ABERDEEN CITY COUNCIL

COMMITTEE	City Growth & Resources
DATE	25th April 2019
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Bus Lane Enforcement Programme Update & Future Planning 2019/20
REPORT NUMBER	PLA/19/226
DIRECTOR	Not Applicable
CHIEF OFFICER	Gale Beattie
REPORT AUTHOR	Amye Robinson
TERMS OF REFERENCE	1.2

1.   PURPOSE OF REPORT

1.1   The purpose of this report is to provide an update on the status of the current Bus Lane Enforcement (BLE) programme, to seek approval for funding to be released for the Traffic Management of Offshore Europe 2019 and requests approval to not seek any further new BLE applications until the current programme is completed.

2.   RECOMMENDATION(S)

It is recommended that the Committee:-

2.1   Note the progress on the projects funded from the BLE programme up to 2018/19, as detailed in Appendix 1;

2.2   Approve the request to treat as high priority and release funding when it becomes available for the temporary traffic management for Offshore Europe 2019 as detailed Appendix 2;

2.3   Approve the request to commit BLE funding to Offshore Europe (when in Aberdeen) for the amount of up to £60,000 providing there is available BLE funding; and

2.4   Agrees not to currently seek any further new applications for the BLE programme and continue with the delivery of the current BLE programme.

3.   BACKGROUND

3.1   The 2018/19 programme of expenditure of the net surplus generated from the Bus Lane Enforcement (BLE) cameras was approved by Strategic Commissioning Committee in May 2018. A summary of progress on delivering the 2018/19 programme is included as Appendix 1 to this report. Though some projects have been completed the majority are ongoing, with their financial allocations continuing into 2019/20. This is due to the new quarterly approach to releasing BLE funding which minimises risk of potential overspend. Appendix 1 also shows the projects from previous years which have been carried forward. Projects can continue from one year to the next until completion.

3.2   It should be noted that at the former Communities Housing and Infrastructure Committee in May 2017, a new approach to releasing the BLE funding was approved. Funding is now released for spending on a quarterly basis within the year it is generated to ensure its effective utilisation. With good project management and communication channels in place, this new approach has been demonstrated to work well and minimises risk of any potential overspend of BLE funds.

3.3   During 2018/19 there has been insufficient net surplus available from BLE to be able to release and deliver all projects and therefore a number of projects have not been able to proceed this financial year. As such it is considered prudent to try and close the current programme of projects before seeking new projects for the BLE programme.

3.4   A special request has been made for funding from the BLE programme for the temporary traffic management associated with Offshore Europe which will take place in Aberdeen the 3rd to 6th September at TECA. Given the high profile nature of the event, the significant economic importance of the event and the fact that it will be the first time this key event will be held at the new TECA, this is considered a high priority for funding to ensure its successful delivery.

3.6   For the 2019/20 it is proposed there is a continued contingency of £10,000 set aside for the programme alongside the two on-going schemes which have committed funding in the BLE programme as per previous Committee decisions:
  • Strategic Road Maintenance- £450,000 and
  • Transportation Strategy Team Member-£50,159.

As Offshore Europe will continue to be an important economic event and require funding to support its traffic management it is suggested to add this to the committed funding within the BLE programme providing available funding.

3.7   Projects implemented from the BLE net surplus are subject to monthly monitoring through project status reports which are reported to Transportation Programme Board to ensure any potential issues are highlighted and addressed as soon as possible as appropriate. This also maximises use of the

funding available by returning any project underspends for reassignment to the main fund enabling release of the next projects as soon as possible.

4. FINANCIAL IMPLICATIONS

4.1 The net surplus from BLE operations in 2018/19 which is generated from penalty charge notices from bus lane offences was £634,696 to date. This funding can only be used for projects identified as helping to meet the objectives of the LTS as per the requirements of the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011. The net surplus available to date has been required to release some of the 2018/19 programme however there are still a number of projects waiting to be released.

4.2 Any underspend remaining from previously approved programmes which is no longer required must be re-committed to future projects and workstreams that help the Council meet its LTS objectives. The BLE programme in 2018/19, including commitments brought forward from earlier years, had a value of £891,000 of which £737,888 had been spent by the end of March 2019, leaving a sum of £787,808 to be carried forward.

4.3 The budget required for completion of the BLE programme as detailed in Appendix 1 is £1,198,776. On discussion with the project managers for these projects there is confidence and assurance that the projects can be completed once funding is released. A number of projects from 2015/16, 2016/17 and 2017/18 are now complete with an underspend of £39,637 reported; this has helped enable projects within the 2018/19 programme to be released. These include the following:
- Bikeability £1,492
- Car Club Bay Implementation £1,580
- Active Travel Infrastructure £25,279
- Cycling Officer £11,286

4.4 The project Bridge of Dee- River Crossing Capacity Post AWPR Review from the 2017/18 programme for £30,000 has been removed following discussion with the project manager. This is now included within the NESTRANS Reserve List for 2019/20 as detailed in Committee Report PLA/19/225 Appendix 2C. This unspent project budget has also gone towards releasing projects within the 2018/19 programme.

