

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 6th October, 2010

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL

S e d e r u n t :

Lord Provost Peter Stephen, Chairperson;
Depute Provost Jacqueline Dunbar; and

COUNCILLORS

GEORGE ADAM
YVONNE ALLAN
SCOTT CASSIE
NORMAN COLLIE
JOHN CORALL
IRENE CORMACK
WILLIAM CORMIE
BARNEY CROCKETT
JAMES FARQUHARSON
NEIL FLETCHER
GORDON GRAHAM
MARTIN GREIG
JAMES HUNTER
LEONARD IRONSIDE
MURIEL JAFFREY
JAMES KIDDIE
JENNIFER LAING

GORDON LESLIE
CALLUM McCAIG
MARK McDONALD
ALAN MILNE
JAMES NOBLE
GEORGE PENNY
JENNIFER STEWART
JOHN STEWART
KEVIN STEWART
WENDY STUART
JOHN WEST
KIRSTY WEST
JILLIAN WISELY
WILLIAM YOUNG
and
IAN YUILL

Lord Provost Peter Stephen, in the Chair

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ADMISSION OF BURGESSES

1 (A) The persons aforementioned were admitted into the presence of the Council and passed as Burgesses of Guild in respect of their respective Acts of Admission in the Guild Burgess Book:-

Laurence Alfred, Co-ordinator, Aberdeen
Andrew Murray, Bank Manager, Aberdeen
Paul O'Connor, Community Projects Manager, Aberdeen
David Young, Surveyor, Aberdeen

(B) The persons aforementioned were admitted into the presence of the Council and passed as Burgesses of the Burgh of Aberdeen of their own craft only:-

James Strathdee, Baker, Aberdeen
David Suttie, Shoemaker, Aberdeen

ANNOUNCEMENTS

2 (A) Councillor John Stewart advised that he had attended the APSE Public Service Awards in Londonderry in September, where the Council had been shortlisted as finalists in four categories, winning the Community and Neighbourhood Initiative category for Transition Extreme. Councillor Stewart added that this was the second national award that Transition Extreme had won in 2010 and congratulated all those involved in its success.

(B) Councillor Leslie advised that he had attended the RoSPA (Royal Society for the Protection of Accidents) Awards in Glasgow in September, where the Council had been presented with a Gold Award for the third year in succession for occupational health and safety. Councillor Leslie congratulated all staff and thanked the members of the Corporate Health and Safety Committee.

(C) Councillor Jennifer Stewart highlighted that local swimmer Robbie Renwick had won a gold medal at the Commonwealth Games in Delhi, which was a fitting tribute to his coach Eileen Adams who had passed away earlier in the year. Councillor Ironside advised that Aberdeen swimmer David Carry had won a bronze medal and requested that the Council send congratulatory messages to both athletes.

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Councillor Kiddie added that all four medals that Scotland had won to date had been achieved by athletes from Aberdeen, or the North East of Scotland, after two further medals had been won in shooting.

(D) Councillor Collie advised that Jaimie Hunter, aged 15, Councillor Hunter's daughter, had performed very well in the Under 25 Badminton Horse Trials where she finished in 7th place out of 72 competitors, and also in the Under 25 Cheshire Horse Trials where she finished in 8th place out of 76 competitors, with both events attracting entries from across the UK. Councillor Collie congratulated Councillor Hunter's daughter on her excellent achievement, performing so well against much older competitors.

The Council resolved:-

- (i) to concur with the remarks of the various members; and
- (ii) to write to all athletes from Aberdeen who had won medals in the Commonwealth Games in Delhi congratulating them on their success.

REQUEST FOR DEPUTATIONS

3 The Council had before it, in accordance with Standing Order 10(1), the following requests for deputations:-

- (1) Friends of Union Terrace Gardens, in relation to the report on the City Garden Project (as detailed at Article 13 of this minute); and
- (2) Mr Steven Bothwell, in relation to the report on the City Garden Project.

The Council resolved:-

to accept the request from Friends of Union Terrace Gardens.

Councillor John Stewart moved, seconded by Councillor Kevin Stewart:-

That the request from Mr Steven Bothwell be refused as his proposed deputation on the specific subject of transferring Union Terrace Gardens to a Special Purpose Vehicle did not directly relate to the report the Council had before it.

