

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Net Zero, Environment and Transport
<b>DATE</b>	10 June 2025
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Bus Lane Enforcement and Low Emission Zone Projects 2025/26
<b>REPORT NUMBER</b>	CR&E/25/140
<b>DIRECTOR</b>	Gale Beattie
<b>CHIEF OFFICER</b>	David Dunne
<b>REPORT AUTHOR</b>	Will Hekelaar
<b>TERMS OF REFERENCE</b>	7, 8

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### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval for a programme of projects to be delivered using the net surplus from Bus Lane Enforcement (BLE) and Low Emission Zone (LEZ) operations.

### 2. RECOMMENDATIONS

That the Committee:-

- 2.1 Note the additional detail provided in relation to the BLE allocation for city centre projects and agree the use of the funding for the purposes described in paragraph 3.2.1, noting that the funds would be used at this stage to develop project proposals which would subsequently be reported to the relevant Committee for consideration and approval prior to any works taking place;
- 2.2 Instruct the Chief Officer – Strategic Place Planning, following consultation with the Chief Officer – Capital, to progress the Place Lighting and Guild Street Improvement projects listed in paragraph 3.2.1, and to bring detailed proposals to a meeting of the Finance & Resources Committee before the end of 2025 for consideration by Members prior to any works taking place;
- 2.3 Approve the release of further BLE surplus income for the purposes described in paragraphs 3.2.3 to 3.2.8 of this report, noting that a three year programme of work for core paths/outdoor access will also be reported back to this Committee by the end of 2025;
- 2.4 Note the additional detail provided in relation to the City Centre Greening LEZ projects in paragraph 3.3.2 and approve the allocation of LEZ surplus income towards these projects; and
- 2.5 Instruct the Chief Officer – Strategic Place Planning, following consultation with the Chief Officer – Operations, to work with partners to progress and deliver the City Centre Greening LEZ projects listed in paragraph 3.3.2, with progress

reported back to this Committee in September 2025 as part of the wider report on the Low Emission Zone programme.

### 3. CURRENT SITUATION

#### 3.1 Background

- 3.1.1 The Bus Lane Enforcement (BLE) fund is generated from the net surplus of penalty charge notices from bus lane offences after operational costs have been covered. This surplus can only be used for projects identified as helping to meet the objectives of the Local Transport Strategy, as per the requirements of the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011.
- 3.1.2 The Low Emission Zone (LEZ) fund is generated from the net surplus of penalty charge notices from LEZ offences after operational costs have been covered. This surplus can only be used for projects that support air quality improvements, as per the requirements of the Transport (Scotland) Act 2019.
- 3.1.3 In [March 2025](#), Committee approved a new framework for the allocation of funding from BLE and LEZ surpluses and instructed the Chief Officer - Strategic Place Planning to report back to the next meeting of the Committee with a programme for the use of BLE and LEZ surpluses for 2025/26, using the agreed framework (Tables 1 and 2).

Table 1 - BLE Framework

<b>Bus Lane Enforcement Surplus</b>				
	Project Themes	Percentage	Min	Funding Process
1	General active travel/public transport maintenance (Cycle parking, bus stop, wayfinding, etc)	10%	£50k	Fixed
2	Core Paths / Outdoor Access – Maintenance	10%	£50k	Fixed
3	Core Paths / Outdoor Access – Storm Damage	5%		Fixed
4	Core Paths / Outdoor Access – Projects Fund	50%		3 Year Plan
5	Other Projects (Active Travel/Public Transport etc.)	25%		Annual Bidding Process

Table 2 - LEZ Framework

<b>Low Emission Zone Surplus</b>				
	Project Themes	Percentage	Min	Funding Process
1	Greening the City Centre	30%	£50k	Fixed
2	General Air Quality Projects	40%		Annual Bidding Process

3	Cycle Infrastructure	20%		Annual Bidding Process
4	Sustainable Transport Planning (Business Support, Travel Plans/Advertising etc)	10%		Fixed

