

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 31 October 2013

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL

S e d e r u n t :

Lord Provost George Adam, Chairperson; and

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
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=2864&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:-

Dr Fiona-Jane Brown, Tour Guide, Author and Historian, Aberdeen
 George D Watt, Retired Civil Engineer, Aberdeen
 Michael P Taitt, Builder, Aberdeen
 Reverend James Weir, Parish Minister, Aberdeen

(B) The person undermentioned was admitted into the presence of the Council and passed as a Burgess of the Burgh of Aberdeen of their own craft only:-

Graeme Ross Cursiter, Shoemaker, Aberdeen.

DETERMINATION OF EXEMPT BUSINESS

2. 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:-

- 3(a) Procurement for a Development Partner for AECC and Surrounding Areas - Report by Director of Enterprise, Planning and Infrastructure
- 9(a) Proposed Sale of the Former Causewayend School - Report by Director of Enterprise, Planning and Infrastructure
- 9(b) Marischal Square - Hotel Operator - Report by Director of Enterprise, Planning and Infrastructure
- 9(c) Post of Head of Finance - Recruitment and Selection Process - Report by Chief Executive

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 4, 24, 25 and 26 of this minute refer) so as to avoid disclosure of exempt information of the classes described in paragraphs 6 and 9 of Schedule 7(A) of the Act.

ANNOUNCEMENT

3. Councillor McCaig extended his congratulations to Councillor Blackman on the recent birth of her daughter Rebecca, both of whom were in attendance.

The Council resolved:-

to concur with Councillor McCaig's remarks.

In accordance with the decision recorded under Article 2 of this minute, the following item was considered with the press and public excluded.

DECLARATIONS OF INTERESTS

Councillor Cameron declared an interest in relation to the following item of business by virtue of his position as a Council appointed Director to the Board of Aberdeen Exhibition and Conference Centre (AECC). Councillor Cameron considered that the nature of his interest required him to leave the meeting and took no part in the Council's deliberations thereon.

Councillors Crockett and Young also declared interests by virtue of their position as Council appointed Directors to the Board of AECC but chose to remain in the meeting as AECC Limited was a body being a company established wholly or mainly for the purpose of providing services to the local authority, and which had entered into a contractual arrangement with the local authority for the supply of goods and/or services to the local authority, as set out in paragraph 5.18(2)(d)(i) and (ii) of the Councillors' Code of Conduct.

PROCUREMENT FOR A DEVELOPMENT PARTNER FOR AECC AND SURROUNDING AREAS - EPI/13/165

4. With reference to Article 18 of the minute of its meeting of 4 April 2012, the Council had before it a report by the Director of Enterprise, Planning and Infrastructure which presented the evaluation results of the final tender for the AECC development partner procurement.

The report recommended:-

that the Council -

- (a) approve the key legal and commercial terms underpinning Participant Bid C (Henry Boot Developments off-site) as set out in the report;
- (b) delegate to the unanimous approval of the Director of Enterprise, Planning and Infrastructure and the Head of Legal and Democratic Services the negotiation and approval of the contract documents noted below, and any other contracts, letters or documents which required to be signed and/or sealed in connection with the appointment of a development partner for the development of a new AECC on such terms and conditions, consistent with the key legal and commercial terms referred to above, as they think fit. The contract documents referred to above are:-
 - i. the Promotion Agreement
 - ii. the Development Agreement
 - iii. the Profit Share Agreement
 - iv. the Ancillary Land Agreements
 - v. the Lease
 - vi. the Funder Step in Agreement; and
- (c) authorise officers to continue to explore financial options to deliver the development at minimum cost to the Council, such options to be reported to full Council within the next six months.

The Council received a presentation by Mr Andrew Win, Senior City Development Executive, and Mr Steven Whyte, Acting Head of Finance, on the process that had been undertaken with particular reference to the development and financial issues contained therein. Upon conclusion of the presentation, members asked a number of questions of officers in relation to the presentation and in connection with the report itself.

Councillor Crockett moved, seconded by Councillor Boulton:-

That the Council approve the recommendations contained within the report and agree that the officers referred to in recommendation (b) provide regular progress reports to the Group Leaders and the Convener of Finance, Policy and Resources.

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

That the Council note the report and instruct officers to prepare a full business case for the operation of AECC at the existing site.

Councillor Yuill moved as a further amendment, seconded by Councillor Delaney:-

That the Council -

- (1) note that the Council will have the opportunity to proceed or otherwise with this project at the end of the twelve month promotional period;
- (2) agree recommendations (a) and (c) contained within the report;
- (3) instruct officers to report back to a special meeting of the Council, for approval or otherwise, the outcome of the negotiations on the agreements detailed in recommendation (b), and agree that officers provide regular reports to the Group Leaders and the Convener of Finance, Policy and Resources.

