

City Chambers
DUNDEE
DD1 3BY

12th September, 2014

Dear Sir or Madam

CITY DEVELOPMENT COMMITTEE

You are requested to attend a MEETING of the **CITY DEVELOPMENT COMMITTEE** which will be held in the City Chambers, City Square, Dundee on Monday, 22nd September, 2014 to follow the meetings of the City Council, Education, Environment and Housing Committees called for 6.00 pm.

Yours faithfully

DAVID K DORWARD

Chief Executive

AGENDA OF BUSINESS

1 DECLARATION OF INTEREST

Members are reminded that, in terms of The Councillors Code, it is their responsibility to make decisions about whether to declare an interest in any item on this agenda and whether to take part in any discussions or voting.

This will include all interests, whether or not entered on your Register of Interests, which would reasonably be regarded as so significant that they are likely to prejudice your discussion or decision-making.

2 PUBLIC CONSULTATION OF CONSERVATION AREA APPRAISALS (AN212-2014)

Four Draft Conservation Area Appraisals have been undertaken and the Director of City Development seeks the remit to consult with the local community and interested parties on the content of the appraisals and to report back with the results of the consultation process.

The areas that have been reviewed include: Maryfield Conservation Area, West End Lanes Conservation Area, West End Suburbs Conservation Area and Logie Conservation Area.

As part of the appraisal, a number of minor boundary amendments have been proposed within the Maryfield Conservation Area and the West End Suburbs Conservation Area. The amendments will be subject to public consultation prior to reporting back to the City Development Committee for approval.

3 CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - STREET NAMES -

SITE NORTH OF DRUMGEITH ROAD AND WEST OF SUMMERFIELD AVENUE (AN213-2014)

A consultation was carried out on 23rd July, 2014 and concluded on 8th August, 2014 for the extension of existing/new street names at the site north of Drumgeith Road and west of Summerfield Avenue.

The consultation correspondence was put to the Ward Councillors, City Archivist, Communities Officer, The Whitfield Development Group and the Applicant/Agent.

Two responses were received from the City Archivist and The Whitfield Development Group who are both in agreement to continue with the existing theme of "Ayrshire towns" in the area.

The street names that include Fenwick, Maybole and Girvan are still in place although there are no properties addressed off these streets at present.

It is intended to use "Fenwick" as part of this development and to utilise Maybole and Girvan at some point during later development in this area.

After consideration, Committee is asked to approve the following:-

- (i) the extension of existing street names at Strathaven Terrace, Kilbride Place and Kilwinning Place;
- (ii) the reinstatement of Fenwick Place; and
- (iii) the new street names of Summerfield Court and Kilwinning Row.

4 WINTER MAINTENANCE POLICY AND LEVEL OF SERVICE 2014/15 (AN215-2014)

Reference is made to Article VII of the City Development Committee of 24th September, 2012 where, following the severe winter of 2010/11 and detailed reviews with all stakeholders, improvements to the policy and level of service for winter 2012/13 were approved. This improvement policy and level of service was adopted for 2013/14 and it is recommended that it is adopted again for 2013/15. A copy of the current policy can be obtained using the attached link.

<http://www.dundee.gov.uk/sites/default/files/publications/Winter Maintenance Policy 2013 14 Finalised.pdf>

Committee is asked to agree the foregoing.

5 RESPONSE TO TRANSPORT SCOTLAND CONSULTATION ON BUS SERVICE REGISTRATIONS

(Report No 335-2014 enclosed).

6 STATUTORY UNDERTAKERS REINSTATEMENT PERFORMANCE IN DUNDEE 2012/2013

(Report No 1-2014 enclosed).

7 LOCHEE HIGH STREET (VARIATION TO WAITING RESTRICTIONS) ORDER 2014

(Report No 284-2014 enclosed).

8 DUNDEE LOCAL DEVELOPMENT PLAN SUPPLEMENTARY GUIDANCE ON DEVELOPER CONTRIBUTIONS

(Report No 329-2014 enclosed).

9 DUNDEE LOCAL DEVELOPMENT PLAN - SUPPLEMENTARY GUIDANCE ON AIR QUALITY CONTROL AND LAND USE PLANNING

(Report No 332-2014 enclosed).

10 TENDERS RECEIVED BY CITY ARCHITECT

(Report No 323-2014 enclosed).

The Committee may resolve under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 6 and 9 of Part I of Schedule 7A of the Act.

11 COMMERCIAL LEASES AND RENT REVIEWS

REPORT TO: CITY DEVELOPMENT COMMITTEE – 22 SEPTEMBER 2014

REPORT ON: RESPONSE TO TRANSPORT SCOTLAND CONSULTATION ON BUS SERVICE REGISTRATIONS

REPORT BY: DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 335-2014

1 PURPOSE OF REPORT

1.1 This report seeks the approval of the Committee to respond to the current consultation on bus service registrations being undertaken by Transport Scotland.

2 RECOMMENDATION

2.1 It is recommended that the Committee approves the response set out in Appendix 1 and authorises officers to submit it on behalf of Dundee City Council.

3 FINANCIAL IMPLICATIONS

3.1 There are no financial implications arising as a result of this report.

4 BACKGROUND

4.1 Local bus service provision requires bus operators to register their proposed service operation with the Office of the Traffic Commissioner. Bus service registrations detail route and frequency of service. Failure to operate services as registered may result in an operator being summoned to a public inquiry and possible financial penalties.

4.2 Local bus service registrations must be submitted to the Office of the Traffic Commissioner 56 days in advance of their introduction, variation or cancellation. In addition to the 56 days required by the Traffic Commissioner, an additional 14 day notification period is given to local authorities by operators who plan to make changes to their service provision. This notification period is intended to allow local authorities an increased period in which they can respond to commercially driven service changes – eg service withdrawal.

4.3 The key element of the current consultation, which closes on 24 October 2014, is to seek views on proposals to extend the pre-registration notice period.

5 POLICY IMPLICATIONS

5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. There are no major issues.

6 CONSULTATIONS

6.1 The Chief Executive, the Director of Corporate Services and Head of Democratic and Legal Services have been consulted and are in agreement with the contents of this report.

7 BACKGROUND PAPERS

7.1 None.

Mike Galloway
Director of City Development

Neil Gellatly
Head of Transportation

NHG/JB/KM

12 September 2014

Dundee City Council
Dundee House
Dundee

APPENDIX 1

Consultation on changes to bus registration in Scotland



RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Dundee City Council

Title Mr Ms Mrs Miss Dr *Please tick as appropriate*

Surname

Berry

Forename

John

2. Postal Address

City Development Department

Dundee House

50 North Lindsay Street

Dundee

Postcode DD1 1LS

Phone 01382 433537

Email

john.berry@dundeecity.gov.uk

3. Permissions - I am responding as...

Individual

Group/Organisation

Please tick as appropriate

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Transport Scotland web site)?

Please tick as appropriate Yes No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Transport Scotland web site).

Are you content for your **response** to be made available?

Please tick as appropriate Yes No

- (d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Transport Scotland to contact you again in relation to this consultation exercise?

Please tick as appropriate Yes No

CONSULTATION QUESTIONS

Question 1: do you agree with the proposal to extend the pre-registration notice period from 14 days to 28 days ?

Yes No

An extension to the pre-registration notice period is likely to be helpful but only if both parties engage in meaningful discussion. To ensure dialogue is meaningful and that both parties have the same expectation of the purpose of the dialogue, formal guidance should be set out by the Office Traffic Commissioner to guide the conduct and timeframe for the discussions.

Question 2: Do you agree with the proposal to replace the duty to inform the relevant authorities before making an application for registration with a duty to consult with the relevant authorities?

Yes No

The statutory obligation to consult should be accompanied by clear guidance on how the process of the consultation should be undertaken. This will set out a clear timeframe over the 28 day period, placing responsibilities on each party to respond and counter respond to the proposals being discussed. At a certain stage, in the 28 day period, the guidance must make it clear that the proposals can be shared in the public domain.

Stage 1 - Day 1 - The process should commence with a meeting between the local authority and the bus operator. The introductory meeting would give the operator an opportunity to present the changes to the local authority, explain the scope of the change and the reasons why change is being made – e.g. punctuality issues, commercial issues, service development. Where a local bus service crosses local authority boundaries, a joint meeting would be convened. Local authorities can waive right to the ‘introductory’ meeting if appropriate – e.g. cancellation of minor school bus contract.

Stage 2 - Days 2 to 10 – gives the local authority the opportunity to assess the impact of the changes, undertake passenger surveys and then, following analysis, make recommendations/ suggestions to the bus operator.

Stage 3 - Days 11 to 17 – is the period that allows the bus operator to consider feedback from the local authority and make further changes to the registration documentation. Once the operator has considered local authority recommendations and potentially revised proposals, then a further meeting between operator and local authority should be convened if requested by either party. At the end of Stage 3, proposals to change service provision will be made public.

Stage 4 - Days 18 to 21 – local authority officers have the option to share proposals (as amended) with elected members and community groups. Response should be channelled through local authority officers and provided to bus operator.

Stage 5 - Day 22 to 25 – affords a final opportunity for bus operator to consider any feedback from local member/community group consultation process that may not have been highlighted by local authority officers.

Stage 6- Day 26 to 27 – final full documentation submitted to local authority. Local authority will undertake final review of documents.

Stage 7 - Day 28 – despatch to OTC by e-mail and copied to local authority. OTC should accept registration documentation in PDF format and then make these available on website for future reference and comparison purposes.