## 3.2 Bus Lane Enforcement

3.2.1 Also in March 2025, Committee agreed to allocate £500,000 of BLE surplus to city centre projects to be developed with partners, and instructed the Chief Officer – Strategic Place Planning to report progress back to a future meeting of the Net Zero, Environment and Transport Committee. Discussions have been ongoing with partners such as Aberdeen Inspired to identify impactful projects that could be progressed and be aligned to the delivery of the wider City Centre Masterplan. These projects are:

- Place Lighting Improvements: £200,000

Aberdeen in Colour, a creative lighting strategy to support the City Centre Masterplan, was [adopted in 2018](#) and included a number of innovative and imaginative proposals to transform the city centre in terms of inclusion, legibility, identity, movement, night time safety, public art and events. A number of recommendations from the Strategy have been progressed via key projects such as Union Terrace Gardens and Union Street Central, but there are still areas of the city centre where enhanced lighting would be a welcome addition.

An initial allowance of £200,000 is therefore recommended to be released at this stage for officers to work with partners on investigating and developing suitable lighting projects in the city centre.

This proposal aligns with a report to be presented to the June 2025 meeting of the Anti-Poverty & Inequality Committee on the impact of poverty and gender inequality on women and their families. Poor street lighting was identified in this report as one of the key issues affecting women and girls' feelings of safety, impacting on whether they go out at night and/or how they travel. The proposal also aligns with the Purple Flag themes 'Movement', which requires clear safe and convenient pedestrian routes within the City Centre, and 'Place', which requires attractive, well-used public places, active streets and building frontages.

- Guild Street Improvements: £300,000

In [December 2022](#), Council agreed a Streetscape Full Business Case as part of an update report on the City Centre Masterplan, and also instructed officers to look at options for further cycling provision within a number of Masterplan streetscape projects as they develop. At its meeting in [February 2024](#), Council subsequently approved a preferred cycle route through the Merchant Quarter, to better connect the bus and railway stations at Union Square with the new Market development,

towards Union Street and the heart of the city centre. The Market Streetscape project (Phases 2 and 3) was also referred to the capital planning and budget setting process for future years delivery. Phase 1 of the Market Streetscape project is being delivered alongside construction of the new Market building, with a decision on when to allocate capital funding for Phases 2 and 3 still to be made.

As an interim measure, it is recommended that an initial allowance of £300,000 is allocated to allow officers across Strategic Place Planning, Capital and Operations to determine what interim measures could be taken forward to enhance the pedestrian environment around Guild Street in particular, and to improve journeys and wayfinding between Union Square and Union Street. This could also include exploring additional bus stops on Guild Street. The project would be linked to the existing capital project and governed through that process.

3.2.2 The current BLE surplus at the end of 2024/25, after decisions taken at the [Budget 2025 meeting](#) and the March 2025 Net Zero, Environment and Transport Committee meeting are taken into account, is £2,635,268. This figure includes a carry forward of surplus from previous years when no funding was released / spend was lower. Based on the framework agreed for BLE at the March 2025 Committee, a summary of the projects ready for release against each of the BLE themes is provided in the following sections.

3.2.3 BLE Theme 1 - General active travel / public transport maintenance

As per Table 1, 10% of the BLE surplus (£263,527) is available for general active travel / public transport maintenance. It is proposed that the routine maintenance activities identified in Table 3 be released for funding this year:

Table 3 – Proposed Maintenance Allocations

Activity	Cost
Annual cycle route maintenance	£50,000
Cleaning, maintenance and ad-hoc repairs of pedestrian wayfinding totems	£15,000
Surface repairs to the Bridge of Don Park and Ride site	£10,000
Annual Bus Shelter cleaning	£50,000
Annual Electric Vehicle Charge Points Warranty, SIM and maintenance provision	£45,000
Annual maintenance of Car Club bays and creation of new bays where required	£7,000
<b>TOTAL</b>	<b>£177,000</b>

3.2.4 BLE Theme 2 - Core Paths / Outdoor Access – Maintenance

As per Table 1, 10% of the BLE surplus (£263,527) is available to maintain the Core Path network. At the meeting of this Committee in [March 2025](#) Members instructed the Chief Officer - Strategic Place Planning to return to Committee with a three year programme of work for core paths / outdoor access by the end of 2025. It is anticipated that further information on the allocation for this theme will be included within that report.

