

FINANCE AND RESOURCES COMMITTEE

ABERDEEN, 29 September 2011 - minute of meeting of the FINANCE AND RESOURCES COMMITTEE. Present:- Councillor John Stewart, Convener; Councillor Noble, Vice Convener; and Councillors Allan (as substitute for Councillor Laing), Corall (from article 6), Cormie (as substitute for Councillor Kiddie for articles 1 - 36), Farquharson, Fletcher, Graham, Greig (as substitute for Councillor Dean), McCaig, Jennifer Stewart (as substitute for Councillor Malone for articles 1 - 35), Wendy Stuart (as substitute for Councillor Dunbar), Townson (as substitute for Councillor Kiddie from article 37), John West, Young (as substitute for Councillor Crockett) and Yuill.

Also in attendance: Councillor Wisely (article 6 only).

The agenda and reports associated with this minute can be located at the following link:

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=146&MId=1928&Ver=4>

DETERMINATION OF EXEMPT ITEMS OF BUSINESS

1. The Convener proposed that the Committee consider those reports identified on the agenda as being for determination in private, with the press and public excluded.

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 from item 10.1 of the agenda (article 36 of this minute) onwards so as to avoid disclosure of information of the class described in the following paragraphs of Schedule 7(A) to the Act: article 36 (paragraphs 6 and 9), article 37 (paragraph 6), article 38 (paragraph 8), article 39 (paragraph 6), article 40 (paragraph 1), article 41 (paragraph 6), article 42 (paragraphs 6 and 9), article 43 (paragraphs 6 and 9), article 44 (paragraphs 6 and 9), article 45 (paragraphs 6 and 9), article 46 (paragraphs 6 and 9), article 47 (paragraphs 6 and 9), article 48 (paragraphs 6 and 9), article 49 (article 6), article 50 (paragraphs 6 and 9), article 51 (paragraph 9), article 52 (paragraph 9), article 53 (paragraph 9), and article 54 (paragraph 1).

DEPUTATION REQUESTS

2. The Committee was advised that a request for deputation had been received from Dyce Sports and Leisure Development Trust (DSLDT) in relation to item 11.13 of the agenda (Pitmedden Road). The Convener suggested that the deputation be heard as the first item of exempt business, with the report being considered immediately thereafter.

Councillor Young, seconded by Councillor Allan, moved as a procedural motion:
that the deputation be heard in public.

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On a division, there voted: for the procedural motion (4) – Councillors Allan, Farquharson, Graham and Young; against the procedural motion (10) – the Convener; the Vice Convener; and Councillors Cormie, Greig, Fletcher, McCaig, Jennifer Stewart, Wendy Stuart, John West and Yuill; absent from the division (1) – Councillor Corall.

The Committee resolved:

to not approve the procedural motion, and to concur with the Convener's suggestion to hear the deputation as the first item of exempt business on this day, with the report being considered immediately thereafter.

MINUTE OF PREVIOUS MEETING OF 17 JUNE, 2011 - FOR APPROVAL

3. The Committee had before it the minute of its previous meeting of 17 June, 2011.

The Committee resolved:

- (i) in relation to article 22, that the successful motion should read 'that the report's recommendations be approved; and that in view of the positive outturn as described within the report, that £1 million be transferred to the Enterprise, Planning and Infrastructure budget in order that a one off investment in roads, pavements and lighting be made'; and
- (ii) to otherwise approve the minute as a correct record.

COMMITTEE BUSINESS STATEMENT

4. The Committee had before it a statement of pending and outstanding committee business, as prepared by the Head of Legal and Democratic Services.

The Committee resolved:

- (i) to note that the property list managed by the Asset Management team detailed the status of all pending and outstanding property items, and therefore to agree to delete all items relating to property from the business statement on the proviso that the property list be reported each cycle;
- (ii) in relation to item 10 (Granitehill Site), to instruct that officers advise Councillor Graham and other local members as to who is responsible for the maintenance of the site;
- (iii) to request that a report be submitted at the next meeting in relation to item 37 (Estate Management Contracts - Legionella Preventative Maintenance);
- (iv) to instruct that a report be presented at the next meeting on item 44 (Kaimhill Community Centre);

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- (v) to remove items 5 (Capital Planning), 14 (Lease Request), 15 (Forestry Consultant), 20 (Internal Recharges), 21 (105 -107 Urquhart Road), 23 (Disposing of Council Properties), 25 (Pitmedden Road), 39 (25 Westfield Terrace), 40 (Housing Revenue Account Budget Savings), 43 (Whitemyres Centre), and 45 (Procurement of Consultancy Service (Social Care)) from the business statement;
- (vi) to note that five items had transferred to the Corporate Policy and Performance business statement (due to the change in Committee remits agreed at the meeting of Council of 17 August, 2011 (article 9 refers)), namely (1) Trade Union Facility Time; (2) Social Care and Wellbeing Performance; (3) External Support to Deliver the Business Plan; (4) Corporate Governance Business Case; and (5) Kinship Service – Business Case; and
- (vii) to otherwise note the updates as contained within the business statement.

MOTIONS LIST

5. The Committee had before it the outstanding motions list, as prepared by the Head of Legal and Democratic Services.

The Committee resolved:

- (i) in relation to item one (Motion by Councillor Jennifer Stewart – Defensible Garden Areas), to note that a report was due at this meeting, and to instruct that this issue be progressed at the earliest possible opportunity;
- (ii) to note that a report was on today's agenda in relation to item 3 (Motion by Councillor Reynolds – 0845 Numbers), and to therefore agree to remove this item from the motions list; and
- (iii) to otherwise note the updates as contained within the motions list.

MOTION BY COUNCILLOR WISELY - REFERRED FROM THE MEETING OF COUNCIL OF 29 JUNE, 2011

6. With reference to article 24 of the minute of meeting of Council of 29 June, 2011, the Committee had before it a motion in the following terms by Councillor Wisely:

‘That the Council review its decision CGL DS22 of 15 December, 2010, and consider reinstating the delivery service albeit on a reduced basis for those members who request it; the modest costs of approximately £5,000 to be met from reserves’.