A staged process is required but the days shown above are only indicative.

Question 3: Do you agree that relevant authorities should be encouraged through guidance to draw potential concerns about new registrations to the attention of the traffic Commissioner for Scotland and/or Transport Scotland?

Yes No

Local authorities should be seeking to work in on-going partnership with bus operators. Positive working relationships may be damaged if there is a perception that the local authority has briefed against the operator's desire to register specific services or journeys. The guidance should clearly set out to operators what would constitute a bona fide service and what concerns a local authority is expected to report to the OTC.

Legitimate concerns of the local authority about levels of service provision should be addressed by the bus operator during the consultation period but where these are not addressed to the satisfaction of the local authority, this should be made know to the OTC. In particular safety concerns about specific routes and over provision at key locations should be brought to the attention of the OTC with an explanation of why the local authority has concerns.

Question 4a: Do you agree with the proposal to reduce the period of registration from 56 days to 42 days? What difficulties (if any) do you consider such a change might present and how might these be addressed?

Yes No

Given the increasing complexity of information provision, including the updating of real time systems, Traveline Scotland, the increased number of local authorities offering 100% coverage of roadside publicity, public transport maps etc, any move to reduce the registration period would increase the likelihood of updated information being unavailable at the date of the service change. A 56 day registration period continues to be desirable. Data processing cannot begin until final registrations have been submitted to OTC (i.e. following 28 day consultation).

It is noted that there is still an option for local authorities to support short notice variations should this be deemed appropriate, but it would be helpful if the OTC issued clear guidance about when letters of support are appropriate.

Question 4b: An alternative option would be to reduce the registration period from 56 days to 42 days only where Electronic Bus Service Registration (EBSR) is used. Do you agree with this?

Yes No

The response to this question is a qualified Yes. We believe it is important to incentivise the migration to EBSR. EBSR, while having a number of advantages, has some known drawbacks and these issues have been highlighted in previous correspondence between the OTC and ATCO Scotland. EBSR is positive and therefore the reduction to 42 days, coupled with the 28 day pre-registration notification period is accepted as beneficial overall.

Question 5: Do you agree that we should require operators to detail within registered hourly frequency bands any services that are registered as frequent services?

Yes No

The option to register 'frequent service' should be removed. Passengers are generally disadvantaged by not having access to scheduled bus times. Whereas a 10 minute frequency may be perceived as 'turn up and go' for regular passengers certainty over departure times is desirable.

Generally, even when operating frequent services, bus operators need to create schedules based on fixed running times so the time of arrival at a specific bus stop is known to the bus operator.

Therefore from a route planning and scheduling perspective there is little to be gained by using the frequent service option. It could be argued the primary motivation for this type of registration is to ensure compliance with OTC monitoring.

Dundee City Council is a long time user of real time information systems and frequent services present additional issues for such systems. Journey start times are critical to the operation of many real time systems and allow real time predictions to be made. Where real time systems are in place, the bus operator would generally be expected to provide the local authority with a scheduled timetable.

Question 6: Do you agree that if the proposed changes set out above are adopted, they will improve the bus registration process in Scotland?

Yes No

Communication between operator and local authority and OTC is vital to ensure a smooth bus registration process. These proposed changes will only be truly effective if they are accompanied by clear and authoritative guidance issued by the OTC setting out the expected roles and responsibilities of each party.

There are a number of other ways that the registration process could be improved or simplified and a wider review of administrative processes should be undertaken in advance of the formal guidance being issued. For example, during the post-registration period (the 56 days), it is not uncommon for genuine timetabling or routeing errors to come to light. If uncorrected these may negatively impact on service provision or cause unnecessary confusion for passengers. During the first 21 days of the 56 day period, there should be an opportunity for such errors to be corrected by the bus operator without the need for a further submission of all registration documents and letters of support from the local authority.

Question 7: It is possible that much of what is proposed above could be achieved through Guidance and/or a Code of Conduct to facilitate engagement between operators and relevant authorities rather than changes to the legislation. Do you have any views on this?

Yes No

A change in the legislation is required to ensure all operators and local authorities work to the same high standard. A code of conduct is likely to be too weak to achieve this objective.

REPORT TO: CITY DEVELOPMENT COMMITTEE – 22 SEPTEMBER 2014

REPORT ON: STATUTORY UNDERTAKERS REINSTATEMENT PERFORMANCE
IN DUNDEE – 2012/2013

REPORT BY: DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 1-2014

1 PURPOSE OF REPORT

1.1 The purpose of this report is to:

- a provide a summary of the performance of Statutory Undertakers operating in Dundee during 2012/2013 based on inspections and coring of their reinstatements under the New Roads and Street Works Act 1991 (NRSWA); and
- b update the Committee on the status of the Transport (Scotland) Act 2005, Part 2 - Road Works.

2 RECOMMENDATION

2.1 It is recommended that the Committee:

- a note the performance of Statutory Undertakers reinstatements in Dundee based on the visual sample inspection regime and the national coring results for the last year;
- b approves the continuation of the annual local coring programme and participation in the biannual national coring programme; and
- c notes the status of the Transport (Scotland) Act 2005, Part 2 - Road Works, different parts of which came into force on 1 April 2008 and 1 October 2008

3 FINANCIAL IMPLICATIONS

3.1 Statutory Undertakers are responsible for carrying out their own reinstatements. They are charged the prescribed national fee of £33 for each visual sample inspection up to the prescribed chargeable level of 30% of an estimated annual workload. For coring purposes, Statutory Undertakers are charged for the actual cost of any failed cores plus a standard administration fee of £66. For failed reinstatements, discovered after sample or routine inspections or after coring, Statutory Undertakers are also charged for up to 3 further inspections of their remedial works at £33 each.

3.2 Implementation of the Transport (Scotland) Act - Part 2 - Road Works (in particular Fixed Penalty Notices). This is ongoing with costs being recovered from income generated by the Fixed Penalty Notices or within existing staff costs.

4 BACKGROUND

4.1 There are 3 types of inspections carried out by the Roads Authority that are randomly selected from a sample of Statutory Undertakers' roadworks by:

- a Visual Sample Inspections - at 3 different stages ie during the works, after reinstatement and before the end of the 2 year guarantee period (or 3 years for trenches over 1.5 metres deep);
 - b Local Coring Programme - a physical core is taken through the bituminous layers (blacktop materials only) and the core can then be measured and assessed; and
 - c National Coring Programme - a biannual programme, by all Roads Authorities in Scotland, co-ordinated by the Roads Authorities and Utilities Committee (Scotland) - RAUC(S).
- 4.2 From the 3 separate methods, engineering staff identify problems and determine what they think is happening locally and compare it with previous results and national practices.
- 4.3 Full results are shown in Appendices 1, 2 and 3, however, the findings are summarised in Sections 5 to 8 below.

5 STATUTORY UNDERTAKERS REINSTATEMENT PERFORMANCE - BASED ON VISUAL SAMPLE INSPECTION REGIME (SEE APPENDIX 1)

- 5.1 As in previous years, although the minimum required standard of performance of 90%, based on the random sample inspection regime, was achieved by all Statutory Undertakers (98% average achieved last year), it has been found that this regime alone does not accurately reflect the quality of reinstatements. Some of the reasons for this are that the sample inspections are visual, the majority of works are not witnessed by the Roads Authority due to the sample size being limited (30% of an estimated annual workload), Statutory Undertakers' contractors may only be on site for relatively short periods and sometimes work outwith normal office hours.
- 5.2 It is therefore only after coring the bituminous materials that the depth of layers, degree of compaction and type of materials used can be accurately assessed against the NRSWA Reinstatement Specification. Dundee City Council is continuing to participate in the biannual National Coring Programme detailed below. However, it should be noted that, as coring does not reveal what is below the bituminous layers, any defects in sub-base materials or its compaction will be rectified by Statutory Undertakers if reported within the guarantee period.

6 STATUTORY UNDERTAKERS REINSTATEMENT PERFORMANCE - BASED ON LOCAL CORING PROGRAMME (SEE APPENDIX 2)

- 6.1 Due to a reduced number of reinstatements, the local coring programme was suspended in 2012 to ensure the Bi-annual National Coring Programme had sufficient numbers of reinstatements to proceed. The Local Coring Programme has resumed in 2014, with the results included in this report.

7 STATUTORY UNDERTAKERS REINSTATEMENT PERFORMANCE - BASED ON NATIONAL (SCOTTISH) CORING PROGRAMME (SEE APPENDIX 3)

- 7.1 Following the last five biannual National Coring Programmes (reported previously to Committee), the RAUC(S) had decided to repeat this programme during 2012/2013 until the level of performance was such that it provides the industry with confidence in

the quality of reinstatements throughout Scotland. Stirling Council is the lead authority for TayForth Area RAUC on behalf of Dundee City, Angus, Clackmannanshire, Falkirk, Fife and Perth & Kinross Councils.

- 7.2 The National Coring Programme cored 34 of the permanent reinstatements majority in carriageways as against footways reinstated between 1 July 2011 and 30 June 2012. The coring took place between September and November 2012. Out of 34 cores taken from Statutory Undertakers reinstatements in Dundee 2 cores failed to meet the Specification representing 94% average pass rate. This is to be compared against a national average of 83%.
- 7.3 The next National Coring Programme is to be undertaken in 2014-2015 and will again concentrate on carriageway reinstatements.