### 3.2.5 BLE Theme 3 - Core Paths / Outdoor Access – Storm Damage

As per Table 1, 5% of the BLE surplus (£131,763) is available for the maintenance of the Core Path network specifically arising from storm damage. This would be released upon agreement of the Convener and Vice Convenor of the Net Zero, Environment and Transport Committee, and the Chief Officer - Finance and the Chief Officer - Operations, based on need throughout the year, with details of spend included in an annual update on Core Path works.

### 3.2.6 BLE Theme 4 - Core Paths / Outdoor Access – Projects Fund

As per Table 1, 50% of the BLE surplus (£1,317,634) is available for projects on the Core Path network. It is proposed that a value of £170,000 is released to facilitate a full review of the Core Paths Plan to ensure it is fit for purpose and up-to-date, and to develop the 3-year prioritised programme of work referred to above.

### 3.2.7 BLE Theme 5 - Other Projects (Active Travel / Public Transport etc.)

As per Table 1, 25% of the BLE surplus (£658,817) is available for Other Projects (Active Travel / Public Transport etc.). Previously, all relevant Council services were invited to submit proposals to obtain funding from the BLE programme. These were subjected to assessment and prioritisation by officers in the Transport Strategy and Programmes Team, the Service Manager for Policy and Strategy and the Chief Officer - Strategic Place Planning, in accordance with legislative requirements. Following this, applications to the BLE fund were consulted upon by the relevant internal Council services, with the recommended programme of projects approved at Council's Transportation Programme Board. Subsequent to decisions taken in March 2025, these projects were re-assessed to ensure they conformed to the revised framework. Those projects recommended for funding are provided in Table 4 below.

Table 4 – Proposed additional 2025/26 BLE projects

<b>Project</b>	<b>Description</b>	<b>Value</b>
Kingswells Park and Ride Resurfacing	Resurfacing of a section of the car park at Kingswells Park and Ride.	£260,000
Active Travel Distance Markers	To install distance markers along popular commuting and recreational active travel routes throughout the city.	£52,000
Cycle Counter Network Expansion	To add additional cycle counters to our current inventory, enhancing our monitoring capabilities on key transport corridors.	£40,000
<b>TOTAL</b>		<b>£352,000</b>

3.2.8 A summary of the proposed release of additional BLE funding for 2025/26 is provided in Table 5 below. The remaining funding will be carried forward to next year's programme.

Table 5 Summary of BLE Release 25/26

<b>BLE Theme</b>		<b>By Theme</b>	<b>Release</b>
Theme 1	General active travel / public transport maintenance	£263,527	£177,000
Theme 2	Core Path maintenance allocation	£263,527	£0
Theme 3	Core Paths storm damage allocation	£131,763	£131,763
Theme 4	Core Paths project fund allocation	£1,317,634	£170,000
Theme 5	Other Projects (Active Travel/Public Transport etc.)	£658,817	£352,000
	Project Contingency		£10,000
<b>Total</b>	<b>Available Surplus</b>	<b>£2,635,268</b>	<b>£840,763</b>

### 3.3 Low Emission Zone

3.3.1 As reported in the [March 2025 Budget papers](#), the available LEZ surplus at the end of 2024/25 was £669,000. In March 2025, Council agreed to spend £200,000 to support the re-establishment of a bicycle rental scheme in Aberdeen to be funded from the LEZ surplus. Also in [March 2025](#), the Net Zero, Environment and Transport Committee agreed £50,000 of LEZ surplus be allocated to introduce additional planting in the city centre and instructed officers to report back on progress.

3.3.2 Discussions have been ongoing with partners and the Council's Environmental Manager to consider projects that could be progressed at this time. These are as follows:

- Our Union Street Greening / People Project: £61,000

Temporary tactical urbanism approach to a stretch of Union Street West (Union Terrace to Dee Street) to introduce areas of new planting (with plants selected on the basis of their air quality and climate change benefits) and seating. The project would involve working with H.M.P Grampian and the Our Union Street "volunteer army" to construct, plant and maintain the structures. This project would be undertaken in partnership between Our Union Street and Aberdeen City Council, with Our Union Street managing the project under the guidance of the Council's Environmental Manager.