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

On a division, there voted:-

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

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

Declined to vote (22) - Lord Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Donnelly, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Ironside, Laing, Lawrence, Malik, Milne, Jean Morrison, Nathan Morrison, Taylor, Thomson and Young.

Absent from the division (1) - Councillor Cameron.

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

On a division, there voted:-

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

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

Declined to vote (4) - Councillors Delaney, Greig, Jennifer Stewart and Yuill.

Absent from the division (1) - Councillor Cameron.

The Council resolved:-
to adopt the motion.

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 21 AUGUST 2013

5. The Council had before it the minute of meeting of Aberdeen City Council of 21 August 2013.

The Council resolved:-
to approve the minute.

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 agree that the report requested within item 10 (Integration of Health and Social Care) be submitted to the next meeting of the Social Care, Wellbeing and Safety Committee; and
- (ii) otherwise to 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.

MINUTES OF MEETINGS OF APPOINTMENT PANEL OF 28 AND 30 AUGUST 2013

8. The Council had before it the minutes of meetings of the Appointment Panel of 28 and 30 August 2013.

The Council resolved:-
to approve the minutes.

ROLES AND RESPONSIBILITIES: IS ABERDEEN CITY COUNCIL GETTING IT RIGHT? - STANDING ORDERS, ORDERS OF REFERENCE, EXTERNAL MEMBERS ON COMMITTEES AND SCHEME OF DELEGATION - CG/13/110

9. With reference to Article 11 of the minute of its meeting of 21 August 2013, the Council had before it a report by the Chief Executive which proposed a complaints procedure for external members of committees and a revised scheme of delegation to

officers, and sought approval of minor changes to Standing Orders and Orders of Reference.

The report recommended:-

that the Council -

- (a) suspend Standing Order 22(1) and approve the amendment of the Orders of Reference for the Audit and Risk Committee to transfer the consideration of outcomes in respect of Arms' Length External Organisations to the Orders of Reference for the Education, Culture and Sport, Enterprise, Strategic Planning and Infrastructure and Social Care, Wellbeing and Safety Committees, as set out in paragraph 5.2 and as recommended by the Audit and Risk Committee of 24 September 2013;
- (b) suspend Standing Order 22(1) and approve changes (1) to Standing Orders 20 and 21, so that deadlines for the submission of questions and motions which would otherwise fall over Christmas and New Year or on another public holiday would now fall prior to the holiday period, as set out in paragraph 5.4; and (2) to Standing Order 10(1), by adding "No deputation shall be accepted which relates to a petition before the Petitions Committee.";
- (c) approve the establishment of a sub committee of seven members to hear and determine complaints against external members of committees and sub committees in accordance with the procedure set out at paragraph 5.6 and Appendix A, and agree to write to the Standards Commission for Scotland to suggest that a national code be put in place for external members of local authority committees;
- (d) approve the revised scheme of delegation to officers as set out under paragraph 5.8 and Appendix B, determining whether or not to retain or amend delegated power 19 on page 78 in light of the response from Unison;
- (e) suspend Standing Order 22(1) and approve the transfer of one Labour Group place on the Planning Development Management Committee to the Independent Alliance Group and the transfer of one Independent Alliance Group place on the Social Care, Wellbeing and Safety Committee to the Labour Group; and
- (f) note that the petitions pages on the Council website went live on 21 October 2013.

The Council resolved:-

- (i) to approve recommendations (a), (b), (c), (e) and (f);
- (ii) to approve the revised scheme of delegation to officers as set out under paragraph 5.8 and Appendix B, except that the delegated power to Directors to amend establishments within approved budgets (number 19 on page 78 of Appendix B) be deleted and all Directors instructed to report to the Finance, Policy and Resources Committee on any restructuring proposal including appointing new posts, converting one post to another, changing grades and changing job titles, except for minor restructuring which would be submitted to the Chief Executive, in consultation with the Convener and Vice Convener of Finance, Policy and Resources, for approval (including confirmation as to whether a proposal constituted minor restructuring or not); and
- (iii) to suspend Standing Order 22(1) and approve the following -
 - that the title of the Vice Convener of Social Care, Wellbeing and Safety (with responsibility for Police and Fire and Rescue) be amended to Vice Convener of Social Care, Wellbeing and Safety (with responsibility for Safety)
 - that the remit of the Social Care, Wellbeing and Safety Committee be amended to include -

“9. To develop and approve the Council’s Health and Safety policy, including its annual review and inclusion.”

