

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	14 December 2016
DIRECTOR	Pete Leonard
TITLE OF REPORT	Berryden Corridor Improvements Scheme, Compulsory Purchase Order
REPORT NUMBER	CHI/16/240
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

- 1.1 To update Council of scheme progress and advise Council of the extent of land to be acquired through compulsory purchase order (CPO) to facilitate the construction of the scheme.

2. RECOMMENDATION(S)

2.1 It is recommended that the Council:

- a) notes the content of this report;
- b) approves progression of the scheme on the basis of the plan attached in Appendix A;
- c) instructs Officers to prepare a Compulsory Purchase Order and supporting information to acquire the necessary land that cannot be secured by voluntary acquisition through a negotiated process;
- d) instructs Officers report to a future meeting of Council to seek a resolution to make the Compulsory Purchase Order once the supporting documents are completed;
- e) instructs officers, in tandem with the CPO preparation, to continue to attempt voluntary acquisition using delegated authority as granted by Council on 17 August 2016;
- f) authorises transfer of required land from the Common Good account to the General Fund Account at current market value.

3. FINANCIAL IMPLICATIONS

- 3.1 Budget for land costs are included within the existing non-housing capital plan for land and property purchase costs associated to the Berryden Corridor

Voluntary acquisition has been offered in cases where there is likely to be a significant impact upon private ground for individual houses. Any properties acquired for the scheme which are not demolished will be resold on completion of the project with the proceeds being returned to the project budget. This will generally be the case where property may have a significant reduction in private ground and resultant value but are not demolished.

- 3.2 Current estimated costs for various elements of the project are still at a high level with a varying level of contingency to reflect the risks. As the project is more defined and greater information becomes known, assurances around costs will improve.

4. OTHER IMPLICATIONS

- 4.1 Resources from both Communities, Housing and Infrastructure and Corporate Governance will be required to complete the land acquisitions necessary to implement the scheme. Due to the size and scale of the scheme, these services will require to be supported by external resource.

5. BACKGROUND/MAIN ISSUES

The Berryden Corridor was identified as a key project within the Strategic Infrastructure Plan, which was approved in October 2013 and has been included in the Council's Non-Housing Capital Programme.

Policy Context

The Berryden Corridor is included in the following policies:

- The Local Transport Strategy;
- the section that is subject to planning approval is identified within the Local Development Plan;
- the City Centre Masterplan identifies Berryden as a committed scheme that will contribute to the measures necessary to implement this proposal;
- the Roads Hierarchy will seek to lock in the benefits of the Aberdeen Western Peripheral Route by influencing how traffic moves in and around the city centre.

As there have been many changes within the city that have a potential bearing on the project e.g. new and committed developments, the City Centre Masterplan (CCMP), the Local Development Plan, transport policies and priorities etc the previously approved design has been reviewed and updated to reflect the above factors.

As a result the modelling was refreshed in 2014/15 to take account of the most recent data at that time, alongside the work that was then being carried out for the City Centre Masterplan and the proposed Roads Hierarchy.

The Berryden scheme improves a key strategic transport corridor that currently suffers from significant congestion during peak periods. The proposals at this location will allow flexibility in the implementation of wider measures identified in the City Centre Masterplan which is aimed at improving the city centre for all those who live in, work in and visit it. This will be achieved by encouraging city centre traffic to travel via appropriate strategic routes into the city centre and therefore allowing certain key city centre streets to be accessed by more sustainable modes such as pedestrians, cyclists and public transport. The scheme also seeks to improve the overall standard of this key strategic corridor.

Along with the modelling update, the opportunity was also taken to review the 2009 preliminary design, particularly along Caroline Place as the previous design contained compromises in footway and cycleway widths as well visibility splays to preserve the existing residential buildings.

Various alternate options were identified that considered the balance between improving the design and the consequential impact upon the built environment. Following consultation with affected residents the current proposal was presented to and subsequently approved by Council on 17 August 2016.