On a division, there voted:-

For the procedural motion (23) - Lord Provost Peter Stephen; Depute Provost Dunbar; and Councillors Corall, Cormack, Cormie, Farquharson, Fletcher, Jaffrey,

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Kiddie, Leslie, McCaig, McDonald, Milne, Noble, Penny, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, John West, Kirsty West, Wisely and Yuill.

Against the procedural motion (11) - Councillors Adam, Allan, Cassie, Collie, Crockett, Graham, Greig, Hunter, Ironside, Laing and Young.

The Council further resolved:-

to adopt the procedural motion and thereby refuse the request from Mr Steven Bothwell.

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 18TH AUGUST 2010

4 The Council had before it the minute of meeting of Aberdeen City Council of 18th August 2010.

The Council resolved:-

to approve the minute.

PAMPHLET OF MINUTES

5 The Council had before it a pamphlet of standing committee minutes from 19th August to 10th September 2010.

The Council resolved:-

to note the minutes.

MINUTES OF MEETINGS OF THE URGENT BUSINESS COMMITTEE OF 6TH AUGUST AND 13TH AND 20TH SEPTEMBER 2010

6 The Council had before it the minutes of meetings of the Urgent Business Committee of 6th August and 13th and 20th September 2010.

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The Council resolved:-
to approve the minutes.

BUSINESS STATEMENT

7 The Council had before it a statement of Council business which had been prepared by the Head of Legal and Democratic Services.

The Council resolved:-

- (i) to instruct officers to report to the next meeting on the 50m Swimming Pool;
- (ii) to note that the allocation of committee places between the two Conservative Groups and Councillor Boulton would remain the same; and
- (iii) to otherwise note the statement.

**MINUTE OF MEETING OF ELECTORAL BOUNDARIES TASK GROUP OF 27TH
SEPTEMBER 2010**

8 The Council had before it the minute of meeting of the Electoral Boundaries Task Group of 27th September 2010.

The Council resolved:-
to approve the minute.

LEADERSHIP BOARD UPDATE

9 The Council heard an oral report by the Chief Executive providing an update on the actions taken by the Leadership Board to address the findings and recommendations of the Accounts Commission for Scotland on *Aberdeen City Council: Reports by the Controller of Audit on the Audit of Best Value and Community Planning and on the Property Sales Investigation*.

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The Chief Executive advised that the Leadership Board had not met since the last Council meeting as a result of a clash with the CPMR (Conference of Peripheral Maritime Regions) conference in Aberdeen and the commitments of officers and elected members therein.

The Chief Executive added that officers were to be meeting with Antony Clark of Audit Scotland regarding the Council's progress and work that was ongoing on a national basis, the output from which would be reported to the Audit and Risk Committee and the Corporate Policy and Performance Committee.

The Council resolved:-

to note the Chief Executive's remarks.

START TIME OF COUNCIL MEETINGS - CG/10/177

10 With reference to Article 10 of the minute of its meeting of 24th March 2010, the Council had before it a report by the Director of Corporate Governance which discussed the possibility of continuing the 10.30am start time for Council meetings indefinitely, following a review of the last four ordinary Council meetings.

The report stated that ordinary Council meetings had started at 2.00pm for many years until June 2009, when a 10.30am start had been introduced on trial basis following a succession of lengthy meetings and a particularly turbulent previous meeting. All ordinary Council meetings had started at 10.30am since June 2009.

The report provided data pertaining to the last four ordinary Council meetings, which indicated the number of reports on the agenda, the length of the meeting, the time the meeting finished and the time the meeting would have finished if it had started at 2.00pm. The report commented that the volume of Council business had not been particularly excessive however there had been a number of contentious issues that members had spent a considerable length of time debating.

The report went on to provide further data in relation to the number of members who had contributed to the debates on such contentious issues. The report added that contentious issues frequently attracted requests for deputations and there had been nine such requests across the last four meetings of which seven had been accepted.

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The report acknowledged that the 10.30am start time did not favour those members in full time employment, however until such time that it could be demonstrated that Council business could be disposed of within a reasonable length of time, returning to a 2.00pm start was not practical. The report concluded that there was undoubtedly a risk to the Council if vitally important decisions for the city continued to be taken by members towards the end of long meetings late at night when appropriate due diligence could be sacrificed in the interests of bringing the meeting to a conclusion.

The report recommended:-

that the Council agree that Council meetings, with the exception of the Budget meeting in February, start at 10.30am until further notice.

