, the report advised that the uneven distribution of NGA, identified a critical challenge for Aberdeen City and Shire region. Being distant from large centres of population, would present challenges in attracting the correct support and investment at the right time to deliver those technologies that support business growth and enhanced public services. In addition, ACSEF had identified a number of areas within their published Economic Action Plan where NGA could play a critical role in transport, global connectivity, attracting and developing skilled people and company headquarters. However, it was highlighted that although competition in the delivery of faster speed broadband in large urban areas was emerging where Cable companies present a competitive challenge to incumbent telecoms operators through their installed fibre networks. Aberdeen had no such cable incumbent reducing the commercial pressures on national network operators to upgrade their provision. In addition, there was no current fibre provision through the BT network to Aberdeen and the City was currently only due to be included in the 4<sup>th</sup> Phase of deployment (completion due by 30/12/2012).

The report provided a detailed overview of similar work that had been undertaken to date in the city, namely the “Connected City” programme and advised of recent reforms to the regulatory framework applying to telecoms within the UK. The reforms key aims were “Accelerating broadband access for all Europeans” and

“Encouraging competition and investment in next generation access networks” including provision for the shared use of existing ducting. In line with this Competition in the delivery of faster speed broadband in large urban areas was emerging where Cable companies presented a competitive challenge to incumbent telecoms operators through their installed fibre networks. However, Aberdeen had no such cable incumbent reducing the commercial pressures on national network operators to upgrade their provision. There s no current fibre provision through the BT network to Aberdeen and the City was currently only due to be included in the 4<sup>th</sup> Phase of deployment (completion due by 30/12/2012).

In line with the above, the report reminded members of a previous proposal (which was not progressed), from FibreCity (part of the i3 Group) to install a fibre network across the City at “no cost” to Council or other public sector bodies and the reasons why this was not progressed.

Further to this, officers undertook a search for potential consultancy groups who would be in a position to assist in the development of a prospectus for the delivery of “World Class digital connectivity”, as defined by ACSEF, within the context of Aberdeen business and community requirements and to draw up cost estimates and financing models for such a deployment. Initial work was underway with consultants from the Strategic Markets group within Alcatel-Lucent, who had offered to assist the development of such a prospectus at no charge to the Council. In addition Alcatel-Lucent had agreed to identify potential assessment and trial schemes where the Council might wish to lobby for inclusion. The initial focus of such work would seek to identify those key (existing and emergent) services that would best benefit the businesses and citizens of Aberdeen. Aligned to this work, officers were also in regular contact with the EGovernment team looking at the potential of their Open data programme to stimulate collaborative relationships with the wider business ICT sector in the city. This work was key to ensure that both sectors benefited from opportunities in fixed and mobile communications and that maximum benefit was drawn from the data held by the Council.

**The Committee resolved:-**

- (i) to approve ongoing engagement with Alcatel-Lucent in the development of technical and cost options for Next Generation Access and models for delivery, subject to further discussion with Legal and Democratic Services to ensure that Alcatel-Lucent’s had no subsequent role to play in the delivery of these models, which might breach Council procurement rules;
- (ii) to develop a prospectus for internal consideration on delivery options and potential tendering options, subject to this being developed at no financial cost to the Council, other than officer time; and
- (iii) to instruct officers to report back on preferred options to Enterprise, Planning and Infrastructure Committee at its meeting on 15 March 2011.

**SUPPLEMENTARY PLANNING GUIDANCE: REDUCING CARBON EMISSIONS IN NEW DEVELOPMENTS – EPI/10/270**

**14.** The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure providing an account of changes in the Council’s Supplementary Planning Guidance (SPG) on reducing carbon emissions in new developments.

It was recalled that the current SPG had been approved by the Committee in May 2009, and had supported the Aberdeen Local Plan 2008. Since then, however, national guidance had changed, and amendments had also been introduced indirectly as a result of the additions of the Building Standards Technical Handbooks in October 2010, which had made changes to energy requirements.