The current design also proposes to replace the Elm Place roundabout with a set of traffic signals. This will have a limited impact on capacity but it does significantly improve crossing facilities for pedestrians and cyclists, albeit with the removal of a U-turn facility for traffic on the corridor.

The design also strives to introduce separation strips alongside the footway. These strips essentially provide a visual buffer between the footway/cycleway and to give pedestrians a sense that they are more remote from traffic. Due to the constrained nature of the corridor this facility may be reduced or removed along certain sections where there simply isn't enough room to fit these strips in.

The proposed scheme is outlined in the plan attached in Appendix A.

The next step

It is proposed that the Compulsory Purchase Order (CPO) be finalised on the basis of the design attached to the report.

If CPO is used it is highly likely that objections will be raised. However, without a CPO it is unlikely that the Council will secure the land voluntarily in all cases. As a consequence it is likely that a Public Local Inquiry (PLI) will be held, although this is at the discretion of Scottish Ministers.

There are certain issues that have been raised as concerns by various consultees both in the past and as part of the more recent stakeholder engagement. It is likely that the following issues in particular will be raised at PLI:

- Traffic impact along the corridor
- Impact upon air quality
- Noise impacts

Air quality and noise consultants have been appointed to provide a report on the likely impacts based upon the current design as proposed and to give advice on what mitigation measures may be practically incorporated into the scheme. As these measures may involve increased land take it is proposed to seek authorisation from Council to make the finalised Order and formally progress the CPO process.

Completing such assessments ahead of the CPO process would allow for the results to be made publically available to those affected by the CPO ahead of any PLI. This would also mean that supporting documentation will be available at PLI to reduce the risk of challenge or rejection of the CPO.

It is anticipated that these assessments will be completed early in 2017 but this will be contingent on the availability of adequate traffic modelling data to inform the assessments.

6. IMPACT

Improving Customer Experience –

The Berryden Corridor Improvement would represent a substantial upgrade to the local and strategic transport network and would benefit a variety of users whether motor vehicle, bicycle or pedestrian. Improvement of this corridor also helps the delivery of other Aberdeen City Council policies.

Improving Staff Experience –

Improvement of this corridor helps the delivery of other Aberdeen City Council policies.

Improving our use of Resources –

The scheme would represent investment in our transport infrastructure and will extend the operational life of sections of existing road infrastructure thereby allowing for maintenance budget to be invested elsewhere on the network.

Corporate -

The project is in accordance with the Council's Community Plan where it assists in the delivery of the aim to "maintain and improve the range of transport choices available to, from and within the city" and it is a significant contribution to the achievement of outcomes 10, 12 and 14 within the Single Outcome Agreement which, in a local context, seek to improve sustainable travel options.

Aberdeen – The Smarter City has the priority of "provid[ing] and promot[ing] a sustainable transport system, including cycling, which reduces our carbon emissions." The project contributes to this.

The scheme is identified within the Local transport Strategy (LTS), the Strategic Infrastructure Programme and the City Centre Masterplan (CCMP).

Public –

There will be public interest in the scheme, in terms of its contribution to reducing congestion in the area, other local effects of the changes in the transport network and the impact it will have upon the built environment.

7. MANAGEMENT OF RISK

A number of key risks are currently identified with the delivery of this project.

- The need for and duration of the PLI is a matter for Scottish Ministers and their appointed Reporter.
- The CPO may face challenge or rejection if a suitably robust case is not made and sufficient supporting documentation made available.
- Statutory consents such as planning approval have yet to be secured and may be considered barriers to the delivery of the scheme. The PLI Reporter / Scottish Ministers may take this into consideration on whether or not to confirm the CPO or may delay the CPO until these matters are resolved.
- The compensation values may exceed the estimate.

8. BACKGROUND PAPERS

Council – May 2016

9. REPORT AUTHOR DETAILS

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Appendix A