8 PROGRESS OF STATUTORY UNDERTAKERS SINCE THE ISSUE OF IMPROVEMENT NOTICES

- 8.1 Since the issue of Improvement Notices by Dundee City Council on 25 June 2001 Statutory Undertakers have shown marked improvements in the quality of reinstatements in the city although there is still room for more improvement. The City Development Department as the local Roads Authority will, however, continue to monitor them as vigorously as possible and meet them individually on specific issues as and when required.
- 8.2 Quarterly Co-ordination meetings ie Dundee RAUC, will continue to be held with all Statutory Undertakers (together with representatives from other sections of City Development Department, BEAR Scotland Limited and Tayside Police) to discuss their planned major roadworks, to co-ordinate these with the Council's own planned roadworks and to monitor their performance.
- 8.3 Meetings and discussions are also ongoing with utility companies to ensure that lessons are continuing to be learned and improvement plans are monitored and implemented effectively.

9 TRANSPORT (SCOTLAND) ACT 2005

- 9.1 The Transport (Scotland) Act 2005 received Royal Assent on 5 August 2005. The Act has 4 parts:

- Part 1 - Regional Transport (related to Regional Transport Partnerships);
- Part 2 - Road Works (see below);
- Part 3 - Miscellaneous (related to public transport); and
- Part 4 - General (related to secondary legislation).

Part 2 of the Act "Road Works" amends some sections of the New Roads and Street Works Act 1991 and Roads (Scotland) Act 1984, aiming to improve the quality and co-ordination of road works across Scotland by:

- establishing a Scottish Road Works Commissioner to monitor the quality of roadworks carried out on all roads (including trunk roads) by Roads Authorities

and Statutory Undertakers, driving and promoting improvements and imposing penalties for persistent poor performance of Statutory Undertakers as well as Roads Authorities for various notification and registration offences. Mrs Elspeth King was appointed in January 2013 as the Scottish Road Works Commissioner, replacing Mr John Gooday;

- improving the co-ordination of road works by making the Scottish Road Works Register (SRWR) a Statutory requirement, placing more stringent duties on both Statutory Undertakers and Roads Authorities to co-operate, co-ordinate, plan their roadworks and notify/register roadworks information timeously in the SRWR;
- introducing, during 2011/2012, new provisions in special cases on resurfacing parts of roads next to their tracks by Statutory Undertakers; and
- giving new powers to local Roads Authorities to issue fixed penalty notices for a limited number of notification and registration offences (see Appendix 4 for details).

9.2 To implement the provisions of Part 2 of the Act, new Regulations and Codes of Practice such as "Co-ordination of Road Works and Works for Road Purposes" and the "Penalties Code of Practice" came into force on 1 April and 1 October 2008 respectively.

9.3 The fixed penalties regime was introduced in Dundee during 2011, following the approval on 6 October 2010 by Personnel to appoint a new member of staff to assist with the implementation of FPNs. As a result of improving performance by the Statutory Undertakers, the post, which was to be self financing from the income generated by the FPNs, has not be renewed.

10 POLICY IMPLICATIONS

10.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. The major issues identified are:

a Sustainability

The principle of first time, high quality reinstatement of road material by Statutory Undertakers accords with the Council's sustainability policy, in particular "Energy and Water", "Built Environment" and "Minimising and Remediating Pollution".

b Strategic Environmental Assessment

There are no implications relating to this report.

c Anti-Poverty

There are no implications relating to this report.

d Equality Impact Assessment

There are no implications relating to this report.

e Risk Management

The monitoring and maintenance of road reinstatement procedures by Statutory Undertakers ensures that the road network is protected and the need reduced for early maintenance by Dundee City Council after satisfactory completion of the guarantee period of reinstatements.

11 CONSULTATIONS

- 11.1 The Chief Executive, the Director of Corporate Services and Head of Democratic and Legal Services have been consulted and are in agreement with the contents of this report.

12 BACKGROUND PAPERS

- 12.1 None

Mike Galloway
Director of City Development

Neil Gellatly
Head of Transportation

NHG/ADB/KM

11 September 2014

Dundee City Council
Dundee House
Dundee

APPENDIX 1**SAMPLE INSPECTION RESULTS (VISUAL) OF STATUTORY UNDERTAKERS REINSTATEMENTS IN DUNDEE**

Appendix 1 shows the results of the visual random sample inspections of each Statutory Undertaker's roadworks in Dundee, together with annual figures from previous years for comparison.

Statutory Undertaker	Sample Inspection 2011/2012		
	Agreed Units of Inspections (estimated annual workload)	No of Passes/Total No of Inspections	Pass Rate
Openreach (BT)	135	51/54	94%
Cable & Wireless/Thus	Minimal Works	-	-
Scottish Water	309	124/124	100%
Scottish & Southern Energy	264	105/105	100%
Virgin Media (ex Telewest)	144	58/59	98%
Scotland Gas Networks	375	150/151	99%
Average Pass Rate			98%

Note

The number of sample inspections carried out annually is 30%, ie 10% of the Agreed Units of Inspections (based on estimated annual workload) at each of three different stages, eg for BT, $3 \times 10\% \times 215 = 65$ inspections.

Statutory Undertaker	Annual Sample Inspection Pass Rate (%)						
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Openreach (BT)	90	93	100	95	97	96	94
Cable & Wireless/Thus (Minimal Works)	-	-	-	-	-	-	-
Scottish Water	97	98	96	99	100	99	100
Scottish & Southern Energy	99	99	97	98	100	100	100
Virgin Media (ex Telewest)	95	98	98	93	97	100	98
Scotland Gas Networks	99	99	99	99	100	99	99
Average Pass Rate (%)	97	98	98	98	99	99	98

APPENDIX 2 – LOCAL CORING PROGRAMME 2014

Appendix 2 shows the results of the National Coring Programme in the Tayforth RAUC area during last year with figures from previous five years for comparison. All cores were selected randomly (5% of estimated annual workload) from permanent reinstatements in carriageways and footways completed between April 2013 and March 2014.

Statutory Undertaker	Core Description	Core No	Pass		Fail						
			No	%	Com- paction	Layers	Material	Bond	Others	TOTAL	
										No	%
Openreach (BT)	Randomly Selected	6	4	67%	0	2	0	0	0	0	33%
Scottish Water	Randomly Selected	13	13	100%	0	0	0	0	0	0	0
Scottish & Southern Energy	Randomly Selected	8	8	100%	0	0	0	0	0	0	0
Virgin Media (ex Telewest)	Randomly Selected	7	7	100%	0	0	0	0	0	0	0
Scotland Gas Networks	Randomly Selected	15	15	100%	0	0	0	0	0	0	0
TOTAL 2014	Randomly Selected	49	47	96%	0	2	0	0	0	0	

Notes

Pass = Reinstatement in compliance with NRSWA Reinstatement Specification

Fail = Outwith NRSWA Reinstatement Specification, requiring replacement of bituminous layers and a further two year guarantee period. In previous years, cores that failed were recorded in categories of "Fail/Monitor" and "Fail/Replace". Cores recorded as "Fail/Monitor" were still fails. Both sides agreed, for the 2010/2011 programme there would be no "Fail/Monitor" results. It had previously been agreed these cores be monitored over a two year period and would not be replaced immediately (unless necessary due to rapid deterioration or other unforeseen circumstances). In the above table "Fail/Monitor" and "Fail/Replace" have been grouped together and recorded as fail.

APPENDIX 3 - NATIONAL CORING PROGRAMME 2012

Appendix 2 shows the results of the National Coring Programme in the Tayforth RAUC area during last year with figures from previous five years for comparison. All cores were selected randomly (5% of estimated annual workload) from permanent reinstatements in carriageways and footways completed between April 2011 and March 2012.

Statutory Undertaker	Core Description	Core No	Pass		Fail						
			No	%	Com-paction	Layers	Material	Bond	Others	TOTAL	
										No	%
Openreach (BT)	Randomly Selected	5	5	100%	0	0	0	0	0	0	0
Scottish Water	Randomly Selected	8	8	100%	0	0	0	0	0	0	0
Scottish & Southern Energy	Randomly Selected	7	7	100%	0	0	0	0	0	0	0
Virgin Media (ex Telewest)	Randomly Selected	5	5	100%	0	0	0	0	0	0	0
Scotland Gas Networks	Randomly Selected	10	8	80%	0	2	0	0	0	2	20%
TOTAL 2011/2013	Randomly Selected	35	33	94%	0	2	0	0	0	2	
TOTAL 2008	Randomly Selected	44	40	91	1	2	1	0	0	4	9%
Totals 2006	Randomly Selected	43	24	56	5	10	4	0	0	19	44%
Totals 2004	Randomly Selected	44	36	82	0	4	0	0	4	8	19%
Totals 2002	Randomly Selected	60	19	32	14	8	17	0	2	41	68%

Notes

Pass = Reinstatement in compliance with NRSWA Reinstatement Specification

Fail = Outwith NRSWA Reinstatement Specification, requiring replacement of bituminous layers and a further two year guarantee period. In previous years, cores that failed were recorded in categories of "Fail/Monitor" and "Fail/Replace". Cores recorded as "Fail/Monitor" were still fails. Both sides agreed, for the 2010/2011 programme there would be no "Fail/Monitor" results. It had previously been agreed these cores be monitored over a two year period and would not be replaced immediately (unless necessary due to rapid deterioration or other unforeseen circumstances). In the above table "Fail/Monitor" and "Fail/Replace" have been grouped together and recorded as fail.

