

# Public Document Pack



To: All Members of the Council

Town House,  
ABERDEEN, 28 September 2010

## COUNCIL MEETING

The Members of the **COUNCIL** are requested to meet in Council Chamber - Town House on **WEDNESDAY, 6 OCTOBER 2010 at 10.30am.**

JANE G. MACEACHRAN  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

### **B U S I N E S S**

- 1 Members are requested to resolve that any exempt business on this agenda be considered with the press and public excluded.
- 2 Admission of Burgesses
- 3 Requests for Deputations

### **MINUTES OF COUNCIL**

- 4(a) Minute of Meeting of Council of 18th August 2010 - for approval (circulated separately)

### **MINUTES OF STANDING COMMITTEES**

- 5(a) Pamphlet of Minutes - for information (circulated separately)

- 5(b) Minutes of Meetings of Urgent Business Committee of 6th August and 13th and 20th September 2010 - for approval (Pages 1 - 8)

### **BUSINESS STATEMENT AND OTHER MINUTES**

- 6(a) Business Statement (Pages 9 - 16)
- 6(b) Minute of Meeting of Electoral Boundaries Task Group of 27th September 2010 (to follow)

### **REFERRALS FROM COMMITTEES**

- 7 None to date

### **GENERAL BUSINESS**

- 8(a) Leadership Board Update - Oral Report by Chief Executive
- 8(b) Start Time of Council Meetings - Report by Director of Corporate Governance (Pages 17 - 20)
- 8(c) Aberdeen Prison Visiting Committee - Appointment of Replacement Member - Report by Director of Corporate Governance (Pages 21 - 22)
- 8(d) Polling Districts and Polling Places Review - Report by Chief Executive (Pages 23 - 34)
- 8(e) The City Garden Project - Timetable for Key Decisions and Arrangements for Short-listing Design Proposals - Report by Director of Enterprise, Planning and Infrastructure (Pages 35 - 40)
- 8(f) Aberdeen Exhibition and Conference Centre Board - Appointment of 5 Elected Members (3+2)
- 8(g) Appointment of Councillor Corall as Vice Convener of Housing and Environment Committee in place of Councillor McDonald  
Please note that Councillor Corall has intimated that he will not be accepting a Senior Councillor allowance for the role.
- 8(h) Robert Gordon's College Board of Governors - Appointment of Replacement Member

## **QUESTIONS**

**For the avoidance of doubt, one supplementary question, limited to clarifying any answer given, may be asked by the original questioner and one further supplementary question may be asked by one other member.**

9(a) Councillor Young (Pages 41 - 42)

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?

Councillor Young has requested that the above question be placed on the agenda, in terms of Standing Order 20(2)(i), as he is of the opinion that that the elected member has not answered the question. Councillor Young stated that he specifically asked for the name and position the elected member holds within the Pensions Panel and this information is not contained within the answer. Councillor Young added that it would not be unreasonable to expect that the Chair of the Pensions Panel, who receives an enhanced payment from the Council for being the Chair of the Pensions Panel, should be aware of his brief and provide the name of the elected member.

## **MOTIONS**

10(a) Motion by Councillors Yuill, John Stewart, Kevin Stewart, Donnelly, Cormie, Dean, Jennifer Stewart, Leslie, May, Noble, Greig, Corall, McDonald, John West, Wisely, Malone, Milne, Farquharson, Jaffrey, Penny, Wendy Stuart, Reynolds, McCaig, Fletcher, Robertson, Cormack and Kirsty West

"That this Council deplores Councillor Young's remarks about the Lord Provost, reported in the 'Evening Express' on 18<sup>th</sup> September, and calls upon Councillor Young to make an immediate public apology to the Lord Provost."

**BUSINESS THE COUNCIL MAY WISH TO CONSIDER IN PRIVATE**

11(a) There are no items of business under this heading

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## URGENT BUSINESS COMMITTEE

ABERDEEN, 6<sup>th</sup> August 2010 - Minute of Meeting of the URGENT BUSINESS COMMITTEE. Present:- Councillor Kevin Stewart, Acting Convener; and Councillors Cassie (substituting for Councillor Crockett), Clark, Corall (substituting for Councillor Kiddie), Cormack, Leslie (substituting for Councillor Fletcher), McDonald, Malone (substituting for Councillor John Stewart), John West (substituting for Councillor May), Wisely, Young and Yuill (substituting for Councillor Dean).

### **APPOINTMENT OF CONVENER**

1. It was agreed that Councillor Kevin Stewart would chair the meeting in the absence of Councillor John Stewart.

### **DETERMINATION OF URGENT BUSINESS**

2. In terms of Standing Order 28(3)(vi), and in accordance with Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, the Committee was informed that it had to determine (1) that the items on the agenda were of an urgent nature; and (2) that the Committee required to consider the items and take decisions thereon.

#### **The Committee resolved:-**

to agree that the items were of an urgent nature and required to be considered and decisions taken thereon.

### **DETERMINATION OF EXEMPT BUSINESS**

3. The Committee was requested to determine that the housing case by the Director of Housing and Environment, which had been circulated to the Committee at the commencement of the meeting, contained exempt information as described in Schedule 7(A) of the Local Government (Scotland) Act 1973.

#### **The Committee resolved:-**

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of Article 5 of this minute so as to avoid disclosure of exempt information of the class described in paragraph 2 of Schedule 7(A) of the Act.

### **DECLARATION OF INTEREST**

**The Acting Convener declared an interest in the following item of business by virtue of his position as a member of the NEM (SITA) Management Board but did not consider that the nature of this interest required him to withdraw from the meeting during the Committee's deliberations.**

## **WASTE MANAGEMENT SERVICES CONTRACT VARIATION - SCLATTIE TRANSFER STATION - H&E/10**

4. The Committee had before it a report by the Director of Housing and Environment which demonstrated the case for developing an additional building at Sclattie Transfer Station to create a disposal point for refuse collected in the north of the city following the closure of the Hill of Tramaud landfill site.

The report stated that the Council currently delivered refuse collected from the north of the city to the Hill of Tramaud landfill site, however it was due to close in December 2010 or January 2011, and capacity at the Sclattie Transfer Station in Bankhead was currently fully committed to recycling and composting activities.

The report explained that under the Waste Management Services Contract (WMSC), it was envisaged that once the Hill of Tramaud landfill site closed, and in the absence of the Altens Environmental Park, SITA UK Limited would provide disposal facilities at the Stoneyhill landfill site, near Peterhead. The Council would deliver its waste to the Sclattie Transfer Station and SITA would transport it to Stoneyhill. The report advised that there would be an increase in rates of approximately £13.50 per tonne for the provision of this service.

The report then presented the following alternative options:-

- (1) To develop an additional building at Sclattie Transfer Station and create capacity for refuse disposal alongside recycling and composting activities.
- (2) To develop an additional building at the Hill of Tramaud landfill site and create capacity for refuse transfer.
- (3) To deliver all waste from the north of the city to alternative, private transfer stations in the south of the city.
- (4) To deliver waste to Stoneyhill directly.

The report evaluated each option and concluded that option 1, to develop an additional building at Sclattie Transfer Station, was the preferred solution. The financial impact, £450,000 project cost, compared favourably with the other options, was deliverable and provided an asset for future use by the Council. The WMS contractor had obtained planning permission and undertaken a competitive tendering exercise to select a preferred works contractor. The report added that a contract variation was therefore required, the text of which had been discussed and agreed.

