

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 19 December 2012

MINUTES OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

, 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
ALAN DONNELLY
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
AILEEN MALONE
ANDREW MAY
RAMSAY MILNE
JEAN MORRISON, MBE
NATHAN MORRISON
JAMES NOBLE
GILLIAN SAMARAI
JENNIFER STEWART
ALEXANDER STUART
ANGELA TAYLOR
ROSS THOMSON
GORDON TOWNSON
WILLIAM YOUNG
and
IAN YUILL

, 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=2529&Ver=4>

DETERMINATION OF EXEMPT BUSINESS

1. 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:-

- 10(a) Pinewood and Hazledene Development Sites - Report by Director of Enterprise, Planning and Infrastructure
- 10(b) Greyfriars John Knox Church - Report by Director of Enterprise, Planning and Infrastructure
- 10(c) Transition Extreme - Joint report by Director of Enterprise, Planning and Infrastructure and Acting Director of Education, Culture and Sport

The Council resolved:-

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of the aforementioned items of business (Articles 25 to 27 of this minute refer) so as to avoid disclosure of exempt information of the classes described in paragraphs 3, 6 and 9 of Schedule 7(A) of the Act.

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 10 OCTOBER 2012

2. The Council had before it the minute of meeting of Aberdeen City Council of 10 October 2012.

The Council resolved:-

to approve the minute subject to amending Article 25 (Finance and Resources Committee - 4 October 2012 - St Nicholas House - Outcome of Stage 1 Marketing) on page 2823 to reflect that Councillor Jackie Dunbar had suggested that it would be more accurate and helpful if minutes could in future record specifically when declarations of interest were made during the course of consideration of items of business.

MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 29 NOVEMBER 2012

3. The Council had before it the minute of meeting of the Urgent Business Committee of 29 November 2012.

The Council resolved:-

to approve the minute subject to including within Article 3 (Music Hall Redevelopment) reference to the oral update provided by the Chief Executive, which having heard it, the SNP members intimated that they would not have moved a procedural motion earlier in the meeting stating that the report was not of an urgent nature.

PAMPHLET OF MINUTES

4. The Council had before it a pamphlet of standing committee minutes from 8 August to 15 November 2012.

The Council resolved:-

to note the minutes.

BUSINESS STATEMENT

5. 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:-

to note the statement.

MOTIONS LIST

6. 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.

ENTERPRISE, PLANNING AND INFRASTRUCTURE COMMITTEE - 6 DECEMBER 2012 - THIRD DON CROSSING

7. With reference to Article 2 of the minute of meeting of the Enterprise, Planning and Infrastructure Committee of 6 December 2012, which had been referred to it for consideration by six members of the Committee, the Council had before it the decision of the Committee as follows:-

Council recognises its commitment to the existing policy for the Third Don Crossing and recognises that the Council needs to bring forward a balanced budget for 2013/14, and agrees the Third Don Crossing will be part of that process. Council further notes the complete failure of the SNP Administration to include the Berryden corridor in their capital budget plan for 2011/12 and further notes the complete hypocrisy of the SNP who when in Administration with the Liberal Democrats between May 2007 and May 2012 failed to build the Third Don Crossing, failed to proceed with the Berryden corridor and failed the people of Aberdeen.

Councillor Yuill moved, seconded by Councillor Delaney:-

Following the end of the legal challenge against the Aberdeen Western Peripheral Route (AWPR), the Council agrees to renew the commitment to "lock in" the benefits of the AWPR by progressing with the Third Don Crossing on the route previously agreed by Council, and the dualling of the Berryden corridor as quickly as possible.

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

That the decision of the Enterprise, Planning and Infrastructure Committee be reaffirmed.

Councillor Thomson moved as a further amendment, seconded by Councillor Forsyth:-

That the Council reaffirms its existing commitment to the Third Don Crossing on the previously identified site and route and calls for a report to the next Council meeting on the most efficient options to deliver this as quickly as possible.

There being a motion and two amendments, the Council first divided between the amendment by Councillor Crockett and the amendment by Councillor Thomson.

On a division, there voted:-

For the amendment by Councillor Crockett (19) - Lord Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Lesley Dunbar, Finlayson, Graham, Grant, Len Ironside CBE, Laing, Lawrence, Malik, Milne, Jean Morrison MBE, Nathan Morrison, Taylor and Young.