- that the remit of the Finance, Policy and Resources Committee be amended at paragraph 8 to read -
 “To develop and approve corporate policy and strategies including partnership working, and HR policies, except *the Health and Safety policy* and those specified as relating to teaching staff and falling within the remit of the Education, Culture and Sport Committee.”
- that the Corporate Health and Safety Committee report to the Social Care, Wellbeing and Safety Committee, and that the Vice Convener of Social Care, Wellbeing and Safety (with responsibility for Safety) be the senior elected member with specific responsibility for health and safety, as envisaged in the policy document.

APPOINTMENTS - OCE/13/026

10. The Council had before it a report by the Chief Executive which proposed changes to previously agreed appointments.

The report recommended:-

that the Council -

- (a) agree the appointment of Councillor Taylor as a member of the NESTRANS Board, replacing Councillor Grant;
- (b) agree the appointment of Councillor Taylor as a member of the Strategic Development Planning Authority, replacing Councillor Grant; and that Councillor Grant replace Councillor Taylor as a substitute member on the Authority;
- (c) appoint the Council Leader plus three further elected members to the Community Planning Aberdeen Board, and five elected members to the Community Planning Aberdeen Reference Group;
- (d) agree the appointment of Councillor Finlayson as Vice Convener of the Planning Development Management Committee;
- (e) note that in order to comply with its legal obligations in terms of the Prison and Young Offenders Institutions (Scotland) Rules 2011 it was required to appoint a replacement member of the Peterhead Visiting Committee, however as this member would be unable to attend the mandatory training and be PVG checked prior to the closure of Peterhead Prison on 6 December 2013 it was recommended that no appointment be made;
- (f) note that regulation 148(8) of the Prison and Young Offenders Institutions (Scotland) Rules 2011 provided that the proceedings of a visiting committee were not invalidated by any vacancy in the membership or any defect in the appointment of a member; and
- (g) note that Councillor Ironside had been replaced by Councillor Jean Morrison as the Council appointed member to the Disabled Persons Housing Service.

The Council resolved:-

to approve the recommendations on the basis of the three members appointed to the Community Planning Aberdeen Board comprising two members of the administration and one member of the opposition, and the five members appointed to the Community Planning Aberdeen Reference Group comprising three members of the administration and two members of the opposition.

REVIEW OF POLLING DISTRICTS AND POLLING PLACES - OCE/13/027

11. The Council had before it a report by the Chief Executive which provided details of the compulsory review of UK Parliamentary polling districts and polling places, and proposed the polling places to be used for the European Parliamentary Elections in May 2014 and the Scottish Independence Referendum in September 2014.

The report recommended:-

that the Council -

- (a) agree that no change to polling districts be recommended;
- (b) subject to any changes, agree the recommended changes to polling places as outlined; and
- (c) following approval of the recommended changes to polling places, proceed to public consultation.

The Council resolved:-

to approve the recommendations.

SCOTTISH INDEPENDENCE REFERENDUM - SCHOOLS ACTIVITIES - OCE/13/029

12. The Council had before it a report by the Chief Executive which presented guidelines for schools activities in relation to the Scottish Independence Referendum to be held on 18 September 2014.

The report recommended:-

that the Council agree the following expectations for schools activities in relation to the Scottish Independence Referendum -

- (a) schools will facilitate the work of the Counting Officer and relevant organisations in reaching 15 to 17 year olds in school with information on voter registration and related matters;
- (b) in developing and delivering learning and teaching activities, schools will be mindful of the advice and resources on offer from Education Scotland and other relevant organisations; and
- (c) in inviting representatives of campaign organisations to engage directly in school with 15 to 17 year olds, schools will be able to evidence a consistent and balanced approach.

The Council resolved:-

to approve the recommendation on the basis that the campaign organisations referenced in (c) be Better Together and Yes Scotland.

ACCELERATE ABERDEEN - DIGITAL CONNECTIVITY UPDATE - EPI/13/160

13. The Council had before it a report by the Director of Enterprise, Planning and Infrastructure which provided an update on progress with Accelerate Aberdeen's Super Connected Cities Programme Bid for Urban Broadband Funding from the Department of Culture, Media and Sport (DCMS), as well as the amended bid required by the DCMS and the award granted in principle.

