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ADDITIONAL CIRCULATION - VOTES



To: All Members of the Council

Town House,
ABERDEEN, 18 February 2025

RECONVENED COUNCIL

This circulation contains details of the votes at the meeting.

ALAN THOMSON
INTERIM CHIEF OFFICER - GOVERNANCE

BUSINESS

NOTIFICATION OF URGENT BUSINESS

2.1 Notification of urgent business (Pages 3 - 4)

REFERRALS FROM COMMITTEES

7.2 Guldry and Mortification Funds Committee - 13 February 2025 - requests for funding (Pages 5 - 6)

GENERAL BUSINESS

9.3 Governance Review of Trusts - 2024 Update - CORS/24/350 (Pages 7 - 8)

9.5 February 2025 RAAC Update - F&C/25/030 (Pages 9 - 10)

- 9.6 Accounts Commission Findings - s102 Report Council Tax Refunds - A Significant Fraud - CORS/25/031 (Pages 11 - 12)

NOTICES OF MOTION

- 10.1 Notice of Motion by Councillor Ali (Pages 13 - 14)

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Should you require any further information about this agenda, please contact Martyn Orchard, tel 01224 067598 or morchard@aberdeencity.gov.uk

Agenda Item 2.1

Councillor Ali moved as a procedural motion, seconded by Councillor Tissera:-

That item 10.1 (Notice of Motion by Councillor Ali) be taken earlier on the agenda as a result of the number of people in the public gallery who were in attendance for that item.

On a division, there voted:-

For the procedural motion (18) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Cross, Graham, Kuszniir, Lawrence, Macdonald, McLeod, Malik, Nicoll, Mrs Stewart, Thomson, Tissera and Watson.

Against the procedural motion (22) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, Mennie, Radley, van Sweeden and Yuill.

Absent from the division (1) - Councillor Grant.

The Council resolved:-

to reject the procedural motion.

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Agenda Item 7.2

The Depute Provost moved, seconded by Councillor Allard:-

That the Council -

- (1) approve the requests for funding from the Guildry and Mortification Fund;
- (2) approve expenditure of up to £30,000 on repair and renovation works to the Rickart's Tomb from the Rickart (Richard) Mortification Fund; and
- (3) instruct the Chief Officer - Capital to undertake the necessary procurement and to approve the entering into of any contract(s) necessary for the repair and renovation works.

Councillor Nicoll moved as an amendment, seconded by Councillor Malik:-

That the Council -

- (1) approve the requests for funding from the Guildry and Mortification Fund; and
- (2) defer consideration of the request regarding the Rickart (Richard) Mortification Fund and instruct officers to report back to a future Council meeting with further information.

On a division, there voted:-

For the motion (23) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McLeod, Mennie, Radley, van Sweeden and Yuill.

For the amendment (18) - Councillors Ali, Blake, Boulton, Bonsell, Brooks, Crockett, Cross, Graham, Grant, Kuszniir, Lawrence, Macdonald, Malik, Nicoll, Mrs Stewart, Thomson, Tissera and Watson.

The Council resolved:-

to adopt the motion.

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Agenda Item 9.3

Councillor Greig moved, seconded by Councillor Mennie:-

That the Council approve the recommendations contained within the report.

Councillor Malik moved as an amendment, seconded by Councillor Tissera:-

That the Council agree to take no action.

On a division, there voted:-

For the motion (26) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Brooks, Hazel Cameron, Clark, Cooke, Copland, Cormie, Cross, Davidson, Fairfull, Greig, Henrickson, Hutchison, Kuszniir, MacGregor, McLellan, McLeod, Mennie, Radley, van Sweeden and Yuill.

For the amendment (14) - Councillors Ali, Blake, Bonsell, Crockett, Graham, Grant, Lawrence, Macdonald, Malik, Nicoll, Mrs Stewart, Thomson, Tissera and Watson.

Declined to vote (1) - Councillor Boulton.

The Council resolved:-

to adopt the motion.

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Agenda Item 9.5

Councillor Radley moved, seconded by Councillor Henrickson:-

That the Council approve the recommendations contained within the report.

Councillor Malik moved as an amendment, seconded by Councillor Watson:-

That the Council -

- (1) note the list of instructions from the meeting of Council in August 2024 and agree the proposed reporting method for each of these as noted in the report;
- (2) note that the Health and Safety of residents remains a priority and that inspections continue to be carried out as part of our mitigation strategy;
- (3) agree Aberdeen Labour set out the position of Compulsory Purchase Order on 29 February 2024 at the Urgent Business Committee and 21 August 2024 at Council; and that whilst voluntary acquisition of properties is the preferred option at this time, instruct Chief Officer - Corporate Landlord to take forward the necessary steps for the Council to make a decision on a Compulsory Purchase Order. To also note that the Council has powers under the Building (Scotland) Act 2003 which they have not used despite claiming this matter is urgent;
- (4) note the alternative options proposed by the Torry RAAC Campaign Group Management Committee and instruct officers to explore the feasibility, benefits and risks associated with each option, alongside any other identified opportunities to support owners, and report the findings to a meeting of Council within 2 cycles;
- (5) note that further reports on the subject will be brought to the budget meeting and the next meeting of the Communities, Housing and Public Protection Committee as outlined from paragraph 3.2;
- (6) agree the SNP have made a complete “dog’s’ dinner” of their handling of RAAC and rather than helping those affected by RAAC they have hindered the process by their cavalier attitude towards owner occupiers of RAAC affected properties; and
- (7) agree to instruct the Chief Executive to write to the First Minister of Scotland asking for funding to help the Council meet the range of costs associated with RAAC, including a support fund for homeowners along with other costs incurred by the Council’s General Fund and Housing Revenue Account.