For the amendment by Councillor Thomson (24) - Depute Provost; and Councillors Blackman, Cameron, Corall, Cormie, Delaney, Dickson, Donnelly, Jackie Dunbar, Forsyth, Greig, Jaffrey, Kiddie, MacGregor, McCaig, Malone, May, Noble, Samarai, Jennifer Stewart, Sandy Stuart, Thomson, Townson and Yuill.

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

On a division, there voted:-

For the motion (5) - Councillors Delaney, Greig, Malone, Jennifer Stewart and Yuill.

For the amendment by Councillor Thomson (19) - Depute Provost; and Councillors Blackman, Cameron, Corall, Cormie, Dickson, Donnelly, Jackie Dunbar, Forsyth, Jaffrey, Kiddie, MacGregor, McCaig, May, Noble, Samarai, Sandy Stuart, Thomson and Townson.

Declined to vote (19) - Lord Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Lesley Dunbar, Finlayson, Graham, Grant, Len Ironside CBE, Laing, Lawrence, Malik, Milne, Jean Morrison MBE, Nathan Morrison, Taylor and Young.

The Council resolved:-

to adopt the amendment by Councillor Thomson.

In terms of Standing Order 15(6), Councillors Grant, Milne and Nathan Morrison intimated their dissent against the foregoing decision.

APPOINTMENTS - OCE/12/030

8. The Council had before it a report by the Chief Executive which sought appointments for particular vacancies in relation to outside bodies.

The report recommended:-

that the Council appoint representatives to fill the vacancy on the Sport Aberdeen Board and three vacancies on the Oakbank School Trust.

The Council resolved:-

(i) to appoint Councillor Boulton to the Board of Sport Aberdeen in place of Councillor Forsyth;

- (ii) to make no appointments in relation to Oakbank School Trust at this time;
- (iii) to appoint Councillor Jean Morrison MBE to Aberdeen Greenspace Trust Limited in place of Councillor Boulton; and
- (iv) to agree that Councillor Boulton replace Councillor Allan as Chairperson of the St Nicholas House Working Group.

TREASURY MANAGEMENT - MID YEAR REVIEW - CG/12/095

9. With reference to Article 17 of the minute of meeting of the Finance and Resources Committee of 4 October 2012, the Council had before it, by way of remit, a report by the Director of Corporate Governance which provided an update on treasury management activities for 2012/13.

The Finance and Resources Committee had recommended that the Council:-

- (i) note the treasury management activities undertaken in 2012/13 as detailed within the report; and
- (ii) approve the revised counterparty list as appended to the report.

The Council resolved:-

to approve the recommendations.

ABERDEEN CITY AND SHIRE STRATEGIC DEVELOPMENT PLAN

10. With reference to Article 4 of the minute of meeting of the Strategic Development Planning Authority of 9 November 2012, the Council had before it, by way of remit, a report by the Aberdeen City and Shire Strategic Development Plan Manager which presented a draft of the proposed Strategic Development Plan.

The Council resolved:-

to ratify the report and the Aberdeen City and Shire Strategic Development Plan.

ANNUAL AUDITED ACCOUNTS 2011/12

11. With reference to Article 5 of the minute of meeting of the Audit and Risk Committee of 27 November 2012, the Council had before it (1) the audited annual accounts for Aberdeen City Council for the period 1 April 2011 to 31 March 2012; and (2) the annual report by Audit Scotland, the Council's external auditor, on the 2011/12 audit.

The Council resolved:-

- (i) to approve the audited accounts for the period 1 April 2011 to 31 March 2012;
- (ii) to note the annual report on the 2011/12 audit; and
- (iii) to thank the relevant officers and the external auditor for their work.

APPOINTMENT OF MEMBERS TO THE OLDER PEOPLE'S ADVISORY GROUP - CG/12/114

12. With reference to Article 6 of the minute of meeting of the Corporate Policy and Performance Committee of 29 November 2012, the Council had before it, by way of remit, a report by the Director of Corporate Governance which requested that a

decision be taken with regard to the remaining place on the Older People's Advisory Group.

The Council resolved:-

to note that the matter had been resolved prior to the meeting.