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A background report on the matter had been prepared by the Director of Corporate Governance. Councillor Wisely joined the Committee to speak to her motion, and indicated a preference for option 3 as contained within the background report.

The Committee resolved:

to agree option three as contained within the background report (that the Town House Sergeants deliver mail to those members who wish it, on a twice weekly basis, using one of the pool cars), and to instruct that this be implemented as soon as possible.

MOTION BY COUNCILLOR WEST

7. The Committee had before it a motion in the following terms by Councillor John West:

'That this Committee instructs officers to copy the scheme of charging for business permits in city centre controlled parking zones and apply the same charges to elected members' spaces in the Town House Extension car park. Any future changes to charges for business permits should be automatically applied to elected members parking at the Town House Extension. For clarity, the current charge for central zones is £200 per annum'.

Councillor John West, seconded by the Vice Convener moved his motion as detailed above.

The Convener, seconded by Councillor Farquharson, moved as an amendment:
that no action be taken.

On a division, there voted: for the motion (6) – the Vice Convener; and Councillors Cormie, Corall, McCaig, Wendy Stuart and John West; for the amendment (9) – the Convener; and Councillors Allan, Farquharson, Fletcher, Graham, Greig, Jennifer Stewart, Young and Yuill.

The Committee resolved:

that no action be taken.

0845 NUMBERS

8. Reference was made to article 9 of the minute of the previous meeting of this Committee of 17 June, 2011 at which time officers were instructed to report back on the terms of the following motion by Councillor Reynolds:

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'With the ever increasing number of Aberdeen citizens who use a mobile telephone as against a land line, officers be instructed to bring forward a report as a matter of urgency, to the next appropriate committee, identifying ways in which 0845 numbers used by our services can be replaced with a local number, which will reduce the cost to our citizens'.

The Committee had before it on this day, a report by the Director of Corporate Governance as requested at the aforementioned meeting.

The Committee resolved:

- (i) to instruct that local (01224) numbers be published in addition to 0845 numbers currently in use by the Council, pending the outcomes of the Ofcom review of non geographic numbers and the completion of the alternative delivery model project for the Corporate Governance Service;
- (ii) to instruct officers to take the necessary steps to publicise the availability of 01224 numbers to ensure citizens are informed of their choices when calling for Council services; and
- (iii) to instruct officers to report back to this Committee when the outcomes of the Ofcom review and the alternative delivery model project are known to enable a decision to be made on whether or not to continue the use of 0845 numbers for the related services included in this report.

DECLARATION OF INTEREST

Councillor Jennifer Stewart declared a financial interest in the following article and withdrew from the meeting.

REVIEW OF INCOME AND EXPENDITURE FOR ALLOTMENTS (H&E/11/049)

9. Reference was made to article 32 of the minute of meeting of the Housing and Environment Committee of 25 August, 2011, whereby it was agreed to increase the rental charges for allotments by 10%, subject to the approval of this Committee. Members had before them on this day, the report as presented to the Housing and Environment Committee, and the relevant minute extract.

The Committee resolved:

to concur with the recommendations of the Housing and Environment Committee, and to note the financial implications accordingly.

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FURNITURE SCHEME (H&E/11/196)

10. Reference was made to article 27 of the minute of meeting of the Housing and Environment Committee of 25 August, 2011, at which time it was agreed that a service charge of £1.50 per week per £100 of goods be implemented, subject to the approval of this Committee. Members had before them on this day, the report as presented to the Housing and Environment Committee, and the relevant minute extract.

The Committee resolved:

to concur with the recommendations of the Housing and Environment Committee, and to note the financial implications accordingly.

HOUSING SERVICE CAR PARKING CHARGES (H&E/11/195)

11. Reference was made to article 17 of the minute of meeting of the Housing and Environment Committee of 25 August, 2011 at which time it was agreed, amongst other things, that all commercial and other non local charges would be increased to £35 per week, subject to the approval of this Committee. Members had before them on this day, the report as presented to the Housing and Environment Committee, and the relevant minute extract.

The Committee resolved:

to concur with the recommendations of the Housing and Environment Committee, and to note the financial implications accordingly.

NEWHILLS PRIMARY SCHOOL - LAND REQUIREMENT (EPI/11/186)

12. Reference was made (1) to article 13 of the minute of meeting of the Housing and Environment Committee of 25 August, 2011 at which time that Committee declared a site adjacent to the Newhills School Campus (identified within the report) surplus to the requirements of the Service, and instructed officers to apply to the Scottish Government for approval to transfer the site to the General Services Account; and (2) to article 15 of the minute of meeting of the Education, Culture and Sport Committee of 15 September, 2011 whereby members requested that this Committee agree to earmark the site within the General Services Account for potential future educational use. The Committee had before it on this day, the report as presented to the Education, Culture and Sport Committee, and the relevant minute extracts from both Committees.

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The Committee resolved:

to note the resolutions of the Housing and Environment Committee; to concur with the recommendations of the Education, Culture and Sport Committee; and to instruct officers to earmark the site adjacent to the Newhills School Campus (identified within the report) within the General Services Account for potential future educational use.

**LOCAL AUTHORITY TRADING COMPANY - IMPLEMENTATION COSTS
(SCW/11/059)**

13. With reference to article 12 of the minute of meeting of the Social Care and Wellbeing Committee of 1 September, 2011, the Committee had before it a report by the Director of Social Care and Wellbeing which sought approval for the external support required to take forward the business case and implementation plan for a Local Authority Trading Company, to include older people's services, and rehabilitation services.

An amended report was circulated to members.

The Committee resolved:

- (i) that the cost of external expert support for the development of a full business case, up to a maximum of £50,000, be met from corporate provision for the costs associated with externalisation projects; and
- (ii) subject to the business case demonstrating operational and financial benefits to the Council, to instruct that a full report be presented to Council which should detail (1) the implementation costs for a Local Authority Trading Company of up to a maximum of £450,000 to be met from the corporate provision for the costs associated with the externalisation of projects, as approved at the budget meeting of Council of 10 February, 2011 (article 2 refers); and (2) the operational impact, benefit and timeline for the full implementation of a Local Authority Trading Company.