It would be important to be aware that the policies of the Aberdeen Local Development Plan – Proposed Plan reflected these changes, and the current report clarified the current position as an interim solution until the local development plan had been adopted. Consultation would not be undertaken since the revisions did not affect the aim of the current SPG and, also, consultation on the Proposed Plan and new SPG were already under way, and it would be confusing for the public to be confronted by further layers of consultation at this stage.

**The Committee resolved:-**

to note the content and significance of the changes as outlined in the report, and to request the planning officials to continue to implement the revised policies.

**CLAREMOUNT GROVE / LANE OFF CLAREMONT STREET – CRAIGTON ROAD LANE – GREENBANK PLACE – ELMBANK TERRACE – ELM STREET - MARISCHAL COLLEGE CAR PARK – MILE-END PRIMARY SCHOOL – SOUTH COLLEGE STREET – CROMWELL ROAD – BLUE BADGE PARKING BAYS AT PENNAN ROAD (2), POWIS PLACE AND ROWAN ROAD – EPI/10/235**

15. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure providing an account of traffic management measures considered necessary at the above locations. At Cromwell Road, the intention was to introduce Monday – Friday 8.00am – 6.00pm restrictions to avert a displacement effect from the new zone X. At Pennan Road (2), Powis Place and Rowan Road, the first new blue badge parking bays under the Disabled Persons' Parking Places (Scotland) Act 2009 were being promoted. Otherwise, at all other locations, the intention was to establish prohibitions of waiting at any time.

**The Committee resolved:-**

to request the officials to carry out the necessary legislative procedures for these schemes and report back.

**THE ABERDEEN CITY COUNCIL (PITMEDDEN ROAD, DYCE) (PROHIBITION OF LEFT TURNS) ORDER 2010 – CG/10/189**

16. The Committee had before it a report by the Director of Corporate Governance dealing with the objections received after statutory advertisement of the above-named traffic order.

The objections were from (1) Burnett and Reid, Solicitors, representing Dyce Caravans Limited, (2) Dyce and Stoneywood Community Council, (3) Mr Douglas Cumming, a resident of the west section of Pitmedden Road, (4) Ms Carol Croll of Nether Kirkton Farmhouse, also on the west section. The theme common to all four that a prohibition of left turns would be ineffectual. The first three suggested

reverting to the original closure proposal suggested by the roads officials on 12 January (see article 17 of the minute of meeting of the Committee on that date), whereas Mr Cumming suggested a ban on left turns between 4.00pm and 6.00pm on weekdays (which the report suggested would seem to compound the point about unenforceability).

The roads officials were also clear that a prohibition of left turns would not work. It would also inconvenience vehicles visiting the caravan park at the location, and the problem of dangerous overtaking on the blind bend by the railway bridge would not be resolved. Also, a prohibition of left turns would be effective only to the extent of adequate enforcement, and it had to be acknowledged that Grampian Police clearly would not have the resources to sustain the necessary level of enforcement on a day-to-day basis.

However, Councillor Clark suggested that a six month trial might disclose that the regulation could turn out to be self-policing because other drivers themselves would effectively prevent left-turn manoeuvres on the part of intending transgressors, but of course this means of enforcing a traffic regulation raised concerns about the possibility of dangerous practices emerging if some drivers were to get into the habit of thinking that they themselves were a means of enforcement at the location.

The roads view was also that the problems perceived were generally overstated, and might be a matter of perception. However, that was certainly not the tone struck by the objectors, all of whom would clearly resist the situation being characterised in that way. Also, the Committee had already shown its willingness to promote a traffic order to try to cure the difficulties being complained of.

The recommendation in the report was to revert to the idea of a prohibition of driving. This would cure the issue of overtaking near the bridge, and, being intended as a physical impediment, would not require police enforcement. However, early conceptions of such a closure had involved a closure *between two points*, and it had become clear that Mr Cumming had concerns about that particular aspect since it appeared likely to deny him access to one of his fields. At this juncture, it was acknowledged informally that any such difficulty would have to be sorted out before a successful closure could be settled upon.

