

## **3b Strategic Transport Fund Update**

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### **o Purpose of Report**

The purpose of this report is to update Board members on progress in reviewing the STF guidance and on payments received and agreements made in relation to the Strategic Transport Fund to date.

### **o Background**

The Strategic Development Planning Authority adopted the supplementary guidance 'Delivering Identified Projects through a Strategic Transport Fund' in December 2011. This guidance is non-statutory supplementary guidance in support of the Aberdeen City and Shire Structure Plan 2009 and was adopted with the intention that it would be reviewed and adopted as statutory guidance as part of the new Strategic Development Plan. The Aberdeen City and Shire Strategic Development Plan was adopted in March 2014 and the SDPA agreed in June 2014 that in the interim, the current non-statutory guidance will continue to be used.

A draft of the revised guidance has been consulted upon and will be reported to the SDPA in the near future.

Nestrans has been assisting the SDPA in commissioning further clarification of the Cumulative Transport Appraisal modelling work and in the review and development of the revised guidance.

### **o Review of the STF Guidance**

The review of the Guidance should appropriately be considered in the first instance by the SDPA, following which it is the intention that the proposed Supplementary Guidance would be submitted to Scottish Ministers. Scottish Ministers will then have 28 days to issue a direction to the SDPA if they require an amendment to be made prior to adoption. The earliest the Supplementary Guidance is likely to come into force is therefore Summer 2015.

In the interim, STF contributions continue to be sought for all relevant planning applications in the City and Aberdeenshire and the existing guidance will continue in force.

### **o Members' role in Planning Issues**

As members will be aware, there has been some uncertainty regarding the role of Nestrans' members involved in determining planning applications where Strategic Transport Fund contributions are sought. Aberdeenshire Council members received legal advice that they may need to declare an interest or withdraw from meetings in case of conflict with their Nestrans role.

Nestrans takes its legal advice from Aberdeen City Council, whose lawyers take a slightly different perspective on this matter and therefore advice has been sought from the Standards Commission as to whether a derogation or other statement would be required to clarify the position of members in terms of their interest on such matters.

It may be possible to provide a verbal update on this matter or to update members by email if progress is outwith the timescale for this meeting.

o **Update on agreements and payments into the fund**

Since the last Board meeting in February 2015 funds totalling £13,422 have been received in relation to two further sites, one in Aberdeen and the other in Aberdeenshire.

In total, contributions of £20,599,047 have been agreed in relation to the STF of which £1,473,162.92 is currently held by Nestrans.

As stated in the guidance, monies paid into the STF are held for a period of 20 years.

o **Recommendation**

The Board is recommended to:

- a) Note the steps being taken in the review of the STF, the key changes made to the guidance and the timescales set out by the SDPA for this;
- b) Note the payments made into the funds to date.

RD/JA 23 March 2015