Lastly, the report advised that there was scope within the WMSC to make payment for service in a variety of ways, and recommended that a direct payment for the construction of the additional facility from existing General Fund revenue provision be made.

### **The report recommended:-**

that the Committee -

- (a) approve option 1 as outlined in the report;
- (b) approve that the payment method be a direct payment for the construction of the facility from existing General Fund revenue provision;
- (c) instruct the Director of Housing and Environment to proceed with a contract variation agreement in this regard; and

- (d) agree that a briefing note be presented to the Housing and Environment Committee on 24<sup>th</sup> August 2010.

**The Committee resolved:-**

to approve the recommendations.

**In accordance with the decision taken under Article 3 of this minute, the following item was considered with the press and public excluded.**

**HOUSING CASE**

5. The Committee had before it a report by the Director of Housing and Environment which provided details of an application for Council housing which fell outwith the scheme of allocation.

The Acting Convener moved, seconded by Councillor Cassie:-

That the Committee approve option 1, as contained with the report, to grant the applicants a priority offer of alternative low demand two bedroomed plus sheltered accommodation suitable for their current needs outwith the scheme of allocation.

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

That the Committee approve options 2 and 3, as contained within the report, to grant the applicants two priority offers of alternative accommodation at either a ground floor four-in-a-block type property or a ground floor flatted property in an area of their choice outwith the scheme of allocation.

On a division, there voted:- for the motion (6) - Acting Convener; and Councillors Cassie, Corall, John West, Wisely and Young; for the amendment (6) - Councillors Clark, Cormack, Leslie, McDonald, Malone and Yuill.

There being an equality of votes, in accordance with Standing Order 15(5) the Acting Convener exercised his casting vote in favour of the motion.

**The Committee resolved:-**

- (i) to adopt the motion; and
- (ii) to instruct the Director of Housing and Environment, in liaison with the Director of Social Care and Wellbeing, to review the current policy of not allowing children to live within sheltered accommodation unless they were full time carers of the tenant, and to report to the Housing and Environment Committee accordingly.

**- KEVIN STEWART, Acting Convener.**

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## URGENT BUSINESS COMMITTEE

ABERDEEN, 13<sup>th</sup> September 2010 - Minute of Meeting of the URGENT BUSINESS COMMITTEE. Present:- Councillor John Stewart, Convener; and Councillors Cormack, Crockett, Hunter (substituting for Councillor Allan), McCaig (substituting for Councillor Kiddie), McDonald, Malone (substituting for Councillor Clark), May, Reynolds (substituting for Councillor Fletcher), Kevin Stewart, Wisely, Young and Yuill (substituting for Councillor Dean).

### **DETERMINATION OF URGENT BUSINESS**

1. In terms of Standing Order 28(3)(vi), and in accordance with Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, the Committee was informed that it had to determine (1) that the item on the agenda was of an urgent nature; and (2) that the Committee required to consider the item and take a decision thereon.

#### **The Committee resolved:-**

to agree that the item was of an urgent nature and required to be considered and a decision taken thereon.

### **POST OF CHIEF EXECUTIVE - RECRUITMENT AND SELECTION PROCESS - OCE/10/016**

2. The Committee had before it a joint report by the Head of Legal and Democratic Services and the Head of Human Resources and Organisational Development which sought approval to establish an Appointment Panel and to secure the external support for the purposes of recruiting to the post of Chief Executive.

The report anticipated that there would be a requirement for the Council to appoint a new Chief Executive, as Sue Bruce had indicated her intention to leave to take up the position of Chief Executive with the City of Edinburgh Council, subject to confirmation of the offer of post which was expected to be confirmed on 16<sup>th</sup> September 2010.

The report reminded members that Standing Order 47(2) stated that the Chief Executive of the Council shall be appointed by an Appointment Panel reflecting the political balance of the Council and chaired by the Convener of the Finance and Resources Committee or such member as may be determined. In accordance with previous practice in recruiting to the post of Chief Executive, the report proposed that the Appointment Panel be chaired by the Lord Provost, and that the composition of the Panel be the Lord Provost, 3 Liberal Democrat members, 3 SNP members, 2 Labour members and 1 member to be drawn from the Aberdeen Conservative group, the Conservative group or the independent members. The report further proposed that the first meeting of the Appointment Panel be held on 20<sup>th</sup> September 2010.

The report went on to suggest, in the interests of accelerating the recruitment process, that powers be delegated to the Appointment Panel to agree the timeline and detail of the recruitment process, the remuneration package and the job description and person specification for the post. The report stated that the Appointment Panel would be advised by the current Chief Executive during the recruitment process and recommended that the services of Munro Consulting be secured through the shared framework agreement to provide the Panel with external recruitment expertise. The report provided an indicative timeline of events from the Appointment Panel meeting on 20<sup>th</sup> September through to interviews potentially taking place during the week commencing 15<sup>th</sup> November.

The report advised that the Appointment Panel would be asked to make decisions as to the use of stakeholder assessment centres/competence testing for candidates, the venue to be used for candidate interviews and the arrangements for the holding of candidate lunches as well as other aspects of the recruitment process. The report noted that these matters had been reviewed at a meeting of the Appointment Panel on 28<sup>th</sup> June 2010 in regard to the recruitment process for the Heads of Service and that the Head of Human Resources and Organisational Development would provide advice on these aspects as appropriate.

**The report recommended:-**

that, subject to the confirmation of a vacancy, the Committee agree -

- (a) to establish an Appointment Panel, to be chaired by the Lord Provost, and comprising 9 further members (3+3+2+1), to appoint to the post of Chief Executive;
- (b) to delegate powers to the Appointment Panel to agree the detail of the recruitment process, recruitment timeline, final job description and person specification, and the remuneration package for the post;
- (c) that Munro Consulting be appointed as recruitment consultants through the shared framework agreement, for the purposes of recruiting to the post of Chief Executive;
- (d) that the first meeting of the Appointment Panel be on Monday 20<sup>th</sup> September 2010 at 11.00am;
- (e) to note the outline job description and person specification for the post, as appended to the report, to be approved after any amendment deemed necessary by the Appointment Panel at its first meeting; and
- (f) to delegate powers to the Appointment Panel to agree the arrangements for filling the post on an interim basis prior to the successful candidate taking up the post, should this be required.

**The Committee resolved:-**

- (i) to approve the recommendations, noting that the appointment of the Lord Provost as Chairperson of the Appointment Panel was permitted in terms of Standing Order 47(2);
- (ii) to note that the three Liberal Democrat members on the Appointment Panel would be Councillors Dean, Malone and John Stewart;
- (iii) to note that the three SNP members would be Councillors McCaig, Kevin Stewart and John West; and
- (iv) to note that the two Labour members and one member to be drawn from the two Conservative groups or the independent members would be confirmed in due course.

- **JOHN STEWART, Convener.**

## URGENT BUSINESS COMMITTEE

ABERDEEN, 20<sup>th</sup> September 2010 - Minute of Meeting of the URGENT BUSINESS COMMITTEE. Present:- Councillor John Stewart, Convener; and Councillors Crockett, Dean, Hunter (substituting for Councillor Allan), McCaig (substituting for Councillor Kiddie), Malone (substituting for Councillor Cormack), May, Kevin Stewart, John West (substituting for Councillor McDonald), Wisely and Young.