Councillor Jennifer Stewart moved, seconded by Councillor Kirsty West:-

That the Council approve the recommendation contained within the report.

Councillor Hunter moved as an amendment, seconded by Councillor Yuill:-

That the Council agree that Council meetings start at 2pm from the December 2010 Council meeting onwards until further notice.

Following contributions from eight members of the Council, Councillor Greig moved, in terms of Standing Order 14, that the question be now put, and was seconded by Councillor McCaig.

On a division, there voted:-

For the procedural motion (21) - Lord Provost Peter Stephen; and Councillors Corall, Cormack, Cormie, Farquharson, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McCaig, McDonald, Milne, Noble, Penny, Jennifer Stewart, John Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

Against the procedural motion (13) - Depute Provost Dunbar; and Councillors Adam, Allan, Cassie, Collie, Crockett, Graham, Hunter, Ironside, Laing, Kevin Stewart, John West and Young.

In accordance with Standing Order 15(6), Councillors Crockett, Graham and Young intimated their dissent against the foregoing decision.

The Council proceeded to summing up and thereafter, on a division between the motion by Councillor Jennifer Stewart and the amendment by Councillor Hunter, there voted:-

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For the motion (21) - Lord Provost Peter Stephen; Depute Provost Dunbar; and Councillors Corall, Cormack, Cormie, Farquharson, Fletcher, Jaffrey, Kiddie, Leslie, McCaig, McDonald, Milne, Noble, Penny, Jennifer Stewart, John Stewart, Wendy Stuart, John West, Kirsty West and Wisely.

For the amendment (12) - Councillors Adam, Allan, Cassie, Collie, Crockett, Graham, Greig, Hunter, Ironside, Laing, Young and Yuill.

Declined to vote (1) - Councillor Kevin Stewart.

The Council resolved:-
to adopt the motion.

ABERDEEN PRISON VISITING COMMITTEE - APPOINTMENT OF REPLACEMENT MEMBER - CG/10/171

11 The Council had before it a report by the Director of Corporate Governance seeking approval to appoint a replacement for Ms. Karen Shirron who was standing down from Aberdeen Prison Visiting Committee.

The report explained the role of Aberdeen Prison Visiting Committee in acting on behalf of the First Minister as independent observers concentrating on the conditions in the prison and, in particular, the treatment of prisoners. The report advised that every member of the Visiting Committee had the right to enter the establishment at any time and to have access to every part of it, and to every prisoner. The report noted that a visiting rota was arranged, with a minimum of two members visiting every fortnight.

The report stated that the replacement member had to be an external person as statutory rules stipulated that external members could not be outnumbered on the Visiting Committee and two of the three remaining members were elected members.

The Council resolved:-

- (i) to appoint Ms. Robyn Warrender to the position; and
- (ii) to thank Ms. Karen Shirron for her dedication to the work of Aberdeen Prison Visiting Committee.

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POLLING DISTRICTS AND POLLING PLACES REVIEW - OCE/10/018

12 The Council had before it a report by the Chief Executive which detailed the additional work which was required to take account of lessons learnt from recent elections, changes in circumstances and the needs of elections to be held in 2011.

The report explained that Section 16 of the Electoral Administration Act 2006 required each local authority to conduct a review of polling districts and polling places for use at parliamentary elections every four years. In doing so, the local authority must ensure reasonable facilities for voting and that polling places were accessible to all electors, including voters with a disability, so far as was practicable. It was highlighted that the most recent review of polling districts and polling places had been completed in February 2009.

The report advised that Returning Officers had been asked to plan on the basis that there would be new boundaries in force for the 2011 Scottish Parliament elections, although these had yet to be formally ratified. The proposed new Scottish Parliament boundaries split three existing polling districts within the Aberdeen City area, CN0503 (Woodside), CN0504 (Kittybrewster) and CN0505 (Rosehill), into two parts. Under the new boundaries the vast majority and northern sections of these polling districts would be in the Aberdeen Donside constituency, as opposed to Aberdeen Central, with a small section in the south of the polling district in the new Aberdeen Central constituency.

In addition, the report explained that the new boundaries allowed for the removal of two very small polling districts which had been created to account for the difference in Scottish Parliament and Westminster Parliament constituencies. These were DN0311 (Summerhill Endrick) which could be combined with DN0310 (Summerhill Central), and SN1004 (Fernielea) which could be combined with SN1003 (Summerhill South).

