

ABERDEEN CITY COUNCIL

Town House,  
ABERDEEN, 10 October 2012

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Lord Provost George Adam, Chairperson; and

COUNCILLORS

YVONNE ALLAN  
KIRSTY BLACKMAN  
MARIE BOULTON  
DAVID CAMERON  
SCOTT CARLE  
NEIL COONEY  
JOHN CORALL  
WILLIAM CORMIE  
BARNEY CROCKETT  
STEVEN DELANEY  
GRAHAM DICKSON  
JACQUELINE DUNBAR  
LESLEY DUNBAR  
ANDREW FINLAYSON  
FRASER FORSYTH  
GORDON GRAHAM  
ROSS GRANT  
MARTIN GREIG  
LEONARD IRONSIDE CBE  
MURIEL JAFFREY

JAMES KIDDIE  
JENNIFER LAING  
GRAEME LAWRENCE  
NEIL MacGREGOR  
CALLUM McCAIG  
M TAUQEER MALIK  
ANDREW MAY  
RAMSAY MILNE  
JEAN MORRISON MBE  
NATHAN MORRISON  
JAMES NOBLE  
GILLIAN SAMARAI  
JENNIFER STEWART  
SANDY STUART  
ANGELA TAYLOR  
ROSS THOMSON  
GORDON TOWNSON  
WILLIAM YOUNG  
and  
IAN YUILL

Lord Provost George Adam, in the Chair

**The agenda and reports associated with this minute can be found at:-**  
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=122&MId=2528&Ver=4>

## ADMISSION OF BURGESSES

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

Filippo Antoniazzi, Director of Sport, Aberdeen  
 Ian D Booth, General Manager, Aberdeen  
 Jason Grant, Supervisor Coachbuilder, Aberdeen  
 Ryan Hewitt, Teacher, Aberdeen  
 John Strathdee McKinnon JP, Retired Health Care Professional, Aberdeen  
 Professor Ian G Russell, University Lecturer, Aberdeen

(B) The person undermentioned was admitted into the presence of the Council and passed as a Burgess of Guild by right of their father's status as a Free Burgess:-

David Carry, Athlete, Aberdeen.

## ANNOUNCEMENTS

2. (A) The Lord Provost welcomed a group of third year students from the University of Aberdeen who were in attendance to observe the meeting, studying Planning and Geography under the tutelage of Dr Aksel Ersoy, a Teaching Fellow in Spatial Planning at the University's School of Geosciences.

(B) The Lord Provost advised of a number of successes at recent national award ceremonies and congratulated those involved:-

- eight Council teams had been named as APSE (Association for Public Service Excellence) award finalists in September
- the Council's Confirm Asset Management System had been announced as a category winner in the APSE 2012 Best Information Technology and Communication initiative award
- the Council had been selected by independent judges as a finalist for the APSE 'Local Authority of the Year'
- at the Scottish Awards for Quality in Planning 2012, the Council received a commendation for the Aberdeen Local Development Plan in the Development Plans category. The Council also received an award for the Trinity Group in the Quality of Service category
- at the Britain in Bloom finals in October, the Council had been awarded a silver gilt medal certificate in the City category and Dyce won a silver medal in the Urban Community category

(C) Councillor Boulton highlighted various community led initiatives within her ward, including work on the Deeside walkway railway line to reduce the speed of bicycles, brought forward by Cults, Bielside and Milltimber Community Council, and a general clean up of the area organised by volunteers at Cults Church.

(D) Councillor Allan congratulated Hayley Leys, a young volunteer from Torry, who had been named Northsound Young Person of the Year.

**The Council resolved:-**

to concur with the remarks of the Lord Provost and Councillors Boulton and Allan.

**DECLARATION OF INTEREST**

**Councillor Forsyth declared an interest in relation to the following item, with particular reference to the report at 11(b), by virtue of his employment, withdrew from the meeting and took no part in the Council's deliberations thereon.**

**DETERMINATION OF EXEMPT BUSINESS**

3. The Council was requested to determine that the following items of business which contained exempt information as described in Schedule 7(A) of the Local Government (Scotland) Act 1973, be taken in private:-

- 11(a) Question by Councillor McCaig
- 11(b) Transfer of Services to Local Authority Trading Company - Report by Director of Social Care and Wellbeing
- 11(c) Progression of Transfer of Regeneration and Housing Investment Service to an Arm's Length Company (LLP) - Report by Director of Housing and Environment
- 11(d) Outline Business Case for Waste Treatment Facilities - Appendix
- 11(e) Aberdeen Western Peripheral Route - Report by Head of Finance
- 11(f) St Nicholas House - Outcome of Stage 1 Marketing - Report by Director of Enterprise, Planning and Infrastructure

Councillor McCaig moved as a procedural motion, seconded by Councillor Jackie Dunbar:-

That the Council consider item 11(b) in public.