**FLOOD RISK MANAGEMENT (SCOTLAND) ACT IMPLEMENTATION PROGRESS
REPORT (EPI/11/220)**

14. Reference was made to article 44 of the minute of meeting of the Enterprise, Planning and Infrastructure Committee of 13 September, 2011 at which time, amongst other things, it was agreed to request that all identified revenue funding as per the Local Government finance settlement be made available for this year and future years to fund the Council's duties under the Flood Risk Management (Scotland) Act, including its contribution to the development of the integrated catchment model.

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The Committee resolved:

to concur with the recommendation of the Enterprise, Planning and Infrastructure Committee.

DISPOSAL OF EDUCATION, CULTURE AND SPORT SERVICE OPERATIONAL PROPERTIES (ECS/11/057)

15. Reference was made to article 6 of the minute of meeting of the Education, Culture and Sport Committee of 15 September, 2011 at which time two properties were declared surplus to the requirements of the Service (namely former Bankhead Academy (school site only) and Torry Community Learning Centre (formerly Torry Nursery)).

At this juncture, the Convener noted that a number of the reports on today's agenda were referrals from Service Committees where there was no adverse financial impact on the budget.

The Committee resolved:

- (i) to declare the following properties surplus to the requirements to the Council and to instruct the Head of Asset Management and Operations to commence the disposal process on the open market:
 - Former Bankhead Academy (school site only)
 - Torry Community Learning Centre (formerly Torry Nursery);
- (ii) to instruct officers to confirm the position in relation to Phase 2 (ie that no agreements had been made in this regard) by way of email to Councillor Allan, other local members and members of this Committee; and
- (iii) to instruct that a report be presented to the appropriate Committee with a recommendation to amend the Orders of Reference for Committees, to allow Service Committees to take financial decisions without the requirement for a referral to this Committee, unless there would be adverse financial implications.

REVENUE BUDGET 2010/11 – MONITORING REPORT – CORPORATE GOVERNANCE SERVICE (CG/11/097)

16. With reference to article 21 of the minute of its previous meeting of 17 June, 2011, the Committee had before it a report by the Head of Finance which provided information on the current year's revenue budget to date for the Corporate Governance Service, and advised of any areas of risk and management action being taken in this regard.

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The Committee resolved:

- (i) to note the information on management action and risks contained within the report; and
- (ii) to instruct that officers continue to review budget performance and report on Service strategies.

CAPITAL BUDGET PROGRESS REPORT – CORPORATE GOVERNANCE SERVICE (EPI/11/282)

17. With reference to article 20 of the minute of its previous meeting of 17 June, 2011, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided an update on progress made in relation to various projects within the Non Housing Capital Programme, previously approved by Council, which were aligned to the Corporate Governance Service.

The Committee resolved:

to note the current position as detailed within the report.

REVENUE BUDGET – MONITORING REPORT (CG/11/131)

18. With reference to article 22 of the minute of its previous meeting of 17 June, 2011, the Committee had before it a report by the Head of Finance which presented the revenue position for the Council for 2011/12 and advised as to any areas of risk that had been highlighted by the Directors, including that associated with the Council's fleet of vehicles.

During the course of discussion it was suggested that the Council write to CoSLA to intimate its concern at the current funding mechanism.

The Committee resolved:

- (i) to note the content of the report;
- (ii) to agree to the procurement of vehicles in the current financial year, and to instruct the Head of Finance to establish the most cost effective means by which to fund the replacements and to advise the Committee as part of a future report; and
- (iii) to instruct Directors to continue to take cost reduction opportunities during the remainder of the year to achieve a balanced budget position.

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NON HOUSING CAPITAL PROGRAMME – MONITORING REPORT (EPI/11/247)

19. With reference to article 23 of the minute of its previous meeting of 17 June, 2011, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided an update on the progress across all Services on projects within the 2010/11 Non Housing Capital Programme.

The report recommended:

That the Committee –

- (a) note the current position as detailed within the report;
- (b) approves, in principle, the implementation of 'in year' bids of up to £250,000, supervised by the Corporate Asset Group after consultation with the Convener and Vice Convener of this Committee;
- (c) notes the action of delegated authority by the Head of Asset Management and Operations; and
- (d) approves the addition of the following projects in the capital plan:
 - Item 666 – corporate asset management
 - Item 784 – vehicle replacement
 - Item 790D – ICT investment programme – fleet management software.

At this juncture, the Committee was advised that the former Summerhill Academy had been the target of both petty vandalism and professional 'asset stripping' over the last few months, with an escalation of problems over the last few weeks. Officers had been in discussions with the prospective purchaser, and they had agreed to demolish the building on the Council's behalf, at the earliest opportunity, on the basis that should they not achieve planning by the longstop date (2014), the Council would reimburse them for the cost; this could be in the region of £500,000. The Head of Legal and Democratic Services had advised officers that Committee approval was required to agree to underwrite the prospective purchaser's costs.

The Committee resolved:

- (i) to approve recommendations (a), (c) and (d) as contained within the report;
- (ii) to **not** approve recommendation (b);
- (iii) to note the significant vandalism and 'asset stripping' problems being experienced at the former Summerhill Academy, and that the proposed purchaser was willing to advance demolition works immediately at an estimated cost of £500,000; and
- (iv) to approve the estimated expenditure of £500,000 in respect of the demolition works, as is required by the Council's Standing Orders (Contracts and Procurement), and that an allowance of £500,000 is secured within the Capital Plan to recompense the purchaser for these works in the event that they are unable to obtain a satisfactory planning consent for their proposed scheme by their longstop date in summer 2014 (financial year 2014/15) and as a consequence the Council becomes liable for reimbursing the demolition costs.

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COMMON GOOD BUDGET– MONITORING REPORT (CG/11/098)

20. With reference to article 25 of the minute of its previous meeting of 17 June, 2011, the Committee had before it a report by the Head of Finance which presented information on the income and expenditure of the Common Good budget as at 31 July, 2011, and outlined the forecast position of the cash balances.

