

Strategy -
3b Strategic Transport Fund

- Purpose of Report

The purpose of this report is to update the Board on the implementation of the Strategic Transport Fund (STF) since the adoption of the supplementary guidance 'Delivering Identified Projects through a Strategic Transport Fund'. It also outlines the proposed timescales for the next steps.

The report also asks the Board to designate two board members as 'Proper Officers' able to sign Section 75 agreements relating to the STF in the absence of the Director.

- Background

The Strategic Development Planning Authority adopted the supplementary guidance 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 purpose of the supplementary guidance is to seek contributions from housing and non-residential development for the delivery of identified strategic transport projects identified as required as a result of the scale of development proposed in the development plan. The calculations proposed for housing are based on a per unit cost linked to the number of bedrooms with an average cost of £2,064 per house.

For employment uses, a per hectare contribution is applied based on the Use Classes Order and weighted on the basis of relative land value and trip generation with an average cost per hectare of £62,010.

These contributions are to be used specifically for the delivery of the strategic transport projects identified through the Cumulative Transport Appraisal and developers will continue to make appropriate payments towards local transport improvements and other required infrastructure such as education and affordable housing.

- Update on the Fund

Since the adoption of the supplementary guidance in December 2011, contributions have been formally agreed for four developments. Three of these have been agreed through Section 75 agreements for which payment will be received on completion of the development and one through a payment upfront for which the 20 year period for retention of these funds will start on implementation of the planning permission.

These agreements account for a total agreed contribution of £1,286,000 of which £43,000 has already been paid.

Discussions are taking place within the two Councils on a large number of other sites that are coming forward and that will require to make an STF contribution.

Full details of the contributions received into the fund and expenditure will be provided in the Nestrans Annual Report for 2012/13.

- Proposed timescales

There are two streams of work that are currently being taken forward in relation to the STF:

- Prioritisation of the strategic infrastructure interventions; and
- Review of the supplementary guidance (required prior to adoption as statutory supplementary guidance under the Strategic Development Plan). This provides the opportunity to review and respond to a number of points that have arisen during the early implementation.

It is proposed that a discussion paper be prepared that covers both of these issues and that this is used as the basis to consult with the development industry through a stakeholder workshop in late 2012.

The prioritisation of infrastructure would then be reported back to the Board in December while the comments received on the supplementary guidance would be used to inform a review of the document and production of a revised draft for further consultation. The timescales the SDPA are working to in terms of producing the final supplementary guidance are that it be complete by the end of 2013 at the latest so that it is in a position to be adopted alongside the approval of the Strategic Development Plan.

- Proper Officer

At its meeting in April 2012, the Board homologated the decision to appoint the Nestrans Director as a Proper Officer under Schedule 1, paragraph 13 of the Transport (Scotland) Act 2005 which states that “a transport partnership shall appoint one of its employees as its proper officer for the purposes of sections 190, 191 and 193 of the Local Government (Scotland) Act 1973”. The provisions under those sections of the 1973 Act refer to the service of legal proceedings and notices and the authentication of documents. This decision allows the Director to sign Section 75 agreements that relate to the Strategic Transport Fund on behalf of Nestrans.

Legal advice has been sought on designating further Proper Officers who are able to sign these agreements in the absence of the Director. It has been recommended by legal that the Board designate two of its Councillor members as Proper Officers who can perform this role if necessary. It is proposed that the Chair and Deputy Chair of Nestrans would be the most appropriate for this role.

- Recommendation

The Board is recommended to:

- Note the update on payments into the Strategic Transport Fund;
- Agree the proposed timescale for prioritisation;
- Note the proposed timescale for the SDPA to carry out a review and update of the supplementary guidance.
- Agree the appointment of the Chair and Deputy Chair as Proper Officers able to sign Section 75 agreements for the Strategic Transport Fund on behalf of Nestrans.

KM 26 September 2012