### DETERMINATION OF URGENT BUSINESS

1. In terms of Standing Order 28(3)(vi), and in accordance with Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, the Committee was informed that it had to determine (1) that the item on the agenda was of an urgent nature; and (2) that the Committee required to consider the item and take a decision thereon.

#### **The Committee resolved:-**

to agree that the item was of an urgent nature and required to be considered and a decision taken thereon.

### FILLING OF FINAL PLACE ON APPOINTMENT PANEL

2. With reference to Article 2 of the minute of its meeting of 13<sup>th</sup> September 2010, the Committee was requested to determine which member would fill the final place on the Appointment Panel to oversee the recruitment and selection process for the post of Chief Executive. The Committee was informed that both Councillors Wisely and Boulton had been nominated.

On a division, there voted:-

For Councillor Wisely (7) - Convener; and Councillors Dean, McCaig, Malone, Kevin Stewart, John West and Wisely.

For Councillor Boulton (0)

Declined to vote (3) - Councillors Crockett, Hunter and Young.

Absent from the division (1) - Councillor May.

#### **The Committee resolved:-**

to appoint Councillor Wisely to the final place on the Appointment Panel.

- **JOHN STEWART, Convener.**

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**COUNCIL**  
**BUSINESS STATEMENT**  
**6<sup>th</sup> OCTOBER 2010**

<u>No.</u>	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>	<u>Report Expected (if known)</u>
1.	Council 16.12.09 Article 19	<p><b><u>50m Swimming Pool</u></b></p> <p>The Council approved a number of recommendations regarding design and procurement issues relating to the 50m Pool. The Council agreed that the management of the project be transferred to Aberdeen Sports Village subject to (a) the provision of further legal and financial advice in respect of any potential risks to the Council; and (b) the other partners confirming their financial contribution to the project.</p> <p>The Council requested that Aberdeen Sports Village provide the Council with a report within four months on how they planned to drive the project forward.</p>	<p>Tender documents are programmed to be issued in November 2010 with a return date of February 2011. The design is continuing to proceed on a twin track basis, with both the 8 lane and 10 lane options being tendered. The additional design work involved in the twin track approach is being funded by Aberdeen University. Following a detailed evaluation exercise five contractors have now been selected to tender for the project.</p> <p>The application for Planning Consent for the development was submitted on 19<sup>th</sup> July 2010.</p> <p>A revised draft of the Transfer Agreement Document, which will formalise the transfer of responsibility for the procurement phase of the project to Aberdeen Sports Village, has been produced by the Council's legal advisers. This document has been issued to Aberdeen Sports Village and Aberdeen University for their</p>	<p>Director of Enterprise, Planning and Infrastructure</p> <p>(Report to come from Aberdeen Sports Village)</p>	24.03.10	

<u>No.</u>	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>	<u>Report Expected (if known)</u>
			comments prior to the issue of the final agreement.			
2.	Council 11.02.10 Article 2	<p><b><u>Future Financial Planning</u></b></p> <p>The Council instructed the Chief Executive, and her Directors, to make all necessary arrangements, including the commencement of a priority based budgeting approach, to achieve a balanced budget for 2011/12 and future years, which would include stakeholder consultation, to bring forward a costed five-year business plan for the Council for the period 2011-2016, and that this plan be brought to the Council in time for it to inform the decisions to be taken on the budget proposals for 2011/12 which would be considered in December 2010.</p>		Chief Executive	15.12.10	
3.	Council 24.03.10 Article 10	<p><b><u>Council Meetings - Start Time</u></b></p> <p>It was agreed that Council meetings continue to start at 10.30am up to and including the meeting on 6<sup>th</sup> October 2010, and that officers monitor the length of the meetings, reporting to the October meeting, with a view to returning to a 2.00pm start should business appear to be conducted within reasonable timescales.</p>	A report is on the agenda.	Head of Legal and Democratic Services	06.10.10	06.10.10

<u>No.</u>	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>	<u>Report Expected (if known)</u>
4.	Council 30.06.10 Article 16	<p><b><u>The City Garden Project - Next Steps</u></b></p> <p>The Council approved the recommendations within a report by the Chief Executive and CMT, subject to some amendments, which informed of the proposed next steps to ensure delivery of the City Garden Project. Specifically, the Council instructed officers to submit a report to Council on 6<sup>th</sup> October 2010 on the key decision gateways, including who would be involved in the shortlisting of the design proposals.</p> <p>The Council also agreed to receive quarterly progress reports on the matter.</p>	A report is on the agenda.	<p>Chief Executive</p> <p>Director of Enterprise, Planning and Infrastructure</p> <p>Project Director, Economic and Business Development</p> <p>Director of Corporate Governance</p>	06.10.10	06.10.10
5.	Council 18.08.10 Article 13	<p><b><u>Committee Places</u></b></p> <p>Following notification from Councillor Wisely that there would be two Conservative groups on the Council from 18<sup>th</sup> August 2010, the Council agreed to allow the two Conservative groups and Councillor Boulton one cycle of meetings to allocate their committee places between them, and that the matter be reconsidered at the next Council meeting in the event that the allocation was unable to be resolved.</p>		Head of Legal and Democratic Services	No report due but the matter is to be considered on 06.10.10	

<u>No.</u>	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>	<u>Report Expected (if known)</u>
6.	Council 18.08.10 Article 17	<p><b><u>Future Funding and Development of AECC</u></b></p> <p>The Council resolved:-</p> <p>(i) to reaffirm its decision of 10<sup>th</sup> February 2010, to authorise the Director of Enterprise, Planning and Infrastructure, the Head of Legal and Democratic Services and the Head of Finance to complete the necessary documentation required to convert the existing £2million Loan Facility into preference shares, on appropriate terms, and to extend the repayment date of the £7.5million Loan Facility to 17<sup>th</sup> May 2017, subject to:-</p> <ul style="list-style-type: none"> <li>• AECC replacing three of their current elected member Board members with three new non-elected member Board members to be appointed following external advertisement and appointing a non-elected member chairperson, as agreed by Council in February 2010, and that the remaining five elected member Board members be replaced by five elected members on the basis of three Administration members and two Opposition members, and that the new</li> </ul>		Director of Enterprise, Planning and Infrastructure	15.12.10  (Either Council or EP&I Committee)	



<u>No.</u>	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>	<u>Report Expected (if known)</u>
		<p>Board be in place by 31<sup>st</sup> October 2010;</p> <p>(ii) to not approve the proposed operational and financial structure of AECC's current planned hotel development and, in the process, accept that this would require AECC to write off costs associated with realising a hotel development, totalling £2.3million;</p> <p>(iii) to agree to provide AECC with a grant of £568,000 to mitigate the immediate cash-flow implications of having to write off costs incurred to date. These costs relate to professional fees associated with the production of plans, proposals and related legal, financial, investment and technical documentation connected with AECC's efforts to realise a new four start hotel development, ensuring that AECC received the grant timeously, <b>and instruct that AECC provide the Council's Enterprise, Planning and Infrastructure Committee, or Council, with a full written detailed explanation and breakdown of the costs involved with the aborted hotel development;</b></p> <p>(iv) to instruct officers to direct the Council's internal auditors to undertake a "follow-the-public</p>				