In response to a question from members, the Head of Finance advised that the Internal Audit team was undertaking work on the Common Good budget, specifically looking at whether it was best value for the funds to be held in banks; and that a report back in this regard would be presented to the appropriate Committee in due course.

The Committee resolved:

- (i) to note the near actual income and expenditure position as at 31 July, 2011; and
- (ii) to note the forecast cash balances as at 31 March, 2012 of £5,900,000 based on current estimates.

UPDATE ON PRIORITY BASED BUDGETING (CG/11/113)

21. The Committee had before it a report by the Director of Corporate Governance which provided an update on progress being made in the priority based budgeting exercise.

The report recommended:

that the Committee –

- (a) notes the significant progress the Council has made in delivering the approved priority based budgeting options for 2011/12;
- (b) notes the progress underway to update the five year business plan and specifically the 2012/13 budget;
- (c) delegates authority to Directors to commit up to £500,000 of their allocation from the corporate provision (or their total amount if smaller) on the basis in each case that the appropriate Convener and Vice Convener are consulted, and the commitment is reported to the working group for information; and
- (d) instructs the establishment of one working group to cover the projects, including the Local Authority Trading Company, of the alternative delivery model programme.

Members agreed to suspend Standing Order 22(1) in order to allow the decision taken at the previous meeting of 21 April, 2011 (article 25 refers) (ie to instruct that a report be brought back to this Committee or the Urgent Business Committee to secure any

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external support that may be required to assist with the delivery of service options relating to external delivery), to be revisited (as per recommendation (c)).

The Committee resolved:

to approve the recommendations.

REMOVAL OF INTERNAL CHARGES (CG/11/134)

22. With reference to article 12 of the minute of meeting of the Enterprise, Planning and Infrastructure Committee of 19 January, 2011, the Committee had before it a report by the Head of Finance which provided an update on the removal of internal recharges.

The Committee resolved:

to agree the virement of budgets as detailed within the report, totalling approximately £40,000,000.

ANNUAL HOUSING AND COUNCIL TAX BENEFIT REPORT (CG/11/107)

23. With reference to article 19 of the minute of its meeting of 17 June, 2010, the Committee had before it a report by the Head of Finance which updated members of the performance of Housing and Council Tax benefit during 2010/11, and set out the key priorities for 2011/12.

The Committee resolved:

to note (1) the content of the report; and (2) that a report will be presented in one year to advise of the Housing and Council Tax benefit service performance for 2011/12.

UNRECOVERABLE DEBT (CG/11/106)

24. With reference to article 15 of the minute of meeting of 28 September, 2010, the Committee had before it a report by the Head of Finance which (a) requested approval, in terms of financial regulation 11.3.7, to write off business rate debts in excess of £25,000 deemed to be unrecoverable during 2009/10; and (b) advised of the numbers and values of Council Tax, business rates, community charge, housing benefit overpayments and rent arrears of up to £10,000, deemed to be unrecoverable during 2009/10 after all approved recovery procedures had been followed, in terms of financial regulations 11.3.6 and 11.3.9.

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The Committee resolved:

- (i) to note the value of Council Tax, business rates, community charge, housing benefit overpayments and rent arrears deemed by the Director of Corporate Governance as unrecoverable, as detailed at appendices (i) – (v); and
- (ii) that the business rates amounts over £25,000 (and as detailed at appendix (vi) in the exempt section of the agenda (article 37 of this minute refers)) deemed as unrecoverable by the Director of Corporate Governance, also be written off.

APPLICATIONS FOR FINANCIAL ASSISTANCE 2011/12 (CG/11/132)

25. With reference to article 21 of the minute of its meeting of 17 June, 2010, the Committee had before it a report by the Head of Finance which presented applications for funding from the financial assistance budget.

The Committee resolved:

- (i) to approve the application from Dancesport Scotland for £850; and
- (ii) to approve the application from Grampian Senior Citizens Forum for £1000 on the proviso that this is for next year's Convention.

YOUTH ACTIVITIES SMALL GRANTS FUND 2010/11 (ECS/11/061)

26. With reference to article 27 of the minute of its previous meeting of 17 June, 2011, the Committee had before it a report by the Director of Education, Culture and Sport which presented the recommendations of the Youth Activities Grant Funding Group for the latest round of funding for the financial year 2011/12, which had a closing date of 21 July, 2011; and proposed a change to the reporting mechanism for this Group.

The Committee resolved:

- (i) to approve funding to the following organisations:

Group Name	Summary of Application	Decision
Dyce Academy Trampoline Club	To part fund the purchase of a trampoline and mats to start up a trampoline club.	to award £1,500
Junior Club at YMCA	To refurbish a room for young people.	to award £1,500
ASN 3 Class at Bucksburn	To buy books to enhance learning of pupils with severe learning difficulties.	to award £453

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Group Name	Summary of Application	Decision
35 th Boys' Brigade	To purchase a team sports kit for older and younger boys.	to award £300
4D Social and Vocational Skills	To part fund a residential weekend.	to award £1,500
Shazam Theatre Group	To part fund the cost of running a drama workshop for the October holidays, ending with the group performing a one act piece to the community of Aberdeen.	to award £1,500
City of Aberdeen Swim Team	To part fund swimming development camps so that older swimmers can teach and improve younger swimmers' skills, so that they can progress into COAST.	to award £1,500

- (ii) to instruct the Head of Communities, Culture and Sport to arrange for the funds to be distributed accordingly; and
- (iii) to approve the changes to the funding process, as follows:
- Applications to be accepted at any time during the year
 - Funding Group to meet on a monthly basis, and discuss all applications
 - Senior officers (Gail Woodcock/Linda Murray/Craig Singer) be enabled to authorise payments immediately as advised by the Funding Group
 - All decision, spending and comments to be reported to this committee for information.

HOUSING REVENUE ACCOUNT BUDGET SAVINGS (H&E/11)

27. Reference was made to article 1 of the minute of the previous meeting of this Committee of 17 June, 2011, whereby officers had been instructed to report back detailing progress made with all changes to the Housing Revenue Account since the budget meeting of Council, and further any financial implications that the changes to the welfare reform system would have for the Service. The Committee had before it on this day, a report by the Director of Housing and Environment which presented the information as requested at the aforementioned meeting.

