

ABERDEEN CITY COUNCIL

COMMITTEE	Enterprise, Planning and Infrastructure
DATE	23 February 2010
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	Aberdeen Western Peripheral Route – Progress Report
REPORT NUMBER	EPI/10/046

1. PURPOSE OF REPORT

This report discusses progress of the Aberdeen Western Peripheral Route (AWPR) and next steps following the Scottish Ministers' decision to authorise the construction of the road.

2. RECOMMENDATION

It is recommended that the Committee:

- a) welcome the Scottish Ministers' decision to proceed with the AWPR; and
- b) instruct that a further report be submitted to the appropriate Committee during the procurement process providing an updated cost estimate and programme.

3. FINANCIAL IMPLICATIONS

Funding for the AWPR has been the subject of agreement between Aberdeen City Council, Aberdeenshire Council and the Scottish Government with a signed Memorandum of Understanding. The works and services required for the delivery of the scheme will be paid for through this ongoing joint funding agreement. The Memorandum of Understanding commits Aberdeen City Council to contributing 9.5% to the scheme costs, excluding the Fastlink and on-going maintenance, which are fully funded by the Scottish Government.

Expenditure for 2009/10 was agreed through the Council's capital budget process, along with indicative funding estimates for future years. The scheme is currently being considered for a Non-Profit Distributing model of procurement which would spread the costs over a long time period. A review of the funding profile will be required following completion of the statutory procedures and as such it is intended to report back to Committee on an updated cost estimate when further information is available from the procurement process.

The revenue implications of Aberdeen City Council's share of the costs of a project of this magnitude will be significant, and are unlikely to be able to be met within existing resources. This implies that either revenue savings will have to be found or additional income generated. These options are currently being investigated by finance officers in both councils and the outcome of investigations will be reported at a later stage.

4. SERVICE & COMMUNITY IMPACT

The delivery of the AWPR will achieve some of the objectives and policies listed in Aberdeen City Council's vision of being Vibrant, Dynamic & Forward Looking and also the Single Outcome Agreement. This includes, for example, contributing to a modern, efficient transport system within and around Aberdeen, and making Aberdeen a more attractive place to do business.

5. OTHER IMPLICATIONS

None

6. REPORT

Background

The AWPR is proposed as both a bypass and a distributor road around the City of Aberdeen. The route envisages the construction of a new road some 34.6km long around Aberdeen City, together with a "Fastlink" to Stonehaven, some 11.5km long, and associated side roads and connections.

The AWPR will provide access to the Park & Ride and rail freight transfer sites around the periphery of the City and improve access to national and European transport networks, reducing the peripherality of the area. It will remove traffic from unsuitable rural and urban roads in and around Aberdeen and will improve road safety. By cutting congestion it will reduce journey times and improve journey time reliability. In addition, it will reduce air pollution impacts in Aberdeen city centre and allow opportunities for pedestrianisation. The AWPR is also required to facilitate the implementation of other development and transportation projects within the area and allow the most effective use of roadspace throughout the City. The construction of the Fastlink will address future congestion on the A90 south of Aberdeen.

The AWPR will provide a boost to the north-east economy increasing business and tourism opportunities. It is estimated that the road will generate total additional income in the north-east of more than £6.33 billion and employment of 14,220 over the 30-year assessment period.

Statutory process to date

The Scottish Ministers are responsible for promoting the AWPR as a trunk road in terms of the Roads (Scotland) Act 1984. The Scottish Ministers are required to promote any necessary schemes, orders and compulsory

purchase orders required in connection with the AWPR in consultation with Aberdeen City Council and Aberdeenshire Council.

Scottish Ministers published draft Orders for the scheme in September and October 2007. A further draft compulsory purchase order for environmental mitigation purposes was published in May 2008. The Public Local Inquiry into the AWPR began in September 2008 and heard objections lodged against the published Orders. The Inquiry Reporters submitted their report to Scottish Ministers on 30th June 2009 for their consideration.

Ministers' decision

On 21st December 2009 the Scottish Ministers' decision on the AWPR was announced following consideration of the Reporters' Report of the Public Local Inquiry. The Scottish Ministers have decided to proceed with the AWPR and make the Schemes and Orders subject to a number of detailed modifications to the published draft Schemes and Orders.

This decision is a significant step forward in the progress towards delivery of the AWPR. The decision has been welcomed by both Councils and the business community giving them greater certainty and confidence and the ability to plan for the future with a fully joined up approach to economic development, planning and transport.

Affirmative Orders process

The relevant Schemes and Trunk Road Orders are now subject to an affirmative procedure in the Scottish Parliament, which requires them to be laid before Parliament for 40 parliamentary days. The relevant Schemes and Trunk Road Orders were made on 14th January 2010 and laid before Parliament on Friday 15th January 2010.

These Schemes and Trunk Road Orders will be subject to scrutiny by the Transport, Infrastructure and Climate Change Committee and ultimately a Parliamentary vote. Subject to a favourable outcome, Parliament will publish a notice stating that the Orders have been approved by resolution and when the Orders will come into force. When the decision notice is published all other Orders and Compulsory Purchase Orders required for the scheme will be made at the same time.

Six week legal challenge period

Publication of the decision notice will also mark the start of a six week period for legal challenge. Any person aggrieved by the Schemes and Orders, who desires to question the validity of the procedure, may make an application to the Court of Session. If it is considered by the Court of Session that any appellant has a case, then this has the potential to delay the delivery of the AWPR for a period of up to 2 years.

Procurement

In making their decision on the AWPR the Scottish Ministers stated that, subject to completing the necessary statutory procedures, it is planned to seek suitably qualified contractors in 2010/11 with an expectation that construction would start in 2011. Assuming Parliamentary approval is given, there will be a need to review the remaining stages of the project, to produce a definitive timetable.

As identified in the Scottish Government's 2008 Infrastructure Investment Plan, the AWPR will be considered for procurement through the Non-Profit Distributing (NPD) model. Financial advisors will be appointed to assist with the development of the NPD model business case for the AWPR, which will outline the economic rationale for following the chosen procurement method. This will allow the project's funding partners to make an informed decision regarding the procurement mechanism for the AWPR.

7. REPORT AUTHOR DETAILS

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8. BACKGROUND PAPERS

- Memorandum of Understanding
- Report to the Scottish Ministers, 30th June 2009
<http://www.scotland.gov.uk/Topics/Transport/Road/AWPR>
- Scottish Ministers' decision letter, 21st December 2009
<http://www.scotland.gov.uk/Resource/Doc/935/0092586.pdf>
- Ministerial statement of 13th January 2010