APPENDIX 4

Transport (Scotland) Act 2005, amending the New Roads and Street Works Act 1981, introduced the following Fixed Penalties for only certain notification and registration offences applicable from 1 October 2008. The fixed penalties are £120 if paid within 36 calendar days but discounted at £80 if paid within 29 calendar days.

Schedule 6A to the New Roads and Street Works Act 1991Fixed Penalty Offences (applicable to Statutory Undertakers)Imposition by the Roads Authority

Offence	Brief Description
An offence under Section 113(5)	Failure to comply with duties under Section 113 (advance notice of certain works etc).
An offence under Section 114(5)	Beginning to execute works in contravention of Section 114 (notice of starting date).
An offence under Section 116(4)	Failure to give notice in accordance with Section 116 (notice of emergency works).
An offence under Section 129(6) consisting of a failure to comply with sub-section (3) or (4)	Failure to comply with requirements to give notice of completion of reinstatement.

Schedule 8A to the Roads (Scotland) Act 1984Fixed Penalty Offences (applicable to persons other than Statutory Undertakers)Imposition by the Roads Authority

Offence	Brief Description
An offence under Section 58(1)	Deposit of building materials in or erection of scaffolding over road without or other than in accordance with permission.
An offence under Section 85(3) as read with (4)	Deposit of builder's skip on road without permission of roads authority. Failure of owner of skip or other person to ensure conditions of permission are complied with.

Section 119A of the New Roads and Street Works Act 1991

The imposition of penalties by the Scottish Road Works Commissioner is applicable to Roads Authorities as well as Statutory Undertakers who are regularly and continually failing in their respective duties to co-ordinate and co-operate, eg notification/registration of Council's own roadworks on the Scottish Road Works Register system. It is not intended that a one off failure in duty, would lead to the imposition of a penalty by the Commissioner. The level of this penalty is to be determined by the Commissioner but the Regulations have provided that this cannot exceed a maximum of £50,000.

REPORT TO: CITY DEVELOPMENT COMMITTEE – 22 SEPTEMBER 2014

REPORT ON: LOCHEE HIGH STREET (VARIATION TO WAITING RESTRICTIONS) ORDER 2014

REPORT BY: DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 284-2014

1 PURPOSE OF REPORT

1.1 This report considers a request for alterations to waiting restrictions on High Street, Lochee due to the ongoing regeneration of the town centre.

2 RECOMMENDATION

2.1 It is recommended that the Committee approve the preparation of a Traffic Regulation Variation Order:

- a to effect the changes to the waiting restrictions in the Dundee City Council (North-western Area, Dundee) (Waiting and Loading Restrictions) Order 2010;
- b to effect the changes to the waiting restrictions in the Dundee City Council (Taxi Rank Clearways) Order 2007; and
- c to effect the changes to the waiting restrictions in the Dundee City Council (Disabled Persons Parking Places) (On-street) Order 2011.

3 FINANCIAL IMPLICATIONS

3.1 All costs will be met from the Capital Account for the Lochee Environmental Improvements.

4 BACKGROUND

4.1 It is proposed to vary the undernoted Traffic Regulation Orders for the reasons listed.

a Dundee City Council (North-western Area, Dundee) (Waiting and Loading Restrictions) Order 2010

High Street, Lochee – Lochee Ward

As a result of the changing nature of the area, it is seen as necessary to alter parking provision in High Street, Lochee to best cater for all road users by providing adequate loading facilities and promote a high turnover of vehicles for local businesses.

b Dundee City Council (Taxi Rank Clearways) Order 2007

Bank Street/Aimer Square, Lochee – Lochee Ward

Having reviewed the parking routine of Lochee taxi drivers, it is necessary to provide them with adequate space close to businesses which will allow them to pick up and drop off passengers whilst also being able to exit back onto the by-pass.

c Dundee City Council (Disabled Persons Parking Places) (On-street) Order 2011High Street, Lochee – Lochee Ward

It is necessary to provide on-street parking for disabled motorists close to the main areas of shops and businesses.

- 4.2 The main plans with the proposals can be accessed online at the weblink: <http://www.dundee.gov.uk/citydevelopment/trafficorders/>. A paper copy can also be made available on request from the Head of Transportation.

5 POLICY IMPLICATIONS

- 5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. There are no major issues.

6 CONSULTATIONS

- 6.1 The Chief Executive, the Director of Corporate Services, Head of Democratic and Legal Services and Police Scotland have been consulted and are in agreement with the contents of this report.

7 BACKGROUND PAPERS

- 7.1 There are no background papers of relevance to this report.

Mike Galloway
Director of City Development

Neil Gellatly
Head of Transportation

NHG/SS/KM

11 September 2014

Dundee City Council
Dundee House
Dundee

REPORT TO: CITY DEVELOPMENT COMMITTEE – 22 SEPTEMBER 2014

REPORT ON: DUNDEE LOCAL DEVELOPMENT PLAN SUPPLEMENTARY GUIDANCE ON DEVELOPER CONTRIBUTIONS

REPORT BY: DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 329-2014

1 PURPOSE OF REPORT

- 1.1 This report summarises the representations received to the proposed Supplementary Guidance on Developer Contributions from the period of public consultation. It also seeks approval of the proposed modifications to the wording of the guidance in response to the representations.
- 1.2 The summary of issues raised and proposed modifications are attached as Appendix 1. Associated documents have been circulated to the Group Leaders, Bailie Scott, Councillor Macpherson and Bailie Borthwick.

2 RECOMMENDATION

- 2.1 It is recommended that the Committee:
- a notes the summary of the issues raised in the representations received to the proposed Supplementary Guidance. The response to these by the Council and approves the proposed modifications as set out in Appendix 1
 - b agrees to the adoption of the Supplementary Guidance following completion of the required pre-adoption procedures.
 - c remits the director of City Development to submit a copy of the proposed Supplementary Guidance to Scottish Ministers together with the relevant statements as required by the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 notes the summary of the issues raised in the representations received to the proposed Supplementary Guidance and the response to these by the Council (Appendix 1);

3 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from this report.

4 BACKGROUND

- 4.1 Reference is made to Item III – (Report 184-2014) to the City Development Committee on 21 April 2014, where it was agreed to issue the draft supplementary guidance document on Developer Contributions for public consultation.
- 4.2 Interested parties including other statutory bodies, private and public parties, community groups and the general public were invited to consult on the document which was made available to view from 12 May to 30 June 2014. Representations were received to the draft supplementary guidance from Historic Scotland, Homes for Scotland, Scottish Environment Protection Agency, Tactran, Scottish Water, Scottish Natural Heritage, Springfield Properties and Scottish Property Federation.
- 4.3 All of the respondents welcomed the provision of the proposed supplementary guidance on the subject of Developer Contributions. No changes to the guidance were requested from Historic Scotland. Some rewording of sections of the guidance and clarification of the document were requested from the other respondents. The points raised in the representations and the responses to these are set out in Appendix 1. The representations received have helped to clarify particular sections of the proposed guidance. Where

suggested changes have not been accepted the explanation for this has been provided. Where the requested amendments to the guidance have been accepted, the proposed modifications to the wording are set out in Appendix 1.

5 POLICY IMPLICATIONS

- 5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. The major issues identified are.
- 5.2 Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies, including policies (PPS).
- 5.3 The matters presented in this report were considered under the Environmental Assessment (Scotland) Act 2005 and the required pre-determination screening has been undertaken under section 9 of the Act. The screening identified that the PPS will have no significant environmental effects and the SEA Gateway is in agreement. The SEA Determination Statement of Reasons has been circulated to the Lord Provost, Depute Lord Provost and all Group Secretaries.
- 5.4 A Habitats Regulations Appraisal in accordance with the Conservation (Natural Habitats) Regulations 1994, as amended requires that an Appropriate Assessment be undertaken where a land use plan is likely to have significant effects on a European Site (either alone or in combination with other plans or projects). The Developer Contributions Supplementary Guidance is concerned with the financial arrangements associated with development but does not in itself lead to development or other changes. It is therefore considered that the Supplementary Guidance will have no significant effect on any European Site. Accordingly Appropriate Assessment has not been undertaken during the preparation of the Supplementary Guidance

6 CONSULTATIONS

- 6.1 The Chief Executive, the Director of Corporate Services and Head of Democratic and Legal Services have been consulted and are in agreement with the contents of this report.