The above figure includes £10,000 contingency for removal and making good, or for relocation if required due to utilities or other works being required. If this contingency funding is not required it would be refunded to a future LEZ programme.

- City Centre Greening, Growing and Buzzing: £60,000

This project would include a range of initiatives such as: reinstating urban bees into the city centre, additional floral enhancement via provision of year-round hanging baskets and investigation of additional green bus shelters. This project would be undertaken in partnership between Aberdeen Inspired and Aberdeen City Council, with Aberdeen Inspired

managing the project under the guidance of the Council's Environmental Manager.

The above figure includes £10,000 contingency for removal and making good, or for relocation if required due to utilities or other works being required. If this contingency funding is not required it would be refunded to a future LEZ programme.

- 3.3.3 The combined cost of these projects is £121,000. In addition to the £50,000 already agreed by Committee for planting, it is proposed that the additional £71,000 is allocated under the 'Greening the City Centre' theme (Table 2).

### **Next Steps**

- 3.3.4 At the meeting of the Net Zero, Environment and Transport Committee in [September 2023](#), Members instructed the Chief Officer – Strategic Place Planning to submit a report in Summer 2025 identifying the costs and income associated with operation of the LEZ during the 2024/25 financial year, including a proposed programme for the use of any surplus income. It is still intended that this report will be presented to the next meeting of the Net Zero, Environment and Transport Committee in September 2025.

## **4. FINANCIAL IMPLICATIONS**

- 4.1 The available BLE surplus at the end of 2024/25 was £2,635,268.
- 4.2 The available LEZ surplus at the end of 2024/25 was £669,000, as reported via the Council's budget setting process. The updated position will be provided to Members in the September report.
- 4.3 A statutory appeal has been raised against the Council in connection with an Experimental Traffic Regulation Order being made permanent. Having taken preliminary advice from Senior Counsel, the Council is comfortable with its interpretation of the legislation, however if the Council is unsuccessful in defending the statutory appeal, repayment of fines seems a low likelihood, but this could have a high impact if required.

## **5. LEGAL IMPLICATIONS**

- 5.1 The Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011 require that any sums paid to a local authority by way of charges under these Regulations must only be used to facilitate the achievement of policies in that authority's Local Transport Strategy.
- 5.2 The Transport (Scotland) Act 2019 requires that any net surplus arising from Low Emission Zone penalty charge notices can (once scheme operational costs have been covered) be used by the local authority for additional measures that support air quality improvements.
- 5.3 Grant Agreements will be put in place between Aberdeen City Council and any external organisations awarded grant funding. These will which comply with

internal legal and governance requirements, including Subsidy Control Legislation.

## 6. ENVIRONMENTAL IMPLICATIONS

- 6.1 Transport emissions are a significant contributor to carbon emissions and air pollution. Projects within the BLE and LEZ programmes have a focus on improving conditions for sustainable modes of transport (walking, cycling, wheeling and public transport) and look to encourage more usage of these forms of transport. More people travelling sustainably means fewer carbon emissions and less air pollution from transport.

## 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?
<b>Strategic Risk</b>	Delivery of measures approved through the BLE and LEZ funds supports a number of strategic priorities, in terms of a sustainable economy, a sustainable transport system, the continued health and prosperity of our citizens, reductions in carbon emissions, improved air quality and a high-quality environment. Failure to deliver measures where there is evidence of their effectiveness could undermine the Council's ability	Approve the release of funds as detailed in this report.	L	Yes