The Committee resolved:

to note the content of the report.

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FORESTRY CONSULTANT (H&E/11/206)

28. With reference to article 27 of the minute of its meeting of 2 December, 2010, the Committee had before it a report by the Director of Housing and Environment which provided an update in relation to the forestry consultant.

The Committee resolved:

- (i) to note the content of the report; and
- (ii) to note that the expenditure associated with this contract is estimated to be between £350,000 and £750,000.

PROCESS FOR CONSIDERING REQUESTS TO ACQUIRE PROPERTY AT LESS THAN MARKET VALUE (EPI/11/245)

29. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised members on the implementation of the Disposal of Land by Local Authorities (Scotland) Regulations, and detailed how these regulations should be managed by the Council.

The Committee resolved:

to approve the processes detailed within the report for the consideration of requests to dispose of property at less than market value by both external parties and public sector partners.

SURPLUS PROPERTY PROCEDURE (EPI/11/248)

30. Reference was made to article 41 of the minute of meeting of this Committee of 1 February, 2011 at which time officers were instructed to investigate ways of improving the process for declaring properties surplus to Service requirements and disposing of them. Members had before them on this day, a report by the Director of Enterprise, Planning and Infrastructure which presented a new procedure, as requested at the aforementioned meeting.

The Committee resolved:

to approve the surplus property procedure as detailed within the report, and instruct the Head of Asset Management and Operations to implement it at the earliest opportunity.

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PROPERTY ASSET MANAGEMENT PLAN UPDATE 2011

31. With reference to article 25 of the minute of its meeting of 28 September, 2010, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which detailed progress made on the Property Asset Management Plan, since its implementation in 2009 (article 32 of the minute of meeting of the former Resources Management Committee of 16 June, 2009 refers).

The Committee resolved:

to approve the Property Asset Management Plan update 2011.

REVIEW OF CORPORATE ACCOMMODATION (EPI/11/246)

32. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised as to the current situation in relation to corporate staff accommodation; the expectations for these properties given the move to Marischal College; and the intended future space management control for all Council offices.

The Committee resolved:

- (i) to instruct that a corporate office accommodation review be undertaken as part of the annual Property Asset Management Plan;
- (ii) to instruct that the Head of Asset Management and Operations continues appropriate negotiations with landlords of the leased properties which require early termination;
- (iii) instruct the Head of Asset Management and Operations to undertake an options appraisal in relation to the occupational requirements of the Services currently occupying Exchequer House, and to report back to this Committee within six months;
- (iv) to instruct the Corporate Asset Group to undertake a review of the future utilisation of the Town House, reporting back to this Committee in due course on all possible options and financial consequences;
- (v) to authorise the Head of Asset Management and Operations to market suitable vacant office accommodation on the open market, that is identified as part of the future monitoring of space utilisation; and
- (vi) to agree that Group Leaders would work with the officers' review group of the Town House.

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WHITEMYRES STORES – FUTURE USE (EPI/11/280)

33. With reference to article 31 of the minute of its previous meeting of 17 June, 2011, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which presented potential uses for the soon to be vacated central stores.

The Committee resolved:

- (i) to instruct that units 3 and 4 be transferred to the Social Care and Wellbeing Service for the replacement of the occupational therapy equipment store at Crombie Road;
- (ii) to instruct that unit 2 be transferred to the Social Care and Wellbeing Service for the creation of a user/records/archive store;
- (iii) to instruct that the existing occupational therapy stores at Crombie Road be transferred to the Property Account, and to further instruct that the Head of Asset Management and Operations advertise them for lease at the earliest opportunity; and
- (iv) to instruct that a report be presented to this Committee detailing the corporate approach to records management and disposals.

NATIONAL HOUSING TRUST – PHASE TWO – DEVELOPER LED (H&E/11/198)

34. The Committee had before it a report by the Director of Housing and Environment which sought approval for the Council to participate in the second phase of the National Housing Trust initiative.

The Committee resolved:

- (i) to participate in the National Housing Trust phase two procurement, as developed by the Scottish Futures Trust, subject to the Director of Corporate Governance and the Director of Housing and Environment continuing to be satisfied that the legal and financial elements of the initiative do not expose the Council to undue risk;
- (ii) that borrowing through the Council's Loan Fund for the scheme be approved in principle, subject to a maximum of 50 units;
- (iii) that the contract be exempted from Standing Orders 11 and 26 (Contracts and Procurement) if the Participation Agreement does not contain clauses relating to the 'Prevention of Corruption' and 'Freedom of Information' clauses required by the Council's Standing Orders (Contracts and Procurement);
- (iv) to delegate authority to the Head of Legal and Democratic Services, or her nominated representative, to execute the Participation Agreement on behalf of the Council; and
- (v) to instruct officers to report to future Committee meetings as further decisions are required.

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ACCORD CARD – CITIZEN ROLL OUT (CG/11/109)

35. With reference to article 32 of the minute of its meeting of 1 February, 2011, the Committee had before it a report by the Director of Corporate Governance which detailed progress made in allowing Accord Card holders to obtain services offered by this Council and its partner organisations at a preferential rate, and presented a number of options as to the way forward.

The Committee resolved:

to approve option 5.33 as detailed within the report (ie a residents discount scheme with visitors 'buy in').

In accordance with the decision recorded under article 1 of this minute, the following items were considered with the press and public excluded.

PITMEDDEN ROAD, DYCE (EPI/11/252)

36. With reference to article 2 of this minute, whereby it was agreed to hear Mr David McGrath and Ms Evelyne Delbos on behalf of Dyce Sports and Leisure Development Trust, the Convener invited Mr McGrath and Ms Delbos to address the Committee.