The report recommended:-

that the Council -

- (a) note the content of the report, especially that officers no longer needed to pursue the necessary procurements for white area infill as this would be undertaken as part of the Scottish Government's Digital Scotland Superfast Broadband project;
- (b) note that officers would be reviewing the resources needed to deliver the amended project taking into account existing resources and technical expertise available in house or within partner organisations and would report back to members on how this would be managed;
- (c) instruct the relevant officers to undertake the necessary procurements for equipment to provide free wireless in agreed public buildings, as outlined in the revised bid;
- (d) agree that officers undertake a review of the options for the Digital Incubator Hub and that the recently approved capital business case process be used to evaluate bids with a report being submitted to the relevant committee when the appraisal was complete;
- (e) agree that officers work collaboratively across and outwith the Council to pursue the other projects outlined as part of the overall Accelerate Aberdeen programme; and
- (f) instruct the Director of Enterprise, Planning and Infrastructure to put in place the necessary resources to deliver the Accelerate Aberdeen programme.

The Council resolved:-

to approve the recommendations.

STRATEGIC INFRASTRUCTURE PLAN - OCE/13/033

14. The Council had before it a report by the Chief Executive which presented the Council's Strategic Infrastructure Plan (SIP) and the actions required to deliver it.

The report recommended:-

that the Council -

- (a) approve the Council's SIP as at Appendix 1 to the report;
- (b) to deliver Key Goal 1: A step change to the supply of housing:
 - (1) instruct officers to take forward a procurement process in accordance with the Council's Standing Orders in Relation to Contracts and Procurement, in order to appoint a Joint Venture partner(s) to deliver the affordable housing element identified in the SIP and report back to Council with the outcomes of the procurement process, and recommending a preferred bidder(s) prior to entering into a contract(s);
 - (2) notwithstanding recommendation 1) above, agree to invoke Standing Order 1(6)(a) of the Council's Standing Orders in Relation to Contracts and Procurement and in doing so agree to dis-apply the provisions of Standing Order 1(3); and
 - (3) approve the establishment of a Housing Programme Manager for a fixed term period of three years, which would be met from within existing budgets;
- (c) to deliver Key Goal 2: High quality digital connectivity at home and at work:
 - (1) approve the establishment of a Head of Broadband Delivery and Broadband Delivery Project Manager on a fixed term basis to deliver the Accelerate Aberdeen programme, which would be met from within existing budgets;
- (d) to deliver Key Goal 3: Better local transport;
 - (1) instruct officers to open discussions with the Scottish Government to investigate proposals for cross-city transport connections, as outlined in the

- SIP, to establish funding mechanisms for investigation and delivery of proposals; and
- (2) instruct officers to report to the Council budget meeting in February 2014 in respect of proposals to advance the delivery of all phases of the Berryden Corridor as part of the Non Housing Capital Plan and budget process;
- (e) to deliver Key Goal 4: The skills and labour that Aberdeen needs to thrive:
- (1) promote the delivery of the Oil and Gas Academy for Scotland as outlined in the SIP;
- (f) to deliver Key Goal 5: A better image for Aberdeen:
- (1) approve the establishment of a City Centre Infrastructure Fund and invest £20million into the fund financed through the Non Housing Capital Programme;
 - (2) instruct officers to include this fund as part of the Non Housing Capital Plan at the Council budget meeting in February 2014;
 - (3) approve the creation of a City Centre Regeneration Board as a working group of full Council, comprising elected members and representatives from appropriate external organisations;
 - (4) instruct the Board to report back to Council at its meeting on 25 June 2014 with recommended project(s) to regenerate the city centre, and provide updates on progress to Council each cycle;
 - (5) approve the establishment of a Programme Manager and two Project Manager posts to deliver city centre regeneration, which would be met from existing budgets; and
 - (6) note the report and decision on the AECC, which was a separate report to this meeting; and
- (g) instruct officers to continue to work on the new ways of funding element of the SIP proposal in association with the Scottish Cities Alliance.

The Council received a presentation on the report and the SIP with contributions from the Chief Executive, the Acting Director of Corporate Governance, the Director of Housing and Environment, the Director of Enterprise, Planning and Infrastructure and the Acting Head of Finance. Upon conclusion of the presentation, members asked a number of questions of officers in relation to the presentation and in connection with the report itself.

Councillor Crockett moved, seconded by Councillor Boulton:-

That the Council -

- (1) approve the recommendations contained within the report subject to obtaining a screening opinion from the consultation authorities on the need for a Strategic Environmental Assessment and instruct officers to undertake that work if required; and
- (2) agree that the City Centre Regeneration Board comprise six elected members (Council Leader, Depute Council Leader, Convener of Finance, Policy and Resources, Vice Convener of Finance, Policy and Resources, Convener of Audit and Risk and Vice Convener of Audit and Risk) and one representative of each of Aberdeen and Grampian Chamber of Commerce, ACSEF, Aberdeen Inspired, the Robert Gordon University, Scottish Enterprise, the University of Aberdeen and Visit Aberdeen; and that the Board be chaired by the Depute Leader of the Council.