DRAFT HOUSING REVENUE ACCOUNT (HRA) BUDGET AND HOUSING CAPITAL BUDGET 2013/14 TO 2015/16 - CG/12/1023

13. With reference to Article 14 of the minute of meeting of the Finance and Resources Committee of 6 December 2012, the Council had before it a joint report by the Director of Corporate Governance and the Director of Housing and Environment which provided members with information to allow the setting of the rent level for the financial year 2013/14 as well as provisional rent levels for the financial years 2014/15 and 2015/16, explaining that this would allow a capital programme for 2013/14 to be set as well as a provisional programme for 2014/15 and 2015/16.

The report recommended:-

that the Finance and Resources Committee consider the draft Housing Revenue Account budget and refer the report to Council on 19 December 2012 for:-

- (a) approval of the budget as attached as Appendix 1;
- (b) approval of the weekly unrebated rents for municipal houses, as detailed in Appendix 1, to take effect from Monday 1 April 2013;
- (c) approval of the level of revenue contribution to the Housing Capital budget for 2013/14 as well as a provisional contribution for the subsequent two financial years as detailed in Appendix 1 of the report;
- (d) approval of the recommendation by the Head of Finance to increase working balances from 5% to 10% over a three year period to meet future contingencies;
- (e) approval of the continuation of the practice that all capital receipts, from the disposal of Council houses, be used to repay debt for 2013/14 and future years;
- (f) approval of the level of miscellaneous rents and service charges, including Heat with Rent as detailed in Appendix 1;
- (g) approval of other adjustments Council might wish to make to the draft HRA for the financial years 2013/14 to 2015/16; and
- (h) setting of a capital programme for the financial year 2013/14 based on the rent strategy adopted as well as the indicative level of programme for the financial years 2014/15 and 2015/16.

The Finance and Resources Committee had referred the report simpliciter to Council.

The Council resolved:-

- (i) to approve the budget as detailed in Appendix 1 below;
- (ii) to approve an average weekly rent increase of 3.6% to take effect from Monday 1 April 2013;
- (iii) to approve a revenue contribution of £21.7million to the Housing Capital budget for 2013/14;
- (iv) to agree the recommendation by the Head of Finance to retain adequate working balances to meet future contingencies with a view to increasing this to 10% over the next three financial years;
- (v) to agree the continuation of the practice that all capital receipts, from the disposal of Council houses, continue to be used to repay debt for 2013/14 and future years;

- (vi) to approve the level of miscellaneous rents and service charges, including Heat with Rent, as detailed in Appendix 2 below; and
- (vii) to set a capital programme of £41.5million for the financial year 2013/14 based on the rent strategy.

Appendix 1

Housing Revenue Account		Budget	Out-turn	Budget
		2012/13	2012/13	2013/14
		£000	£000	£000
Premises Costs				
1	Rates	3	3	3
2	Rent - Other	135	115	138
3	Repairs and Maintenance	23,264	23,092	22,042
4	Maintenance of Grounds	2,560	2,866	3,045
5	Gas	714	714	674
6	Electricity	2,361	2,361	2,420
7	Cleaning Service	476	476	542
8	Security Service	444	372	372
9	Window Cleaning	19	19	19
10	Refuse Collection	240	320	325
11	Cleaning - Sheltered Housing	475	449	453
12	Premises Insurance	56	56	57
13	Other Property Costs - Council Tax	115	122	122
		30,862	30,965	30,212
Administration Costs				
14	Downsizing Grants/Direct Debit Incentives	52	15	52
15	Legal Expenses	222	201	201
16	Office Tel / Rent	88	88	88
17	Former Tenants Arrears	1,379	1,379	1,379
18	Charges - Services Admin & Management.	8,556	7,968	8,582
19	General Consultancy	55	55	55
20	Training for Front Line Staff	100	100	100
21	Benefits Staff	94	94	95
22	Charges - Tenants Participation	238	238	206
23	Charges for Environmental Health	213	227	227
		10,997	10,365	10,984
Supplies & Services				
24	Provision of Meals	177	166	168
25	Equipment Purchase	55	55	55
26	Television Licence	5	5	5
27	Integrated Housing System	338	338	314
		575	564	542
Agencies				
28	Mediation Service	98	98	98
29	Energy Advice	81	81	81
30	Citizens Advice Bureau	14	14	14
31	Disabled Persons Housing Service	38	38	38
		231	231	231