On a division, there voted:-

For the procedural motion (15) - Councillors Blackman, Cameron, Corall, Cormie, Dickson, Jackie Dunbar, Jaffrey, Kiddie, MacGregor, McCaig, Noble, Samarai, Sandy Stuart, Thomson and Townson.

Against the procedural motion (23) - Lord Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Delaney, Lesley Dunbar, Finlayson, Graham, Grant, Greig, Len Ironside CBE, Laing, Lawrence, Malik, Milne, Jean Morrison MBE, Nathan Morrison, Jennifer Stewart, Taylor, Young and Yuill.

Absent from the division (2) - Councillors Forsyth and May.

**The Council resolved:-**

- (i) to reject the procedural motion; and
- (ii) 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 the aforementioned items of business (Articles 20 to 25 of this minute refer) so as to avoid disclosure of exempt information of the classes described in paragraphs 6, 8, 9, 10, 11 and 12 of Schedule 7(A) of the Act.

## **MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 22 AUGUST 2012**

4. The Council had before it the minute of meeting of Aberdeen City Council of 22 August 2012.

**The Council resolved:-**  
to approve the minute.

## **PAMPHLET OF MINUTES**

5. The Council had before it a pamphlet of standing Committee minutes from 19 July to 4 September 2012.

**The Council resolved:-**  
to note the minutes.

## **BUSINESS STATEMENT**

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

**The Council resolved:-**  
(i) to remove item 2 (The City Garden Project - Quarterly Progress Report); and  
(ii) to otherwise note the statement.

## **MOTIONS LIST**

7. The Council had before it a list of outstanding motions which had been prepared by the Head of Legal and Democratic Services.

**The Council resolved:-**  
to note the motions list.

## **SOCIAL CARE AND WELLBEING COMMITTEE - 7 SEPTEMBER 2012 - APPOINTMENT OF MEMBERS TO SUB-COMMITTEES, GROUPS AND COUNCIL SUPPORTED TRUSTS AND BOARDS - CG/12/056**

8. With reference to Article 5 of the minute of meeting of the Social Care and Wellbeing Committee of 7 September 2012, which had been referred to it for consideration by five members of the Committee, the Council had before it (1) the minute extract from the statutory Council meeting of 16 May 2012, which referred the appointment of members to certain sub committees and working groups to the first meetings of the relevant committees, and the Orders of Reference for the Adult Services Sub Committee and the Children's Services Sub Committee; and (2) the decision of the Social Care and Wellbeing Committee to disband the Adult Services Sub Committee and the Children's Services Sub Committee.

Councillor Len Ironside CBE moved, seconded by Councillor Lesley Dunbar:-  
That the decision of the Social Care and Wellbeing Committee be reaffirmed.

Councillor Kiddie moved as an amendment, seconded by Councillor Delaney:-  
That the Adult Services Sub Committee and the Children's Services Sub Committee be retained.

On a division, there voted:-

For the motion (21) - Lord Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Len Ironside CBE, Laing, Lawrence, Malik, Milne, Jean Morrison MBE, Nathan Morrison, Taylor, Thomson and Young.

For the amendment (18) - Councillors Blackman, Cameron, Corall, Cormie, Delaney, Dickson, Jackie Dunbar, Greig, Jaffrey, Kiddie, MacGregor, McCaig, Noble, Samarai, Jennifer Stewart, Sandy Stuart, Townson and Yuill.

Absent from the division (1) - Councillor May.

**The Council resolved:-**  
to adopt the motion.

#### **APPOINTMENT OF NEW MEMBER TO ABERDEEN CITY LICENSING BOARD - CG/12/105**

9. The Council had before it a report by the Director of Corporate Governance which advised of the resignation of Councillor Cormie from the Licensing Board and sought a replacement member.

**The report recommended:-**  
that the Council elect a new member to the Licensing Board.

**The Council resolved:-**  
(i) to elect Councillor Townson to the Licensing Board; and  
(ii) to thank Councillor Cormie for his service on the Board.

#### **APPOINTMENTS - OCE/12/022**

10. The Council had before it a report by the Chief Executive which proposed a change of representative on the Association for Public Service Excellence (APSE).

**The report recommended:-**  
that the Council agree that Councillor Milne replace Councillor Crockett as the Council's representative on APSE.

**The Council resolved:-**  
to approve the recommendation.

## POLICE AND FIRE REFORM - OCE/12/021

11. With reference to Article 12 of the minute of meeting of the Corporate Policy and Performance Committee of 27 September 2012, the Council had before it, by way of remit, the decision of the Corporate Policy and Performance Committee as follows:-