Councillor Kuszniir moved as a further amendment, seconded by Councillor

That the Council -

- (1) agrees the recommendations contained within the report;
- (2) recognises that on 21 August 2024, when the decision on the future of RAAC affected properties was made in Council, the only Group to propose an offer to homeowners at a historic market valuation (1 April 2023), pre public knowledge of RAAC, was the Scottish Conservative and Unionist Party Group;
- (3) welcomes the belated political support of others to the plight of homeowners;
- (4) further notes the self-evident lack of influence that the Administration has on the Scottish Government who continue to decline requests for funding to assist either homeowners or Aberdeen City Council; and

- (5) instructs the Chief Executive to write to (a) the First Minister for Scotland; and (b) the Minister for Housing, outlining the steps Aberdeen City Council has undertaken in handling RAAC, requesting financial support to meet the Council's costs, financial support for homeowners and inviting both ministers to visit RAAC hit Balnagask and its community.

There being a motion and two amendments, the Council first divided between the two amendments.

On a division, there voted:-

For the amendment by Councillor Malik (13) - Councillors Ali, Blake, Bonsell, Crockett, Graham, Grant, Lawrence, Macdonald, Malik, Nicoll, Thomson, Tissera and Watson.

For the amendment by Councillor Kuszniir (6) - Councillors Boulton, Brooks, Cross, Kuszniir, McLeod and Mrs Stewart.

Declined to vote (22) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, Mennie, Radley, van Sweeden and Yuill.

The Council then divided between the motion and the amendment by Councillor Malik.

On a division, there voted:-

For the motion (27) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Boulton, Bouse, Brooks, Hazel Cameron, Clark, Cooke, Copland, Cormie, Cross, Davidson, Fairfull, Greig, Henrickson, Hutchison, Kuszniir, MacGregor, McLellan, McLeod, Mennie, Radley, van Sweeden and Yuill.

For the amendment by Councillor Malik (14) - Councillors Ali, Blake, Bonsell, Crockett, Graham, Grant, Lawrence, Macdonald, Malik, Nicoll, Mrs Stewart, Thomson, Tissera and Watson.

The Council resolved:-
to adopt the motion.

Agenda Item 9.6

Councillor Greig moved, seconded by Councillor Al-Samarai:-

That the Council approve the recommendations contained within the report.

Councillor Malik moved as an amendment, seconded by Councillor Blake:-

That the Council -

- (1) agree recommendations 1-4 of the report;
- (2) agree recommendation 5 as follows:- Refer the matter to the Audit, Risk and Scrutiny Committee, with the Chief Internal Auditor providing a report on the implementation of the Commission findings and action plan no later than September 2025;
- (3) agree that no control system is fool proof and as section 3.15 of the report to Council in April 2024 highlighted, controls are designed on the basis that most people are honest and trusted, nevertheless this alleged embezzlement highlights failures on the Council's part over a 17-year period;
- (4) instruct the Chief Officer - Finance to continue to seek to use any relevant remedy available to recover as much money as it can from the individual concerned; and
- (5) instruct officers to identify proactive methods for expediting the return of money to the people affected and report the implications to the next meeting of the Finance and Resources Committee.

On a division, there voted:-

For the motion (22) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, Mennie, Radley, van Sweeden and Yuill.

For the amendment (19) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Cross, Graham, Grant, Kuszniir, Lawrence, Macdonald, McLeod, Malik, Nicoll, Mrs Stewart, Thomson, Tissera and Watson.

The Council resolved:-

to adopt the motion.

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The Council had before it a notice of motion by Councillor Ali in the following terms:-

“Treating citizens fairly at work is important for the wellbeing of Aberdeen as a community. Aberdeen City Council relies on our own staff to deliver vital services to the public, and our ability to serve the public fundamentally relies on valuing our own staff.

The Scottish Government’s policy of "FairWork First" highlights many important principles, and states that "Fire and re-hire" tactics do not align with the principles and expected practice of Fair Work.

This approach is taken forward by the UK government's Employment Rights Bill which proposes 28 new individual employment rights, and includes proposals to severely restrict the "Fire and re-hire" of staff by employers.

We support the approach by the UK and Scottish governments and, we believe "Fire and re-hire" is a detriment to staff, and agree that officers must not use "Fire and re-hire" with our own staff. We note that the Council approved in its 2024/25 General Fund budget savings of up to £5m per annum from organisational redesign, and these savings should not be from "Fire and re-hire". To reassess the delivery of previously approved budget savings in future years, this should be referred to the 2025/26 budget meeting on 5 March 2025.”

Councillor Ali moved, seconded by Councillor Tissera:-

That the Council approve the notice of motion.

Councillor Allard moved as an amendment, seconded by Councillor Greig:-

That the Council -

- (1) note that Organisational Design savings options were agreed by Council in March 2024 and that the Partnership, Labour, and Conservative proposed budgets all included this option;
- (2) note that dismissal and re-engagement otherwise known as fire and rehire should only be considered as a last resort, in line with statutory guidance; and
- (3) note the Partnership’s current commitment to ‘no compulsory redundancies’.

On a division, there voted:-

For the motion (14) - Councillors Ali, Blake, Bonsell, Crockett, Graham, Grant, Lawrence, Macdonald, Malik, Nicoll, Mrs Stewart, Thomson, Tissera and Watson.

For the amendment (22) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, Mennie, Radley, van Sweeden and Yuill.

Declined to vote (4) - Councillors Boulton, Cross, Kuszniir and McLeod.

Absent from the division (1) - Councillor Brooks.

The Council resolved:-
to adopt the amendment.