	Housing Revenue Account	Budget	Out-turn	Budget
		2012/13	2012/13	2013/14
		£000	£000	£000
	Transfer Payments			
32	Aberdeen Families Project	400	400	414
33	Loss of Rent - Council Houses	722	754	722
34	Loss of Rent - Garages, Parking etc	153	211	211
35	Loss of Rent - Modernisation Works	86	50	50
36	Supporting People Contribution	406	406	406
37	CFCR	17,675	21,284	21,748
		19,442	23,105	23,551
	Capital Financing Costs			
38	Loans Fund Instalment	4,260	3,168	3,903
39	Loans Fund Interest	10,819	8,889	9,559
40	Heating Leasing Payment	131	131	131
		15,210	12,188	13,593
	Expense Total	77,317	77,418	79,113
	Income			
41	Government Grant - General	(420)	(234)	(234)
42	Ground Rentals	(25)	(25)	(27)
43	Dwelling Houses Rent Income	(73,144)	(73,748)	(76,220)
44	Housing - Heat with Rent Income	(1,534)	(1,459)	(1,459)
45	Housing - Garages Rent Income	(1,096)	(1,087)	(1,087)
46	Housing - Parking Spaces Rent	(167)	(187)	(187)
47	Housing - Insurance Income	(8)	(8)	(2)
48	Housing - Other Service Charge	(479)	(489)	(489)
49	Legal Expenses	(323)	(260)	(260)
50	Revenue Balance Interest	(121)	(121)	(148)
	Income Total	(77,317)	(77,618)	(80,113)
	Net Expenditure	0	0	(1,000)

Appendix 2

Miscellaneous Rents

Heat with Rent - 48 week basis	Previous	Proposed
	£	£
Gas Heated Properties		
Bedsits	8.25	9.05
1 bedroom flats	8.95	9.85
2 bedroom flats	9.25	10.25
3 bedroom flats	10.35	11.45
Electrically Heated Properties		
Bedsits	9.25	10.05
1 bedroom flats	9.95	10.85
2 bedroom flats	10.65	11.65
3 bedroom flats	11.35	12.45

CHP Properties		
All 1 bedroom properties	8.90	9.80
All 2 bedroom properties	9.40	10.40
All 3 bedroom properties	10.10	11.20

ABERDEEN CITY COUNCIL HOUSING REVENUE ACCOUNT						
Proposed Increase to be included in the HRA budget - Miscellaneous Rents						
		2013/2014				
		Current Rental	Proposed Rental	Increase Per Week	Percentage Increase	Additional Income
	Miscellaneous Increases	£	£	£	%	£
	Garages	9.10	10.00	0.90	9.89	89,078
	Denburn and West North Street Spaces	4.40	4.55	0.15	3.41	4,514
	Garages Sites	3.70	3.85	0.15	4.05	1,771
	Car Ports	4.10	4.25	0.15	3.66	1,037
	Car Parking Spaces - Local Residents	3.40	3.40	0	0	0
	Parking Spaces Non Local Residents	35.00	35.00	0	0	0
	Window Cleaning	0.85	0.85	0	0	0
	Meals at Denmore & Kingswood	35.00	35.00	0	0	0
	Mortgage Reference Fees	60.00	62.00	2.00	3.33	56
	Guest Rooms	10.00 & 15.00	10.00 & 15.00	0	0	0
	Owners Administration fees	16.13	38.59	22.46	139.24	11,544
						108,001
	General Services					
	Housing - Homeless Account					
	Clinterty Caravan Site	79.00	82.00	3.00	3.80	5,040
						5,040
	Accommodation Units (Grant Funded)					
	Adult (first 2)	54.00	56.00	2.00	3.70	27,500
	Child	36.00	37.00	1.00	2.78	6,875
						34,375

STRATEGIC POLICE PRIORITIES - OCE/12/032

14. The Council had before it a report by the Chief Executive which presented a suggested response to the draft strategic police priorities prepared by Scottish Ministers for the Scottish Police Authority.

The report recommended:-

that the Council consider the suggested response and, subject to any alteration, approve its submission to the Scottish Government.