- (a) to note that Council would be requested at its meeting on 10 October to revise the Orders of Reference of the Corporate Policy and Performance Committee to provide it with the necessary powers to discharge on behalf of the Council its responsibilities in relation to the Scottish Police Authority, the Police Service of Scotland and the Scottish Fire and Rescue Service;
- (b) to agree, subject to the decision of Council, that briefing sessions on police and fire matters be arranged for members of the Committee during late October and early November ahead of reports relating to Police and Fire Reform being brought to Committee for consideration at its meeting on 29 November 2012;
- (c) to agree, subject to the decision of Council, that the arrangements for discharging the Council's responsibilities in relation to the Police and Fire Reform (Scotland) Act 2012 should be kept under review as the Council's relationship with the Scottish Police Authority, the Police Service of Scotland and the Scottish Fire and Rescue Service develops; and
- (d) in order to action (a) to (c) above, to recommend to Council the establishment of a working group comprising the Aberdeen City Council members of Grampian Joint Police Board and Grampian Fire and Rescue Board - with their existing substantive and substitute member arrangements - which will be set up to deal with questions on transition under the police and fire legislation. The purpose of the working group is to formulate recommendations for the Council in this new area of Council business and so that the Council can effectively identify, address and tackle the policing, fire safety and public safety priorities and needs of the people of Aberdeen. The business of the working group will include committee orders of reference, training and resource requirements, and any other issues for discharging the Council's statutory responsibilities. The working group will seek assistance from the offices of the Clerks of both Boards, Grampian Fire and Rescue Service, Grampian Police and relevant Council officials. The working group will operate at least until April 2013 and will report back to Council, the Corporate Policy and Performance Committee and elsewhere as and when required.

The Council also had before it a report by the Chief Executive which provided an update on the Police and Fire Reform (Scotland) Act 2012 and detailed the responsibilities the Act placed on local authorities.

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

that the Council agree to revise the Orders of Reference of the Corporate Policy and Performance Committee to provide it with the necessary powers to discharge on behalf of the Council its responsibilities in relation to the Scottish Police Authority, the Police Service of Scotland and the Scottish Fire and Rescue Service.

Councillor Forsyth moved, seconded by Councillor Carle:-

That the Council approve (a) to (c) but not (d) of the decision of the Corporate Policy and Performance Committee, and the recommendation of the report by the Chief Executive.

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

That the Council approve the decision of the Corporate Policy and Performance Committee, and the recommendation of the report by the Chief Executive.

On a division, there voted:-

For the motion (34) - Lord Provost; and Councillors Allan, Blackman, Boulton, Cameron, Carle, Cooney, Corall, Cormie, Crockett, Dickson, Jackie Dunbar, Lesley Dunbar, Forsyth, Graham, Grant, Len Ironside CBE, Jaffrey, Kiddie, Laing, Lawrence, MacGregor, McCaig, Malik, Milne, Jean Morrison MBE, Nathan Morrison, Noble, Samarai, Sandy Stuart, Taylor, Thomson, Townson and Young.

For the amendment (5) - Councillors Delaney, Finlayson, Greig, Jennifer Stewart and Yuill.

Absent from the division (1) - Councillor May.

**The Council resolved:-**  
to adopt the motion.

#### **CITY OF CULTURE 2017 SUB COMMITTEE - OCE/12/025**

**12.** The Council had before it a report by the Chief Executive which set out the proposed arrangements for the establishment of a City of Culture 2017 Sub Committee.

**The report recommended:-**  
that the Council -

- (a) approve the establishment of the City of Culture 2017 Sub Committee;
- (b) approve the remit of the Sub Committee as appended to the report;
- (c) approve the membership of the Sub Committee, comprising Group Leaders and the Lord Provost, with officer support as described in the report;
- (d) appoint a Chair of the Sub Committee; and
- (e) agree that the Sub Committee meet once per committee cycle, with the date of the first meeting set in consultation with the Chair.

Councillor Crockett moved, seconded by Councillor McCaig:-

That the Council approve the recommendations contained within the report, and appoint the Lord Provost as Chairperson and the Depute Leader of the Council as Vice-Chairperson.

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

That the Council approve the recommendations contained within the report, with the exception that the membership of the Sub Committee comprise four members of the administration and three members of the opposition.

On a division, there voted:-

For the motion (35) - Lord Provost; and Councillors Allan, Blackman, Boulton, Cameron, Carle, Cooney, Corall, Cormie, Crockett, Dickson, Jackie Dunbar, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Len Ironside CBE, Jaffrey, Kiddie, Laing, Lawrence, MacGregor, McCaig, Malik, Milne, Jean Morrison MBE, Nathan Morrison, Noble, Samarai, Sandy Stuart, Taylor, Thomson, Townson and Young.

For the amendment (4) - Councillors Delaney, Greig, Jennifer Stewart and Yuill.

Absent from the division (1) - Councillor May.

**The Council resolved:-**  
to adopt the motion.

### **PENSIONS PANEL REMIT - CG/12/090**

**13.** With reference to Article 7 of the minute of meeting of the Audit and Risk Committee of 25 September 2012, the Council had before it, by way of remit, a report by the Director of Corporate Governance which advised that the Pensions Panel had requested that its remit be extended to enable the audit reports relating to the Pension Fund to be submitted to it, rather than the Audit and Risk Committee.

**The report recommended:-**  
that the Audit and Risk Committee advise Council if it is supportive of the recommendation of the Pensions Panel.

