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Meeting Location	Aberdeen City Council, Marischal College, Aberdeen	Client	Transport Scotland
Meeting Date/Time	06 September 2013, 12pm	Project	A90/A96 Haudagain Improvement
Subject	Compensation Process	Project No.	B1557630
Participants	Refer to Item 1	Notes Prepared By	JUK

File

cc:

Item	Subject	Description	Action
1	Attendees		
	(i)	<p>Transport Scotland (TS):</p> <p>Duncan McCallum – Project Director</p> <p>Aberdeen City Council (ACC):</p> <p>Joanna Murray - Team Leader Transportation Strategy and Programmes Paul Genoe - Regeneration Consultant Stephen Booth – Property Estates Manager</p> <p>FG Burnett (FGB):</p> <p>Keith Petrie – Property Consultant</p> <p>Jacobs (JUK):</p> <p>Rob Galbraith – Commission Director Chris Hutt – Senior Engineer</p> <p>Valuation Office Agency (VOA):</p> <p>Archie Rintoul – Chief Valuer Scotland</p>	
2	Confirmation of Scheme Design and Appraisal Timescale		
	(i)	<p>JUK noted the following timescales for project:</p> <ul style="list-style-type: none"> • DMRB Stage 2 Assessment – Spring 2014; • DMRB Stage 3 Assessment – Summer 2015; • Draft Orders and Environmental Statement (ES) – Summer 2015; • Objection Period and potential PLI – Autumn 2015 into late 2016; • Made Orders and ES – Summer 2017; 	

Meeting Notes

(Continued)

Page 2 of 6

		<ul style="list-style-type: none"> • Preparation of Tender Documents – Summer 2017; • GVD – Late 2017 / Early 2018; and • Construction Start – Spring 2018. <p>JUK confirmed that these were the delivery dates noted in the Procurement Paper issued from TS to ACC on 20 August 2013.</p>	
	(ii)	<p>JUK explained that the DMRB Stage 2 Assessment allows the three route options to be fully assessed culminating in a report which will support the identification of the preferred option.</p> <p>JUK added that an early stage of this work already completed was the undertaking of a sifting exercise. The 41 options identified during the ACC STAG process were reassessed along with additional options identified by JUK. This resulted in three design concepts being carried forward to a full Stage 2 assessment, including the previous STAG Option 5.</p>	
	(iii)	<p>JUK noted that the design development process would go through several iterations before the final Stage 2 designs were complete. There remains a possibility at this stage that the current design concepts will alter before Spring 2014 when the assessment work is complete. The traffic modelling in particular will have significant influence on this process.</p> <p>JUK added that the more detailed design undertaken during the Stage 3 process means that the footprint of the scheme will not be known until summer 2015. In particular, access provision, environmental mitigation and drainage measures can require significant areas of land.</p>	
	(iv)	<p>JUK noted that scheme delivery would not be confirmed until the legal challenge period elapse after the Made Orders are published. Although this is anticipated to be mid/late 2017, the timescales associated with the PLI and legal challenges were uncertain.</p>	
3	Timescale for firming up on drawing no. B1557630/SK/001 blue, green and yellow delineation		
	(i)	<p>Given the current uncertainties of the preferred option and final scheme footprint, ACC noted that they would progress at present on the assumption of Option 5 being reconfirmed as the preferred option. Furthermore, ACC would assume that the blue properties, as presented on the above drawing, were those properties requiring demolition for the construction of Option 5. JUK noted that a key risk to ACC would be the possibility of an alternative option being announced as the preferred option which has a lesser/significantly different footprint than Option 5.</p> <p>JUK explained that there are various internal design fixes during the Stage 2 process where updated road designs would be provided to other disciplines, such as the environmental team, to undertake assessment work. JUK agreed to share details of their next design fix with ACC as it would allow ACC to take an informed risk based approach to their regeneration strategy. Communication channels would also remain open at all times, including through the working groups.</p> <p><i>Post Meeting Note: Next design fix anticipated mid November 2013, subject to receipt of traffic information from ACC.</i></p>	JUK

Meeting Notes

(Continued)