The Council resolved:-

to approve the suggested response contained within the report, subject to the inclusion of the following:-

- That the retention and development of the local Forensics Lab and the Cadet Scheme in the city are key strategic policing priorities;
- That support for community policing through the current Local Policing Teams system is a key strategic policing priority; and
- That a transparent, robust and consistent performance management regime is a key strategic priority, and therefore a reliable approach to measurement of outcomes and resources such as that used by Grampian Police is required for comparative recording and supply of performance data in order to determine any differences in performance before and after introduction of the new police force in April 2013.

MOTION BY COUNCILLOR MALONE

15. The Council had before it the following notice of motion by Councillor Malone:-

“In view of the recent decision to reduce the speed limit from Kingswells roundabout to Blacktop from 60mph to 40mph, that officers be instructed to report on the implications of this for the neighbouring rural roads network including Countesswells Road, Kirk Brae and Baillieswells Road, and on the need to ensure consistency of speed limits in the area, instruct the Director of Corporate Governance and Head of Finance to identify an appropriate budget from which to fund any works which officers may propose.”

The Council resolved:-

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

MOTION BY COUNCILLOR GREIG

16. The Council had before it the following notice of motion by Councillor Greig:-

“That this Council:

- (1) identifies how city centre safety can be improved for a period of approximately the next 5 years through a series of actions agreed through community planning in partnership with the BID, Police, Fire, NHS, Unight and other relevant organisations with community safety responsibilities;
- (2) agrees to work towards Purple Flag accreditation; and
- (3) reports back to Council at appropriate times with a fuller progress report by 1 April 2013.”

The Council resolved:-

to refer the motion to the Corporate Policy and Performance Committee.

MOTION BY COUNCILLOR YUILL

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

"That this Council agrees to amend Standing Order 3(4)(b) as follows:

"A special meeting of the Council called by requisition of members in terms of Standing Order 4(2) shall, if required, be held on any day, including any day referred to in Standing Order 3(4)(a)(i) or 3(4)(a)(iii). The Lord Provost shall also have the power, in his/her sole discretion and where special circumstances so require, to instruct that a meeting of the Council be held on any date whatsoever."

and that Standing Order 4(2) be amended as follows:

"A special meeting of the Council may be called at any time by the Lord Provost or if required by at least a quarter of the members of the Council and in the latter case shall be held within fourteen clear days of receipt of the requisition by the Head of Democratic Services. For the avoidance of doubt the calculation of one quarter in these Standing Orders shall be rounded down if it results in a figure ending in less than point 5, and rounded up if the figure is point 5 or above. In the case of a meeting called in terms of this Standing Order the notice required to be published in terms of Standing Order 6 shall have attached the letter signed by the members requisitioning the meeting and shall specify the business proposed to be transacted at the meeting. For the further avoidance of doubt special meetings of the Council may not be held on a Saturday or Sunday or on public holidays observed by the staff employed in the Town House."

Councillor Yuill moved, seconded by Councillor Cameron:-

That the terms of the motion be approved.

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

That no action be taken.

On a division, there voted:-

For the motion (20) - Councillors Blackman, Cameron, Corall, Cormie, Delaney, Dickson, Jackie Dunbar, Greig, Jaffrey, Kiddie, MacGregor, McCaig, Malone, May, Noble, Samarai, Jennifer Stewart, Sandy Stuart, Townson and Yuill.

For the amendment (22) - Lord Provost; Depute Provost; and Councillors Boulton, Carle, Cooney, Crockett, Donnelly, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Len Ironside CBE, Laing, Lawrence, Malik, Milne, Jean Morrison MBE, Nathan Morrison, Taylor, Thomson and Young.

Absent from the division (1) - Councillor Allan.

The Council resolved:-

to adopt the amendment.

MOTION BY COUNCILLOR YUILL

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

"That this Council agrees to establish a Public Petitions Committee to consider petitions presented to the Council by citizens of Aberdeen and instructs officers to prepare a report on this."

The Council resolved:-

to approve the motion acknowledging that a Public Petitions Committee is a commitment of the Coalition partners and the Liberal Democrats, which requires to be acted upon within the lifetime of this Council, and to instruct officers to bring forward, to the March 2013 meeting of Council, proposals for changes to the way in which Council currently operates including any proposals for a Public Petitions Committee.