**The Audit and Risk Committee had resolved:-**  
to recommend to Council that the request of the Pensions Panel to extend its remit be rejected.

Councillor Crockett moved, seconded by Councillor Boulton:-

That the Council approve the extension of the Pensions Panel remit to enable the audit reports relating to the Pension Fund to be submitted to it, rather than the Audit and Risk Committee.

Councillor McCaig moved as an amendment, seconded by Councillor Delaney:-

That the Council reject the request of the Pensions Panel to extend its remit.

On a division, there voted:-

For the motion (21) - Lord Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Len Ironside CBE, Laing, Lawrence, Malik, Milne, Jean Morrison MBE, Nathan Morrison, Taylor, Thomson and Young.

For the amendment (18) - Councillors Blackman, Cameron, Corall, Cormie, Delaney, Dickson, Jackie Dunbar, Greig, Jaffrey, Kiddie, MacGregor, McCaig, Noble, Samarai, Jennifer Stewart, Sandy Stuart, Townson and Yuill.

Absent from the division (1) - Councillor May.

**The Council resolved:-**  
to adopt the motion.

### **OUTLINE BUSINESS CASE FOR WASTE TREATMENT FACILITIES - H&E/12/070**

**14.** With reference to Article 3 of the minute of meeting of the Zero Waste Management Sub Committee of 3 October 2012, the Council had before it, by way of remit, a report by the Director of Housing and Environment which presented the



findings and recommendations of the Outline Business Case which the Zero Waste Management Sub Committee had instructed at a previous meeting.

**The report recommended:-**

that the Council -

- (a) adopt the following reference case, further defined in the Outline Business Case, as the reference for the next phase of the Zero Waste Management Project:-
  - Construct a new, local windrow composting plant delivered within the Waste Management Services Contract
  - Construct a new, local In-Vessel Composting plant delivered within the Waste Management Services Contract
  - Construct a new, local Materials Recovery Facility (MRF) (including glass) delivered within the Waste Management Services Contract
  - Construct facilities for the interim export of waste delivered within the Waste Management Services Contract
  - Resolve site, planning and financing issues and procure a new Energy from Waste (EfW) facility in Aberdeen for delivery around 2020;
- (b) instruct officers to make resources available before budgets for 2013/14 are agreed to progress the Zero Waste Project, including the appointment of specialist advisers, dedicated posts (where relevant) and project team support, and that the source of this finance (capital or revenue) is agreed;
- (c) instruct officers, once project management resources are in place, to open negotiations with the Waste Management Services Contractor regarding changes to the Waste Management Services Contract, with the objective of delivering more cost effective solutions for green waste, food waste and recyclable materials, and interim arrangements for residual waste export as set out in the Outline Business Case;
- (d) instruct officers, once project management resources are in place, to produce a more detailed business case for a local EfW/Combined Heat and Power (CHP) plant and submit this to the appropriate committee(s) for approval; and
- (e) instruct officers, once the revised EfW business case is approved and project resources are in place, to undertake a formal procurement for a local EfW/CHP plant for Aberdeen.

**The Zero Waste Management Sub Committee had resolved:-**

to support the recommendations which would be submitted to Council this day.

**The Council resolved:-**

- (i) to approve the recommendations;
- (ii) to instruct officers to engage fully with Aberdeen's citizens and communities throughout the process of the Zero Waste Management Project and the procurement of a local EfW/CHP plant for Aberdeen; and
- (iii) to commend officers for their excellent report.

**CREMATORIUM BUS SERVICE - EPI/12/228**

15. The Council had before it a report by the Director of Enterprise, Planning and Infrastructure which advised members of the options for implementing a bus service from Hazlehead bus terminus to the Aberdeen crematorium.

**The report recommended:-**

that the Council instruct the Housing and Environment Service to identify potential sources of funding for those elements of a crematorium bus service that cannot be covered by existing resources.

Councillor Crockett moved, seconded by Councillor Jennifer Stewart:-

That the Council -

- (i) agree in principle to reinstate the crematorium bus service as soon as feasible;
- (ii) instruct the Housing and Environment Service to identify potential sources of funding for those elements of a crematorium bus service that cannot be covered by existing resources; and
- (iii) instruct officers to report back to Council, or the Housing and Environment Committee, on the implementation date.

Councillor McCaig moved, seconded by Councillor Jackie Dunbar:-

That the Council -

- (i) agree in principle to reinstate the crematorium bus service as soon as feasible;
- (ii) instruct the Housing and Environment Service to identify potential sources of funding, excluding the Common Good Fund, for those elements of a crematorium bus service that cannot be covered by existing resources; and
- (iii) instruct officers to report back to Council, or the Housing and Environment Committee, on the implementation date.

On a division, there voted:-

For the motion (26) - Lord Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Delaney, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Greig, Len Ironside CBE, Jaffrey, Laing, Lawrence, Malik, Milne, Jean Morrison MBE, Nathan Morrison, Jennifer Stewart, Taylor, Thomson, Young and Yuill.

