

## LEGAL AND DEMOCRATIC SERVICES

### COUNCIL DECISION SHEET

### COUNCIL - WEDNESDAY, 5 MARCH 2014

Please let the Committee Officer know as soon as possible if you do not agree with any action proposed in this decision sheet. These are decisions of the Council and there is an expectation that action will be taken. If for any reason it is apparent that you will not be able to act on these instructions in full or in part or that there will be a delay, please let the Committee Officer know as it may be necessary to advise Council or seek further instructions from Council.

	Item Title	Council Decision	Services Required to take action	Officer to Action
1	<u>Admission of Burgesses</u>	Not applicable		
2	<u>Members are requested to agree that any exempt business on this agenda be considered with the press and public excluded</u>	No exempt business		
3	<u>Requests for Deputations</u>	None received		
3(a)	<u>Minute of Meeting of Council of 18 December 2013 - for approval (circulated separately)</u>	<b><u>The Council resolved:</u></b> to approve the minute subject to amending recommendation (a) within Article 23 on page 3480 to reflect that £750,000 had been agreed and not £75,000.	Legal and Democratic	Martyn Orchard
3(b)	<u>Minute of Meeting of Council of 6 February 2014 - for approval (to be circulated separately)</u>	<b><u>The Council resolved:</u></b> to approve the minute.		

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3(c)	<u>Minute of Meeting of Urgent Business Committee of 14 February 2014 - for approval</u>	<b>The Council resolved:</b> to approve the minute.		
4(a)	<u>Business Statement</u>	<b>The Council resolved:</b> (i) to delete item 1 (50m Swimming Pool) and request that an update be provided to members on completion of the project; (ii) to delete item 3 (Property Disposal - Broad Street); and (iii) otherwise to note the statement.	Education, Culture and Sport  Legal and Democratic	Gayle Gorman  Martyn Orchard
4(b)	<u>Motions List</u>	<b>The Council resolved:</b> to note the motions list.		
4(c)	<u>Minute of Meeting of City Centre Regeneration Board of 10 February 2014 - for information</u>	<b>The Council resolved:</b> to note the minute.		
5(a)	<u>Planning Development Management Committee of 16 January 2014 - Land Adjacent to 58 Whitehall Place</u>	<b>The Council resolved:</b> to approve the application in accordance with the recommendation contained within the report subject to the removal of the terrace and planter and replacement with a flat roof as proposed by the applicant.	Planning and Sustainable Development	Maggie Bochel/ Garfield Prentice/ Gavin Clark

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6(a)	<b><u>Polling Places at the Scottish Independence Referendum - Report by Chief Executive</u></b>	<b><u>The Council resolved:</u></b> (i) to approve the recommended changes to polling places as outlined in the report; (ii) to proceed to public consultation on the changes to polling places; (iii) to note that following the conclusion of the public consultation, the final polling place scheme for the Scottish Independence Scheme would be brought to the Council in May 2014 for approval.	Office of Chief Executive	David Gow
6(b)	<b><u>Appointments - Report by Chief Executive</u></b>	<b><u>The Council resolved:</u></b> to appoint Councillor Milne as a representative of Scotland Excel's Joint Committee in place of Councillor Crockett.	Office of Chief Executive  Legal and Democratic	Ciaran Monaghan  Martyn Orchard
6(c)	<b><u>First Minister's Professional Conduct: Aberdeen Donside By-Election - Motion by Councillor Young - Report by Chief Executive</u></b>	<b><u>The Council resolved:</u></b> (i) to note the correspondence received from the Head of the Civil Service; (ii) to instruct the Chief Executive to write to the Permanent Secretary to the Scottish Government seeking talks aimed at creating a positive working partnership between Aberdeen City Council and the Scottish Government; and (iii) to instruct the Chief Executive to report to the next Council meeting with a revised protocol for the organisation of ministerial visits to Council properties which reflects the protocols operated for such visits by both the UK and the Scottish Governments.	Office of Chief Executive	Valerie Watts/ Ciaran Monaghan

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6(d)	<b><u>Revisal of Standing Orders Relating to Contracts and Procurement - Report by Director of Corporate Governance</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to approve the revised Standing Orders relating to Contracts and Procurement appended to the report, the same to come into immediate effect and thereby replace the Standing Orders relating to Contracts and Procurement that were approved by Council on 30 June 2010; and</p> <p>(ii) that the current Standing Orders and Committee Orders of Reference remain unchanged for the time being.</p>	Legal and Democratic	Steven Inglis
6(e)	<b><u>Treasury Management Policy and Strategy - Report by Director of Corporate Governance - referred by Finance, Policy and Resources Committee of 20 February 2014</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to approve the Council's Treasury Management Policy Statement for 2014/15 to 2016/17 as detailed at appendix 1 to the report;</p> <p>(ii) to approve the Council's Borrowing and Investment Strategy for 2014/15 to 2016/17 as detailed at appendix 2 to the report; and</p> <p>(iii) to approve the revised Counterparty list as detailed at appendix 3 to the report.</p>	Finance	Neil Stewart
6(f)	<b><u>Committee Orders of Reference - Amendment to Reflect ALEOs Governance Framework - Report by Director of Corporate Governance</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to approve the method of monitoring tier 2, 3 and 4 organisations as set out in appendix 1 to the report;</p> <p>(ii) to approve the amendments to Committee Orders of Reference as set out in appendix 2 to the report;</p> <p>(iii) to authorise officers to amend the tier in which organisations sat as funding</p>	Legal and Democratic Finance	Roddy MacBeath Jonathan Belford