The report set out the following recommendations for changes to polling districts:-

- retain the northern parts of what were CN0503, CN0504 and CN0505 as separate polling districts within Aberdeen Donside;
- take the southern parts of what were CN0503 and CN0504 and create a new district called CN0508 (Kittybrewster) in Aberdeen Central;
- take the southern part of what was CN0505 and create a new polling district called CN0507 (Cornhill) in Aberdeen Central;

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- combine DN0311 (Summerhill Endrick) with DN0310 (Summerhill Central) and call it DN0310 (Summerhill Central); and
- combine SN1004 (Fernielea) with SN1003 (Summerhill South) and call it SN1003 (Summerhill South)

In regard to polling places, the report proposed a number of changes, as undernoted, and explained the rationale behind each change.

Previous Scottish Parliamentary Polling District	Polling Place	August 2010 Electorate	Constituency
CN0503 (Woodside)	Woodside Community Centre	1673	Aberdeen Central
CN0504 (Kittybrewster)	High Church Hilton	2333	Aberdeen Central
CN0505 (Rosehill)	Cairncry Community Centre	1548	Aberdeen Central
DN0311 (Summerhill Endrick)	The Summerhill Centre	18	Aberdeen Donside
DN0310 (Summerhill Central)	The Summerhill Centre	1276	Aberdeen Donside
SN1004 (Fernielea)	Fernielea Primary School	137	Aberdeen and Kincardine South North
SN1003 (Summerhill South)	Fernielea Primary School	470	Aberdeen and Kincardine South North

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New Scottish Parliamentary Polling District	New Polling Place	August 2010 Electorate	Constituency
DN0503 Woodside	Woodside Community Centre	1370	Aberdeen Donside
DN0504 (Hilton South)	High Church Hilton	1595	Aberdeen Donside
DN0505 (Rosehill)	High Church Hilton	944	Aberdeen Donside
CN0507 (Cornhill)	Cairncry Community Centre	604	Aberdeen Central
CN0508 (Kittybrewster)	Kittybrewster Primary School (New Polling Place)	1041	Aberdeen Central
DN0310 (Summerhill Central)	Sheddocksley Baptist Church	1294	Aberdeen Donside
SN1003 (Summerhill South)	Fernielea Primary School	607	Aberdeen South and North Kincardine

The report also proposed some additional changes to current polling places in existing polling districts as follows:-

Polling District(s)	2011 Scottish Parliament Constituency	2010 Polling Place	Recommended 2011 Polling Place
Kirkhill (DG0101) Dyce South (DG0103)	Aberdeen Donside	Dyce Primary School, Games	Dyce Church Hall

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Polling District(s)	2011 Scottish Parliament Constituency	2010 Polling Place	Recommended 2011 Polling Place
		Hall	
Dyce North (DG0102)	Aberdeen Donside	Dyce Primary School, Games Hall	Dyce Church - Dr Cox Room
Mugiemoss (DN0109)	Aberdeen Donside	Riverbank Primary School	Danestone Primary School
Whitemyres (DN0307) Woodend (DS0308) Denwood (DN0309) Summerhill Central (DN0310)	Aberdeen Donside	The Summerhill Centre	Sheddocksley Baptist Church
Don (CN0602) Seaton North (CN0603)	Aberdeen Central	St Ninian's Church	Seaton Primary School
St Nicholas (CN0805)	Aberdeen Central	Seamount Court, Tenants Room	St Margaret's Church Hall
Cromwell (CS1010) Ashley (CS1011)	Aberdeen Central	Ashley Road Primary School	Holburn West Church
Loirston (SS1306) Cove (SS1307)	Aberdeen South and North Kincardine	Loirston Primary School	Loirston Annexe

An addendum to the report explained that an inspection of the new Manor Park School had been arranged to ensure that it was a suitable replacement for Smithfield Primary School in polling district DN0403 (Middlefield). Inspections were also scheduled in order to find a suitable replacement for Linksfield Campus which was no longer available in polling district CN0605 (Seaton South).

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The report recommended:-

that the Council -

- (a) note the changes to three existing polling districts, as required by the proposed new Scottish Parliament constituencies;
- (b) subject to any changes, agree the recommended changes to polling districts as outlined within the report;
- (c) subject to any changes, agree the recommended changes to polling places as outlined within the report;
- (d) agree that following approval of the recommended changes to polling districts and polling places, the Council proceed to public consultation; and
- (e) agree that following approval of the recommended changes to polling districts and polling places, the Council allow the public consultation to include any further changes necessitated through any circumstances which might arise.