7 BACKGROUND PAPERS

- 7.1 None

Mike Galloway
Director of City Development

Gregor Hamilton
Head of Planning

GH/SP/EC

11 September 2014

Dundee City Council
Dundee House
Dundee

APPENDIX A**SUMMARY OF COMMENTS RECEIVED FROM CONSULTATION ON DRAFT SUPPLEMENTARY GUIDANCE ON DEVELOPER CONTRIBUTIONS**

Comment Received – Administrative Procedures
<p><u>Homes For Scotland</u></p> <p>Monitoring developer contributions (page 3). There should be a timescale for the spend of contributions rather than for it to be open ended or open to interpretation/challenge. It should also be set out that if developer contributions have not been spent within the requisite timescale, say 10 years, they will be returned to the developer with the appropriate interest.</p> <p><u>Springfield Properties</u></p> <p>Monitoring Development Contributions: Springfield Properties support the monitoring of developer contributions to assess how and when these are spent to ensure they meet the requirements identified as part of the development. However, we would wish the statement at the last sentence of this section reviewed to ensure that not only are the payments spent in a timely manner, that this manner is appropriate to the timescales associated with the project and if not they can be returned within an identifiable timescale.</p>
DCC Response
<p>The need for clarity on the monitoring and implementation of contributions is accepted. However, it is considered that this is more appropriately dealt with on a case by case basis and in agreement with the developer rather than setting specific timescales in the guidance.</p>
Action
<p>Page 3 – last paragraph. Delete last two sentences and replace with text to read: “The timings, monitoring of spend and any reimbursement clauses will be set out in obligations, agreements or conditions.”</p>
Comment Received – Administrative Procedures
<p><u>Springfield Properties</u></p> <p>Springfield Properties recognises and commends the Supplementary Guidance for actively encouraging pre-application discussion and early engagement.</p> <p><u>Scottish Property Federation</u></p> <p>Our members welcome this guidance which should go a long way to provide more certainty about the likely level of developer contributions that need to be taken into account in considering the viability of future development projects in Dundee.</p>
DCC Response
<p>Comment noted.</p>
Action
<p>No change.</p>
Comment Received – Administrative Procedures
<p><u>Springfield Properties</u></p> <p>Delivery Mechanisms: the recognition of the impact that the timing of obligations have on the viability of a project is paramount and Springfield Properties support this statement set out by Dundee City Council in the draft SG.</p>

DCC Response
Comment noted. The flexibility offered within the supplementary guidance with regard to phasing and timescales is viewed as a useful tool to permit the achievement of solutions which best fit the viability of developments balanced with the need to provide the right facilities at the right time.
Action
No change.

Comment Received – Administrative Procedures
<u>Scottish Property Federation</u> Members would appreciate some clarification on what is meant by the use of model obligations to speed up the process.
DCC Response
The use of the term model obligations refers to the use of standard formatting and wording of planning obligations. This approach has been used effectively in the past in dealing with developments that have similar requirements. This can assist in speeding up the process and reduce costs for all parties involved when preparing planning obligations.
Action
No change.

Comment Received – Qualifying Developments
<u>Homes For Scotland</u> There is no reason why the site which comes forward first for development, whether it be windfall or an LDP site, should be prevented from developing because infrastructure capacity is allocated to something else. It is our view that this indeed would not be legal. The very nature of a windfall site is that it is unexpected. However, it may be a far better site than an allocated LDP site and be able to come forward first contributing to the housing supply. To prevent it because of an artificial infrastructure constraint is considered bad planning and unreasonable. Page 4, third paragraph, the last sentence should be removed: “The development of a windfall site should not utilise infrastructure capacity required to enable an allocated Local Development Plan Site.”
DCC Response
It is recognised that windfall sites do contribute towards the housing land supply within Dundee and the Local Development Plan supports the development of such sites where they are considered acceptable in planning terms. Wording to be amended to clarify the intention of that statement.
Action
Page 4, third paragraph – delete last sentence and replace with text to read: “Windfall developments will require careful consideration and investigation to ensure they do not cause unacceptable impacts elsewhere nor prevent the delivery of the strategy of the Local Development Plan.”

Comment Received – Qualifying Developments
<p><u>Springfield Properties</u></p> <p>Concern about the treatment of windfall sites. These sites will not have been previously assessed, but could make contributions based on the requirement for the area they are in.</p> <p>In the Western Gateway. If windfall sites come forward for residential development, these would put additional pressure on the infrastructure (such as drainage, sewerage, Dykes of Gray Road and Swallow junction) that Springfield Properties would be funding to facilitate the land that we have under our control. If these sites are taken forward by Springfield Properties, then the windfall issue is less detrimental as Springfield Properties can take advantage of the upsized infrastructure and services in place as part of the initial proposals that we have funded. However, if these are developed by a third party, then they will be taking advantage of the services and infrastructure upsized and facilitated by Springfield Properties which would not be acceptable to us.</p> <p>Springfield Properties may wish to seek “windfall sites” at the Western Gateway and will have facilitated the infrastructure to support these. If further unplanned opportunities were to be acceptable in this area out-with the development plan process, we would wish to see the infrastructure protected for the longer term or at the very least, the financial investment that had been made for this purpose refunded, proportionately and accordingly.</p>
DCC Response
<p>If additional capacity is put in place, it would not be possible to protect that from acceptable windfall sites on the basis that there may be other future windfall sites brought forward by a specific developer. Future development may benefit from any capacity that exists beyond that required by the initial development without the necessity of making a financial contribution to it. There is no mechanism for reimbursing costs as it is assumed that, in accordance with Circular 3/2012, any past payments will have been necessary to make the developments acceptable in planning terms.</p>
Action
No change.
Comment Received – Qualifying Developments
<p><u>SEPA</u></p> <p>We take note of Section 3, “Qualifying Development”, which outlines what developer contributions are most likely to be sought. We would highlight that additional demands from new development on water supply and disposal of waste water may require the upgrade and extensions to existing infrastructure. The potential limited capacity of existing water treatment works and waste water treatment facilities can be detrimental to not just the water environment but the natural environment as a whole. As such we consider that greater recognition should be given in the SG that a requirement for contributions to both committed infrastructure and those currently under construction may be required.</p>
DCC Response
<p>Scottish Water in their comments to the supplementary guidance have not requested any alterations in this respect. They have also provided no indication that there are any limitations on existing water or drainage infrastructure that would require upgrades or extensions, beyond that which is currently planned.</p> <p>Developer contributions must meet the policy tests offered in circular 3/2012 and in line with the purpose of the supplementary guidance. It would not be appropriate to include requirements for developments to potentially contribute to possible future upgrading works.</p>
Action
No change.

Comment Received – Qualifying Developments
<p><u>SEPA</u></p> <p>Table 1, on page 4, provides an indicative list of what contributions would be required if development were to be approved in strategic locations across the area. There may be scope here to include reference to strategic drainage infrastructure (including SUDS) within the requirements; this may allow this strategic issue to be dealt with in a more holistic strategic manner prior to individual developments coming forward.</p> <p>Where it is identified that there may be opportunities for Dundee City Council to develop flood protection schemes that serve a dual purpose as regional SUDS facilities then this should be acknowledged within the SG as a potential requirement for developer contributions.</p>
DCC Response
<p>The supplementary guidance indicates that contributions to off-site SUDs may be required (Appendix: Green Network). The exact location of such facilities and their status as local or strategic is not a matter for consideration within the developer contributions Supplementary Guidance.</p> <p>Should the need for a strategic facility be identified, it is expected that this would be identified through the Local Development Plan or a Masterplan for an area. For clarity the statement within the Dundee Western Gateway referring to drainage facilities should be enhanced to include the flood prevention role of the SUDs scheme.</p>
Action
<p>Page 4, Contributions table: Include text to state “flood protection and drainage facilities” within the requirements for the Dundee Western Gateway.</p>

Comment Received – Qualifying Developments
<p><u>SNH</u></p> <p>The discussion of qualifying developments and the contributions required in section 3 (page 4) clearly identifies specific developments and situations in which contributions will be expected. However, we believe that some clarification would be useful in the list:</p> <p>For all areas – references to <i>connections and associated infrastructure</i> should include situations where the contribution is likely to be required for improvements to <i>existing</i> infrastructure.</p>
DCC Response
<p>All contributions should be directly related to, and a consequence of a proposed development. The information shown here is in summary form. The additional text is not considered necessary as the appendices set out in greater detail how such matters are to be addressed. As an example the Green Network appendix indicates “Provision of open space or equivalent contributions to upgrading existing open space such as community woodlands that serve the development area.”</p>
Action
<p>No change.</p>

Comment Received – Qualifying Developments
<p><u>SNH</u></p> <p>City-wide area – reference to ‘<i>all development should seek to encourage and promote active travel methods</i>’ should be amended to ‘<i>all development should seek to encourage and promote active travel, such as via Dundee’s multi-functional green network</i>’. This would further support the modal shift that Dundee City Council has supported in other documents, including the LDP Action Programme.</p>

DCC Response
Dundee City Council is promoting modal shift towards active travel in all forms and in all locations. To prioritise green networks within the context of a largely urban local authority may draw attention towards the provision of off-road and remote facilities at the expense of other valid options. Simple measures such as ensuring footways and road surfaces are built to a high quality standard may have benefit in an urban location for active travel methods.
Action
No change.

Comment Received – Qualifying Developments
<u>Springfield Properties</u> Springfield Properties offer their full support to the Council in not requiring contributions to affordable housing.
<u>Scottish Property Federation</u> The SPF welcomes the assessment of housing need, demand and affordability and the exemption of contributions from developers towards the provision of affordable housing.
DCC Response
Comment Noted
Action
No change.

Comment Received – Qualifying Developments
<u>Scottish Property Federation</u> In relation to qualifying developments, some members have suggested that private rented sector build to rent projects should also be exempt from most developer contributions to support their viability and enhance affordable housing.
DCC Response
The guidance makes provision to exempt Social Rented Housing from most but not all developer contributions. The guidance also states that the majority of new housing in Dundee will be on brownfield land which will be unlikely to require a significant level of developer contribution. It is not considered necessary or practical to exempt only certain private rented housing from the developer contributions required by the supplementary guidance.
Action
No change.