MOTIONS BY COUNCILLORS MACGREGOR AND SAMARAI

19. The Council had before it the following notice of motion by Councillors MacGregor and Samarai:-

“Council agrees to establish a working group consisting of relevant officers, local members, community representatives and relevant partner organisations to develop and implement proposals for a community garden in Bucksburn, utilising the land adjacent to the Cloverleaf Hotel which was handed over as part of the 3Rs development, and sourcing appropriate external funding to enable the delivery of the project.”

The Council resolved:-

to refer the motion to the Housing and Environment Committee.

MOTION BY COUNCILLORS CROCKETT, ALLAN, BOULTON, CARLE, COONEY, DONNELLY, LESLEY DUNBAR, FINLAYSON, FORSYTH, GRAHAM, GRANT, LEN IRONSIDE CBE, LAING, LAWRENCE, MALIK, JEAN MORRISON MBE, NATHAN MORRISON, REYNOLDS, TAYLOR, THOMSON AND YOUNG

20. The Council had before it the following notice of motion by the abovementioned Councillors:-

“This Council acknowledges that the people of Scotland will decide our nation’s future in a referendum. This Council agrees that Aberdeen as the power house of Scotland’s economy, as Europe’s oil capital, is more prosperous stronger and better together as part of the United Kingdom. This Council further agrees that the people of Aberdeen benefit greatly as part of the United Kingdom and that the United Kingdom is richer with Scotland as a partner.”

Councillor Crockett moved as a procedural motion, seconded by Councillor Boulton:-

That Standing Order 22 be suspended to enable the motion to be considered as a result of the Council approving ‘Aberdeen - the Smarter City’ at its meeting of 22 August 2012.

On a division, there voted:-

For the procedural motion (23) - Lord Provost; Depute Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Donnelly, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Len Ironside CBE, Laing, Lawrence, Malik, Milne, Jean Morrison MBE, Nathan Morrison, Taylor, Thomson and Young.

Against the procedural motion (20) - Councillors Blackman, Cameron, Corall, Cormie, Delaney, Dickson, Jackie Dunbar, Greig, Jaffrey, Kiddie, MacGregor, McCaig, Malone, May, Noble, Samarai, Jennifer Stewart, Sandy Stuart, Townson and Yuill.

The Council resolved:-

to adopt the procedural motion, and thereby suspend Standing Order 22.

Councillor Crockett moved, seconded by Councillor Forsyth:-

That the terms of the motion be approved.

Councillor McCaig moved as an amendment, seconded by Councillor Jackie Dunbar:-

That this Council acknowledges that the people of Scotland will decide our nation's future in a referendum.

On a division, there voted:-

For the motion (28) - Lord Provost; Depute Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Delaney, Donnelly, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Greig, Len Ironside CBE, Laing, Lawrence, Malik, Malone, 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.

The Council further resolved:-

to adopt the motion.

MOTION BY COUNCILLOR BOULTON

21. The Council had before it the following notice of motion by Councillor Boulton:-

“That the Council agrees to write to Keith Brown the Transport Minister requesting a meeting with him and Council Leaders on bringing forward as a matter of urgency the Haudagain improvement. Mr Brown will surely appreciate the problems faced by commuters on a daily basis having been delayed at the Haudagain himself and realise that the people of Aberdeen should not have to wait until 2019. Immediate improvements would allow the long awaited regeneration of Middlefield to begin.”

The Council resolved:-

- (i) to instruct officers to write to Keith Brown, the Transport Minister, requesting that he meet Council Leaders regarding the Haudagain improvement; and
- (ii) to refer the motion to the Enterprise, Planning and Infrastructure Committee.

MOTION BY COUNCILLOR GREIG

22. The Council had before it the following notice of motion by Councillor Greig:-

“That the Council recognises and appreciates the key role that micro, small and medium sized local businesses, including shops and single traders in Aberdeen, as economic generators which play a major part in determining and enhancing the quality of life across the city.

That this Council undertakes a broad-ranging review to identify specific ways that the Council and its partners can work together to support and foster micro, small and medium sized business activity.

To this end, that the Council carries out a consultation exercise to enable micro, small and medium sized business people to have their say in identifying specific suggestions and proposals; and that a report is produced with recommendations for action.”

The Council resolved:-

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

MOTION BY COUNCILLOR KIDDIE

23. The Council had before it the following notice of motion by Councillor Kiddie:-

“Aberdeen City Council agrees that in view of the current problems in the city affecting the delivery of home care services a summit meeting should be organised of all interested parties to determine a way forward to resolve the current difficulties.”