Another unexpected problem which had not come to light when the matter had first been investigated at the end of 2009 was that Pitmedden Road was in fact a bus route, used by a shuttle service to and from the industrial estate. The bus company (First) had been approached by a left-hand turn almost a year ago, and had not raised any concerns, however, they had only recently heard of the idea of a closure, and, if the Committee were now to be of a mind to revert to that idea, the *preliminary* statutory stage would afford a quick opportunity to consult properly with the bus company and get a better impression of the lie of the land. Thereinafter, a report back would allow members to gauge the balance of the arguments, including clarification of the question of Mr Cumming's field.

After discussion of these issues, there had been some feeling that the matter be deferred for a cycle to allow behind-the-scenes talks with the bus company, Mr Cumming, and indeed other interested parties such as the taxi trade. However, after advice from Mr David Wemyss (Senior Committee Services Officer – Roads Legislation) it was noted that the familiar principle of preliminary statutory consultation could easily be conflated with the idea of such behind-the-scenes

talks, and could even be perceived of as an improved version of preliminary consultation, and that therefore it would be judicious to determine that it was indeed the preliminary statutory stage that was being undertaken in order that time be saved, whatever the eventual outcome.

**The Committee resolved:-**

to request officers to carry out preliminary statutory consultation as contemplated above and report back.

**THE ABERDEEN CITY COUNCIL (LANG STRACHT BETWEEN FAIRLEY ROAD AND THE A944 LANG STRACHT BUS GATE) (30MPH SPEED LIMIT) ORDER 2010 – CGI/10/188**

17. The Committee had before it a report by the Director of Corporate Governance intimating that the above-named order had been advertised and that no statutory objections had come in. Accordingly, the legislation was before the Committee for routine approval.

**The Committee resolved:-**

that the order be made and implemented as originally envisaged.

**NIGHT TIME BUS IMPROVEMENTS – EPI/10/256**

18. There had been circulated a report by the Director of Enterprise, Planning and Infrastructure describing emergent proposals under discussion between the Council and public transport operators, proposals designed to improve night-time bus services in Aberdeen by introducing amalgamated bus stop locations (to create fewer dedicated night time stops, to revise stopping times at these locations to minimise potential conflict and maximise passenger numbers, to establish lit pillars and night bus flags on shelters and dedicated stops, to make the stopping places highly visible to customers (these to be lit during operational times, and to be in keeping with the night-time taxi rank pillars), and to establish individualised night-time bus tables at all dedicated stops.

All of this was of course dependent on funding, and expenditure would be greater if possible *extensions* to bus shelters were to be included within the overall plan. Again, the context at the moment was that of continuing discussions with operators, and reports back to Committee were contemplated.

**The Committee resolved:-**

to request the officials to continue discussions with public transport operators on all of these matters, and to report back in due course.

**STRATEGIC PUBLIC TRANSPORT - EPI/10/258**

19. With reference to article 22 of the minute of the meeting of the Enterprise, Planning and Infrastructure Committee of 7 September, 2010, the Committee had

before it a report by the Director of Enterprise, Planning and Infrastructure providing members with an account of progress in the undertaking of evidence-based assessments to identify areas in the city's road / transport network where adjustments could contribute to reliability and punctuality of buses. The narrative was particularly concerned with delays to buses on First routes 1 and 2, particularly at the north and south ends of those routes and Bridge of Don and Holburn Street respectively.

The assessments were being funded by Nestrans, who would be requested to fund implementation if approved. Future additional white lining and road signs would involve negligible revenue funding.

The recommendation was that the operational times of the existing northbound and southbound bus lanes on Holburn Street be changed from 08:30 – 09:30 to **08:00 – 09:30** (or as indicated in the circulated report) and that the southbound bus lane on Holburn Street on the approach to the Bridge of Dee be extended in length by approximately 120 metres, along with new parking and loading restrictions in association with this (including the aforementioned revision of morning operational times). This would of course require the promotion of a traffic order.