Ms Delbos advised that the Trust were disappointed at the recommendations contained in the report before members on this day, which had been shared with them. She suggested that the proposals of the Trust to enhance the sporting facilities available in the north of the city had the support of the Dyce community, the business community and Sport Aberdeen, but that it was imperative that the Council supported the Trust and its aims for any progress to be made on the matter. Ms Delbos accepted that it was only proper for officers to highlight potential issues that could arise, but that these risks should be balanced.

The Convener thanked Mr McGrath and Ms Delbos for their contribution.

With reference to article 34 of the minute of meeting of this Committee of 1 February, 2011, the Committee then considered the report before it on this day, by the Director of Enterprise, Planning and Infrastructure, which updated the Committee on the outcome

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of the meeting between local members, members of this Committee and officers that had been instructed at the aforementioned meeting.

The report recommended –
that the Committee –

- (a) decline the proposal, for the reasons set out in the report presented to the previous meeting (article 34 of the minute of meeting of 1 February, 2011 refers);
- (b) authorise the Head of Asset Management and Operations, in consultation with the Convener and Vice Convener of this Committee, to make appropriate representations to the City Council as Planning Authority in relation to alternative planning designations for the site, as part of the process to determine land use in future Local Plans;
- (c) authorise the Head of Legal and Democratic Services to terminate the existing lease to Dyce Sports and Leisure Development Trust, (DSLDT) as described in the report to this Committee's meeting on 1 February, 2011, in view of their non compliance with the lease provisions;
- (d) rescind the decision of this Committee's meeting of 12 November, 2009 to grant DSLDT an extended, amended lease, as described in the report to this Committee's meeting on 1 February, 2011; and
- (e) authorise the Head of Asset Management and Operations to enter provisional negotiations with all individual clubs and sporting groups presently using the site on appropriate terms and conditions of lease of part of the site, to enable the continuation of their activities.

The Committee resolved:

- (i) to approve recommendations (a) – (d); and
- (ii) to instruct that officers negotiate a new lease of up to five years with the Dyce Sports and Leisure Development Trust, if they wish it, and to report back in this regard.

UNRECOVERABLE DEBT (CG/11/106) – APPENDIX

37. With reference to article 25 of this minute, the Committee had before it an appendix containing details of business case write offs above £25,000.

The Committee resolved:

to note that this matter had been dealt with at article 25 of this minute.

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TRADING SERVICES MONITORING (CG/11/108)

38. With reference to article 33 of the minute of its previous meeting of 21 April, 2011, the Committee had before it a report by the Head of Finance which advised on the current position and updated forecast outturns for the financial year 2010/11 for the Council's trading activities.

The Committee resolved:

- (i) to note that the forecast outturn to 31 March, 2012 showed a projected overall surplus for the significant trading activities in the order of £6,300,000, compared with a budgeted surplus of £7,700,000; and
- (ii) to note that the provisional full year results indicated that the financial objective for each significant trading activity would be achieved, with the exception of Grounds Services, before allowing for the effects of pension adjustments required under the provisions of the international accounting standard for pensions IS19, the value of which was unknown at this time.

CITIZENS' ADVICE BUREAU – SERVICE LEVEL AGREEMENT (CG/11/099)

39. With reference to article 12 of the minute of meeting of the Audit and Risk Committee of 29 March, 2011, and article 34 of the minute of meeting of this Committee of 11 May, 2010, the Committee had before it a report by the Head of Finance which presented the total funding provided to the Citizens' Advice Bureau Aberdeen, and provided an update on the development of a service level agreement between the Citizens' Advice Bureau Aberdeen and the Council.

The Committee resolved:

- (i) to note the total funding that is provided to the Citizens' Advice Bureau Aberdeen, and the actions being taken to establish a service level agreement with the organisation; and
- (ii) to instruct that a further report be presented to this Committee on completion of the service level agreement.

PERFORMANCE RELATED PAY – CHIEF EXECUTIVE (CG/AA/127)

40. The Committee had before it a report by the Director of Corporate Governance which presented a framework for appraising the Chief Executive, and advised as to how the performance related pay element of the Chief Executive's remuneration would be measured.

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The Committee resolved:

to note the content of the report.

REVIEW OF CORPORATE ACCOMMODATION (EPI/11/246) – APPENDIX

41. With reference to article 32 of this minute, the Committee had before it an appendix containing financial information in relation to the report considered earlier in the meeting.

The Committee resolved:

to note that this matter had been dealt with at article 32 of this minute.

20A LOIRSTON ROAD – OUTCOME OF MARKETING (EPI/11/237)

42. With reference to article 42 of the minute of its meeting of 21 April, 2011, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised as to the outcome of the marketing exercise that had been undertaken in relation to 20A Loirston Road.

The Committee resolved:

- (i) to accept the highest offer by Fraser and Milligan, on behalf of Ms Vanessa Gordon; and
- (ii) to instruct the Head of Legal and Democratic Services to conclude the missives for the sale of 20A Loirston Road, incorporating various qualifications as are necessary to protect the Council's interests.

29 REDMOSS AVENUE – OUTCOME OF MARKETING (EPI/11/236)

43. With reference to article 42 of the minute of its meeting of 21 April, 2011, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised as to the outcome of the marketing exercise that had been undertaken in relation to 29 Redmoss Avenue.

The Committee resolved:

- (i) to accept the offer submitted by KWAD Solicitors on behalf of Ms Mandy McCallum;

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- (ii) to instruct the Head of Legal and Democratic Services to conclude the missives for the sale of 29 Redmoss Avenue, incorporating various qualifications as are necessary to protect the Council's interests.

30 SPRINGFIELD AVENUE – OUTCOME OF MARKETING (EPI/11/235)

44. With reference to article 42 of the minute of its meeting of 21 April, 2011, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised as to the outcome of the marketing exercise that had been undertaken in relation to 30 Springfield Avenue.

The report recommended –

that the Committee –

- (a) notes the offer received for the property and officers' actions in relation to the offer; and
- (b) delegate authority to the Head of Legal and Democratic Services and the Head of Asset Management and Operations, in consultation with the Convener and Vice Convener of this Committee, to (1) accept an appropriate offer at a future closing date, should such an offer be received in advance of the meeting of this Committee of 6 December, 2011; and (2) conclude missives for the sale of the property, incorporating various qualifications as are necessary to protect the Council's interests.