The Council resolved:-

to approve the recommendations.

THE CITY GARDEN PROJECT - TIMETABLE FOR KEY DECISIONS AND ARRANGEMENTS FOR SHORT-LISTING DESIGN PROPOSALS - EPI/10/240

13 (A) In terms of Standing Order 10(2), the Council received a deputation from Mr Mike Shepherd of Friends of Union Terrace Gardens.

Mr Shepherd expressed his belief that the timetable within the report was not logical and was excessively condensed with too many key steps being dealt with at the same Council meeting, which would be likely to lead to big mistakes being made along the way. Mr Shepherd highlighted that significant delays had already been incurred in relation to the project and that the timetable was overly ambitious with numerous omissions and ambiguities.

Mr Shepherd stated that the timetable was distinctly light on information pertaining to the Special Purpose Vehicle, and its legitimacy in legal terms, and questioned how the Council could approve a report which posed more questions than it provided answers.

There being no questions for Mr Shepherd, members thanked him for his contribution.

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(B) With reference to Article 16 of the minute of its meeting of 30th June 2010, the Council had before it a report by the Director of Enterprise, Planning and Infrastructure which presented a timetable for key decisions and arrangements for short-listing design proposals relating to the City Garden project.

The report set out the following indicative timetable:-

Date	Description
28/09/10	Paper to Finance and Resources Committee outlining the steps involved in producing a Tax Increment Funding (TIF) business case and explaining the need for the production of an expanded TIF business case.
11/11/10	Project Management Board (PMB) to approve short-list of community engagement contractors.
11/11/10	PMB to approve short-list of design competition management companies.
02/12/10	Paper to Finance and Resources Committee detailing the resources required to project manage the City Garden project, and undertake essential tasks, up to the point where a design has been selected and a Special Purpose Vehicle (SPV) set up to take the project forward into the planning and construction phases.
20/12/10	PMB to approve draft TIF business case report.
18/01/11	PMB to approve final selection of design competition management company.
25/01/11	Council to sign contract to appoint community engagement contractor (100% of costs to be reimbursed from private sector stakeholders).
10/02/11	PMB to approve final selection of community engagement contractor.
17/02/11	Council to sign contract to appoint design competition

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Date	Description
	management company (100% of costs to be reimbursed from private sector stakeholders).
01/04/11	Project Implementation Team (PIT) to agree competition guidelines and the request for proposals documentation prepared by the Competition Manager.
07/04/11	PMB to approve final TIF business case report, following up to three months of negotiations with Scottish Futures Trust (SFT).
27/04/11	Paper to Council outlining the situation with regard to land ownership and other rights (e.g. air rights above the road and railway), which may need to be acquired to deliver the project.
27/04/11	Paper to Council seeking approval of the SPV project business plan, approval to lease Council land to the SPV and permission for the SPV to take the project forward, subject to approval of the final detailed design scheme.
24/08/11	PIT and PMB to agree short-list of design teams and design proposals/options.
24/08/11 to 05/10/11	Short-listed design proposals subjected to public scrutiny.
08/11/11	PMB to approve selected design team and preferred design option.
14/12/11	Paper to Council, asking for approval of the selected design team and their preferred design option.
22/03/12	PMB to agree final sign off of the detailed, fully costed design scheme.
16/05/12	Paper to Council indicating who the likely key operators/tenants within the proposed scheme will be and asking for approval of the final, detailed, fully costed design scheme and the proposed funding package (including TIF funding element).

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Date	Description
17/05/12	SPV to take the scheme forward into the planning process.
18/04/14	SPV to take the project forward into construction and operating phases.

The report went on to explain the process for the short-listing of the design proposal. The design process would be managed by an independent, professional design competition management company (hereafter referred to as the Design Competition Management Contractor (DCMC)), selected following a full tendering process according to EU procurement regulations. The DCMC would prepare a brief for the competition, which would be approved by the PMB before being issued as a public tender under full EU procurement regulations.

The report anticipated that the process thereafter would largely be determined by the DCMC, based on their knowledge and expertise in running similar competitions elsewhere, however an indicative process was set out within the report. The report concluded that the final, fully costed, design scheme would be submitted to Council on 16th May 2012 for final approval. If approval was granted, the plans would then be handed over to the SPV charged with taking them through the planning process.