**The Committee resolved:-**

to approve these recommendations and request officials to begin procedures for the order and report back.

**BUS INFORMATION STRATEGY CONSULTATIVE DRAFT - EPI/10/260**

**20.** There had been circulated a report by the Director of Enterprise, Planning and Infrastructure describing progress on work to develop a bus information strategy in Aberdeen. A full draft document had been circulated as an appendix to the report, and the Director was now recommending that the draft be released for consultation, with a report back on findings in March 2011.

**The Committee resolved:-**

to approve the release of the draft bus information strategy for consultation, with a report back due in March 2011.

**GUILD STREET PEDESTRIAN IMPROVEMENTS - EPI/10/261**

**21.** The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure providing extended discussion of the concerns about pedestrian safety that had been raised by the Aberdeen City Centre Association, and also Grampian Police as a result of the significant increase in pedestrian movements across Guild Street after the opening of the Union Square shopping centre.

After discussions, and also a site visit carried out by officials from Nestrans and Aberdeen City Council, a number of options had been identified to improve the options for pedestrians at the location.



First of all, a proposal had been developed to widen the footway on the north side of the existing pedestrian crossing between the Trinity Mall and the railway station. It was also proposed to widen the kerbside extents of the crossing itself. These measures would improve the footway capacity and pedestrian reassurance.

The scheme would entail the reduction of three lanes into two (west of the Wapping Street junction) but would have no impact on road capacity or traffic flow, since only two lanes of traffic travelled along this section of Guild Street before splitting into a three lane carriageway at the railway bridge. Preliminary design plans were circulated as an appendix to the report, and detailed design would be carried out if the proposal was approved.

The second scheme involved widening the existing central reservation with a staggered pedestrian crossing on Guild Street (near its junction with Market Street and the south side) by approximately 1 metre. This would improve access to and from the central reservation and pedestrian crossings, and would improve crossing capacity during the green man phase. Again, preliminary designs had been circulated as an appendix and detailed design would follow upon approval of the plan. Implementation could be expected by the end of the financial year (at an estimated cost of £60,000 secured from the Nestrans capital programme for 2010/2011).

**The Committee resolved:-**

to approve the two schemes as outlined above at an estimated cost of £60,000 (to be covered from the Nestrans capital programme 2010/2011) and to request the officials to conduct a competitive tendering exercise for the works to be undertaken and award a contract to the tenderer submitting the most economically advantageous tender, and keep the Committee up to date with progress by means of regular bulletins.

**CAR CLUB PARKING BAYS IN ABERDEEN CITY CENTRE – EPI/10/262**

**22.** With reference to article 28 of the minute of the meeting of the Enterprise, Planning and Infrastructure Committee of 23 February, 2010, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided an update on the proposal to introduce a car club and the proposed locations of car club parking bays in various locations in Aberdeen City Centre.

By way of background, the report reminded members that in October 2009 the Council had commissioned its term consultant, AECOM, to establish whether a car club was feasible for the City. A car club was an organisation that owned and maintained a fleet of cars from which its members could book a car for however long they needed it. The club paid for all tax, insurance, servicing, cleaning and fuel, whilst members usually paid a joining fee and subsequently for each journey they make.

The main findings of the Aberdeen Feasibility report were as follows:- the conditions for a successful car club existed in Aberdeen; there were a number of suitable on and off street locations within the City for car club parking bays; Aberdeen City Council would have to provide promotional support; a model of using

pool cars would reduce initial capital investment and act as a catalyst to allow further growth; and a traffic regulation order (TRO) would be required.

On consideration of the report findings, the Enterprise, Planning and Infrastructure Committee gave authorisation for officers to proceed with a tender exercise in order to establish commercial interest and then engage a provider for a car club in Aberdeen. Three car club operators expressed an interest and were invited to carry out a short presentation to officers from Aberdeen City Council and partners regarding the benefits of car clubs and how they operated. Tender documentation was in the process of being finalised with the Central Procurement Unit and was expected to be sent out to the interested car club operators in December 2010. Returned tender documentation was expected in January 2011. If a successful tenderer was forthcoming a car club operator could be appointed in March 2011.