The Committee resolved:

- (i) to approve recommendation (a); and
- (ii) to instruct that a report be brought back to this Committee to present the offers received.

105 – 107 URQUHART ROAD – OUTCOME OF MARKETING (EPI/11/234)

45. With reference to article 28 of the minute of meeting of this Committee of 1 February, 2011, the Committee had before it a report by the Director of Housing and Environment which advised as to the outcome of the marketing exercise that had been undertaken in relation to 105 – 107 Urquhart Road.

The Committee resolved:

- (i) to accept the offer submitted by Raeburn Christie Clark and Wallace, on behalf of BDW Trading Limited (Barratt);

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- (ii) to instruct the Head of Legal and Democratic Services to conclude missives for the sale of 105 – 107 Urquhart Road, incorporating various qualifications as are necessary to protect the Council's interests; and
- (iii) should this offer not achieve the required planning permission for 104 new build flats, to instruct the Head of Asset Management and Operations to firstly enter into negotiations on any proposed amendment to the sale price, and secondly, if necessary, to readvertise the property on the open market, subject to reporting back to Committee on the actions taken following any readvertising.

RETAIL PORTFOLIO INVESTMENT SITE – OUTCOME OF MARKETING (EPI/11/241)

46. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised as to the outcome of a marketing exercise which had been undertaken on three retail portfolio investment sale lots.

The Committee resolved:

- (i) to accept the highest offer by DLA Piper on behalf of Carrick Properties Limited;
- (ii) to instruct the Head of Legal and Democratic Services to conclude the missives for these properties, incorporating various qualifications as are necessary to protect the Council's interests; and
- (iii) to authorise the Head of Asset Management and Operations to renegotiate, with the agreement of the Council's statutory officers, the purchase price subject to valid potential claims.

FORMER MILE END SCHOOL – OUTCOME OF MARKETING (EPI/11/240)

47. Reference was made to article 9 of the minute of meeting of this Committee of 2 December, 2011, at which time officers were instructed to market the former Mile End School as a residential conversion/development opportunity. Members had before them on this day, a report by the Director of Enterprise, Planning and Infrastructure which advised as to the outcome of the marketing exercise which had been undertaken as instructed at the aforementioned meeting.

The Committee resolved:

- (i) to accept the offer of £3,500,000 submitted by Paul and Williamsons on behalf of Arnage Estates Limited; and
- (ii) to instruct the Head of Legal and Democratic Services to conclude missives for the sale of the property, incorporating various qualifications as are necessary to protect the Council's interests.

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25 WESTFIELD TERRACE – LEASE RENUNCIATION (EPI/11/...)

48. Reference was made to article 25 of the minute of meeting of the Social Care and Wellbeing Committee of 17 May, 2011 at which time officers were instructed to report to this Committee in order that a lease renunciation be agreed. The Committee had before it on this day, a report by the Director of Enterprise, Planning and Infrastructure which requested that the lease for the property at 25 Westfield Terrace be renounced.

The Committee resolved:

- (i) to approve Cornerstone's request that the lease of 25 Westfield Terrace be renounced as soon as possible, at which date their legal liability for property costs would end, but on condition that before the Council formally concludes the lease renunciation, Cornerstone settles any outstanding dilapidation liability in terms of the lease (as set out in paragraph 5.6 of the report);
- (ii) to instruct the Head of Legal and Democratic Services to formally conclude the legal renunciation of the property lease, on terms and conditions as are necessary to protect the Council's interests; and
- (iii) to instruct the Head of Asset Management and Operations to advertise the property for sale, and report back to a future meeting detailing any offers received.

DECLARATIONS OF INTEREST

Councillor Young declared an interest in the subject matter of the following article by virtue of his position as a Director of Sport Aberdeen and withdrew from the meeting.

Councillors Fletcher and John West declared an interest in the subject matter of the following article by virtue of their position as Directors of Sport Aberdeen, but chose to remain in the meeting as Sport Aberdeen was established wholly or mainly for the purpose of providing services to the local authority and has a contractual agreement with the Council in this regard (as per paragraph 5.18(2)(i)(d) of the Councillors' Code of Conduct).

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BROADHILL BAR – FUTURE USE (EPI/11/251)

49. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which updated members regarding a formal note of interest received from three golf clubs in relation to the Broadhill Bar, and provided an officer recommendation as to the way forward.

The Committee resolved:

- (i) to instruct the Head of Asset Management and Operations to (1) enter into negotiations with the agent acting for the three clubs to identify a proposed lease structure for the site, potential timescales, the site's development potential, a business plan and funding, and a possible interaction with the Education, Culture and Sport Service/ Sport Aberdeen, and (2) report back to the next meeting of this Committee of 6 December, 2011 on the outcome of these negotiations; and
- (ii) to request that officers address the points raised at the meeting in the report back.

DECLARATION OF INTEREST

Councillor Yuill declared a potential financial interest in the subject matter of the following article by virtue of his position as Chair of NESTRANS and chose to withdraw from the meeting.

FREDERICK STREET DEVELOPMENT SITE (EPI/11/211)

50. With reference to article 50 of the minute of its meeting of 24 April, 2011, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which brought members up to date with the proposed sale of the Frederick Street development site to NHS Grampian.

A detailed discussion took place regarding the proposal to move the City Wardens to Archibald Simpson House, and the cost associated with the required works in this regard. Officers advised that the estimate of £180,000 had been reviewed as only one shower would now be installed.