The Council resolved:-

to refer the motion to the Social Care and Wellbeing Committee.

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 in light of recent press reports.

DECLARATIONS OF INTERESTS

Councillors Dickson, Jackie Dunbar and McCaig declared pecuniary interests in the following item of business by virtue of their employment by Kevin Stewart MSP, and withdrew from the meeting.

URGENT MOTION BY COUNCILLOR CROCKETT

24. The Council had before the following notice of motion by Councillor Crockett:-

“This Council denounces SNP MSP for Aberdeen Central Kevin Stewart a former Finance Convener who on the 17th December 2012 disgracefully accused the Council of “cooking the books” and “presenting a misleadingly pessimistic account” in their five-year budget predictions. Council reaffirms its total support for Aberdeen City Council’s Finance Team, the first ever Scottish Accountancy Awards Public Sector Finance Team of the Year 2012. Further instructs the Head of Legal and Democratic Services to write to Kevin Stewart MSP seeking a retraction of his disgraceful comments and thereafter to report back to the next Finance and Resources Committee for consideration, which may include reporting the matter to the Public Standards Commissioner for Scotland. Council

further notes the SNP Group's support for the five-year business plan at the Finance and Resources Committee meeting on 6th December 2012."

Councillor Crockett moved, seconded by Councillor Donnelly:-
That the terms of the motion be approved.

Councillor Noble moved as an amendment, seconded by Councillor Blackman:-
That no action be taken.

During the course of the ensuing debate, the Chief Executive stated that at no stage had any of her officers 'cooked the books', that the Council's financial management systems had never been better, and that she wanted this put on record.

In terms of Standing Order 14(1), following contributions from eight members of the Council, Councillor Greig moved as a procedural motion, seconded by Councillor Malone:-

That the question be now put.

On a division, there voted:-

For the procedural motion (25) - Depute Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Delaney, Donnelly, Lesley Dunbar, Finlayson, Forsyth, Grant, Greig, Len Ironside CBE, Laing, Lawrence, Malik, Malone, Milne, Jean Morrison MBE, Jennifer Stewart, Taylor, Thomson, Young and Yuill.

Against the procedural motion (0)

Declined to vote (13) - Lord Provost; and Councillors Blackman, Cameron, Corall, Cormie, Jaffrey, Kiddie, MacGregor, May, Noble, Samarai, Sandy Stuart and Townson.

Absent from the division (5) - Councillors Dickson, Jackie Dunbar, Graham, McCaig and Nathan Morrison.

The Council resolved:-

to accept the procedural motion and therefore proceed to summing up.

On a division, there voted:-

For the motion (28) - Lord Provost; Depute Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Delaney, Donnelly, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Greig, Len Ironside CBE, Laing, Lawrence, Malik, Malone, Milne, Jean Morrison MBE, Nathan Morrison, Jennifer Stewart, Taylor, Thomson, Young and Yuill.

For the amendment (12) - Councillors Blackman, Cameron, Corall, Cormie, Jaffrey, Kiddie, MacGregor, May, Noble, Samarai, Sandy Stuart and Townson.

Absent from the division (3) - Councillors Dickson, Jackie Dunbar and McCaig.

The Council further resolved:-

to adopt the motion.

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

Council also agreed to adjust the order of the agenda to enable the following two items to be brought forward.

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 due to the short timeframe involved.

GREYFRIARS JOHN KNOX CHURCH - EPI/12/311

25.

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 assist Transition Extreme without delay.

DECLARATIONS OF INTERESTS

Councillor Corall declared a personal interest in the following item of business and Councillor Laing declared an interest by virtue of her membership of the Board of Transition Extreme Limited. Both Councillors Corall and Laing considered that the nature of their interests required them to leave the meeting and took no part in the Council's deliberations thereon.

TRANSITION EXTREME - EPI/12/312

26. The Council had before it a joint report by the Director of Enterprise, Planning and Infrastructure and the Acting Director of Education, Culture and Sport which sought approval to provide a new financial guarantee to Lloyds Bank in respect of their continued provision of loan and working capital finance to Transition Extreme Limited.