In terms of location for car club spaces, it was advised that a number of locations have been identified, in consultation with road safety and traffic management colleagues, for car club bays throughout the City Centre and were highlighted in Appendix A. The locations had been chosen to have a minimum impact on existing residential and pay and display parking bays as it was appreciated parking in the city centre was already at a premium. Out of the 20 possible locations, listed below, 5 bays were located in existing on-street parking spaces.

| Proposed Location       | Proposed Number of Spaces |
|-------------------------|---------------------------|
| Albyn Place             | 2                         |
| Rose Street             | 2                         |
| West Craibstone Street  | 1                         |
| East Craibstone Street  | 1                         |
| Rosemount Viaduct       | 1                         |
| South Silver Street     | 1                         |
| Crimon Place            | 2                         |
| Queen Street            | 1                         |
| Flourmill Lane Car Park | 3                         |
| Hollybank Place         | 2                         |
| Union Grove             | 2                         |
| Stanley Street          | 2                         |

Another location identified for a car club space was within Aberdeen Rail Station, however agreement would be required from Network Rail and First ScotRail before a space would be installed.

Should the legislation be successful it was planned to implement the car club bays by the end of this financial year.

Finally, it was highlighted that as a car club was a new concept to Aberdeen a comprehensive publicity campaign would be required to be undertaken to enable full understanding by members of the public. As such, it was proposed to engage with the local press and the Council's corporate communications team to highlight the new car club bays to citizens and visitors of / to Aberdeen.

**The Committee resolved:-**

- (i) to note the progress made towards the introduction of a car club in the City;
- (ii) to instruct officers to commence the initial statutory consultation for Roads Legislation to introduce car club parking bays in various locations in Aberdeen City Centre, and if no significant objections were received, then to progress with the public advertisement and implementation; and
- (iii) to request officers to arrange a presentation on the Car Club Scheme for all Councillors.

Prior to considering the next article, the Convener invited Miss Jane Wood and Mr Tom Campbell, Retail Rocks Ltd to provide an oral update to the Committee on the activities being pursued by Retail Rocks Ltd in relation to securing private sector funding for the project and to answer any questions members might have in this regard.

Miss Wood and Mr Campbell advised that to date the project had been successful in securing three types of funding, and detailed the steps that were ongoing to achieve further private sector funding and support. In particular, they highlighted the regeneration ethos of the project and explained that they were presenting to private sector companies the link between the project and the companies' corporate social responsibility ethos. They advised that the competition would be launched on Friday 12 November, 2010 and highlighted that this would be a key event for seeking sponsorship and interest in the project from additional new sources.

Thereafter members asked a variety of questions to Miss Wood and Mr Campbell.

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

**DECLARATION OF INTEREST**

**The Convener declared an interest in the subject matter of the following article as a member of the Project Steering Group. The Convener did not consider it necessary to leave the meeting during the Committee's deliberations on the matter.**

**RETAIL ROCKS ABERDEEN – THE COMPETITION STAGES (EPI/10/238)**

**23.** The Committee had under consideration, upon a remit from the Finance and Resources Committee of 28 September, 2010 (article 44 refers), a report by the Director of Enterprise, Planning and Infrastructure requesting that the Committee consider allocating an additional £170,000 of monies from within the current total Enterprise, Planning and Infrastructure budget for 2010/2011, for the completion of

the Retail Rocks project to cover:- (1) shop fit out, (2) competition costs, (3) property running costs, (4) stock acquisition and (5) project support costs, all as narrated within the report and in the event that private sector cash for these purposes was not realised within the current financial year.

The Committee had before it on this day, a copy of the report referred to and the minuted article from the meeting of 28 September, 2010, which recorded the detail of the Committee resolution.

