

GARIOCH AREA COMMITTEE STATEMENT OF OUTSTANDING BUSINESS AS AT 11 MAY 2021

NO	TITLE	MOST RECENT UPDATE	TIMESCALE
1.	Supplementary Housing Work Plan and Business Case – Procurement Approval for Works at Littlewood Court, Kemnay	A briefing note regarding the remediation works at Littlewood Court was circulated to Councillors on 3 March 2021. A further update will be sought for June 2021 meeting.	June 2021
2.	Provision of Unisex Toilets in Aberdeenshire	Committee agreed to retain the issue relating to the learning estate pending the completion of the review of regulations and adoption of regulations as this relates to policy development.	Dependent on Scottish Government progressing review. No timescale in place
3.	Kintore Railway Station	<p>Officers continue to engage with Transport Scotland as to the payment schedule for the Council and Nestrans contribution to the project. To date no information has been forthcoming and this will have to be agreed prior to receiving any more detailed information on costs breakdown.</p> <p>A further approach has been made, now the new Financial Year has commenced, and Committee will be advised when a response has been received and further information is available. It is not possible to place a timescale on this, at this time.</p>	Awaiting information from Transport Scotland No timescale in place
4.	Inverurie Common Good Fund	<p>Committee agreed to defer consideration of the application from Ury Riverside Park until the outcome of any Asset Transfer request is known.</p> <p>Awaiting submission and consideration of Asset Transfer from the group concerned.</p>	Awaiting Asset transfer request

ORIGINAL DECISIONS AND PREVIOUS UPDATES PROVIDED TO THE COMMITTEE

No	COMMITTEE DATE	DECISION	RESPONSIBLE OFFICER	TIMESCALE
1a.	8 October 2019 (item 9)	Supplementary Housing Work Plan and Business Case Request that reports be provided:- 1. detailing the costs an implications and remedial work required following the investigation works; and 2. giving a comparison business case for alternative heating sources for Littlewood Court, Kemnay (Completed and discharged 1/12/20)	Infrastructure Services (Matthew MacAulay)	February 2020
1b	6 October 2020 (Item 4)	Request that Officers provide an update in relation to the progress with a feasibility and options appraisal to replace the oil heating system (Littlewood Court)	Infrastructure Services (Matthew MacAulay)	November 2020
DATE		OFFICER UPDATE		RESPONSE FROM COMMITTEE
12 November 2019		(1) a further meeting was held last Friday of the Littlewood Oil Spill Project Team chaired by the Area Manager attended by various Council colleagues from Environmental Health, Property, Housing, Legal etc. At present further investigation and testing works are being progressed and an implementation plan for any proposed remedial works has yet to be determined. Subject to completion of this exercise estimated costs should be available from Property for any proposed remedial works (2) Housing has instructed Property to undertake a feasibility and options appraisal to replace the oil heating system.		Noted
14 January 2020		Report expected in February 2020		Noted
17 March 2020		Update report provided on 17 March 2020.		Agreed to retain for further progress to be reported.
21 April 2020		Update indicating that work would be delayed due to Covid 19.		Noted