<u>No.</u>	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>	<u>Report Expected (if known)</u>
		<p>pound” review of AECC, which would look at AECC’s articles of association, governance, delegated authority arrangements and operational procedures, as a basis for determining how the Council might better manage AECC’s future strategic, operational and financial direction, noting that a report would be submitted to the Council’s Audit and Risk Committee on conclusion of the exercise;</p> <p>(v) to agree that any grant support be conditional upon AECC:-</p> <ul style="list-style-type: none"> <li>• using all possible means at their disposal to secure the transfer of intellectual property relating to their proposed hotel development, so that this can be fully utilised, if possible, by the Council when investigating possible alternative ways of delivering the hotel development; and</li> <li>• working in partnership with the Council (and exploring the availability of Scottish Enterprise grant support) to deliver the required expansion facilities required by Reed Exhibitions, in such a way that any financial contribution the Council may</li> </ul>				

<u>No.</u>	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>	<u>Report Expected (if known)</u>
		<p>decide to make towards these facilities, can be made as part of the Council's capital programme;</p> <p>(vi) instruct officers to continue their efforts to:</p> <ul style="list-style-type: none"> <li>• deliver a four start hotel development adjacent to AECC, to enhance AECC's future business potential;</li> <li>• realise value from land adjacent to AECC by investigating the possibility of creating a large-scale development proposal, in partnership with private sector developers; and</li> <li>• find an alternative mechanism to remove AECC's debt burden;</li> </ul> <p>(vii) instruct that reports be submitted to the Enterprise, Planning and Infrastructure Committee and/or the Finance and Resources Committee each cycle; and</p> <p>(viii) to authorise the Council Leader to release a press statement on the outcome of the matter.</p>				

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## ABERDEEN CITY COUNCIL

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COMMITTEE	Council
DATE	6 October 2010
DIRECTOR	Stewart Carruth
TITLE OF REPORT	Start Time of Council Meetings
REPORT NUMBER:	CG/10/177

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### 1. PURPOSE OF REPORT

This report discusses the possibility of continuing the 10.30am start time for Council meetings indefinitely, following a review of the last four ordinary Council meetings.

### 2. RECOMMENDATION(S)

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

### 3. FINANCIAL IMPLICATIONS

There are no direct financial implications associated with this report.

### 4. OTHER IMPLICATIONS

The length of Council meetings has been an issue in terms of the health and safety of both officers and elected members, particularly when meetings have started at 2.00pm and finished late at night. The same principles apply in relation to work-life balance.

There is undoubtedly a risk to the Council if vitally important decisions for the city continue 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.

### 5. BACKGROUND/MAIN ISSUES

At the Council meeting on 24<sup>th</sup> March 2010 it was agreed that Council meetings would continue to start at 10.30am up to and including the meeting on 6<sup>th</sup> October 2010. It was also agreed that officers would monitor the length of meetings, reporting to the October meeting, with a view to returning to a 2.00pm start if business appeared to be conducted within reasonable timescales.

Ordinary Council meetings started at 2.00pm for many years until June 2009, when a 10.30am start was introduced on a trial basis following a succession of lengthy meetings and a particularly turbulent previous meeting. All ordinary Council meetings have started at 10.30am since June 2009.

The following table provides some data pertaining to the last four ordinary Council meetings. The number of reports column stipulates the number of written reports on the agenda - this does not include minutes, business statement, questions, motions and so on, where, generally speaking, little time is spent on those items. The length of meeting column does not include meal breaks or adjournments.

<b>Meeting</b>	<b>Number of reports</b>	<b>Length of meeting</b>	<b>Time the meeting finished</b>	<b>Time the meeting would have finished if 2.00pm start</b>
24 <sup>th</sup> March 2010	4	3 hours and 10 minutes	1.40pm	5.10pm
19 <sup>th</sup> May 2010	3	8 hours	7.30pm	11.00pm
30 <sup>th</sup> June 2010	10	10 hours	9.30pm	1.00am
18 <sup>th</sup> August 2010	4	5 hours and 35 minutes	5.30pm	9.00pm

As can be seen from the above table, the volume of Council business has not been particularly excessive; however there have been a number of contentious issues that members have spent a considerable length of time debating. The following table shows how many members have contributed to the debates on these issues. Each member is entitled to speak for a maximum of five minutes, or ten minutes if moving a motion or an amendment and an additional five minutes permitted to sum up.

<b>Meeting</b>	<b>Item of business</b>	<b>Number of members taking part in the debate</b>
24 <sup>th</sup> March 2010	Craigton Road (Nursing Home) Planning Application	17
19 <sup>th</sup> May 2010	Aberdeen City Centre - Developing a Vision for the Future	31 (motion and five amendments)

<b>Meeting</b>	<b>Item of business</b>	<b>Number of members taking part in the debate</b>
30 <sup>th</sup> June 2010	Referral from Development Management Sub Committee - Oakbank School Site	16
30 <sup>th</sup> June 2010	Referral from Finance and Resources Committee - Employment Costs	14
30 <sup>th</sup> June 2010	The City Garden Project - Next Steps	21 (motion and two amendments)
30 <sup>th</sup> June 2010	Homelessness Service Provision	14
18 <sup>th</sup> August 2010	Aberdeen Local Development Plan	20 (motion and five amendments)

Contentious issues frequently attract requests for deputations and there have been nine such requests across the last four meetings, of which seven were accepted. Deputations are entitled to speak for a maximum of ten minutes, following which a maximum of ten additional minutes are permitted for elected members to ask questions of the deputation. Five of the seven deputations heard by the Council related to the City Garden Project. Following the Council decision of 30<sup>th</sup> June 2010 to receive quarterly reports on the City Garden Project, it is eminently possible that each report will trigger a number of requests for deputations.

In terms of Standing Orders, the Lord Provost has the power to determine the start time of Council meetings, and although he has indicated in the past that he prefers a 10.30am start, the Lord Provost has been willing to waive this power in order for the Council to decide on the matter as a whole.

It is acknowledged that the 10.30am start time does not favour those members in full-time employment, however until such time that it can be demonstrated that Council business can be disposed of within a reasonable length of time, returning to a 2.00pm start is not practical unless, for example, a very long meeting was to adjourn and return to conclude business the following day (or the next available opportunity) - although this has happened in the past it is by no means ideal in terms of diary availability and business continuity.

6. IMPACT

The start time of Council meetings will be of interest to members of the public who take an interest in local democracy. Council meetings do tend to attract more members of the public than committee meetings due to the higher profile nature of the business being considered. Whilst a 10.30am start may suit some, a 2.00pm start is likely to be favoured by those in full-time employment. One thing that is clear however, is that attendance at Council meetings greatly reduces the longer the meeting goes on irrespective of when the meeting starts.

7. BACKGROUND PAPERS

None.

9. REPORT AUTHOR DETAILS

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## ABERDEEN CITY COUNCIL

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COMMITTEE	Council
DATE	6 October, 2010
DIRECTOR	Director of Corporate Governance
TITLE OF REPORT	Aberdeen Prison Visiting Committee – Appointment of Replacement Member
REPORT NUMBER	CG/10/171

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### 1. PURPOSE OF REPORT

This report intimates the need to find a replacement for Karen Shirron, one of our appointees on Aberdeen Prison Visiting Committee. Ms. Shirron is standing down from the Committee because of pressure of work, and so a new appointment is now required.

