

## GARIOCH AREA COMMITTEE STATEMENT OF OUTSTANDING BUSINESS AS AT 9 NOVEMBER 2021

NO	TITLE	MOST RECENT UPDATE	TIMESCALE
1.	Supplementary Housing Work Plan and Business Case – Procurement Approval for Works at Littlewood Court, Kemnay	A further update will be sought in February 2022 to verify that the continued monitoring can be concluded.	February 2022
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.	Inverurie Common Good Fund	Committee agreed to defer consideration of the application from Ury Riverside Park until the outcome of any Asset Transfer request is known. Awaiting submission and consideration of Asset Transfer from the group concerned.	Awaiting Asset transfer request
4.	Kintore: School Road Traffic Calming and Northern Road Waiting Restrictions	<p>The Roads Service carried out a traffic survey between 18<sup>th</sup> and 24<sup>th</sup> of September. The counters being mounted adjacent to the pedestrian crossing on School Road.</p> <p>Unfortunately, due to technical issues, one of the counters appears to have had an issue with its internal clock which has meant that we cannot accurately refer to the data received. However, the second counter, which also counted vehicles approaching and departing the crossing point, appears to have provided suitable data.</p> <p>Having had the data interpreted by colleagues in the Council's Road Safety Engineering Unit (RSEU), who are more adept at interpreting such data, they have advised the following:</p> <ul style="list-style-type: none"> <li>- <i>only 35-40% of the readings showed speeds less than 20mph</i> <ul style="list-style-type: none"> <li>– Nationally only 14% travel below 20 on a 20mph limit so 3 x National compliance rate achieved here.</li> </ul> </li> </ul>	November 2021 (originally October 2021)

- totalling up the first highlighted section (20/09/21 0815-0909) returned an average speed of 21mph – if this is consistent on each day it would be difficult to justify additional Traffic calming with zero injury collisions and an average speed 1mph above the posted.
- the volume of trucks and semi-trucks was higher than would be expected but would include buses and larger vans.
- We are still analysing the data to ensure we have not missed anything and to quantify if there are any specific patterns.

As a result of the above interim results, there is still no support from the RSEU or Roads Standards Group for the introduction of traffic calming measures.

It is proposed that a Report is taken to Garioch Area Committee on 30 November 2021.

**Northern Road, Kintore – Double Yellow Lines**

Following agreement from the Committee to proceed with the waiting restrictions, I can advise that the Statutory Consultation period has passed, with no objections received. We are now in the middle of the Public Consultation period, which is due to end on 11<sup>th</sup> November.

If no objections are received, Legal would require at least two weeks to formalise the order (ie the order has to be advertised in the press). This could/will take us up to the last week in November, possibly into December.

This will be a bit late therefore for the application of thermoplastic lines, as we may/will, have applied salt on our road network by then and the thermoplastic won't adhere to the road surface, so the lining works themselves may have to wait until the spring.

If we have not applied salt and the weather is kind to us, we may be able to get the work done this year, although no guarantee.

5.	Statement of Outstanding Business (Draft Local Flood Risk Management Strategies and Plan for the North East Local Plan District)	<p>Comments from all Area Committees have been incorporated into a single reply which initially went to the Head of Service for consideration. This subsequently went to the Chair, Vice-Chair and Opposition Representative for Infrastructure Services and has now been approved for submission to Scottish Government.</p> <p>A briefing note will be provided to all Area Committees providing the questions and comments from Aberdeenshire Council and the responses from both SEPA and the Scottish Government. This will be provided in February 2022 because responses from SEPA and the Scottish Government have been delayed (expected late January) due to SEPA's recent data breach and Covid-19.</p>	February 2022
6	Area Performance Framework and Performance Indicators	Services need further time to allow them to fully consider appropriate responses to comments and targets for Performance Indicators. A report will be brought to 30 November 2021 along with further performance management information.	30 November 2021

**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 20<sup>th</sup> 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
12 January 2021	A briefing note regarding the remediation works at Littlewood Court was circulated to Councillors on 14 December 2020. A further update will be sought for March 2021 meeting.	Noted
16 March 2021	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.	Noted
1 June 2021	A briefing note regarding the remediation works at Littlewood Court was circulated to Councillors on 17 May 2021. A further update will be sought for August 2021 meeting.	Noted
24 August 2021	A briefing note regarding the remediation works at Littlewood Court was circulated to Councillors on 10 August 2021. A further update will be sought in 6 months to verify that the continued monitoring can be concluded.	Noted

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
<b>DATE</b>		<b>OFFICER UPDATE</b>		<b>RESPONSE FROM COMMITTEE</b>
21 April 2020		<p>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.</p> <p>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 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.</p>		Further clarification requested
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</p>		Noted and requested that the item be retained on the Statement of Outstanding Business and that a timescale be provided.

	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.	
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	<p>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 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>	Partial discharge, new action shown above.

No	COMMITTEE DATE	DECISION	RESPONSIBLE OFFICER	TIMESCALE
3.	2 June 2020 (Item 5)	<u>Inverurie Common Good Fund</u> Committee <b>agreed</b> 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
<b>DATE</b>		<b>OFFICER UPDATE</b>		<b>RESPONSE FROM COMMITTEE</b>
		Awaiting submission and consideration of Asset transfer		



No	COMMITTEE DATE	DECISION	RESPONSIBLE OFFICER	TIMESCALE
4.	25 August 2021 (Item 6)	<u>Kintore: School Road Traffic Calming and Northern Road Waiting Restrictions</u> Request that a report be brought back to the meeting on 5 October 2021, detailing the outcome of further examination by Officers of any other options available for School Road including the movement of the speed tables closer to the crossing, the additional use of speed cushions or other traffic calming measures and the raising of the crossing.	Infrastructure Services (Alistair Millar)	5 October 2021
<b>DATE</b>		<b>OFFICER UPDATE</b>		<b>RESPONSE FROM COMMITTEE</b>
5 October 2021		Report delayed until 9 November 2021. A further speed survey has been instructed and input from colleagues is being sought, primarily from the Roads Standards Group and Road Safety groups in relation to the 6 options which will be presented.  A short briefing note was sent to Councillors on 22 September detailing the six options under consideration.		Noted

No	COMMITTEE DATE	DECISION	RESPONSIBLE OFFICER	TIMESCALE
5.	5 October 2021 (Item 4)	<u>Statement of Outstanding Business</u> request that a further item be added from the previous minute to seek feedback from the Head of Roads, Landscape and Waste Services for the comments made in relation to Item 9 (Draft Local Flood Risk Management Strategies and Plan for the North East Local Plan District) and to seek a timescale for these comments being considered by ISC.	Infrastructure Services (Jonathan Duncan)	
<b>DATE</b>		<b>OFFICER UPDATE</b>		<b>RESPONSE FROM COMMITTEE</b>

No	COMMITTEE DATE	DECISION	RESPONSIBLE OFFICER	TIMESCALE
6.	5 October 2021 (Item 9)	<u>Area Performance Framework and Performance Indicators</u> Provisionally agree the performance indicators subject to a further report being provided to the next Area Committee showing updated targets	Education and Children's Services (Ann Overton)	9 November 2021
<b>DATE</b>		<b>OFFICER UPDATE</b>		<b>RESPONSE FROM COMMITTEE</b>