For the amendment (13) - Councillors Blackman, Cameron, Corall, Cormie, Dickson, Jackie Dunbar, Kiddie, MacGregor, McCaig, Noble, Samarai, Sandy Stuart and Townson.

Absent from the division (1) - Councillor May.

**The Council resolved:-**

to adopt the motion.

**DECLARATION OF INTEREST**

**Councillor Jackie Dunbar declared an interest in relation to the following item of business by virtue of a family connection, withdrew from the meeting and took no part in the Council's deliberations thereon.**

**FREEDOM OF THE CITY - NOTICES OF MOTION BY COUNCILLOR CALLUM MCCAIG AND FORMER COUNCILLORS JIM HUNTER AND PETER STEPHEN, THE LORD PROVOST - OCE/12/020**

16. With reference to Articles 19, 20 and 21 of the minute of its meeting of 4 April 2012, the Council had before it a report by the Chief Executive which provided background information on the Freedom of the City in terms of both its history and its recipients, and set out the current process from nomination to conferral.

**The report recommended:-**

that the Council agree to establish a Special Freedom of the City Committee chaired by the Lord Provost and in addition comprising the Group Leaders, to (1) consider in further detail each of the three proposals for Freedom of the City and recommend to the Council a decision on each; and (2) consider the current process for nomination and conferral of the Freedom of the City and recommend to the Council any changes it would wish to see adopted.

Councillor Crockett moved, seconded by Councillor Boulton:-

That the Council approve the recommendation contained within the report with the exception that the body be established as 'Freedom of the City Working Group' rather than 'Special Freedom of the City Committee'.

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

That the Council approve the recommendation contained within the report, with the exception that the membership of the Committee comprise four members of the administration and three members of the opposition.

On a division, there voted:-

For the motion (34) - Lord Provost; and Councillors Allan, Blackman, Boulton, Cameron, Carle, Cooney, Corall, Cormie, Crockett, Dickson, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Len Ironside CBE, Jaffrey, Kiddie, Laing, Lawrence, MacGregor, McCaig, Malik, Milne, Jean Morrison MBE, Nathan Morrison, Noble, Samarai, Sandy Stuart, Taylor, Thomson, Townson and Young.

For the amendment (4) - Councillors Delaney, Greig, Jennifer Stewart and Yuill.

Absent from the division (2) - Councillors Jackie Dunbar and May.

**The Council resolved:-**

to adopt the motion.

**MOTION BY COUNCILLOR MCCAIG**

17. The Council had before it the following notice of motion by Councillor McCaig:-

"In order to ensure that Aberdeen City Council reaps the financial benefits of the Scottish Government's Business Rates Incentive Scheme, Council instructs the Director of Enterprise, Planning and Infrastructure to consider measures to boost the city's business rates income and agrees that 50% of any additional funding received by the Council as a result of this scheme be reinvested in economic development."

**The Council resolved:-**

to refer the motion to the Finance and Resources Committee.

**MOTION BY COUNCILLOR JENNIFER STEWART**

18. The Council had before it the following notice of motion by Councillor Jennifer Stewart:-

“That this Council considers the possibility of scheduling future meetings of the Development Management Sub Committee so as to avoid meetings being held in July, with a suggestion that meetings be held in late June and early August instead to assist with meeting performance indicators for dealing with planning applications.”

**The Council resolved:-**

to refer the motion to the Enterprise, Planning and Infrastructure Committee.

**QUESTIONS**

19. The Council had before it the following questions, of which due notice had been given in terms of Standing Order 10(2), which had been placed on the agenda as both Councillors Townson and Dickson had indicated that they were unhappy with the responses.

**Councillor Townson**

(1) Can the Convener of Education, Culture and Sport confirm what provision has been made to maintain service provision should this administration succeed in evicting volunteers from successfully run leased community centres?

ANSWER (by Councillor Laing) -

(1) As Councillor Townson is well aware it was under his stewardship that the lease and management agreement was approved by full Council on 4 April 2012. Given that Councillor Townson voted for the lease and management agreement to be approved at Council, as did all Councillors, it is felt that volunteers should be well able to sign up to the lease and management agreement, that was approved by full Council in April 2012, prior to the end date of the current leases of the seven centres operating under “tacit relocation” (28 November 2012). It is noted that one volunteer Management Committee has already signed up to the new arrangements, with more Management Committees set to follow over the coming weeks. I am hopeful that all other Management Committees will follow suit in signing up to the new lease so that they can continue the good work of running community centres for the benefit of local citizens, while being supported through the new lease and Management Agreement.

**The Council resolved:-**

to note the details.

Councillor Dickson

- (1) Can the Council Leader please confirm the timescale and costings of Labour's proposals to pedestrianise Union Street and Broad Street and reopen the Castlegate?