Previous experience suggests that Community Councils and the Civic Forum will not yield many expressions of interest here, reflecting perhaps the likelihood that many people would find entering a prison to be a daunting prospect.

### 2. RECOMMENDATION

That the Council make an appointment to Aberdeen Prison Visiting Committee.

### 3. FINANCIAL IMPLICATIONS

None.

### 4. SERVICE & COMMUNITY IMPACT

The value judgements underpinning the existence of Visiting Committees are outlined in Section 6.

### 5. OTHER IMPLICATIONS

None.

### 6. REPORT

- (a) Many elected members will be familiar with the role of Prison Visiting Committees which, very broadly, act on behalf of the First Minister as independent observers concentrating on the conditions in prisons and, in particular, the treatment of prisoners.
- (b) Some form of independent oversight of prisons in Scotland has existed for well over a century. The modern context of the Visiting Committee is a sophisticated one which assumes harmony between the Committee and the Governor but,

ultimately, provides for the possibility that the Committee might not be satisfied by remedial action taken by the Governor in response to its concerns, and for the referral of difficulties to the First Minister.

- (c) Ideally, the Governor welcomes the involvement and participation of the Visiting Committee in the strategic planning process but, ultimately, the Committee has no veto on value judgements reached in the course of that process. However, the absence of ultimate managerial responsibility does not entail lack of real influence.
- (d) Every member of a Visiting Committee has the right to enter the establishment at any time, and to have access to every part of it and to every prisoner. This right must of course be exercised with common sense, and with due regard to the routines of the establishment. A visiting rota is arranged, with a minimum of two members visiting every fortnight. These rota visits are at the heart of the Committee's moral and legal purpose.
- (e) The Aberdeen Committee is supported by the City Council. The statutory rules for Aberdeen stipulate that we need to appoint four representatives (whereas for the Peterhead Committee we are obliged to appoint only three). All four Aberdeen appointments can be external members but at the very least (in any mixture of external members and Councillors) external members must not be outnumbered. Accordingly, with the other three current appointees being Councillors Leslie and Kiddie and former Councillor Steve Delaney, the new appointment must be an external person.
- (f) Although some broad civic experience is desirable, and some knowledge of the justice system preferable, any new appointment with commitment to the role is eminently suitable, and the Scottish Prison Service and the Association of Visiting Committees provide a wide range of training opportunities for new members.

## 7. AUTHORISED SIGNATURE

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## 9. BACKGROUND PAPERS

No background papers were used as a point of departure for writing this report.

## ABERDEEN CITY COUNCIL

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COMMITTEE	Council
DATE	6 October 2010
LEAD OFFICER	Chief Executive
TITLE OF REPORT	Polling Districts and Polling Places Review
REPORT NUMBER:	OCE/10/018

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### 1. PURPOSE OF REPORT

Section 16 of The Electoral Administration Act 2006 requires 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 are accessible to all electors, including voters with a disability, so far as is practicable.

The most recent full review of polling districts and polling places was completed in February 2009. This report details additional work required to take account of learning from recent elections, changes in circumstances and the needs of the elections to be held in 2011.

### 2. RECOMMENDATIONS

- a. That the changes to three existing polling districts, as required by the proposed new Scottish Parliament constituency boundaries are noted.
- b. That subject to any changes, Council agrees the recommended changes to polling districts as outlined.
- c. That subject to any changes, Council agrees the recommended changes to polling places as outlined.
- d. That following approval of the recommended changes to polling districts and polling places, the Council proceeds to public consultation.

### 3. FINANCIAL IMPLICATIONS

None.

### 4. SERVICE & COMMUNITY IMPACT

Strengthening local democracy is a vital strand of the Council's Community Plan. When identifying suitable polling places the aim is to put the interest of voters first and to ensure equality of access. The Returning Officer has a statutory duty to encourage electoral participation and selection of appropriate polling places is an important part of this.

Consultation will take place with Disability Groups and Community Councils.

### 5. OTHER IMPLICATIONS

The recommendations in this report have implications for the use of some Council buildings on Polling Day.

## 6. REPORT

### 6.1 Changes to the Polling Districts and Polling Places as a result of proposed new Scottish Parliamentary Constituency boundaries

Although they have not yet been formally ratified, Returning Officers have been asked to plan on the basis that there will be new boundaries in force for the 2011 Scottish Parliament elections. The new Scottish Parliament boundaries split three existing polling districts within the Aberdeen City area into two parts – CN0503 (Woodside), CN0504 (Kittybrewster), CN0505 (Rosehill). These 3 polling districts were previously entirely within the Aberdeen Central Scottish Parliamentary constituency. Under the new boundaries the vast majority and northern sections of these polling districts will be in the Aberdeen Donside constituency, with a small section in the south of the polling district in the new Aberdeen Central constituency.

In addition, the new boundaries allow for removing two existing very small polling districts which were created to account for the difference in Scottish Parliament and Westminster Parliament constituencies. These are DN0311 (Summerhill Endrick) which can be combined with DN0310 (Summerhill Central) and SN1004 (Ferneielea) which can be combined with SN1003 (Summerhill South).

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

Recommendations for changes to Polling Places:

Woodside Community Centre and High Church Hilton are in the Aberdeen Donside parts of the newly formed polling districts. It is appropriate that they continue to serve the northern parts of what were CN0503 and CN0504 as previously. Cairncry Community Centre is in the Aberdeen Central polling district of CN0506. Therefore it is appropriate that electors in DN0505 are allocated to a different polling place in the Aberdeen Donside constituency for which High Church Hilton is appropriate.

It is appropriate that the new polling district of CN0508 (Kittybrewster) has a new polling place allocated as there are no others nearby that are suitable. Kittybrewster Primary School is appropriate. Cairncry Community Centre is located in polling district CN0506. It is appropriate that voters in the new polling district of CN0507 be allocated there.

It is recommended that the polling place for DN0310 (Summerhill Central) is moved from The Summerhill Centre to Sheddocksley Baptist Church. This is because The Summerhill Centre is no longer available and unrelated to changes in the Scottish Parliament Boundaries. It effects other polling districts as detailed in section 6.3 of this report.

<b>Previous Scottish Parliamentary Polling District</b>	<b>Polling Place</b>	<b>August 2010 Electorate</b>	<b>Constituency</b>
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 South and North Kincardine
SN1003 (Summerhill South)	Fernielea Primary School	470	Aberdeen South and North Kincardine

<b>New Scottish Parliamentary Polling District</b>	<b>New Polling Place</b>	<b>August 2010 Electorate</b>	<b>Constituency</b>
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

## 6.2 Other Changes to Polling Districts

It is suggested that no other changes to the boundaries of polling districts are necessary at this time.

### 6.3 Additional Recommended Changes to Polling Places

Additional changes to current polling places are recommended as follows:

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

Comments: The games hall at the front of Dyce Primary School (Gordon Terrace Entrance) has no disabled access and therefore the games hall at the back of the school (part of the Community Wing) has been used at recent elections. This has led to justifiable complaints that the walk to the polling station is too long for some voters. Dyce Church Hall provides a suitable alternative for these two districts.