	to realise these aspirations.			
<b>Compliance</b>	<p>There are risks that the Council would not be complying with the requirements of the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011 and the Transport (Scotland) Act 2019 if surplus income was not applied to Local Transport Strategy and Air Quality improvement projects respectively.</p> <p>There are risks that organisations awarded funding do not comply with grant conditions.</p>	<p>Approve the release of funds as detailed in this report.</p> <p>Ensure organisations are aware of requirements, and undertake ongoing monitoring of progress.</p>	L	<b>Yes</b>
<b>Operational</b>	No significant risks identified.	N/A	N/A	<b>Yes</b>
<b>Financial</b>	<p>There is a risk that some projects overspend their allocation.</p> <p>Spend may not be directly linked to approved activity.</p> <p>There is currently a statutory appeal ongoing.</p>	<p>Contingency allowed for in the programme.</p> <p>Close project monitoring. Projects required to submit evidence of expenditure as part of monitoring and reporting.</p>	L	<b>Yes</b>
<b>Reputational</b>	As the BLE and LEZ income is managed by the Council and used to implement projects which contribute to	Approve the release of funds as detailed in this report.	L	<b>Yes</b>

	achieving LTS and air quality objectives, failure to deliver undermines the Council's commitments to improving the lives of those who live, work and visit Aberdeen.			
<b>Environment / Climate</b>	The BLE and LEZ programmes support sustainable and active travel and air quality improvements, therefore not implementing these could result in increased carbon emissions and air pollution.	Approve the release of funds as detailed in this report.	L	<b>Yes</b>

## 8. OUTCOMES

<b><u>COUNCIL DELIVERY PLAN 2022-2023</u></b>	
	<b>Impact of Report</b>
<b>Aberdeen City Council Policy Statement</b>  <a href="#"><u>Working in Partnership for Aberdeen</u></a>	<p>The proposals within this report support the delivery of the following commitments within the policy statement:</p> <ul style="list-style-type: none"> <li>• <i>Work with partners to deliver a just transition to net zero and plan to make Aberdeen a net-zero city by no later than 2037, and earlier if that is possible; and</i></li> <li>• <i>Improving cycle and active transport infrastructure, including by seeking to integrate safe, physically segregated cycle lanes in new road building projects and taking steps to ensure any proposal for resurfacing or other long-term investments consider options to improve cycle and active transport infrastructure.</i></li> </ul>
<a href="#"><u>Aberdeen City Local Outcome Improvement Plan 2016-26</u></a>	
Prosperous People Stretch Outcomes	<p>The projects identified in this report support the delivery of the following Stretch Outcomes:</p> <p><i>11. Healthy life expectancy (time lived in good health) is five years longer by 2026 - Active and</i></p>

	sustainable travel are known to improve a number of health conditions, potentially increasing life expectancy. The projects funded by BLE and LEZ will include measures to support, encourage and increase active and sustainable travel thereby also producing less greenhouse gas emissions and improving air quality.
Prosperous Place Stretch Outcomes	<p>The projects identified in this report support the delivery of the following Stretch Outcomes:</p> <p><i>13. Addressing climate change by reducing Aberdeen's carbon emissions by at least 61% by 2026 and adapting to the impacts of our changing climate.</i></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>The projects funded by BLE and LEZ aim to increase active and sustainable travel which will contribute to reductions in carbon emissions and improvements in air quality, and contribute to physical and mental health and wellbeing.</p>
<b>Regional and City Strategies</b>	The projects funded by BLE and LEZ will support the Regional Transport Strategy, Regional Economic Strategy, Local Transport Strategy, Aberdeen City Centre and Beach Masterplan, LOIP, Air Quality Action Plan, Local Development Plan and Aberdeen Net Zero Vision.

## 9. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Integrated Impact Assessment</b>	New Integrated Impact Assessment has been completed.
<b>Data Protection Impact Assessment</b>	Not required.
<b>Other</b>	None.

## 10. BACKGROUND PAPERS

- 10.1 Bus Lane Enforcement Programme Update & Future Planning 2025/26 – CR&E/25/055 ([Net Zero, Environment and Transport Committee, March 2025](#)) (Item 8).
- 10.2 General Fund Revenue and Capital Programme 2025/26 to 2029/30 – CORS/25/048 ([Full Council, March 2025](#)) (Item 3).

- 10.3 Low Emission Zone Penalty Charge Notice – Net Surplus Income Policy – CMOM/23/327 ([Net Zero, Environment and Transport Committee, September 2023](#)) (Item 11).

## 11. APPENDICES

- 11.1 None.

## 12. REPORT AUTHOR CONTACT DETAILS

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