4.5 During 2018/19 sufficient Developer Obligations were identified as alternative sources of funding for delivery of the following projects and therefore enabled them to be removed from the BLE programme:
- Deeside Way Core Path (£10,000)
- Kincorth Hill Core Paths (£30,000)

4.6 Table 1 provides a financial summary of 2018/19 programme.

Table 1 2018/19 BLE Programme Summary

2018/19 Programme Summary	
Balance b/f 1 April 2018	£891,000
Add: Net Surplus Generated in 2018/19	£634,696
Total available funds for 2018/19	£1,525,696
Less: Total Expenditure 2018/19 to date	£737,888
Surplus at 31st March 2019 to be carried forward	£787,808
Less: Funds required to complete 2018/19 programme	£1,198,776

5. LEGAL IMPLICATIONS

5.1 The Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011 at Part VII Financial Provisions, regulation 32(2) states:

Any sums paid to an approved local authority by way of charges under these Regulations must be applied by that authority for the purpose of directly or indirectly facilitating the achievement of policies in that authority's Local Transport Strategy.

This means any monies paid to ACC from bus lane penalty charge notices should be traceable, auditable and clearly linkable to the LTS.

5.2 Monitoring of project progress and financial out-turns is undertaken on a monthly basis and reported to the Transportation Programme Board.

5.3 The penalty charge notice (PCN) for the Bus Lanes cannot be increased without Scottish Ministers approval.

6. MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
Financial	Unable to spend funding due to resource capacity	Medium	Continue to monitor progress and raise issues early so appropriate action can be taken through the Transportation Programme Board.

Legal	Monies are spent on actions not related to the LTS	Low	Monthly project reporting to monitor action and how funding is spent, ensuring it's against the LTS by the Transportation Programme Board.
Employee	None	Low	NA
Customer	None-work is to achieve objectives of the LTS and improve urban environment.	Low	NA
Environment	None-the BLE programme works towards improving sustainable and active travel and thereby contributing to improved air quality and environment.	Low	NA
Technology	Minimal-BLE programme does not rely on technology for its implementation. Some of the approved projects relate to new technology for example improvements to the Council's Intelligent Transport Systems.	Low	NA
Reputational	There is minimal reputational risk as the BLE income is managed by the Council and used to implement projects which contribute to achieving LTS objectives.	Medium	Robust programme management in place to monitor progress and take corrective action.

7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Prosperous Economy	A sustainable transport system that is fit for the 21st Century, accessible to all, supports a vibrant

	economy, facilitates healthy living and minimises the impact on our environment.
Prosperous People	Contributes to Key Drivers 3.4 (Improving health and reducing inequalities). The projects encourage and increase opportunities for walking and cycling for everyday journeys, contributing to reducing harmful emissions from road transport.
Prosperous Place	Contributes to Key Drivers 11.4 (Encouraging adoption of healthier lifestyles) and 15.1 (Supporting different ways for active and sustainable travel in everyday journeys, using partners and volunteers to address safety, infrastructure, fitness, well-being and confidence) in that the projects will encourage and increase opportunities for people to walk or cycle for everyday journeys, thus improving health and wellbeing. Also contributes to Key Driver 14.1 (Reducing emissions across the city through delivery of Aberdeen's Sustainable Energy Action Plan 'Powering Aberdeen') in that encouraging modal shift to active and sustainable forms of transport should contribute towards reducing harmful emissions from road transport.
Enabling Technology	To expand the use of Intelligent Transport Systems (ITS) to manage traffic flow in order to improve the efficiency of the transport network in the City.

Design Principles of Target Operating Model	
	Impact of Report
Governance	There is a project manager assigned to each project who is responsible for the delivery. Projects are also monitored through the Transportation Programme Board.
Process Design	Appropriate colleagues from across the Council, mainly transportation colleagues, will be consulted in any design works.
Technology	Two projects involve technology which includes Winter Maintenance Digitalisation and Automatic Number Plate Recognition Journey Time Monitoring Phase 2.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	Not required
Data Protection Impact	Not required

Assessment	
Duty of Due Regard / Fairer Scotland Duty	Not applicable

9.   BACKGROUND PAPERS

Aberdeen City Local Transport Strategy 2016-2021

PLA.18.016

10.   APPENDICES (if applicable)

Appendix 1-Bus Lane Enforcement Fund Programme Update
Appendix 2- Bus Lane Enforcement 2019/20 Programme

11.   REPORT AUTHOR CONTACT DETAILS

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