23 June 2020	Until Covid 19 restrictions are lifted the remediation works in the business case approved at the March Committee are on hold as the contractor is unable visit the site. It could be a number of months therefore until there is anything to update.	Noted
25 August 2020	<p>The oil remediation contractor is now on site and has set up their equipment which will remove the oil contamination by extracting it from the ground water where it has accumulated. This is progressing as planned, and we should get a fuller update at our next progress meeting on 20th August. We have allowed up to 12 weeks for this work, although it may not take that long. Property is managing the contractor and is being advised by a specialist consultant and our Environmental Health team.</p> <p>Soil samples taken on site indicate that there is no surface contamination except in the area immediately around the fill pipe and the majority of that material was removed from site in 2019. Remaining works are to make good this area.</p> <p>Further tests were carried out at sub-soil level just off site last week and we anticipate a report and any recommendations for action at our next progress meeting. These tests were put on hold in March due to the COVID 19 restrictions being in place.</p> <p>The accumulation of hydrocarbons in the public storm water drainage at the corner of the site and at the tributary to the Don continue to be monitored with oil absorbing booms being inspected weekly and replaced as required.</p> <p>A tenant has raised a number of concerns. Health Protection Scotland and NHS Grampian are satisfied there is no risk to residents arising from the contamination but we are continuing to engage with the tenant, and this is being led by EH. The COVID 19 restrictions are hampering our efforts in this regard as EH are prepared to carry out some additional monitoring inside the relevant flat to provide reassurance, but that is currently not possible.</p>	Noted
6 October 2020	This issue is being dealt with across a number of Council Services . Environmental Health, Housing and Property are working together and taking a proactive approach to the issue. A joint briefing note was circulated to members on 25 September. A further update will be sought in December 2020/January 2021.	Update requested on option appraisal for alternative heating system
10 November 2020	Progress update including feasibility study and options appraisal to replace the oil heating system (Littlewood Court) will be provided by Officers in December 2020	Noted

1 December 2020	A briefing note regarding options appraisal for heating sources for Littlewood Court was circulated to Councillors on 17 November 2020. Proposal to remove element 2 from the original decision as completed. Item 1 will continue to be monitored and remain on the statement until situation has been resolved	Noted and agreed
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No	COMMITTEE DATE	DECISION	RESPONSIBLE OFFICER	TIMESCALE
2a	25 February 2020 (Item 10)	Committee agreed in terms of the Policy Development and Review Framework in Part 4B of the Scheme of Governance to instruct that the Director of Education and Children's Services provide a report to Education and Children's Services Committee on the provision and type of toilets in the Council's Learning Estate, with particular emphasis on the legislation and equalities impact, and to consider the development of a policy.	Education and Children's Services (Maxine Booth)	June 2021 (est)
2b	21 April 2020	Committee asked that a response be provided to the following question:- As there is currently no policy in place for the provision of unisex toilets in schools, can the service confirm what will happen regarding proposed or agreed works where unisex toilets are included in the plans.	Education and Children's Services (Maxine Booth)	
2c	1 December 2020	request that officers provide an update to next meeting indicating how the unisex toilet issue will impact on the office strategy	Property (Allan Whyte)	January 2021
2d	16 March 2021	The Committee agreed to discharge the issue relating to toilets in Council offices and Council buildings, but to retain the issue relating to the learning estate pending the completion of the review of regulations and adoption of regulations as this relates to policy development.	Area Manager (Ann Overton)	Dependent on Scottish Government progressing review. No timescale in place
DATE		OFFICER UPDATE		RESPONSE FROM COMMITTEE
21 April 2020		This work has commenced and a legal officer is being identified to support Education Colleagues for this piece of work due to the legal requirements. However, Officers involved are preparing this work on a national basis (through a national association ADES) as well as for Aberdeenshire and it will therefore require to have consultation		Further clarification requested