Comment Received – Qualifying Developments
<u>Springfield Properties</u> Springfield Properties questions why the list of items provided in the SG is suggested as not being exhaustive in its completeness, allowing the Council through pre application discussions to flush out any additional issues. The uncertainty that is built into the open ended nature of the statement does not take cognisance on the economic realities of development. Springfield Properties would wish to see the research published that underpins the guidance, in tandem with a comprehensive list of requirements for either individual developments or areas of the Council where these would be necessary. Unknown elements need to be eliminated as much as possible to facilitate the timeous build of new homes.

In determining where additional infrastructure capacity is required to enable development, it is stated that research was undertaken during the preparation of the LDP. It would be helpful if this was shared in the public domain to allow a full understanding of the evidence base from which the items are requested.

DCC Response

Dundee City Council is very supportive of the need to improve certainty in decision making. The listings shown in the table on page 4 are based on the information available at the time and the terms of the Local Development Plan.

Where developments are built in accordance with the Local Development Plan it would be reasonable to expect that no additional items would be required beyond that identified. The text will be amended to highlight and clarify the intention.

There are however factors which could influence change to the requirements for a site – for example, a developer proposing a larger number of houses than stated in the Local Development Plan. The Council would therefore need to reassess the implications of any such development to ensure that the requirements remain appropriate.

The preparation of a Local Development Plan involves input from a wide variety of sources including advice from Key Agencies as well as research and analysis undertaken directly by Dundee City Council.

Should a developer wish further clarification on the assessment of need for any specific item then Dundee City Council would be happy to make that information available during pre-application discussions.

Action

Page 4, paragraph 4 amended to read: “The following list is indicative of what contributions would be *required if development in accordance with the Local Development Plan* were to be approved in that location.”

Comment Received – Qualifying Developments

Springfield Properties

Springfield Properties are of the view that Green infrastructure/open space provision is fundamental to the functioning of any community and should be designed into development to create a sense of place and allow real opportunity for active transport and recreation. The SG should make clear that if these elements are appropriately designed into a scheme then contributions will not be sought over and above this, thus avoiding duplication of the payment for such items.

DCC Response

All developer contributions are required to meet the policy tests indicated in circular 3/2012 which ensures that contributions are directly related to, and a necessary consequence of a development.

Having open space provision within a development would normally be expected, and would usually offer the best opportunity to deliver quality of place. It is evident that due to the urban nature of Dundee, particularly with the development of brownfield sites that such on site provision is not always possible and that provision of or improvement to off site facilities may be required.

Action

No change.

Comment Received – Education ContributionsSpringfield Properties

Springfield Properties have long term aspirations for growth of the Western Gateway. High quality, local primary education is a priority. Springfield Properties would be required to pay £4,680 per new home built. We would question what the money will pay for as the SG states it will not be for maintenance, staffing or preschools. Is it to be assumed then the money is for additional facilities only to accommodate pupils at the relevant catchment school? If then this is the case and there is a different level of capacity at all the primary schools across the city, why would the level of requirement for each greenfield development be the same if they feed into different primary schools, some of which clearly have existing capacity?

DCC Response

The guidance does not impose the same requirement across all developments but is based on the capacity available in the catchment school and considers the options available which may require contributions from the developer. The guidance indicates where contributions are required, what the level of contribution would be and what it would cover.

Action

No change.

Comment Received – Education ContributionsHomes For Scotland

Appendices – Education Provision (page 8 and 9).

For reasons of clarity and transparency it would be beneficial to give the background to how the figures for both the “Primary Provision Costs” have been arrived at.

DCC Response

This figure is calculated based on actual construction costs of school accommodation completed within Dundee and a survey of the number of pupils resident in greenfield developments. Within Whitfield the figure is derived from the costs associated with Ballumbie Primary School. Text to be amended to clarify.

Action

Page 8, paragraph 4 to read: “The above figures reflect the costs of providing new school accommodation”. Page 9, footnote to Whitfield Brownfield Housing contribution table (level of contribution based on the costs of providing new school accommodation at Ballumbie Primary School”.

Comment Received – Education ContributionsHomes For Scotland

Exemptions from Education Contributions.

This section needs further clarification. Are all potential developments likely to be required to contribute to these additional items (sheltered housing and care homes; purpose built student housing)? What is the relationship between the development and the additional items? It is difficult to follow the logic of the relationship, and how detriment from a housing development is being mitigated through developer contributions to sheltered housing and care homes, or purpose built student housing.

Is it only that developments which are exempt from education contributions because they do not create the detriment/need which are to be required to contribute to these additional developer contributions? If so - why? We request this is removed as it does not conform to Circular 03/2012 (Planning Obligations and Good Neighbour Agreements) as it is currently written.

DCC Response
<p>The intention of the text is to highlight that developers of Sheltered Housing, Care Homes or student housing will not be required to contribute towards education provision as they are unlikely to generate new pupils and therefore create any demand for such services.</p> <p>The Guidance does not require new developments to contribute towards sheltered housing, care homes or student housing.</p> <p>Developers of Sheltered Housing, Care Homes and Student Housing may however be required to contribute to other items (eg road improvements) where these are necessary for that particular development to be acceptable in planning terms. This complies with the policy tests in Circular 03/2012 by ensuring contributions are related to the scale and nature of development proposed</p> <p>Text will be amended to improve the clarity of the statement.</p>
Action
<p>Page 9, last paragraph deleted and replaced with:</p> <p>“It is acknowledged that some housing developments are unlikely to create an additional demand for education, or that the demand created is so small as to be negligible. Accordingly, the development of sheltered housing, care homes and purpose built student accommodation will be exempt from providing financial contributions towards education provision.”</p>
Comment Received – Education Contributions
<p><u>Springfield Properties</u></p> <p>Springfield Properties support the Council’s position that there should be exemption from education contributions for certain house types. As well as sheltered housing and care homes, we suggest this is extended to in perpetuity later life housing and apartments which are an integral part of community development and life but do not contribute in bringing children to school.</p>
DCC Response
<p>Where a proposed development could demonstrate that there is no likelihood of children being present then it may be appropriate to apply that exemption and this could be explored through pre-application discussions. This is already covered by the policy tests in Circular 3/2012 which ensure that contributions relate to the nature and scale of proposed development.</p>
Action
<p>No change.</p>
Comment Received – Roads and Transportation Contributions
<p><u>Tactran</u></p> <p>Tactran broadly supports the approach proposed in the Consultation Draft Supplementary Guidance on Developer Contributions. It is requested that the Developer Contributions SG should include reference to the funding of strategic transport infrastructure including Park & Ride and the potential relocation of Invergowrie Station to Dundee West.</p>
DCC Response
<p>The broad support is welcomed.</p> <p>Planning Circular 3/2012 (Planning Obligations and Good Neighbour Agreements) requires that Obligations must “relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area”</p>

Whilst it is acknowledged that funding for strategic transport infrastructure is a valid consideration, it is unclear which specific developments within the Dundee City Council area should contribute towards Park & Ride or the relocation of Invergowrie Station as a result of a direct consequence or cumulative impact. It is noted that neither of the examples given have planning permission and therefore their inclusion in this Supplementary Guidance would be premature and not assist with offering the increased confidence to the development industry.

Action

No change.

Comment Received – Roads and Transportation Contributions

Springfield Properties

Active travel: Springfield Properties have been very mindful of designing in active travel to the parts of the Western Gateway that we are responsible for and this will be clearly evidenced through the TA that is submitted in support of the applications. It is our preference that such measures are incorporated within the proposal rather than contributions being sought to facilitate this, beyond borders, in the Western Gateway.

DCC Response

Whilst it would be the intention to incorporate measures within a development site it must be recognised that the influence of a development regardless of location can extend beyond its boundaries. Therefore it is considered appropriate to investigate the scale of off-site effects when determining a planning application.

Action

No change.

Comment Received – Roads and Transportation Contributions/Green Network Contributions

SNH

The subject area appendices for Roads and Transportation and Green Networks both include cycle routes. While these are respectively on-road and off-road, there is a strong relationship between them. Therefore, while it may be obvious that these should connect, we believe it would be useful to state this. The Green Network subject area is specific in requiring off-road routes to connect to core paths while the requirement in Roads and Transportation is for cycle routes. To align with policy principles at paragraph 189 of the revised Scottish Planning Policy (SPP) that *safe and convenient opportunities* are provided, we suggest that:

Reference to *Cycle routes and cycle parking facilities* on page 10 is amended to refer to *Cycle routes which connect with off-road, shared routes*. With cycle parking facilities identified as a separate bullet point as shown on page 11. Coupled with the approach to the role of the multi-functional green network outlined above, the explicit requirement that a genuinely connected network is created will make a significant contribution to the vision of Dundee as a place where quality of life makes it a first choice to live, work and visit.

DCC Response

The reference to cycle routes within the Roads and Transportation does not exclusively refer to on-road facilities. A cycle "route" can involve both on and off road facilities including core paths and may be formed by a mix of all of these. The choice of the most suitable provision in any particular case would therefore depend upon the nature and location of the development being proposed.

Similarly the items stated in the Appendix: Green Network are examples of typical items which may require to be considered and is not intended as an exhaustive list to be read in isolation.

SNH

The subject area appendices also include specific reference to pedestrians and walking routes. Page 11 *includes New off road cycle/walking routes to connect with existing core paths* as an item for which contributions may be sought. The recently published National Walking Strategy Let's Get Scotland Walking noted that issues such as quality of paths can act as a physical barrier to people walking more. We therefore suggest that:

The above item is amended to include reference to improvements, eg *New and/or improved off-road cycle/walking routes to connect with existing core paths*.