Page 3 of 6

	(ii)	<p>JUK explained that a public exhibition would be held as part of the DMRB Stage 2 scheme assessment process. ACC highlighted that Option 5 has been recognised as the preferred option for approximately five years and as such, any exhibition would need to be carefully planned. All agreed that the exhibition and associated media strategy would be an important consideration of the Stakeholder and Community Engagement working group.</p> <p>JUK suggested that the Q&A, to be developed by the working group, should consider three types of questions, as follows:</p> <ol style="list-style-type: none"> 1. Standard Q&A that TS or ACC can respond to; 2. Q&A that only TS should respond to; and 3. Q&A that only ACC should respond to. <p>ACC also noted that they intended to begin a consultation exercise in November 2013. This should also be discussed at the working group.</p>	ALL – Working Group
	(iii)	<p>Discussions relating to the road tie in of Option 5 to the regeneration area and Manor Avenue highlighted potential opportunities to minimise the amount of demolition required. JUK agreed that this would be analysed in some detail during the design development and advised that traffic modelling would be a key task in determining the final design. JUK explained that the location and design of the tie-ins to the regeneration and Manor Avenue would be influenced by the traffic volume using the regeneration area and queue lengths at the junction. JUK emphasised the importance at this stage of obtaining:</p> <ul style="list-style-type: none"> • The latest AAFN models and related information requested from SIAS; and • Details relating to the type of development planned for the regeneration area and predicted traffic levels. <p>ACC agreed to provide the above information at the earliest opportunity, including sensitivity modelling that was undertaken during the STAG work in 2008.</p> <p>JUK added that by following the normal design process a road tie-in would be provided to the existing road network; however, in this instance, it may be better to complement ACC's regeneration proposals depending on the timetable for implementing those proposals. It was noted that if the design did tie into the existing road network the number of accesses provided would need to meet the requirements of the emergency services. Specifically, more than one access must be provided to housing estates which exceed a certain number of properties. JUK would consult with ACC on this issue at the appropriate time.</p>	ACC JUK
	(iv)	<p>JUK explained that reasonable certainty of the maximum scheme footprint would be provided when the Draft Orders and Draft CPO are published in summer 2015. Some reductions in the area of the CPO may occur through resolution of objections and to comply with PLI recommendations.</p>	
4	Valuation Principles – Intention regarding vacant possession		
	(i)	<p>ACC noted their intention to achieve vacant possession for all ACC owned properties in advance of scheme construction. ACC added that vacating property takes time as all the occupiers will need to be re-housed according</p>	

Meeting Notes

(Continued)

Page 4 of 6

		<p>to their needs and it would be in the interests of both TS and ACC to ensure the process starts early enough for vacant possession to be achieved prior to 2018. ACC propose that those properties coloured blue on drawing B1557630/SK/001 would be vacated first, although ACC noted that three of those properties are owner occupied.</p> <p>ACC also noted that, by achieving vacant possession for the whole site it would allow the road scheme to tie into the regeneration proposals rather than the existing housing (see also note 3iii), and therefore avoid abortive work.</p>	
	(ii)	<p>ACC further emphasised that vacant possession takes time and if the process was not initiated in advance of the GVD process, as per the statutory process, there is a significant risk that the need to decant property would delay the start of construction.</p>	
	(iii)	<p>TS asked how long the process would take to achieve vacant possession. JUK noted that the current ACC 2-year programme shows that vacant possession could be achieved in one and three quarter years. Deducting the period from the construction commencement date of 2018 suggested that vacant possession could be achieved if arrangements commenced in summer 2016, i.e. following the date of publication of draft Orders in Summer 2015. TS noted that any deviation from the normal land acquisition statutory process would be at the discretion of the Scottish Ministers.</p> <p>ACC agreed to consider an appropriate timescale to achieve vacant possession.</p>	ACC
5	Advance Demolition – Protection of value and reimbursement of demolition cost		
	(i)	<p>The VOA explained that it would make a valuation of the affected properties at the vesting date. If ACC were to demolish property in advance then they would need to be aware that the VOA would be valuing the cleared sites rather than properties.</p> <p>ACC noted that they would not want to lose out financially by taking this proactive approach. ACC added that they considered that the vacant possession programme would be an issue in respect of vandalism and could potentially result in higher demolition costs and raise day-to-day property asset issues.</p>	
	(ii)	<p>ACC explained that they need to gain an understanding of the level of compensation they are likely to receive. Given their desire to achieve a clear site by 2018 and the lack of available existing stock to rehouse people, it is essential that new build housing is created. Developing a programme is difficult without this key budget information.</p> <p>ACC noted that they would apply for a variety of funding indicating new build grants; however, a deficit was anticipated and it is crucial that the extent of that deficit is understood. Acc wish to maximise their compensation claim but at the same time create a cleared site opportunity for Transport Scotland to be able to undertake commencement of the improvement works as soon as possible and by no later than Spring 2018, the projected date of the completion of the AWPR.</p>	
6	Owner Occupiers and the process		
	(i)	<p>ACC noted that they have not yet considered how they would deal with</p>	