ANSWER (by Councillor Crockett) -

- (1) Partial pedestrianisation of Union Street, between Market Street and Bridge Street, allowing for buses but not allowing buses to overtake each other

Estimate = approx £6M. The estimate is based upon the following assumptions:

- the use of high quality setts and stone slabbing such as granite setts/slabs or caithness slabbing as surfacing materials
- the majority of the existing caithness slab area can be retained
- allowance has been made for traffic management works and signing changes on the surrounding road network
- the South College Street road improvement has not been allowed for
- the Berryden road improvement has not been allowed for
- extensive soft landscaping and decorative street furniture/lighting has not been allowed for - dependant upon the quality required (including statues/sculpture if desired) this could add anything from a few hundred thousand pounds to in excess of £1M
- due to timing point requirements, the sheer number of buses involved and the need for servicing access to premises, it is impractical to avoid buses having to overtake other buses, however it has been assumed that a reduction from the current four traffic/bus lanes to a mixture of either two and three lanes dependant upon the proximity to bus stops - the bus stops would be within the lanes

Full pedestrianisation of Broad Street, between Queen Street and Gallowgate

Estimate = approx £1M. The estimate is based upon the following assumptions:

- the use of high quality setts and stone slabbing such as granite setts/slabs or caithness slabbing as surfacing materials
- the majority of the existing caithness slab area in front of Marischal College can be retained
- allowance has been made for local traffic management works and signing changes on the surrounding road network
- the non adopted footway area in front of St Nicholas House will be upgraded at the developer's expense
- extensive soft landscaping and decorative street furniture/lighting has not been allowed for - dependant upon the quality required (including statues/sculpture if desired) this could add anything from £100,000 to in excess of £0.5M
- the diversions of bus routes can be achieved without the need for major road improvements

Reopening the Castlegate to traffic

Two options are given below:

Estimate A - £2.5M - upgrading the whole of the Castlegate and providing a road from King Street through to Justice Street. The estimate is based upon the following assumptions:

- the whole of the Castlegate will be resurfaced
- the use of high quality setts and stone slabbing such as granite setts/slabs or caithness slabbing as surfacing materials
- allowance for local traffic management works and signing changes on the surrounding road network
- extensive soft landscaping and decorative street furniture/lighting and the potential impact on the Gordon Highlanders Statue i.e. possible relocation, has not been allowed for - dependant upon the quality required (including statues/sculpture if desired) this could add anything from £100,000 to in excess of £0.5M

Estimate B - £1.1M - providing a road from King Street through to Justice Street with only local adjustment to the existing Castlegate as necessary. The estimate is based upon the following assumptions:

- a large part of the Castlegate will remain unaltered with changes only occurring along the section affected by the new road
- the use of high quality setts and stone slabbing such as granite setts/slabs or caithness slabbing as surfacing materials
- allowance for local traffic management works and signing changes on the surrounding road network
- extensive soft landscaping and decorative street furniture/lighting and the potential impact on the Gordon Highlanders Statue i.e. possible relocation has not been allowed for - dependant upon the quality required (including statues/sculpture if desired) this could add anything from £100,000 to in excess of £0.5M

### Timescales

Each of the above schemes, separately or in combination, will require the preparation of a full business case including transportation and environmental assessments, public and stakeholder consultation and the identification of the detail of the proposals, implications, benefits, fit with relevant policies etc. This could take in the order of up to two years subject to available funding and will be necessary to support the successful promotion of the required traffic regulation orders. The statutory process for these orders is estimated to take up to three years to conclude, due to the nature of the proposals and the likelihood of objections which will prompt a public hearing, the results of which will be determined by an independent arbiter. Subject to a successful outcome, the proposals individually or in combination could take 12 to 36 months to introduce. If delivered as a package, phased delivery will be important to minimise temporary impact on the travelling public and the local business economy.

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

### **The Council resolved:-**

to note the details.

In accordance with the decision recorded under Article 3 of this minute, the following items of business were considered with the press and public excluded.

#### **DECLARATIONS OF INTERESTS**

Councillors Allan, Carle, Laing, Taylor and Young declared interests in relation to the following item of business having been appointed by the Council to the Oakbank School Board of Governors. Councillors Allan, Carle, Laing, Taylor and Young each considered that the nature of their interest required them to withdraw from the meeting and took no part in the Council's deliberations thereon.

#### **QUESTION BY COUNCILLOR MCCAIG**

20. The Council had before it the following question, of which due notice had been given in terms of Standing Order 10(2), which had been placed on the agenda as Councillor McCaig had indicated that he was unhappy with the response.

Councillor McCaig

- (1) Can the Convener of the Pensions Panel advise if the Pensions Panel has received any confirmation from the Oakbank School Trust that they have the necessary finances to meet their full debt to the pension fund?

A written answer was provided by Councillor Crockett, however as it contained exempt information as described in paragraph 6 of Schedule 7A of the Local Government (Scotland) Act 1973, it cannot be recorded within the minute.