<b>Dyce North</b> (DG0102)	Aberdeen Donside	Dyce Primary School, Games Hall	Dyce Church – Dr Cox Room
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Comments: (see comments above) Dyce Church Hall has enough space for Kirkhill and Dyce South only. Dyce Church – Dr Cox Room is in a separate building from the Church Hall, close by and on the other side of the street. When taking into consideration the geography of the polling districts and the polling places, it is appropriate to place the polling stations for Dyce North in Dyce Church – Dr Cox Room.

<b>Mugiemoss</b> (DN0109)	Aberdeen Donside	Riverbank Primary School	Danestone Primary School
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Comments: Mugiemoss polling district has a small number of electors and in common with other polling districts of this size, they are assigned to an existing polling station. For the 2010 General Election it was moved from Danestone Primary to Riverbank Primary so that it would be located at a Polling Station within the same UK Parliamentary Constituency (Danestone is in the UK Parliamentary Constituency of Gordon). Mugiemoss is in the new Scottish Parliamentary constituency of Aberdeen Donside and so it is appropriate that it should move to Danestone Primary which is also in Aberdeen Donside. (Riverbank is in Aberdeen Central).

<b>Whitemyres</b> (DN0307) <b>Woodend</b> (DS0308) <b>Denwood</b> (DN0309) <b>Summerhill Central</b> (DN0310)	Aberdeen Donside	The Summerhill Centre	Sheddocksley Baptist Church
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Comments: The allocated polling place for these polling districts has previously been The Summerhill Centre which is no longer available. Sheddocksley Baptist Church provides a suitable alternative.

<b>Don</b> (CN0602) <b>Seaton North</b> (CN0603)	Aberdeen Central	St Ninian's Church	Seaton Primary School
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Comments: St Ninian's Church was used whilst Seaton Primary School was being refurbished. Seaton Primary is due to re-open in September 2010. In addition, St Ninian's is not big enough to hold the increased number of stations required for Scottish Parliament Elections and a Referendum held on the same day.

<b>St Nicholas</b> (CN0805)	Aberdeen Central	Seamount Court, Tenants Room	St Margaret's Church Hall
Comments: Seamount Court cannot accommodate the number of polling stations required for Scottish Parliament Elections and a Referendum held on the same day, whilst ensuring disabled access. St Margaret's Church Hall provides a suitable alternative.			

<b>Cromwell</b> (CS1010) <b>Ashley</b> (CS1011)	Aberdeen Central	Ashley Road Primary School	Holburn West Church
Comments: There have been requests from the local community to find an alternative. Holburn West Church provides a suitable alternative.			

<b>Loirston</b> (SS1306) <b>Cove</b> (SS1307)	Aberdeen South and North Kincardine	Loirston Primary School	Loirston Annexe
Comments: There have been requests from the local community to find an alternative. Loirston Annexe provides a suitable alternative.			

## 7 REPORT AUTHOR DETAILS

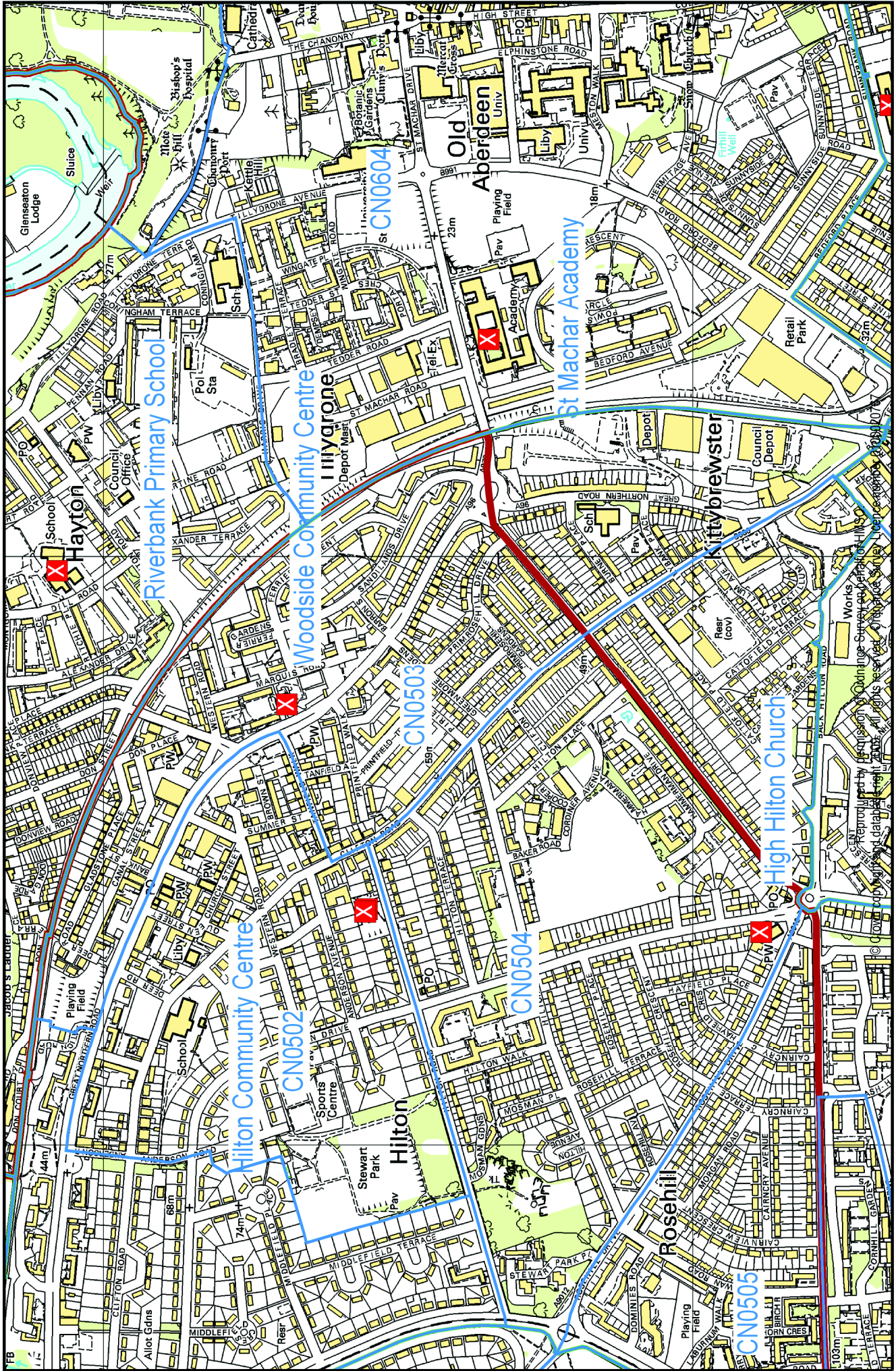
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## 8 BACKGROUND PAPERS

None.