	with a much wider group of stakeholders which will increase the timescale for the work. It will also form part of the ongoing review of the Schools Premises Regulations.	
12 May 2020	The Area Manager confirmed that indicating that all non-essential projects were currently on hold. She confirmed that the Education and Children's Service position was that a range of toilet provision should be available and there would not be whole scale installation of unisex toilets. The Area Manager also confirmed that Cluny school would continue to have single sex toilets.	Noted
10 November 2020	<p>The Committee agreed in terms of the Policy Development and Review Framework in Part 4B of the Scheme of Governance to instruct that the Director of Education and Children's Services provide a report to Education and Children's Services Committee on the provision and type of toilets in the Council's Learning Estate, with particular emphasis on the legislation and equalities impact, and to consider the development of a policy. Progression of this matter is on hold due to prioritising the response to the COVID 19 Pandemic.</p> <p>Advice from Legal and Governance is that to comply with the School Premises (General Requirements and Standards (Scotland) Regulations 1967, school toilet allocation must be split 50% between females and males. The Regulations do not refer to unisex toilets and education authorities cannot comply with their duty under that legislation by introducing such facilities, unless there is also the required single sex provision. The Regulations are under review. Indeed the review was started but the matter has not progressed to new legislation. The report to Education and Children's Services Committee to deal with the recommendation from this Committee to develop policy on the provision of toilets in schools is yet to be scheduled. However, the Legal advice includes a recommendation that a cross service working group is established by the Council, to properly assess and progress this issue with a view to developing a Council policy, as this matter will not solely impact school buildings but other Aberdeenshire Council premises too. This will ensure a one Aberdeenshire approach. Property and Facilities Management have received this advice too.</p>	Noted and requested that the item be retained on the Statement of Outstanding Business and that a timescale be provided.
1 December 2020	An estimated date of June 2021 has been provided, but this is dependent on a review of the regulations being undertaken by the Scottish Government.	Noted and further action added.
16 March 2021	The Garioch Area Manager met with the Head of Property and Facilities Management. It was agreed that the current position of toilets in Council offices being single sex provision with additional unisex provision available where deemed to be required, will not be amended. This ensures that the Council is in compliance with the Health and Safety at Work legislation. In relation to toilet provision for the public in Council buildings, it was agreed that the current single	Partial discharge, new action shown above.

	<p>sex provision along with additional and appropriate unisex provision, will not be amended. If there is a decision to be made about a change to or reduction of single sex provision in favour of unisex provision in a Council building, it has been noted that there is a requirement to undertake an Equality Impact Assessment and any required consultation with relevant stakeholders.</p> <p>As already noted by Committee, the Council is legally bound by the School Premises (General Requirements and Standards) (Scotland) Regulations 1967 (the Regulations). The Scottish Government review of the Regulations is not complete. At this time there is no indication of a timescale for the review to be completed and new legislation to be in force. Therefore until completion of the review, the Council will adhere to the current requirements of the Regulations. The Primary School New Build Brief is going to Education and Children's Services Committee on 18 March 2021 and addresses this same issue. It ensures that any changes to school toilets will not create discrimination in terms of the Protected Characteristics in the Equality Act 2010. Development of Council Policy will not be able to considered until the review of the Regulations is completed.</p>	
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No	COMMITTEE DATE	DECISION	RESPONSIBLE OFFICER	TIMESCALE
3.	17 March 2020 (Item 14)	<p><u>Kintore Railway Station</u> Committee requested that a breakdown of the costs of the project be provided to Committee when available.</p>	Infrastructure Services (Robert McGregor)	December 2020
DATE	OFFICER UPDATE		RESPONSE FROM COMMITTEE	
21 April 2020	Breakdown of costs requested. Officers have confirmed that they are waiting for a response from Network Rail and will provide a timescale and the information as soon as possible.			Noted
1 December 2020	Network Rail is still determining the final cost profile of the project and this is subject to negotiation with Scottish Government in respect of the additional costs incurred due to Covid 19 and the Government's undertaking to refund these costs to projects. Aberdeenshire Council and Nestrans are currently assessing the costs incurred directly by the organisations in order to inform the negotiations with Transport Scotland on our contribution to the project. This includes the value of the land acquired by the Council under the CPO process to build the station. A cost breakdown has not been provided at this stage and officers do not currently have a timescale as to when this will be available. However, a timeline for the sharing of project costs will be sought			Noted change of timescale

	at the next Programme Development Group meeting (stakeholder project board) - date to be confirmed - and officers will advise the Committee thereafter.	
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No	COMMITTEE DATE	DECISION	RESPONSIBLE OFFICER	TIMESCALE
4.	2 June 2020 (Item 5)	<u>Inverurie Common Good Fund</u> Committee agreed to defer consideration of the application until the outcome of any Asset Transfer request is known.	Education and Children's Services (Ann Overton)	Awaiting timescale
DATE		OFFICER UPDATE		RESPONSE FROM COMMITTEE
		Awaiting submission and consideration of Asset transfer		