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

That the Council -

- (1) approve the Council's SIP subject to obtaining a screening opinion from the consultation authorities on the need for a Strategic Environmental

- Assessment and instruct officers to undertake that work if required, however noting that many of the projects included in the SIP were initiated by the previous Council administration and that others would be delivered by partner organisations;
- (2) to deliver Key Goal 1: A step change to the supply of housing:
 - (a) instruct officers to report back on the feasibility of delivery of 2,000 homes for social rent over a five year period; and
 - (b) instruct officers to prepare a business case for the establishment of the post of Housing Programme Manager for a fixed term period of three years;
 - (3) to deliver Key Goal 2: High quality digital connectivity at home and at work:
 - (a) instruct officers to prepare a business case for the establishment of the post of Head of Broadband Delivery and Broadband Delivery Project Manager on a fixed term basis to deliver the Accelerate Aberdeen programme;
 - (4) to deliver Key Goal 3: Better local transport:
 - (a) instruct officers to open discussions with the Scottish Government, NESTRANS and Aberdeenshire Council to progress delivery of the Regional Transport Strategy; and
 - (b) instruct officers to report to the Council budget meeting in February 2014 in respect of proposals to advance the delivery of all phases of the Berryden Corridor as part of the Non Housing Capital Plan and budget process;
 - (5) to deliver Key Goal 4: The skills and labour that Aberdeen needs to thrive:
 - (a) promote the delivery of the Oil and Gas Academy for Scotland as outlined in the SIP;
 - (6) to deliver Key Goal 5: A better image for Aberdeen:
 - (a) approve the establishment of a City Centre Infrastructure Fund and to invest £20million into the fund financed through the Non Housing Capital Programme;
 - (b) instruct officers to include this fund as part of the Non Housing Capital Plan at the Council budget meeting in February 2014;
 - (c) approve the creation of a City Centre Regeneration Board as a working group of full Council, comprising elected members, representatives from appropriate external organisations and others;
 - (d) instruct the Board to report back to Council at its meeting on 25 June 2014 with recommended project(s) to regenerate the city centre, and to provide updates on progress to Council each cycle;
 - (e) instruct officers to prepare a business case for the establishment of the posts of Programme Manager and two Project Managers to deliver the city centre regeneration; and
 - (f) note the report and decision on the AECC, which was a separate report to this meeting; and
 - (7) instruct officers to continue to work on the new ways of funding element of the SIP proposal in association with the Scottish Cities Alliance.

Councillor McCaig moved as a further amendment, seconded by Councillor Corall:-

That the Council -

- (1) approve the Council's SIP appended to the report subject to obtaining a screening opinion from the consultation authorities on the need for a Strategic Environmental Assessment and instruct officers to undertake that work if required;
- (2) to deliver Key Goal 1: A step change to the supply of housing:

- (a) instruct the Director of Housing and Environment to prepare a business plan for the delivery of 2,000 Council houses of varying sizes across the city;
 - (b) instruct the Director of Housing and Environment to explore the feasibility and legality of delivering mid-market properties for sale and rent through the City Development Company and report the outcome of this to the Housing and Environment Committee. Should this be deemed viable, consideration should be given to how this model could be used to cross-subsidise the development at (a) above; and
 - (c) approve the establishment of a Housing Programme Manager for a fixed term period of three years subject to approval by the relevant committee of a business plan and which would be met from within existing budgets;
- (3) to deliver Key Goal 2: High quality digital connectivity at home and at work:
- (a) approve the establishment of a Head of Broadband Delivery and Broadband Delivery Project Manager on a fixed term basis to deliver the Accelerate Aberdeen programme, subject to approval by the relevant committee of a business plan and which would be met from within existing budgets;
- (4) to deliver Key Goal 3: Better local transport:
- (a) instruct officers to investigate the establishment of a publicly owned bus company to increase competition in the city and reduce bus fares. Discussions should be undertaken with the Scottish Government and European Commission on the utilisation of hydrogen and other low carbon technologies in the proposed fleet;
 - (b) instruct officers to explore the options (including the proposals in (a) above) for enhanced public transport connectivity via the introduction of a new bus route linking the north and south of the city via Anderson Drive;
 - (c) instruct officers to report to the Council budget meeting in February 2014 in respect of proposals to advance the delivery of all phases of the Berryden Corridor as part of the Non Housing Capital Plan and budget process; and
 - (d) instruct officers to report to the Council budget meeting in February 2014 in respect of proposals to deliver a link road from the A93, North Deeside Road and Inchgarth/Garthdee Road as a stand-alone project independent of proposals for a new River Dee crossing;
- (5) to deliver Key Goal 4: The skills and labour that Aberdeen needs to thrive:
- (a) promote the delivery of the Oil and Gas Academy for Scotland as outlined in the SIP; and
 - (b) instruct the Director of Education, Culture and Sport to prepare a report in conjunction with the Director of Enterprise, Planning and Infrastructure on increasing awareness amongst city pupils about career opportunities in the oil and gas industry;
- (6) to deliver Key Goal 5: A better image for Aberdeen:
- (a) approve the establishment of a City Centre Infrastructure Fund and to invest £20million into the fund financed through the Non Housing Capital Programme;
 - (b) instruct officers to include this fund as part of the Non Housing Capital Plan at the Council budget meeting in February 2014;
 - (c) approve the creation of a City Centre Regeneration Board as a working group of full Council, comprising elected members, representatives from appropriate external organisations and others;