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**CN0503**

**Polling District split line in red**

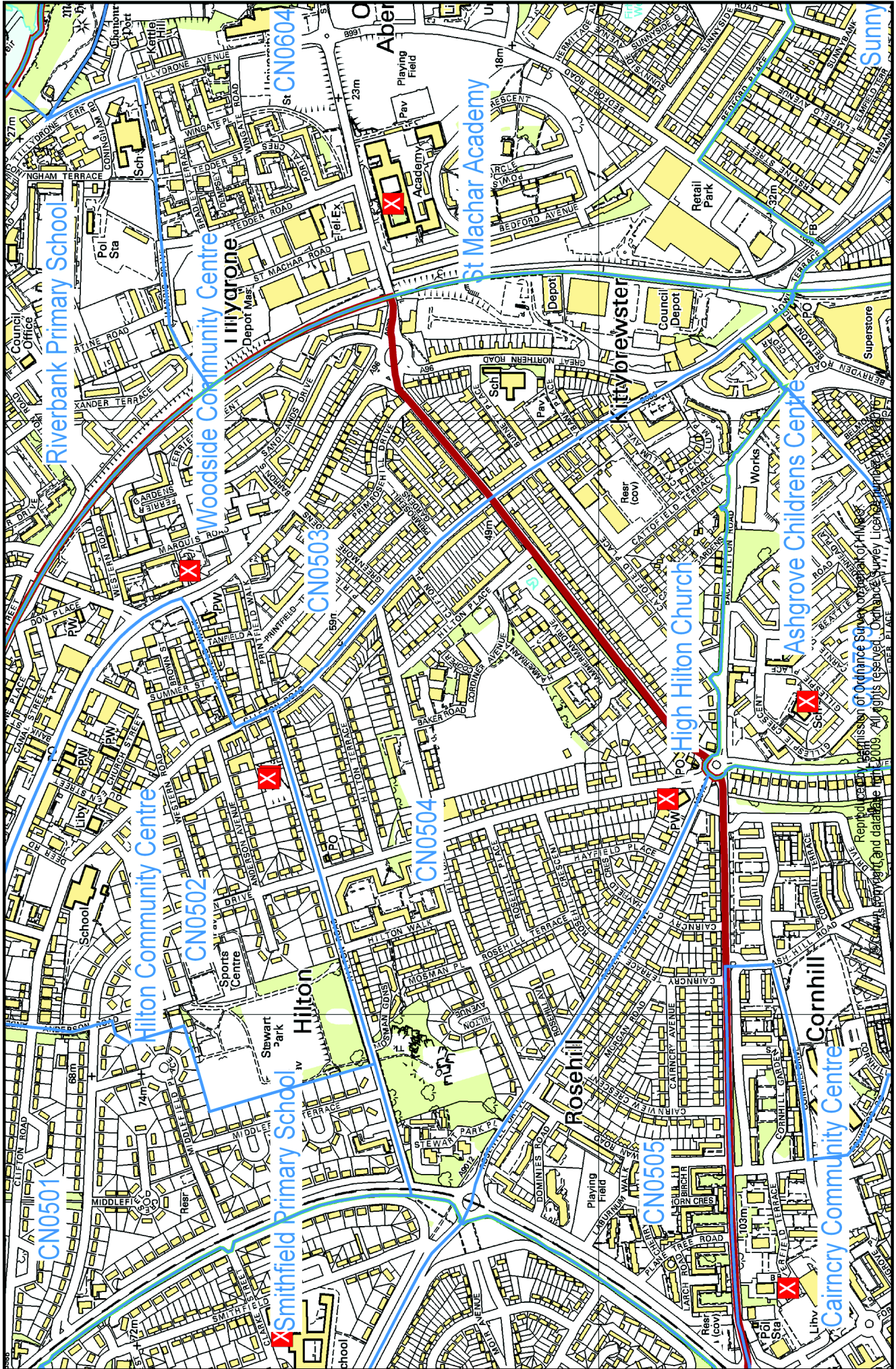
600 metres

Map Scale 1:8664

Grampian Assessor  
 I.H. Milton FRICS IRRV  
 Assessor & Electoral Registration Officer  
 Woodhill House  
 Westburn Road  
 Aberdeen  
 AB16 5GE

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**CN0504**

**Polling District split line in red**

0 600 metres

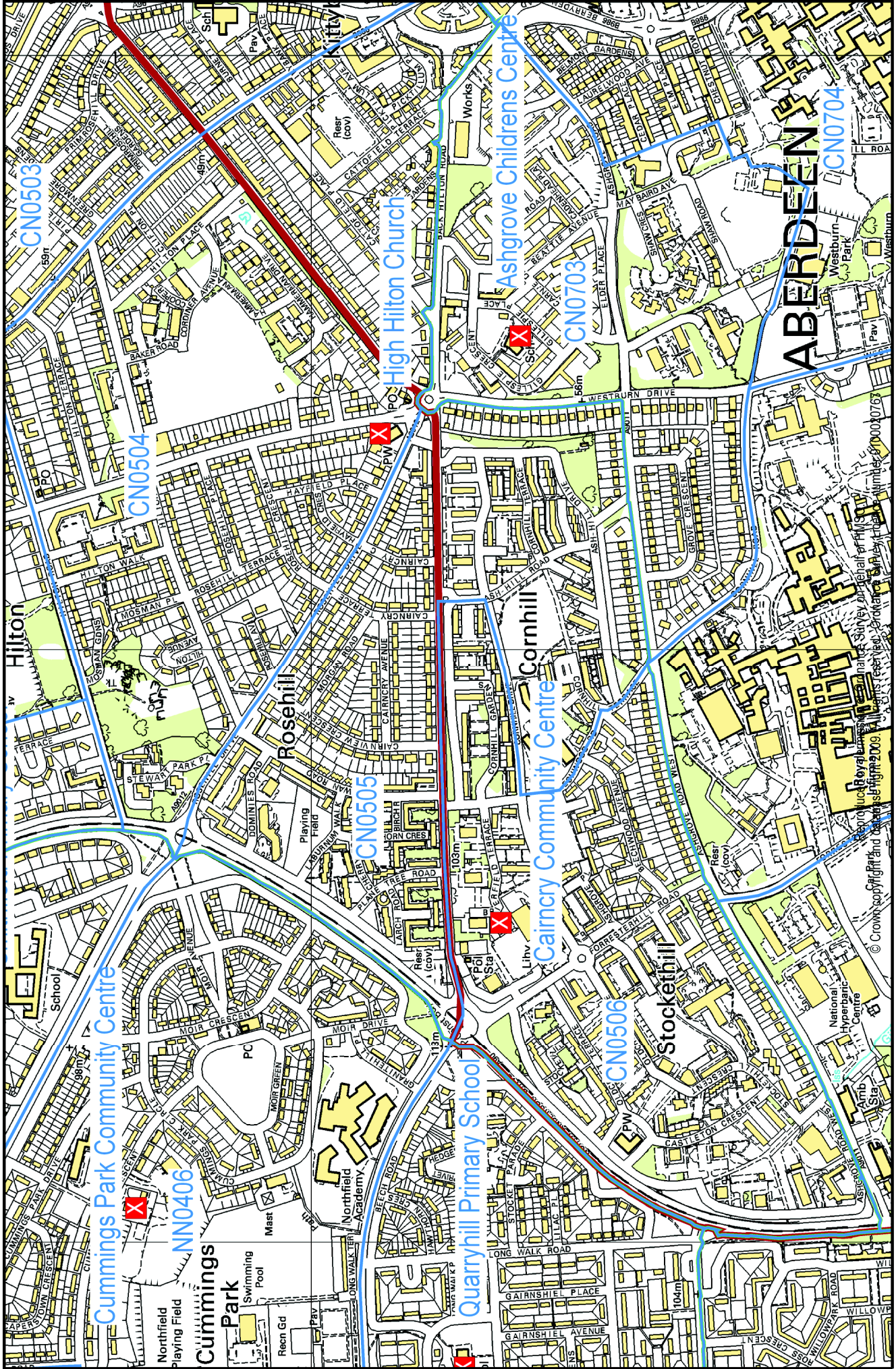
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CN0505

0 600 metres  
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## ABERDEEN CITY COUNCIL

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COMMITTEE	Council
DATE	6 <sup>th</sup> October 2010
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	City Garden Project - timetable for key decisions and arrangements for short-listing design proposals
REPORT NUMBER:	EPI/10/240

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### 1. PURPOSE OF REPORT

To inform Council of the timetable for key decisions and arrangements for short-listing design proposals, relating to the City Garden Project.