**The Council resolved:-**  
to note the details.

#### **DECLARATION OF INTEREST**

Councillor Forsyth declared an interest in relation to the following item of business by virtue of his employment, withdrew from the meeting and took no part in the Council's deliberations thereon.

#### **TRANSFER OF SERVICES TO LOCAL AUTHORITY TRADING COMPANY - SCW/12/018**

21. With reference to Article 8 of the minute of its meeting of 9 February 2012, the Council had before it a report by the Director of Social Care and Wellbeing which advised of progress with implementation of the Local Authority Trading Company (LATC) and sought approval to transfer specified Older People and Rehabilitation Services to the LATC, on completion of the appropriate legal and contractual processes.

**The report recommended:-**  
that the Council -

- (a) note the progress made towards creating the LATC, to be known as Bon Accord Care;
- (b) approve the LATC Business Plan appended to the report underpinned by the business case approved by Council on 9 February 2012;
- (c) agree to formal TUPE consultation with staff;
- (d) approve the proposed governance arrangements, including the establishment of a Shareholder Liaison Group, which will be a sub committee of Council;
- (e) appoint a Chairperson of the Shareholder Liaison Group and note that meetings will be held quarterly;
- (f) confirm that, subject to a report by the Section 95 Officer, the Council will act as a guarantor for the LATC in relation to the Pension Fund, and in the event that the LATC should cease to exist, will guarantee up to £4million as required to meet these liabilities; and
- (g) agree the transfer of specified services to the LATC on completion of the appropriate legal and contractual processes.

Councillor Len Ironside CBE moved, seconded by Councillor Delaney:-

That the Council -

- (i) note the progress made towards creating the LATC, to be known as Bon Accord Care;
- (ii) approve the LATC Business Plan appended to the report underpinned by the business case approved by Council on 9 February 2012;
- (iii) agree to formal TUPE consultation with staff;
- (iv) note the current proposed governance arrangements, including the establishment of a Shareholder Liaison Group;
- (v) confirm that, subject to a report by the Section 95 Officer, the Council will act as a guarantor for the LATC in relation to the Pension Fund, and in the event that the LATC should cease to exist, will guarantee up to £4million as required to meet these liabilities;
- (vi) instruct that a further report is brought to the next meeting of the Social Care and Wellbeing Committee which will present in final format the details of:-
  - (a) the Memorandum and Articles of Association;
  - (b) the core contract and specification;
  - (c) facilities leases; and
  - (d) a review of the proposed governance arrangements of the new company to enable a decision to be taken for the transfer of Older People's Services, Occupational Therapy and Rehabilitation and Learning and Development to the LATC; and
- (vii) agree that the Chairperson of the Board will not be an elected member.

Councillor Kiddie moved as an amendment, seconded by Councillor Blackman:-

That the Council agree not to proceed with the formation of the LATC.

On a division, there voted:-

For the motion (24) - Lord Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Delaney, Lesley Dunbar, Finlayson, Graham, Grant, Greig, Len Ironside CBE, Laing, Lawrence, Malik, Milne, Jean Morrison MBE, Nathan Morrison, Jennifer Stewart, Taylor, Thomson, Young and Yuill.

For the amendment (15) - Councillors Blackman, Cameron, Corall, Cormie, Dickson, Jackie Dunbar, Jaffrey, Kiddie, MacGregor, McCaig, May, Noble, Samarai, Sandy Stuart and Townson.



Absent from the division (1) - Councillor Forsyth.

**The Council resolved:-**  
to adopt the motion.

**PROGRESSION OF TRANSFER OF REGENERATION AND HOUSING INVESTMENT SERVICE TO AN ARM'S LENGTH COMPANY (LLP) - H&E/12/067**

22. The Council had before it a report by the Director of Housing and Environment which presented the full business case for, and provided an update on progress with, the priority based budgeting transformational option of transferring the Regeneration and Housing Investment Service to an arm's length company (LLP).

**The report recommended:-**

that the Council -

- (a) consider the report;
- (b) delegate such powers as necessary to allow the Housing and Environment Committee to take the final decision on the recommendations below at its meeting of 30 October 2012 following receipt of responses to consultation from trade unions and make such recommendations to that committee as it may wish; and
- (c) instruct a further report on the service's proposals to:-
  - (i) provide a 5 year business plan to complement the current business case;
  - (ii) deliver a structured legal entity and governance arrangements ensuring appropriate Council control;
  - (iii) deliver a comprehensive programme of consultation and negotiation with staff, elected members, unions and stakeholders; and
  - (iv) provide an agreed programme of measures with the Council for TUPE transfer of staff.

**The Council resolved:-**

- (i) to approve the recommendations; and
- (ii) to recommend that the Housing and Environment Committee review all options for the delivery of the Regeneration and Housing Investment Service including a Local Authority Trading Company.

**OUTLINE BUSINESS CASE FOR WASTE TREATMENT FACILITIES - APPENDIX**

23. With reference to Article 14 of this minute, the Council had before it the outline business case for waste treatment facilities.