It is accepted that there is opportunity to alter the text to highlight further diversity in the range of solutions available to developments.

Action

Page 10. Bullet point list: change text to add the word paths to third bullet point (to read: Cycle routes/paths and cycle parking facilities).

Page 11. Bullet point list delete second bullet point and replace with "New and/or improved on or off road cycle/walking routes to connect with existing core paths".

Comment Received – Green Network ContributionsSEPA

We are pleased to see the requirement that new development should contribute to the enhancement and connectivity of open space and habitats, where appropriate as part of the wider green network and hope that we can assist Dundee Council to develop this network. We would welcome the identification of "blue" network requirements in relation to watercourses as part of the green network strategy within this SG.

DCC Response

Support is noted.

Would confirm that the "blue network" is included within the definition of Green Network used by Dundee City Council. Guidance on the Green Network is currently under preparation and such detail is beyond the scope of this Supplementary Guidance.

Action

No change.

Comment Received – Public Art ContributionsSpringfield Properties

The requirement to allocate at least 1% of construction value for the inclusion of public art projects is excessive, particularly in the case of the Western Gateway where the initial housing of 600 alone would generate a substantial public art contribution. Springfield Properties are happy to accept that public art should, similar to open space and green networks, be a functional and integral part of the design for a proposal but to prescribe the value attached to it, at this scale is inappropriate. We suggest that the Council reviews this figures to reduce the value of the contribution or changes the wording to suggest that requirement is more design, and less financially, led.

DCC Response

The 1% contribution is set out as a requirement of Policy 7 (High Quality Design) of the adopted Local Development Plan. Supplementary Guidance does not seek to adjust any aspect of this policy.

The Council takes account of the need for a design-led approach when considering public art installations. There are occasions where an art installation has been provided at a level less than 1% due to design being a key deciding factor.

Action

No change.

Comment Received – General Comments

Historic Scotland

Welcomes the preparation of this supplementary guidance.

DCC Response

Noted.

Action

No change.

Comment Received – General Comments

Scottish Water

Financial contributions are defined within legislation in accordance with the Water Industry (Scotland) Act 2002, Scottish Water is required to meet the costs of providing strategic capacity required for new developments (Part 4 infrastructure) and Customers are required to meet the costs of providing additional local capacity (Part 2 and 3 infrastructure), subject to a reasonable cost contribution from Scottish Water.

Early discussions with Scottish Water will help to identify the extent of financial contributions required to connect to our network at the design technical audit stage.

DCC Response

Noted – whilst the supplementary guidance is specific to the requirements of Dundee City Council, it is accepted that there is value in highlighting that other approval mechanisms exist and may have an impact on development.

Action

Reference will be added in Section 2: Administrative Procedures to highlight that contributions may be required by other organisations.

Text added to state:

“This supplementary guidance refers to the activities of Dundee City Council only. Developers may require to make contact with other organisations such as Scottish Water to determine any cost implications associated with their requirements.”

REPORT TO: CITY DEVELOPMENT COMMITTEE – 22 SEPTEMBER 2014

REPORT ON: DUNDEE LOCAL DEVELOPMENT PLAN - SUPPLEMENTARY GUIDANCE ON AIR QUALITY AND LAND USE PLANNING

REPORT BY: DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 332-2014

1 PURPOSE OF REPORT

- 1.1 This report summarises the representations received to the proposed Supplementary Guidance on Air Quality Land Use Planning from the period of public consultation. It also seeks approval of the proposed modifications to the wording of the guidance in response to the representations.
- 1.2 The summary of issues raised and proposed modifications are attached as Appendix 1. Associated documents have been circulated to the Group Leaders, Bailie Scott, Councillor Macpherson and Bailie Borthwick.

2 RECOMMENDATION

- 2.1 It is recommended that the Committee:
- a notes the summary of the issues raised in the representations received to the proposed Supplementary Guidance. Also, that they note the response to these by the Council and approve the proposed modifications as set out in Appendix 1;
 - b agrees the adoption of the Supplementary Guidance following completion of the required pre-adoption procedures; and
 - c remits the Director of City Development to submit a copy of the proposed Supplementary Guidance to Scottish Ministers together with the relevant statements as required by the Town and Country (Development Planning) (Scotland) Regulations 2008.

3 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implication arising as a result of this report.

4 BACKGROUND

- 4.1 Reference is made to Item III (Report 184-2014 refers) of the City Development Committee held on 21 April 2014 where it was agreed to approve a 6 week period of consultation on the draft supplementary guidance on Air Quality and Land Use Planning.
- 4.2 Interested parties including other statutory bodies, private and public parties, community groups and the general public were invited to consult on the document which was made available to view from 12 May to 30 June 2014. Representations were received to the draft supplementary guidance from Historic Scotland, Homes for Scotland, Scottish Environment Protection Agency, Tactran, Scottish Water, Scottish Natural Heritage and Forth Ports.
- 4.3 All of the respondees welcomed the provision of the proposed supplementary guidance on Air Quality and Land Use Planning. No changes to the guidance were requested by Historic Scotland, Homes for Scotland, Tactran and Scottish Water. Some rewording of sections of the guidance was requested by the Scottish Environment Protection Agency, Scottish Natural Heritage and Forth Ports. The points raised in the representations and the responses to these are set out in Appendix 1. The representations received have helped to clarify particular sections of the proposed guidance. Where suggested changes have not been accepted an explanation for this has been provided. Most of the requested amendments to

the guidance have been accepted and the proposed modifications to the wording are set out in Appendix 1.

5 POLICY IMPLICATIONS

- 5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. The major issues identified are:
- a the Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies, including policies (PPS);
 - b the matters presented in this report were considered under the Environmental Assessment (Scotland) Act 2005 and the required pre-determination screening has been undertaken under Section 9 of the Act. The screening identified that the PPS will have no significant environmental effects and the SEA Gateway is in agreement. The SEA Determination Statement of Reasons has been circulated to the Lord Provost, Depute Lord Provost and all Group Secretaries; and
 - c a Habitats Regulations Appraisal in accordance with the Conservation (Natural Habitats) Regulations 1994, as amended requires that an Appropriate Assessment be undertaken where a land use plan is likely to have significant effects on a European Site (either alone or in combination with other plans or projects). The Air Quality and Land Use Planning Supplementary Guidance is concerned with the air quality impact associated with development but does not in itself lead to development or other changes. It is therefore considered that the Supplementary Guidance will have no significant effect on any European Site. Accordingly, appropriate assessment has not been undertaken during the preparation of the Supplementary Guidance.

6 CONSULTATIONS

- 6.1 The Chief Executive, the Director of Corporate Services and Head of Democratic and Legal Services have been consulted and are in agreement with the contents of this report.

7 BACKGROUND PAPERS

- 7.1 None.

Mike Galloway
Director of City Development

Gregor Hamilton
Head of Planning

GH/GSR/KM

11 September 2014

Dundee City Council
Dundee House
Dundee

APPENDIX 1

SUMMARY OF COMMENTS RECEIVED FROM CONSULTATION ON DRAFT SUPPLEMENTARY GUIDANCE ON AIR QUALITY AND LAND USE PLANNING

Comment Received	DCC Response	Action/Proposed Modification of SG
Section 1 - Introduction		
<p>Forth Ports Ltd</p> <ul style="list-style-type: none"> - Paragraph 1.1: "Statute and national planning policy do not place responsibility on Applicants seeking planning permission to maintain or improve air quality." 	<p>Agreed.</p>	<p>Delete first sentence of paragraph 1.1 and replace with: "Dundee City Council has a responsibility to ensure that appropriate standards of air quality are maintained or improved as the city is developed and regenerated."</p>
<p>Forth Ports Ltd</p> <ul style="list-style-type: none"> - Paragraph 1.4 refers to a "TA". - Need clarity on what will trigger the necessity to update the Technical Guide. 	<p>Noted. This should make reference to the Technical Guide ie "TG".</p> <p>The Technical Guide may require to be updated over time in response to changes in Government policy or targets. It is not possible to indicate when these will take place. The emphasis is that the guide will be kept up to date to ensure that it is relevant and in line with policy requirements or specific targets.</p>	<p>Replace "TA" with "TG".</p> <p>Delete last sentence in paragraph 1.4 and replace with: "It should be noted that the TG is a supporting document that may be subject to modification over time to reflect changes in Government Policy or targets or when alteration of the technical requirements prove necessary."</p>
Section 2 - Policy Context		
<p>Forth Ports Ltd</p> <ul style="list-style-type: none"> - Paragraph 2.2: suggest altering "particularly with regard to air quality" to "including air quality." 	<p>Agree. The Plan gives no hierarchy to important environmental considerations.</p>	<p>Amend wording of sentence in Paragraph 2.2 from "particularly with regard to air quality" to "including air quality."</p>