**The Committee resolved:-**

- (i) to defer consideration of the recommendation until the next meeting of the Enterprise, Planning and Infrastructure Committee on 18 January, 2011, at which point officers should report on the following aspects:- (a) details of exactly where within the Economic/Business Development budget the monies would be sourced and the implications of this potential allocation on the budget; (b) information on the commencement of the competition and levels of participation; and (c) information on the finance and interest received from private sector investors at that time; and
- (ii) to request officers to ensure that costs on the project were kept to a minimum until the Committee considered the next report on 18 January, 2011.

**DECLARATION OF INTEREST**

**The Convener declared an interest in the subject matter of the following article as a Board member of NHS Grampian. The Convener considered it necessary to leave the meeting during the Committee's deliberations on the matter.**

**At this juncture, the Vice Convener took the Chair.**

**HUB NORTH TERRITORY – APPOINTMENT OF A PRIVATE SECTOR DEVELOPMENT PARTNER AND ESTABLISHMENT OF HUBCO – EPI/101259**

**24.** With reference to article 32 of the minute of the meeting of the Finance and Resources Committee of 28 September, 2010, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which informed of the selection of a preferred Private Sector Development Partner, by the North Territory hub Programme Board to join with the eighteen North Territory hub Participants (Aberdeen City Council, Aberdeenshire Council, Argyll and Bute Council, Comhairle nan Eilean Sar, Grampian Fire and Rescue Service, Grampian Police, The Highland Council, Highlands and Islands Fire and Rescue Services, The Moray Council, NHS Grampian, NHS Highland, NHS Orkney, NHS Shetland, NHS Western Isles, Northern Constabulary, Orkney Island Council, Scottish Ambulance Service and Shetland Islands Council) and the Scottish Futures Trust to establish hubco for the North Territory; and sought approval of Alba Community Partnership as the Private Sector Development Partner; the establishment of hubco; the investment of equity and the provision of working capital to hubco; and the appointment of a B Shareholders' Director on the Board of hubco and other representatives all as detailed in this report.

The report provided a detailed overview of the 'hub' programme which was being developed by the Scottish Futures Trust (SFT) on behalf of the Scottish Government, as a means of improving the planning, procurement and delivery of infrastructure in support of community services.

Thereafter, the report advised of the procurement process undertaken and the evaluation utilised. Following, evaluation, it was advised that the hub North Territory Programme Board at its meeting held on 29 October, 2010, approved the selection of Alba Community Partnership as the preferred bidder to become the Private Sector Development Partner.

With regards next steps, it was advised that the Project Plan, agreed by the hub North Territory Programme Board, sets out the next steps to signature of the Territory Partnering Agreement.

Appended to the report was:- (1) Procurement Process and Evaluation Report; (2) Corporate Governance; (3) Summary of Territory Partnering Agreement - Summary of Shareholders Agreement - Summary of Participants Agreement - Pricing and Value for Money; and (4) North hub Territory Map

**The Committee resolved:-**

- (i) the selection of Alba Community Partnership as the private sector development partner in hubco as recommended by the North Territory Programme Board;
- (ii) the establishment of hubco, the investment in hubco shareholding of £1 and the provision of working capital of £15,000 [£270,000/18] by Participants) ;
- (iii) the execution of the Territory Partnering Agreement, Shareholders Agreement and Participants' Agreement, summary details of which were narrated in Appendix 3 to the report, by the Head of Legal and Democratic Services subject to the resolution of final clarifications and agreements;
- (iv) the appointment of Mr Gerry Donald, Chair of the programme Board as the B Shareholders' Director on the Board of hubco;
- (v) confirmation of appointment of the Territory hub Programme Director as the B Shareholders' Representative and Participants' Representative under and in terms of the Participants' Agreement with delegated authority to take any action, grant any approval or consent or sign any notice required in terms of the Shareholders Agreement and Territory Partnering Agreement;
- (vi) the appointment of the Director of Enterprise, Planning and Infrastructure as Aberdeen City Council's representative on the Territory Partnering Board with delegated authority to make any decisions on its behalf which required to be taken by the Territory Partnering Board pursuant to its constitution; and
- (vii) to note the Territory Delivery Plan.