**The Council resolved:-**

to note the outline business case.

**MATTER OF URGENCY**

The Lord Provost intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, that the following item be considered as a matter of urgency to enable officers to negotiate with Transport Scotland without delay.

## **ABERDEEN WESTERN PERIPHERAL ROUTE - CG/12/108**

**24.** The Council had before it a report by the Head of Finance which provided an update on discussions on the future funding mechanism for the Aberdeen Western Peripheral Route (AWPR).

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

that the Council -

- (a) note the report;
- (b) agree in principle to bring forward the Council's contribution to the AWPR project costs, subject to clarification of the Council's legal powers to undertake such a course of action and it being in the best interest of the Council to do so; and
- (c) instruct officers to continue to negotiate with Transport Scotland on the future funding mechanism and report back in due course on this funding package.

### **The Council resolved:-**

to approve the recommendations.

## **DECLARATION OF INTEREST**

**Councillor Young declared an interest in relation to the following item of business by virtue of knowing one of the parties involved in the bidding process, withdrew from the meeting and took no part in the Council's deliberations thereon.**

## **FINANCE AND RESOURCES COMMITTEE - 4 OCTOBER 2012 - ST NICHOLAS HOUSE - OUTCOME OF STAGE 1 MARKETING - EPI/12/226**

**25.** With reference to Article 35 of the minute of meeting of the Finance and Resources Committee of 4 October 2012, which had been referred to it for consideration by seven members of the Committee, the Council had before it (1) a report by the Director of Enterprise, Planning and Infrastructure on progress in the sale of the St Nicholas House site which advised on the range and types of offers received and the process to assess and score these; and (2) the decision of the Finance and Resources Committee as follows:-

- (i) to instruct the Head of Asset Management and Operations to advise the top six scoring bidders that they have been selected as preferred bidders to move forward to the next stage; and
- (ii) to note the next stage of the bidding process, with a full report to be brought back to a future meeting of the Committee in early 2013.

At this juncture, a further report by the Director of Enterprise, Planning and Infrastructure was circulated (which had also been circulated to the Finance and Resources Committee) which explained that the offer submitted by one of the parties had been withdrawn, set out the points available and the range applied by officers in respect of the financial and non-financial scores for each of the offers, gave the monetary difference between the highest and lowest bids submitted and named the top four scoring bidders in alphabetical order. The report reiterated the recommendations contained within the original report (as below), incorporating the names of the top four bidders.

**The report recommended:-**

that the Finance and Resources Committee -

- (a) instruct the Head of Asset Management and Operations to advise the top four scoring bidders that they have been selected as preferred bidders to move forward to the next stage; and
- (b) note the next stage of the bidding process, with a full report to be brought back to a future meeting of the Committee in early 2013.

At this juncture, Councillor Jackie Dunbar referred to the draft minute extract of the Finance and Resources Committee of 4 October 2012, and queried why it did not record which members were present when the further report by the Director of Enterprise, Planning and Infrastructure had been circulated. The Senior Democratic Services Manager explained that the draft minute was consistent with standard practice where a declaration of interest was made during the course of consideration of an item of business, however the Committee Clerk would have noted the information. Councillor Jackie Dunbar requested that this be recorded in the minute this day and this was agreed.

Councillor Noble moved, seconded by Councillor Yuill:-

That the Council -

- (a) instruct the Head of Asset Management and Operations to advise the top four scoring bidders that they have been selected as preferred bidders to move forward to the next stage; and
- (b) note the next stage of the bidding process, with a full report to be brought back to a future meeting of the Committee in early 2013.

Councillor Crockett moved as an amendment, seconded by Councillor Boulton:-

That the Council -

- (a) instruct the Head of Asset Management and Operations to advise the top four scoring bidders that they have been selected as preferred bidders to move forward to the next stage; and
- (b) agree to establish a working group of five members, comprising one representative from each Group, to receive presentations from short-leeted bidders, and that officers report back to the Finance and Resources Committee.

On a division, there voted:-

For the motion (19) - Councillors Blackman, Cameron, Corall, Cormie, Delaney, Dickson, Jackie Dunbar, Greig, Jaffrey, Kiddie, MacGregor, McCaig, May, Noble, Samarai, Jennifer Stewart, Sandy Stuart, Townson and Yuill.

For the amendment (20) - Lord Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Len Ironside CBE, Laing, Lawrence, Malik, Milne, Jean Morrison MBE, Nathan Morrison, Taylor and Thomson.

Absent from the division (1) - Councillor Young.

**The Council resolved:-**

to adopt the amendment.

**In terms of Standing Order 15(6), Councillors Blackman, Cameron, Corall, Cormie, Delaney, Dickson, Jackie Dunbar, Greig, Jaffrey, Kiddie, MacGregor, McCaig, May, Noble, Samarai, Jennifer Stewart, Sandy Stuart, Townson and Yuill intimated their dissent against the foregoing decision.**

**- GEORGE ADAM, Lord Provost.**