Meeting Notes

(Continued)

Page 5 of 6

		owner occupiers as part of any advance works programme.	
	(ii)	The VOA suggested that there may not be any practical benefit to ACC or TS decanting ACC owned properties early, where those properties were physically connected to owner occupied properties. It may be more prudent to time the process such that decanting occurs nearer the vesting date when the title to owner occupied properties would be transferred to Scottish Ministers.	
7	Probability of advanced payment for works		
	(i)	<p>ACC highlighted the precedent set by the AWPR project with regard to advance purchase by agreement and requested that discussions commence given the requirement for a CPO. TS explained that advance purchase agreements on AWPR were only entered into following the publishing of the Draft Road Orders, which on this project is likely to be summer 2015.</p> <p>TS added that they could only enter discussions at the request of the Scottish Ministers. At present TS can only follow the statutory process. The VOA noted that they would normally be asked to value a property at the GVD stage under normal CPO procedures.</p> <p>ACC noted that any agreement for advance purchase, advance demolition and/or vacant possession in advance of the GVD would require instruction from the Scottish Ministers and as such ACC will be preparing a submission to the Scottish Ministers to enter into an agreement on a consensus on taking the decanting and demolition forward with a request for advance payment. ACC stated that the project was highlighted in parliament during the STAG process as a positive example of how public bodies can work together and that they firmly believe that there remains an opportunity for this to continue.</p> <p>TS noted that the current budget provision only covers for the design of the scheme and there is no allowance for land acquisition. TS added that summer 2015 would be the earliest point in the time where advance compensation/agreements could be considered.</p> <p><i>Post Meeting Note: The ACC request to instruct TS as per the above has now been sent to the Scottish Government Minister for Transport and Veterans.</i></p>	ACC
	(ii)	<p>ACC requested that the Compensation Paper currently being prepared for issue to ACC includes some text to explain the situations in which the Minister may decide to instruct an Early Acquisition Agreement and therefore avoid the need to follow the statutory procedures. ACC requested that details are included of other schemes where such precedents have been set.</p> <p>ACC also suggested that TS could consider a legal agreement whereby any advance compensation paid to ACC would be refunded if the scheme did not go ahead. ACC asked that the compensation paper could also explore possibilities such as this.</p> <p>TS noted that the paper will be issued in the next few weeks.</p>	TS
	(iii)	ACC indicated that they would press ahead with the planning for the regeneration proposals regardless of any Agreements being made;	

Meeting Notes

(Continued)

Page 6 of 6

		however, no demolition would be progressed. JUK highlighted the risk that any decant or demolition work undertaken in advance of the PLI could give the impression that ACC/TS were pre-judging the outcome. All agreed that this would not be the case but agreed that the communication strategy would be key to avoiding this perception.	
8	Any Other Business		
	(i)	JUK noted the need to arrange the next quarterly meeting between ACC and TS.	JUK
	(ii)	ACC agreed to provide contact details for each of the working groups.	ACC
	(iii)	ACC noted that they were compiling details of their land ownership and that it would be issued in due course. JUK noted that they would be used the information to create composite land plans.	ACC