- (d) instruct the Board to report back to Council at its meeting on 25 June 2014 with recommended project(s) to regenerate the city centre, and to provide updates on progress to Council each cycle;
 - (e) approve the establishment of a Programme Manager and two Project Manager posts to deliver city centre regeneration, subject to approval by the relevant committee of a business plan and approval by Council of proposals from the City Centre Regeneration Board. This post would be met from within existing budgets;
 - (f) note the report and decision on the AECC, which was a separate report to this meeting;
 - (g) endorse the work being undertaken by Education, Culture and Sport in conjunction with partner organisations to establish a regional museum based in the city and request that the City Centre Regeneration Board give consideration as to how this may be incorporated in their proposals for the city;
 - (h) support in principle and subject to planning approval, Aberdeen Harbour Board's vision for the development of Nigg Bay as an addition to the city's port and instruct officers to work with the Harbour Board to identify the infrastructure requirements required to support its delivery and the possibility of using this scheme as a catalyst for the regeneration of Torry/Balnagask; and
 - (i) instruct officers to explore what support the Council could give to support new housing in the city centre with specific consideration given to the delivery of additional housing on the upper floors of Union Street; and
- (7) instruct officers to continue to work on the new ways of funding element of the SIP proposal in association with the Scottish Cities Alliance.

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

On a division, there voted:-

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

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

Declined to vote (22) - Lord Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Donnelly, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Ironside, Laing, Lawrence, Malik, Milne, Jean Morrison, Nathan Morrison, Taylor, Thomson and Young.

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

On a division, there voted:-

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

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

Declined to vote (4) - Councillors Delaney, Greig, Jennifer Stewart and Yuill.

The Council resolved:-

- (i) to adopt the motion; and
- (ii) to thank officers for their work in relation to the SIP, and the accompanying presentation, with particular mention to David Leslie, Housing and Environment Business Manager.

TREASURY MANAGEMENT MID YEAR REVIEW - CG/13/091

15. With reference to Article 15 of the minute of meeting of the Finance, Policy and Resources Committee of 26 September 2013, the Council had before it, by way of remit, a report by the Acting Director of Corporate Governance which provided an update on the Treasury Management activities undertaken to date in 2013/14.

The Finance and Resources Committee recommended that the Council:- note the Treasury Management activities undertaken in 2013/14 as detailed.

The Council resolved:-

to approve the recommendation.

FAIRER SCOTLAND FUND - PROGRESS REPORT - CG/13/111

16. The Council had before it a report by the Acting Director of Corporate Governance which (a) presented the annual report on progress with Community Planning Aberdeen's Fairer Scotland Fund programmes and projects funded in 2012/13, as well as information on the projects funded in 2013/14; and (b) outlined a request from Community Planning Aberdeen that £96,749 in unspent monies in 2012/13 be added to the allocation for 2013/14 to support additional community planning work.

The report recommended:-

that the Council -

- (a) consider and advise the Fairer Scotland Fund Board of the Council's comments on the annual report for 2012/13 as at Appendix 1 to the report;
- (b) note the information contained within Appendix 2 to the report detailing the funding decisions taken by the Fairer Scotland Fund Board in relation to project funding for 2013/14; and
- (c) consider the request from Community Planning Aberdeen for an additional £96,749 in 2013/14.

The Council resolved:-

- (i) to thank the Fairer Scotland Fund Board for the Fairer Scotland Fund Annual Report for 2012/13;
- (ii) to note that the Fairer Scotland Fund contributed to a wide range of objectives contained within the Council's policy statement Smarter Aberdeen in relation to how they work with partners to seek to reduce the level of inequality in the city by encouraging and supporting citizens to participate in the development, design

and decision making of services to promote civic pride, active citizenship and resilience;

- (iii) to note the information at Appendix 2 detailing the funding decisions taken by the Fairer Scotland Fund Board in relation to project funding for 2013/14;
- (iv) to approve the request from Community Planning Aberdeen for an additional allocation of £96,749 in this financial year; and
- (v) to recommend to Community Planning Aberdeen that the Fairer Scotland Fund Board be renamed the Fairer Aberdeen Board.