The report recommended:-

that the Council -

- (a) note the timetable for key decision points of the City Garden project; and
- (b) note the proposed arrangements for short-listing design proposals relating to the City Garden project.

Councillor John Stewart moved, seconded by Councillor John West:-

That the Council approve the recommendations contained within the report.

Councillor Greig moved as an amendment, seconded by Councillor Jennifer Stewart:-

That the Council take no action on the City Garden project.

Councillor Yuill moved as a further amendment, seconded by Depute Provost Dunbar:-

That the Council approve the recommendations contained within the report and note that agreeing the recommendations did not imply support or otherwise for the City Garden project.

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At this juncture, Councillor John Stewart agreed to accept Councillor Yuill's amendment as an addendum to his motion and this was accepted.

On a division, there voted:-

For the motion (21) - Lord Provost Peter Stephen; Depute Provost Dunbar; and Councillors Corall, Cormack, Cormie, Farquharson, Fletcher, Jaffrey, Kiddie, McCaig, McDonald, Milne, Noble, Penny, John Stewart, Kevin Stewart, Wendy Stuart, John West, Kirsty West, Wisely and Yuill.

For the amendment by Councillor Greig (13) - Councillors Adam, Allan, Cassie, Collie, Crockett, Graham, Greig, Hunter, Ironside, Laing, Leslie, Jennifer Stewart and Young.

The Council resolved:-
to adopt the motion.

**BOARD OF ABERDEEN EXHIBITION AND CONFERENCE CENTRE (AECC) -
APPOINTMENT OF ELECTED MEMBERS**

14 With reference to Article 17 of the minute of its meeting of 18th August 2010, the Council was requested to appoint five members to the Board of AECC on the basis of three Administration members and two Opposition members.

The Council resolved:-

to appoint Councillors Fletcher, Malone and Kirsty West to the Board of AECC as the three Administration members.

Councillor Wisely moved, seconded by Councillor Cormack:-

That Councillor Donnelly be appointed to the Board as one of the Opposition members.

Councillor Farquharson moved, seconded by Councillor Kevin Stewart:-

That Councillor Milne be appointed to the Board as one of the Opposition members.

Councillor Crockett moved, seconded by Councillor Young:-

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That one member of the Labour Group, to be determined, be appointed to the Board as one of the Opposition members.

The Acting Senior Democratic Services Manager advised the Council that, in accordance with Standing Order 16(3) which addressed the situation where the number of candidates exceeded the places to be filled, a vote should be conducted with members being allocated two votes, following which the candidate with the fewest votes would fall from consideration. The Council was advised that this would require to be undertaken by roll call due to the limitations imposed on a vote of this nature by the electronic voting system.

On a division between the three nominations, there voted:-

For Councillor Donnelly (14) - Lord Provost Peter Stephen; and Councillors Cormack, Fletcher, Greig, Leslie, McCaig, Penny, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

For Councillor Milne (22) - Lord Provost Peter Stephen; and Councillors Corall, Cormack, Cormie, Farquharson, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McCaig, McDonald, Milne, Noble, Penny, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, John West, Kirsty West and Yuill.

For one member of the Labour Group to be determined (16) - Councillors Adam, Allan, Collie, Corall, Cormie, Crockett, Farquharson, Graham, Hunter, Jaffrey, Kiddie, Laing, Milne, Noble, John West and Young.

Declined to vote (1) - Depute Provost Dunbar.

Absent from the division (2) - Councillors Cassie and Ironside.

The Council further resolved:-

that Councillor Milne and one member of the Labour Group to be nominated be appointed to the Board of AECC as the two Opposition members.

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APPOINTMENT OF VICE CONVENER OF HOUSING AND ENVIRONMENT COMMITTEE

15 The Council was requested to approve the appointment of Councillor Corall as Vice Convener of the Housing and Environment Committee following the resignation of Councillor McDonald. The Council was requested to note that Councillor Corall would not be accepting a Senior Councillor allowance for the role.

Councillor John Stewart moved, seconded by Councillor Kevin Stewart:-

That the Council approve the appointment of Councillor Corall as Vice Convener of the Housing and Environment Committee and note that he would not be accepting a Senior Councillor allowance for the role.