**The report recommended –
that the Committee –**

- (a) instructs the Head of Asset Management and Operations along with the Head of Legal and Democratic Services to continue to work with NHS Grampian to

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- finalise missives and conclude the sale of the Frederick Street development site within the current financial year;
- (b) agrees to the transfer of units 5,6,7 and 8 Crombie Road to the Education, Culture and Sport Operational account from the Property Investment Account and to the proposed alteration works to the property estimated at £220,000 with the cost of alterations to be met from the capital receipt from the sale of the Frederick Street development site;
 - (c) agrees to the transfer of part of the lower ground floor at Archibald Simpson House (27/29 King Street) to the Housing and Environment operational account from the property investment account and to the proposed alteration works to the property estimated at £180,000 to be met from the capital receipt from the sale of the Frederick Street development site;
 - (d) agrees to the simultaneous development proposals by NHS Grampian resulting in the closure of East North Street car park in the spring of 2012 with appropriate mitigating measures being implemented until the proposed multi storey car park is completed and operational; and
 - (e) agrees to the maximum share contribution of £50,000 towards costs for the removal of contaminated materials from the multi storey car park site and the sundry costs involved with legal and car park operational matters being met from the capital receipt as detailed in the report.

The Committee resolved:

- (i) to instruct that a report on a potential traffic order for temporary car parking at the Castlegate be submitted to the meeting of Council of 6 October, 2011;
- (ii) to agree recommendations (a), (b), (d) and (e); and
- (iii) to refer recommendation (c) to the meeting of Council of 6 October, 2011 in order that the minimum costs for the works can be presented to members.

TULLOS PRIMARY SCHOOL LODGE AT KIRKHILL PLACE, BALNAGASK (EPI/11/283)

51. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which presented potential future uses for the school lodge at Kirkhill Place.

The report recommended:

that the Committee –

- (a) approve, in principle, that the property be leased to the Housing and Environment Service on either of the options outlined in paragraph 5.3;
- (b) request that the Head of Asset Management and Operations and the Head of Regeneration and Housing Investment advise the Committee verbally as to

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- whether or not a property deal has been negotiated between them, to allow the property to be reused for the housing of homeless people; and
- (c) in the event that no such property deal can be reported, consider declaring the property surplus to operational requirements, and authorising its sale on the open market.

Officers advised that an agreement had not yet been reached with the Housing and Environment Service to allow the property to be reused for the housing of homeless people, as detailed costs were still being assessed. It was anticipated that an agreement would shortly be reached.

Councillor Farquharson moved:

that tenancy for the house be offered to janitorial staff in other schools in the city; and that in the event that no such property deal can be reached, that the Committee declare the property surplus to operational requirements, and authorise its sale on the open market.

As Councillor Farquharson's motion did not attract a seconder, the motion fell.

The Committee resolved:

- (i) to request that a briefing note be circulated to Councillor Allan and members of this Committee on the management of the building;
- (ii) to lease the property to the Housing and Environment Service;
- (iii) to refer the future use of the house to the meeting of the Housing and Environment Committee of 1 November, 2011 for consideration; and
- (iv) to instruct that the outcome of the internal investigation that is ongoing into the management of this property, be presented to a future meeting of the Audit and Risk Committee.

ST NICHOLAS HOUSE – SITE REDEVELOPMENT (EPI/11/281)

52. With reference to article 35 of the minute of meeting of this Committee of 12 November, 2009, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which brought members up to date with the relocation of staff from St Nicholas House, and addressed issues in relation to the potential demolition of the building.

The report recommended –

that the Committee –

- (a) note the position in relation to staff vacating the building and the likely timescale to otherwise vacate the building; and

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- (b) authorise the Head of Asset Management and Operations to conduct a Phase 1 marketing exercise, as detailed in the report, to identify the level of interest in the building and report to members, in early course, to determine whether demolition of the property should be taken forward by the Council, a developer or not at all; the outcome of this exercise to be reported back to Committee, as identified in the report.

The Vice Convener, seconded by Councillor McCaig, moved:

- (i) that the report's recommendations be approved; and
- (ii) in recognition of the importance of the St Nicholas House site to the future of the city centre, to instruct officers to explore the options open to the Council to ensure any development of the site is of the highest quality and is sympathetic to Provost Skene's house and Marischal College; this should include consideration of the Council developing the site through a joint venture and the possibility of a design competition tender exercise.

The Convener, seconded by Councillor Greig, moved as an amendment:

- (i) to approve recommendation (a);
- (ii) to agree to the demolition of St Nicholas House in principle and to move to market the vacant site; and
- (iii) in recognition of the importance of the St Nicholas House site to the future of the city centre, to instruct officers to explore the options open to the Council to ensure any development of the site is of the highest quality and is sympathetic to Provost Skene's house and Marischal College; this should include consideration of the Council developing the site through a joint venture and the possibility of a design competition tender exercise.

On a division, there voted: for the motion (6) – the Vice Convener; and Councillors Corall, McCaig, Wendy Stuart, Townson and John West; for the amendment (7) – the Convener; and Councillors Allan, Fletcher, Graham, Greig, Young and Yuill; declined to vote (1) – Councillor Farquharson; absent from the division (1) – Councillor Jennifer Stewart.

The Committee resolved:

to approve the successful amendment.

In terms of Standing Order 36(3), Councillor McCaig intimated that he wished the matter dealt with in the preceding article to be referred to Council for decision. Councillor McCaig was supported by the Vice Convener and Councillors Corall, Wendy Stuart, Townson and John West.

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EARNS HEUGH ROAD, COVE – RENUNCIATION OF LEASE (EPI/11/288)

53. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided a synopsis of the current situation of a site at Earns Heugh Road in Cove that the Council leased, and proposed a way forward.

The Committee resolved:

- (i) to instruct that the Council's interest in the ground lease be renounced, in the event that the sale to the proposed purchaser proceeds;
- (ii) if the intended sale to the proposed purchaser does not proceed, to instruct that the Council assign its tenant's interest in the ground lease to the same company; and
- (iii) in either event to instruct that the Head of Legal and Democratic Services formally concludes the lease renunciation or assignation on terms and conditions as are necessary to protect the Council's interests.

PROCUREMENT OF CONSULTANCY SERVICE (SOCIAL CARE)

54. Reference was made to article 35 of the minute of the previous meeting of this Committee at which time members requested that the Chief Executive report back on the outcome of her investigation into the above matter. The Head of Service, Office of Chief Executive provided a verbal update in this regard.

The Committee resolved:

to note the update by the Head of Service, Office of Chief Executive.

- **COUNCILLOR JOHN STEWART, Convener.**