Prior to consideration of the following article, the Vice-Convenor invited Mr Brian Horsburgh and Mr Ed Gilliespie, AECC Board Members to provide the Committee with information regarding the current operation and future of AECC as envisaged by the Board, and to answer any questions members might have in this regard.

In the course of their address, Mr Horsburgh and Mr Gilliespie provided the Committee with extensive information regarding the AECC's current position and emphasised the importance of the Council consulting with the Board in any future

proposals the Council was considering for the AECC. Thereafter members asked a variety of questions to Miss Wood and Mr Campbell.

## **DECLARATIONS OF INTERESTS**

**Councillors Fletcher and Milne declared interests in the following item of business as members of the Board of Aberdeen Exhibition and Conference Centre (AECC) and left the meeting prior to the Committee's deliberations.**

**The Convener declared an interest in the following item of business as a former member of the Board of Aberdeen Exhibition and Conference Centre (AECC) and left the meeting prior to the Committee's deliberations.**

**Councillor Farquharson was in attendance as a substitute for Councillor Milne and Councillor Young was in attendance as a substitute for Councillor Crockett.**

## **FUTURE FUNDING AND DEVELOPMENT OF AECC - EPI/10/264**

**25.** With reference to article 17 of the minute of meeting of the Council of 18 August, 2010, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided an update on activities relating to the future funding and development of AECC and sought comment on proposed future actions for the future which were designed to put the AECC on a more sustainable financial footing.

The report reminded members of the previous taken by the Council regarding the AECC as well as existing issues. Further to these decisions, officers had progressed this matter and now sought to bring all of the issues together by:- separating the operations of the AECC from the management of the land and property assets within and around the AECC site, in order to focus the AECC Ltd's attention on the need to manage, run and maintain an efficient and sustainable exhibition and conference venue; transferring all property and land assets currently owned or leased by AECC Ltd to the City Council, so the Council assumed full responsibility for the future development of these assets; and suggesting a possible way forward for developing the land and property assets, through the creation of a joint venture development company charged with developing the assets according to an agreed asset development plan, possibly using funding raised through the creation of a Local Asset Backed Vehicle (LABV).

The report advised that were the Finance and Resources Committee to approve the recommendations contained within the report, it was anticipated that a clearer focus on the operation, management and maintenance of an exhibition and conference centre, without the distractions caused by the need to develop property and land assets, would enable AECC Ltd to have an even greater focus on generating profits from events, conferences and ancillary services.

The paper also suggested how these assets might be better developed, and the Council's debt reduced in the process, by creating a joint venture development company with private sector developers/investors and by potentially attracting private funds into a Local Asset Backed Vehicle. The exact nature of any proposed joint venture development company or LABV would need to be further investigated and appropriate papers submitted to Committee before any decisions were taken as to whether this provides the best means for developing the property and assets within and around the AECC.

The current operating situation of the AECC was described in Appendix 1 to the report.