### 2. RECOMMENDATION(S)

- i.) To note the timetable for key decision points of the City Garden project
- ii.) To note the proposed arrangements for short-listing design proposals relating to the City Garden project

### 3. FINANCIAL IMPLICATIONS

The Council's stated position, with regard to the City Gardens Project, is that they will make no financial contribution to the project. Consequently, there is unlikely to be any State Aid implications associated with the project. If there are any State Aid implications, these are most likely to arise in connection with lease arrangements pertaining to any Council controlled land that will be needed for the development. This will therefore be investigated, in some detail, before creating the Special Purpose Vehicle that will take the project forward into the planning and construction phases.

Apart from the input of Officers time the timetable relative to the project's key decision points, and the arrangements for short-listing design proposals, will have no financial impact on the Council.

#### 4. OTHER IMPLICATIONS

Numerous legal, resource, personnel, property, sustainability, environmental, health and safety and/or policy implications and risks will inevitably need to be dealt with as the project progresses. These will become clearer as the work plan is progressed and will be flagged up to Council at the appropriate time.

#### 5. BACKGROUND/MAIN ISSUES

##### Proposed Timetable

The anticipated timetable for the project's key decision points, in chronological order, is as follows:

<b>Date</b>	<b>Description</b>
28-09-10	Paper to Finance & resources outlining the steps involved in producing a TIF business case and explains the need for the production of an expanded TIF business case. This has been expanded at the request of Council Officers, to include additional development projects in the City Centre, which the Council would wish to see go ahead regardless of the City garden project.
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 & Resources detailing the resources that are required to project manage the City Gardens project, and undertake essential tasks, up to the point where a design has been selected and an 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 management company (100% of costs to be reimbursed from private sector stakeholders)
01-04-11	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 negotiations with Scottish Futures Trust (SFT)
27-04-11	Paper to Council requesting approval of final TIF Business Case Report support for its formal submission to 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's 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 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)
17-05-12	SPV takes scheme forward into the planning process
18-04-14	SPV take project forward into construction and operating phases

### Design Proposal short-listing process

The design process is to be managed by an independent, professional design competition management company that is selected following a full tendering process according to EU procurement regulations.

The company that wins the tender for this role will, most likely, be a specialist competition management company (as opposed to a firm of architects etc.), although they may work with a recognized professional body such as the Royal Institute of British Architects (RIBA).

Once selected, the Design Competition Management Contractor (DCMC) will immediately prepare a brief for the competition. This brief will be approved by the Project Management Board, before being issued as a public tender, again under full EU procurement regulations.

The process to be followed, thereafter, will largely be determined by the DCMC, based on their knowledge and expertise in running similar competitions elsewhere.

However, the most likely process will be as follows;

- Initial expressions of interest will be sought from suitably qualified design teams. These initial expressions of interest will be assessed, using a Pre-Qualification Questionnaire (PQQ) designed by the DCMC, and a short-list of up to six candidates will be selected.

- The short-listed candidates will then be issued with a detailed tender dossier, setting out exactly what is required of them. This will invite them to submit fairly detailed design schemes for the project, including plans, scale models, 3D computer images and supporting artwork. One of the conditions attached to the competition will be that any scheme that is submitted must be capable of being delivered for a maximum budget of £140 million. Schemes that cost more than this will be excluded from consideration.
- Whilst potential design teams are working on their submission, the DCMC will establish a selection committee to help assess the merits of each submission, from a professional and technical viewpoint. It is likely that this selection panel will also include representatives from the local community and other stakeholders.
- After submissions have been received, the models and other visual information will be put on public display and the public will be asked to participate in a consultation exercise to determine which proposal is most favoured by the general public.
- In parallel with this process the selection committee will also assess each of the schemes.
- Upon completion of the public consultation phase, the results of this exercise will be collated by the DCMC and factored into the selection committee's overall assessment of the various bids.
- At the end of the competition process, the DCMC will produce a report commenting on the various proposals and indicating the selection committee's preferred design scheme.
- This report will then be submitted to the PMB for their approval and, thereafter submitted to Council, to obtain their approval for the preferred scheme.

The need to comply with EU procurement regulations and the need to fully involve the public and various stakeholders in this process means that it is likely to be 14 December 2011 before this report is submitted to Council.

Assuming Council approve the preferred option, the Design Team will be formally appointed and given another 4 months to prepare detailed, fully costed plans for the scheme.

The final, fully-costed design scheme will then be brought back to Council, on 16 May 2012, for final approval. Should this approval be forthcoming, the plans will thereafter be handed over to the SPV charged with taking them through the planning process.

## 6. IMPACT

### Corporate

This project is seen as a critical project with regard to the future attractiveness, vitality and connectivity of the City Centre and links to both the **Single Outcome Agreement** and **Community Plan 2008**, which outline a vision for Aberdeen City which wealthier, greener and safer and delivers the following National Outcome's:

- 1 We live in a Scotland that is the most attractive place for doing business in Europe
- 2 We realise our full economic potential with more and better employment opportunities for our people
- 10 We live in well-designed, sustainable places where we are able to access the amenities and services
- 12 We value and enjoy our built and natural environment and enhance it for future generations.
- 13 We take pride in a strong, fair and inclusive national identity
- 15 Our public services are high quality, continually improving, efficient and responsive to local people's needs.

The project also contributes to the City's **Vibrant, Dynamic & Forward Looking: policy document**, since a fully functioning and well utilised City Gardens represents a vital piece of social, cultural and leisure infrastructure that can contribute to the delivery of the Aberdeen City and Shire Economic Future's '**Building on Energy - An Economic Manifesto for Aberdeen City and Shire**'. This in turn supports the strategic vision of Aberdeen City and Shire, which is to be recognised as one of the most robust and resilient economies in Europe with a reputation for opportunity, enterprise and inventiveness that will attract and retain world-class talent of all ages.

### Public

This report, like all reports pertaining to the City garden Project will be of interest to the general public, particularly to those people who oppose any type of development in Union Terrace Gardens.

It is also anticipated that the project will have a positive impact in terms of the Equalities and Human Rights Impact Assessment, as a direct result of linkages to the Economic Development theme of **Vibrant Dynamic and Forward Looking** and it's expected impact on the future sustainable development of the Aberdeen City and Shire economy, by making a major contribution to Aberdeen's business and social infrastructure that supports local businesses and provides a venue for major social, leisure and cultural events for all Aberdeen citizens.

7. BACKGROUND PAPERS

None applicable.

9. REPORT AUTHOR DETAILS

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## **Question for Council October 2010 - Councillor Young**

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**

**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 out with 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.**

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