The report recommended:-

that the Council -

- (a) approve the provision of two new guarantees to Lloyds Bank, number 2 and 3 in Appendix A to the report, for a period of two years as detailed in the report; and
- (b) approve the utilisation of headroom in an existing guarantee, number 1 in Appendix A to the report, to enable the balance of funding required to be made available by the bank.

The Council resolved:-

to approve the recommendations.

DECLARATIONS OF INTERESTS

Councillors Cormie, Jean Morrison MBE, Thomson and Yuill declared interests in the following item of business by virtue of their membership of

the Robert Gordon's College Board of Governors. Councillor Young declared an interest by virtue of his association with the development company involved, Carlton Rock Limited. Each of the Councillors considered that the nature of their interest required them to leave the meeting and took no part in the Council's deliberations thereon.

FINANCE AND RESOURCES COMMITTEE - 6 DECEMBER 2012 - PINWOOD AND HAZLEDENE DEVELOPMENT SITES - EPI/12/253

27. With reference to Article 24 of the minute of meeting of the Finance and Resources Committee of 6 December 2012, which had been referred to it for consideration by five members of the Committee, the Council had before it (1) a report by the Director of Enterprise, Planning and Infrastructure which presented the outcome of the marketing of the Pinewood and Hazledene sites and advised on the legal agreement between the Council, Robert Gordon's College and the Council's agricultural tenant; and (2) the decision of the Committee as follows:-

- (i) to agree that the Council wished to sell the site;
- (ii) to note the revised percentage split in the sale proceeds between all interested parties;
- (iii) to instruct the Head of Legal and Democratic Services to conclude missives for the sale of this property, in terms of the tri-partite agreement to Dandara Limited based on its offer number 4 detailed in the report, incorporating various qualifications as were necessary to protect the Council's interests; and
- (iv) to agree to an alteration to the current split between Robert Gordon's College and the Council, based on the College's preference to accept offer number 3 detailed in the report with payment over a three year period. This would result in the College receiving payment as if offer number 3 had been accepted, with the effect that they received a quicker but lower payment.

Councillor Donnelly moved, seconded by Councillor Milne:-

That the decision of the Finance and Resources Committee be reaffirmed.

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

That the Council -

- (a) agree that the Council wished to sell the site at some future time to be agreed and take no further action meantime; and
- (b) request officers to submit a further report to the Finance and Resources Committee on the revised split in the sale proceeds to enable further scrutiny of the proportions to each party for information only.

Councillor Noble moved as a further amendment, seconded by Councillor Dickson:-

That the Council -

- (a) instruct officers to recommence negotiations with the tenant to reduce their share of proceeds to reflect the Council's land ownership and the limited duration of their lease and to report back to the next meeting of the Finance and Resources Committee on the outcome of the negotiations; and
- (b) agree that should there be no movement within the negotiation, not to sell the land until 2020 after the lease had ended.

There being a motion and two amendments, the Council first divided between the amendment by Councillor Greig and the amendment by Councillor Noble.

On a division, there voted:-

For the amendment by Councillor Greig (4) - Councillors Delaney, Greig, Malone and Jennifer Stewart.

For the amendment by Councillor Noble (14) - Councillors Blackman, Cameron, Corall, Dickson, Jackie Dunbar, Jaffrey, Kiddie, MacGregor, McCaig, May, Noble, Samarai, Sandy Stuart and Townson.

Declined to vote (20) - Lord Provost; Depute Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Donnelly, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Len Ironside CBE, Laing, Lawrence, Malik, Milne, Nathan Morrison and Taylor.

Absent from the division (5) - Councillors Cormie, Jean Morrison MBE, Thomson, Young and Yuill.

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

On a division, there voted:-

For the motion (19) - Lord Provost; Depute Provost; and Councillors Allan, Carle, Cooney, Crockett, Donnelly, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Len Ironside CBE, Laing, Lawrence, Malik, Milne, Nathan Morrison and Taylor.

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

Declined to vote (1) - Councillor Boulton.

Absent from the division (5) - Councillors Cormie, Jean Morrison MBE, Thomson, Young and Yuill.

The Council resolved:-
to adopt the motion.

In terms of Standing Order 15(6), Councillors Delaney, Greig, Malone and Jennifer Stewart intimated their dissent against the foregoing decision.

- GEORGE ADAM, Lord Provost.