DECLARATION OF INTERESTS

At this juncture, Councillor Delaney declared interests in the preceding item of business by virtue of his positions of Trustee and Non Executive Director of Grampian Housing Association and Victim Support Scotland. Councillor Delaney considered that the nature of these interests would not have required him to leave the meeting.

COMMUNITY PLANNING ABERDEEN DEVELOPMENT PLAN

17. The Council had before it a report by the Acting Director of Corporate Governance which provided details of the new combined Community Planning Aberdeen Development Plan which had been established following the agreement by the Scottish Government of the Single Outcome Agreement for the city.

The report recommended:-

that the Council -

- (a) note that the Development Plan appended to the report had been agreed by the Community Planning Aberdeen Management Group; and
- (b) agree to receive six monthly updates on progress with the implementation of the Development Plan.

The Council resolved:-

to approve the recommendations.

CAMPING IN DESIGNATED AREAS UPDATE - CG/13/112

18. With reference to Article 9 of the minute of its meeting of 21 August 2013, the Council had before it a report by the Acting Director of Corporate Governance which provided an update on the consultation with the Scottish Government on the potential byelaw regarding camping in designated areas.

The report recommended:-

that the Council note the report.

The Council resolved:-

- (i) to approve the recommendation; and
- (ii) to instruct officers to submit a report to the next meeting seeking approval of a timeline for the potential byelaw.

STREET-BEGGING UPDATE - CG/13/113

19. With reference to Article 17 of the minute of its meeting of 21 August 2013, the Council had before it a report by the Acting Director of Corporate Governance which provided an update on the consultation with the Scottish Government on the potential byelaw regarding street begging.

The report recommended:-
that the Council note the report.

The Council resolved:-
to approve the recommendation.

MOTION BY COUNCILLOR JENNIFER STEWART

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

“That this Council agrees to instruct officers to open discussions with business at the Hill of Rubislaw about the feasibility of providing additional car parking spaces, including a multi-levelled facility, on the site and that this be treated as a matter of urgency.”

Councillor Jennifer Stewart moved, seconded by Councillor Greig:-
That the Council approve the terms of the motion.

Councillor Thomson moved as an amendment, seconded by Councillor Forsyth:-
That the Council -

- (1) acknowledge that to achieve a satisfactory resolution for residents in respect of parking at the Hill of Rubislaw, senior officers and Councillors should continue to make representations to senior managers of the companies operating there;
- (2) note that local ward Councillor Ross Thomson and the Director of Enterprise, Planning and Infrastructure, will meet senior company managers individually to discuss this continuing issue at the highest level, including the possibility of introducing a multi storey car park, improving on site provision through changes to existing landscaping and setting targets through the Green Travel Plan;
- (3) instruct officers to prioritise the introduction of the Carnegie Crescent and Morningfield Road Controlled Parking Zone (CPZ), noting that these should have been included in the original Zone X CPZ but that the previous Lib Dem administration removed these streets on 19 February 2009 causing intolerable pressure on these streets which has had an adverse impact on the quality of life of local residents; and
- (4) note that Kings Gate is the natural boundary for Zone X and so instructs officers to request the developers of the new office complex at Hill of Rubislaw to contribute to the costs of introducing the Carnegie Crescent Area CPZ which would bring these streets into line with Zone X as proposed by officers in 2009.

On a division, there voted:-

For the motion (18) - Councillors 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, Carle, Cooney, Crockett, Donnelly, Lesley Dunbar, Forsyth, Graham, Grant, Ironside, Laing, Lawrence, Malik, Milne, Jean Morrison, Nathan Morrison, Taylor, Thomson and Young.

Absent from the division (3) - Councillors Blackman, Boulton and Finlayson.

The Council resolved:-

- (i) to adopt the amendment; and
- (ii) to note that all local members would be welcome to attend the meetings referred to in part (2) of the amendment.

MOTION BY COUNCILLOR YUILL

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

“That this Council agrees to write to the Rt. Hon. Alistair Carmichael MP, Secretary of State for Scotland, inviting him to visit Aberdeen and meet with the Group Leaders and Chief Executive.”

Councillor Yuill moved, seconded by Councillor McCaig:-
That the Council approve the terms of the motion.