**The report recommended:-**

that the Committee:-

- (a) note the recent decision of Finance and resources Committee to invest £1.068 million, as part of the Council's capital programme for (£368k from this year's budget and £700K from next year's budget), in new hard standing to accommodate the erection of temporary expansion facilities for future Offshore Europe exhibitions (subject to planning approval being received) and to instruct officers to report back on progress until completed;
- (b) note the current AECC trading situation which was summarised in Appendix 1 to the report;
- (c) comment on the proposals outlined below and to refer to the Finance and Resources Committee for consideration:-
  - that the Council negotiate, with AECC Ltd;
    - a) the reversion of all existing leases relating to land currently leased to the AECC, and the transfer of ownership of all AECC owned buildings and assets, from the AECC to the Council;
    - b) an agreed "buyout" fee (based on the market value of the leases), which would immediately be used to repay an equal amount of the AECC's current outstanding debt to the Council;
    - c) a contract, of sufficient value, to enable AECC Ltd to manage, operate and develop the business of the AECC, subject to suitable performance targets being met; and
    - d) a full repair and maintenance lease over the buildings and assets currently owned by the AECC to run concurrently with the management and operating contract above;
- (d) to instruct officers to prepare and submit a report to both the Enterprise Planning and Infrastructure Committee and Finance and Resources Committee outlining the options and terms for reverting all existing leases relating to land currently leased to the AECC, and transferring ownership of all currently owned buildings and assets, from AECC Ltd to the Council;
- (e) to instruct officers to undertake a procurement exercise, using the appropriate process, to identify suitable development and investment partners interested in establishing a joint venture development company to assume responsibility for the future development of all Council owned land and buildings in and around the AECC. This development would be undertaken on the basis of a pre-agreed 20-30 year development plan, which included the construction of a four star hotel, and which took full

account of the future business development needs of the AECC. Consideration would be given to the creation of a Local Asset Backed Vehicle (LABV) to help fund this development;

- (f) to instruct officers to negotiate the possible inclusion of the AECC buildings, the proposed new hotel and all of other Council owned land in and around the AECC, in any potential LABV;
- (g) to instruct officers to prepare and submit a report to both the Enterprise Planning and Infrastructure Committee and the Finance and Resources Committee outlining the proposed;
  - a. Terms for creating the proposed joint venture development company
  - b. Terms for creating a LABV,
  - c. Assets to be included in the LABV and the terms relating to their inclusion,
  - d. Long-term development plan for Council owned land and buildings in and around the AECC
  - e. Relationship, if any, between the joint venture development company and the City Development Company
- (h) to instruct officers to ensure that the proposed management services contract given to AECC Ltd was of sufficient value to replace the current AECC annual revenue grant.

The Vice-Convener, seconded by Councillor John West, moved:-  
that recommendations (a) and (b) be approved and that recommendations (c), (d), (e), (f), (g) and (h) to be considered by the Finance and Resources Committee be supported.

As an amendment, Councillor Young, seconded by Councillor Allan, moved:-  
that recommendations (a), (b) be approved and that recommendations (c)(a), and (d) to be considered by the Finance and Resource Committee be supported.

On a division, there voted:- for the motion (8) – the Vice-Convener; and Councillors Clark, Corall, Cormie, Jaffrey, Penny, Robertson, and John West; for the amendment (5) – Councillors Adam, Allan, Boulton, Farquharson and Young.

**The Committee resolved:-**

- (i) to adopt the motion; and
- (ii) to request that Corporate Communications prepare a press release on behalf of the Committee regarding this matter.

**Councillor Young intimated in accordance with Standing Order 36(3), that he wished the report on the future funding and development of AECC dealt with in the preceding article be referred to Council for decision. In accordance with Standing Order 36(6), the Vice-Convener ruled the request incompetent.**



**The Convener rejoined the meeting at this point, and resumed the Chair.**

#### **DECLARATION OF INTEREST**

**Councillor Corall declared an interest by virtue of a close relative owning a business in the area being discussed. At this point Councillor Corall withdrew from the meeting and took no further part in discussion.**

#### **THE GREEN TOWNSCAPE HERITAGE INITIATIVE PUBLIC REALM STREETScape WORKS PROJECT MANAGEMENT - EPI/10/210**

**26.** With reference to article 32 of the minute of the meeting of the Finance and Resources Committee of 28 September, 2010, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided details of the project management of the Townscape Heritage Initiative Public Realm Streetscape Works.

The report provided a detailed overview of the design process and works undertaken and highlighted the issues that had arisen throughout the project. In terms of completion of the project, it was advised that apart from snagging works the main project was now complete.

**The Committee resolved:-**

to note the information.

**- COUNCILLOR DEAN, Convener.**