Comment Received	DCC Response	Action/Proposed Modification of SG
Section 4 - Main Sources of Pollution in Dundee		
<p>Forth Ports Ltd</p> <ul style="list-style-type: none"> - Paragraph 4.2: not clear whether all on the list of locations are of particular concern or only some of them. - Information should be provided on levels and type of pollution. 	<p>It is considered that Paragraph 4.2 is clear and states that all locations in the list are either exceeding or in danger of exceeding target pollution levels and are of concern.</p> <p>The levels of pollutants may be subject to change and data provided in the SG would therefore be out of date very quickly.</p>	<p>No change.</p> <p>No change.</p>
<p>Forth Ports Ltd</p> <ul style="list-style-type: none"> - Paragraph 4.3: applicants and their advisors need to know where the other areas of concern are. 	<p>Comment noted. The wording will be redrafted to provide greater clarification.</p>	<p>Paragraph 4.3 first sentence deleted and replaced with: "Whilst there are known areas where air quality is a concern in the city, monitoring of air quality may identify further areas in the future."</p>
Section 5. Land Use Proposals with Potential Air Quality Issues.		
<p>SEPA</p> <ul style="list-style-type: none"> - Paragraph 5.1 recommends that the explanation of cumulative impacts should advise that problems may appear at locations that are a considerable distance from the new development. 	<p>Agreed. Amend the paragraph to take this into consideration.</p>	<p>Insert new sentence at end of Paragraph 5.1: "Cumulative impacts may also effect air quality at locations that are a considerable distance from the new development."</p>
<p>Forth Ports Ltd</p> <ul style="list-style-type: none"> - Paragraph 5.1 infers that air quality is a material consideration only under specific circumstances. 	<p>The current wording will be amended to clarify the position of air quality as a material consideration.</p>	<p>Paragraph 5.1 to be amended to: "Air quality may be a material consideration in determining applications for planning permission dependant on the nature, scale and location of the proposed development."</p>

Comment Received	DCC Response	Action/Proposed Modification of SG
Section 6 - Pre-Planning and Planning Application Guidance		
Forth Ports Ltd - Section should include advice that it will not be necessary to carry out the pre-application process where an EIA screening and scoping takes place.	The guidance does not require that an applicant carry out the pre-application process where screening or scoping for an EIA is being carried out. It is considered that inclusion of certain exceptions in the guidance is not necessary as these would be addressed in the initial pre-application discussions.	No change.
- Paragraph 6.5 Figure 1 indicates that the scope of the air quality assessment will be reconsidered once the assessment has been carried out. There should be no need for this if scoped accurately at the outset. Potentially time wasting, costly and undermining developer and applicant confidence.	It is not the intention to require a re-scoping of the assessment at this stage in the process. However, there may be a situation where the air quality assessment as submitted has not been sufficient to address the particular concerns raised and further work may be required.	In Figure 1 delete "Is scope of assessment carried out sufficient – no" and insert "Is the air quality assessment report sufficient – no".
Section 9 - Mitigation Measures that may be Required to Reduce the Air Quality Impact		
SNH - Section 9 mitigation measures should include more specific reference to design solution that support modal shift through green networks– include reference to these in the SG.	Welcome the suggestion.	Insert at end of paragraph 9.2 "Mitigation measures can also be achieved through design solutions and the support of modal transport shifts through green networks".
General Comments		
Tactran - Broadly supports the approach taken in the supplementary guidance.	Support for the supplementary guidance is noted.	None.

Comment Received	DCC Response	Action/Proposed Modification of SG
SEPA - SG is of a very good standard and should assist the Council in tackling air quality issues affecting Dundee City; offers clear guidance to developers and applicants on their responsibilities and requirements.	Support for the supplementary guidance is noted.	None.
SEPA - Should be made clear within the SG that the Technical Guide is available.	Reference to the Technical Guide is made in paragraph 1.4 of the guidance.	No change.
Historic Scotland - Welcomes the preparation of this supplementary guidance and have no detailed comments to offer	Support for the supplementary guidance is noted.	None.
Scottish Water - The document has been reviewed and it is not necessary to comment on the Draft. - Supplementary Guidance – Air Quality and Land Use Planning.	Noted.	None.
Homes for Scotland - We have no comments on the Air Quality & Land Use Planning draft SG.	Noted.	None.

REPORT TO: CITY DEVELOPMENT COMMITTEE – 22 SEPTEMBER 2014

REPORT ON: TENDERS RECEIVED BY CITY ARCHITECT

REPORT BY: CITY ARCHITECT

REPORT NO: 323-2014

1 PURPOSE OF REPORT

1.1 This report details tenders received and requests a decision on acceptance thereof.

2 RECOMMENDATION

2.1 Approval is recommended of (1) the acceptance of the tenders submitted by the undernoted contractors and (2) the undernoted total amount, including allowances, for each project.

Project Reference Project Description	Contractor	Tender Amount	Total Amount	Finance Available
13-6019 - Craigie High School - Home Economics Classrooms Upgrade	Environment Department (Construction Services)	£45,184.81	£52,097.81	£52,097.81
13-026 – Caird Park Workshops – Alteration Works	Environment Department (Construction Services)	£309,793.93	£392,248.93	£392,248.93
14-5645 – Christmas Lights 2014 – Erection of Trees, Light and Decorations	Environment Department (Construction Services)	£159,439.78	£163,439.78	£163,439.78
13-6016 – St Johns High School – Conversion of Science Lab Into New Home Economics Classroom	Environment Department (Construction Services)	£80,000.00	£92,240.00	£92,240.00

3 FINANCIAL IMPLICATIONS

3.1 The Director of Corporate Services has confirmed that funding for the above project is available as detailed on the attached sheet.

4 POLICY IMPLICATIONS

4.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. Any issues are detailed on the attached sheets.

5 CONSULTATIONS

5.1 The Chief Executive, Director of Corporate Services and the Head of Democratic and Legal Services have been consulted and are in agreement with the contents of this report.

6 BACKGROUND PAPERS

6.1 None.

7 FURTHER INFORMATION

7.1 Detailed information relating to the above Tenders is included on the attached sheet. The construction works in this report have been procured using the general guidance contained in the following documents approved by the Council:

- a Report: 148-2003 - Partnering Guidelines for Construction Projects;
- b Report: 356-2009 - Construction Procurement Policy; and
- c Standing Orders - Tender Procedures of the Council.

Mike Galloway
Director of City Development

Rob Pedersen
City Architect

RP/AM/KM

11 September 2014

Dundee City Council
Dundee House
Dundee

CLIENT	CITY DEVELOPMENT	CITY DEVELOPMENT
PROJECT NUMBER PROJECT PROJECT INFORMATION	13-6019 Craigie High School Home Economics Classrooms Upgrade The works comprise the upgrading of worktops and units to one Home Economics Classroom, together with associated flooring and decoration.	13-026 Caird Park Workshops – Alteration Works The works comprise the internal upgrade of the existing building to provide improved welfare and canteen facilities.
TOTAL COST	Several Works £45,184.81 Allowances <u>£6,913.00</u> Total <u>£52,097.81</u>	Several Works £309,793.93 Allowances <u>£82,455.00</u> Total <u>£392,248.93</u>
FUNDING SOURCE	Capital – Buildings and Property – Council Wide Property Upgrades (P21) Structural Improvements and Property Upgrades	Capital – Buildings and Property – Environment (P17) Redevelopment of HQ and Operational Depots
BUDGET PROVISION & PHASING	2014/2015 £52,097.81	2014/2015 £392,248.93 <u>Cash Flow</u> 2013/2014 £20,057.00 2014/2015 <u>£372,191.93</u> Total <u>£392,248.93</u>
ADDITIONAL FUNDING	None	None
REVENUE IMPLICATIONS	Annual Capital Financing Costs £3,513.00	Annual Capital Financing Costs £26,453.00
POLICY IMPLICATIONS	There are no major issues.	There are no major issues.
TENDERS	Negotiated contract. 1 Environment Department (Construction Services) £45,184.81	Negotiated contract. 1 Environment Department (Construction Services) £309,793.93
RECOMMENDATION	Acceptance of offer.	
ALLOWANCES	Professional Services <u>£6,913.00</u> Total <u>£6,913.00</u>	Loose Furniture £15,000.00 Professional Services £47,398.00 Feasibility Study <u>£20,057.00</u> Total <u>£82,455.00</u>
SUB-CONTRACTORS	None	None
BACKGROUND PAPERS	None	None

CLIENT	CITY DEVELOPMENT	CITY DEVELOPMENT
PROJECT NUMBER PROJECT PROJECT INFORMATION	14-5645 Christmas Lights 2014 – Erection of Tree, Lights and Decorations. The works comprise the erection and connection of the Christmas lighting equipment and features with supply cables as required at Dundee City Centre, Westport, Seabraes, Stobswell, Lochee High Street and Bypass roundabout, Whitfield Police Station, Broughty Ferry Library and Brook Street including the erection of main City Centre Tree and associated satellite Christmas trees and garlands.	13-6016 St Johns High School – Conversion of Science Lab into new Home Economics Classroom. The works comprise the conversion of an existing Science Lab into a new Home Economics Classroom, together with associated services, flooring and decoration.
TOTAL COST	Several Works Allowances Total	Several Works Allowances Total
FUNDING SOURCE	Revenue	Capital – Buildings and Property – Council Wide Property Upgrades (P21) Structural Improvements and Property Upgrades
BUDGET PROVISION & PHASING	2014/2015	2014/2015
ADDITIONAL FUNDING	None	None
REVENUE IMPLICATIONS	None	Annual Capital Financing Costs
POLICY IMPLICATIONS	There are no major issues.	There are no major issues.
TENDERS	Negotiated contract.	Negotiated contract.
	1 Environment Department (Construction Services) £159,439.78	1 Environment Department (Construction Services) £80,000.00
RECOMMENDATION	Acceptance of offer.	
ALLOWANCES	Professional Services Total	Professional Services Total
SUB-CONTRACTORS	None	None
BACKGROUND PAPERS	None	None