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

That the Council -

- (a) instruct the Chief Executive to invite the Rt. Hon. Alistair Carmichael MP, Secretary of State for Scotland, to meet with the Leader of the Council to discuss amongst other things the Council’s vision, Aberdeen the Smarter City, noting Aberdeen is stronger now and will be stronger in the future - economically, politically and socially - as a partner within the United Kingdom; and
- (b) instruct the Chief Executive to report to the next meeting of Council on the response to the invitation and the outcome of any meeting subsequently held with the Secretary of State.

On a division, there voted:-

For the motion (18) - Councillors 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 (22) - Lord Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Donnelly, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Ironside, Laing, Lawrence, Malik, Milne, Jean Morrison, Nathan Morrison, Taylor, Thomson and Young.

Absent from the division (1) - Councillor Blackman.

The Council resolved:-

to adopt the amendment.

MOTION BY COUNCILLOR YUILL

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

“That this Council:-

1. Notes with concern the continuing problem of some online retailers and courier companies charging a surcharge to deliver to many parts of Scotland, including Aberdeen;
2. Agrees to support the Fair Delivery Scotland Campaign launched by Sir Robert Smith MP; and
3. Instructs the Chief Executive to write to Sir Robert Smith in these terms.”

Councillor Yuill moved, seconded by Councillor Greig:-
That the Council approve the terms of the motion.

Councillor Crockett moved as an amendment, seconded by Councillor Boulton:-
That this Council notes with concern the continuing problem of some online retailers and courier companies charging a surcharge to deliver to many parts of Scotland, including Aberdeen.

On a division, there voted:-

For the motion (18) - Councillors 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 (22) - Lord Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Donnelly, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Ironside, Laing, Lawrence, Malik, Milne, Jean Morrison, Nathan Morrison, Taylor, Thomson and Young.

Absent from the division (1) - Councillor Blackman.

The Council resolved:-
to adopt the amendment.

MOTION BY COUNCILLOR YUILL

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

“That this Council agrees to write to the Scottish Transport Minister to express concern at the poor quality of maintenance of the soft landscaping of the central reservations and verges of trunk roads in Aberdeen and to urge the Minister to take action to address this problem.”

The Council resolved:-
to approve the terms of the motion.

In accordance with the decision recorded under Article 2 of this minute, the following items were considered with the press and public excluded.

PROPOSED SALE OF THE FORMER CAUSEWAYEND SCHOOL - EPI/13/175

24. The Council had before it a report by the Director of Enterprise, Planning and Infrastructure which advised members of the outcome of marketing activities in relation to the surplus property known as the former Causewayend School and the offers subsequently received.

The report recommended:-

that the Council -

- (a) accept offer three for the former Causewayend School; and
- (b) instruct the Head of Legal and Democratic Services to conclude missives for the sale of the property incorporating various qualifications as were necessary to protect the Council's interests.

The Council resolved:-

- (i) to approve the recommendations; and
- (ii) in the event that missives were not concluded within a period of six months with the preferred bidder, to authorise officers to enter into discussions with the bidder attached to offer one and report the outcome to the Finance, Policy and Resources Committee.

MARISCHAL SQUARE - HOTEL OPERATOR - EPI/13/002

25. With reference to Article 5 of the minute of its meeting of 1 May 2013, the Council had before it a report by the Director of Enterprise, Planning and Infrastructure which provided an update on the process for the selection of a preferred operator and brand for the hotel element within the Marischal Square development.

The report recommended:-

that the Council approve Cycas Hospitality Limited/Residence Inn by Marriott as the preferred operator/tenant for the hotel element within the Marischal Square development.

The Council resolved:-

to approve the recommendation.

POST OF HEAD OF FINANCE - RECRUITMENT AND SELECTION PROCESS

26. The Council had before it a report by the Chief Executive which sought approval to establish an Appointment Panel to recruit to the post of Head of Finance and to award a contract to Aspen People Ltd to assist with the recruitment process.

The report recommended:-

that the Council agree -

- (a) to establish an Appointment Panel comprising nine members (3+3+1+1+1) to appoint to the post of Head of Finance to meet initially on 5 November 2013;
- (b) to delegate powers to the Appointment Panel to agree all matters relating to the recruitment process, including role profile and salary;
- (c) that external recruitment consultants Aspen People be appointed for the purposes of supporting the recruitment to the post;
- (d) to invoke Standing Order 1(6)(a) of the Council's Standing Orders relating to Contracts and Procurement to dis-apply the requirements of Standing Order 4,

- thereby allowing a contract to be entered into with the recruitment consultants Aspen People to support the recruitment process for the post, without the need to undertake a competitive tendering exercise; and
- (e) to approve the estimated expenditure of up to £35,000 associated with this recruitment exercise, to be met from contingencies.

The Council resolved:-

to approve the recommendations.

- **GEORGE ADAM, Lord Provost.**