Councillor Collie moved as an amendment, seconded by Councillor Young:-

That the Council agree to the appointment of Councillor Corall as Vice Convener of the Housing and Environment Committee, note that Councillor McDonald already receives a Senior Councillor allowance in his role as Vice Convener of the Grampian Joint Fire Board and agree that given the abnormal financial pressures facing the Council, the Council agree to remove allowances from all Vice Conveners.

On a division, there voted:-

For the motion (22) - Lord Provost Peter Stephen; Depute Provost Dunbar; and Councillors Cormack, Cormie, Farquharson, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McCaig, McDonald, Noble, Penny, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, John West, Kirsty West, Wisely and Yuill.

For the amendment (9) - Councillors Adam, Allan, Collie, Crockett, Graham, Hunter, Laing, Milne and Young.

Declined to vote (1) - Councillor Corall.

Absent from the division (2) - Councillors Cassie and Ironside.

The Council resolved:-

- (i) to adopt the motion; and
- (ii) to note Councillor McDonald's gratitude to a number of officers for their support during his time in the role as Vice Convener.

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ROBERT GORDON'S COLLEGE BOARD OF GOVERNORS

16 The Council was requested to consider appointing a replacement member to the Robert Gordon's College Board of Governors following Councillor Kirsty West's recent resignation, however Robert Gordon's College had asked that the Council make no appointment at this time.

The Council resolved:-

to defer consideration of the matter in accordance with the wishes of Robert Gordon's College.

QUESTIONS

17 The Council had before it one question, of which due notice had been given in terms of Standing Order 20(2), which had been placed on the agenda as Councillor Young had indicated that he was unhappy with the response.

Councillor Young

QUESTION -

To the Convener of the Pensions Panel

"To ask the Chair of the Pensions Panel, who if anybody, declared an interest at the Pensions Panel when discussing the pension arrangements for Oakbank School and to further ask, if nobody declared an interest at the Pensions Panel meeting, does the chair of the Pensions Panel remember an elected member declaring an interest at Council regarding Oakbank School by virtue of their position as Chairperson of the Pensions Panel and stated that he considered that the nature of that interest required the elected member to leave the meeting and take no part in the Council's deliberations thereon and if so can he confirm if this elected member is also a member of the Pensions Panel and if so can he confirm the elected member's name and the position he holds within the Pensions Panel?"

ANSWER (by Councillor Fletcher) -

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Declarations of interest are matters recorded in minutes, and so are publicly available. I believe it inappropriate to use questions to ask a member to justify a declaration, as the Code states that it is a matter for each individual member.

I am also astonished that the Chairman of Oakbank School, an organisation that has debts to the Pension Fund of between £2M and £3M, believes it is justifiable to use Council resources to put a question to the Convener of the Pension Fund, about matters pertaining to Oakbank. That the question relates to declarations of interest is particularly ironic.

However, in an attempt to keep officer costs to a minimum on this question, I will add the following:

No elected member on the Pension Panel has declared an interest at the Panel when Oakbank has been regularly discussed.

I declared an interest at Council as Chair of the Pensions Panel, when a planning application for Oakbank's site was discussed.

If I had voted on Oakbank's planning application, which would have affected the value of its land, and hence Oakbank's ability to pay its debts, it would not have been outwith the suspicion of an ordinary member of the public that any decision I took on the application may have been affected by my Pension Fund responsibilities.

In accordance with Standing Order 20(4), the Lord Provost ruled that the question had been answered satisfactorily.

The Council resolved:-
to note the details.

At this juncture the Lord Provost vacated the Chair, and left the meeting, and was replaced by Depute Provost Dunbar.

MOTION

18 Councillors Yuill, John Stewart, Kevin Stewart, Donnelly, Cormie, Dean, Jennifer Stewart, Leslie, May, Noble, Greig, Corall, McDonald, John West, Wisely, Malone,

COUNCIL
6 October 2010

Milne, Farquharson, Jaffrey, Penny, Wendy Stuart, Reynolds, McCaig, Fletcher, Robertson, Cormack and Kirsty West, pursuant to notice, moved:-

“That this Council deplores Councillor Young’s remarks about the Lord Provost reported in the ‘Evening Express’ on 18th September, and calls upon Councillor Young to make an immediate public apology to the Lord Provost.”

The Council resolved:-

- (i) to approve the terms of the motion; and
- (ii) to thank the Lord and Lady Provost for the vast amount of work they carry out representing the city.

- JACQUELINE DUNBAR, Depute Provost.