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		<p>to them increased, decreased or ceased altogether in line with committee decisions;</p> <p>(iv) to agree that the amended Orders of Reference be circulated to service committees via information bulletins next cycle; and</p> <p>(v) to request that annual reports be submitted to the relevant service committee for tier 3 and 4 organisations.</p>	Legal and Democratic	Rebecka Coull/ Mark Masson/ Allison Swanson/ Karen Riddoch
6(g)	<b><u>Unauthorised Camping - Joint report by Director of Housing and Environment and Director of Corporate Governance</u></b>	<b><u>The Council resolved:</u></b> to note the report.	Legal and Democratic  Housing and Environment	Alyson Mollison  Pete Leonard/ Martin Smith
6(h)	<b><u>Street Begging - Report by Director of Corporate Governance</u></b>	<b><u>The Council resolved:</u></b> to note the report.	Legal and Democratic	Alyson Mollison
6(i)	<b><u>Relaxation of Drinking in Public Byelaw for BP Big Screens 2014 - Report by Director of Enterprise, Planning and Infrastructure</u></b>	<b><u>The Council resolved:</u></b> to instruct the Head of Legal and Democratic Services to carry out the necessary advertising of the proposed suspension and request confirmation from Scottish Ministers that the Aberdeen City Council Drinking in Public Places Byelaw 2009 be suspended within the boundaries of the Duthie Park for the BP Big Screens event on 15 July 2014.	Enterprise, Planning and Infrastructure  Legal and Democratic	Kenny Luke  Jane MacEachran

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6(j)	<b><u>Broad Street Civic Square Assessment - Report by Director of Enterprise, Planning and Infrastructure</u></b>	<p><b><u>The Council resolved:</u></b></p> <ul style="list-style-type: none"> <li>(i) to note the content of the report and the outcomes of the supporting technical reports;</li> <li>(ii) to agree that option C - full pedestrianisation of Broad Street between Upperkirkgate and Queen Street - best meets the objectives of the project and acknowledge that this option is reliant on additional traffic management measures;</li> <li>(iii) to instruct officers to report back on the details of the draft Traffic Regulation Order within six months;</li> <li>(iv) to instruct officers to also report back within six months on the outcomes of the future year traffic and air quality model testing for 2003;</li> <li>(v) to instruct officers to investigate the feasibility of reopening the Castlegate to traffic and opening Queen Street at the junction of West North Street and include their findings in the above report, and enter into discussions with Muse Developments with regard to maximising views of Provost Skene's House from Broad Street; and</li> <li>(vi) to request officers to provide members with a breakdown of accident statistics for Broad Street.</li> </ul>	Planning and Sustainable Development	Vycki Ritson

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6(k)	<b><u>Aberdeen City Centre - Wayfinding Project - Report by Director of Enterprise, Planning and Infrastructure</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to provide up to 50% of the capital costs capped at £50,000 of the wayfinding scheme outlined at appendix B to the report, and that this be met from the City Centre Regeneration Fund; and</p> <p>(ii) to instruct officers to report to the appropriate committee on the suspended letter sign scheme outlined at paragraph 5.3.3 of the report once Aberdeen Inspired had completed all necessary preparatory work on the scheme.</p>	Planning and Sustainable Development	Vycki Ritson
6(l)	<b><u>Reorganisation of Aberdeen City Council Charitable Trusts - Report by Director of Corporate Governance</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>to adopt the revised constitution shown at appendix A to the report for the future operation of the Aberdeen Art Gallery Trusts.</p>	Finance	Carol Smith/ James Hashmi
7(a)	<p><b><u>Councillor Thomson</u></b></p> <p>“That this Council:-</p> <p>(i) acknowledges the concerns of communities across Scotland regarding the sale of so called “legal highs”;</p> <p>(ii) notes that in 2012 there were 37 legal high related deaths in Scotland;</p> <p>(iii) further notes with concern that these substances are sold openly from retail premises in locations in Aberdeen; and</p>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to approve the terms of the motion;</p> <p>(ii) to request officers to investigate if the Council had any powers under Trading Standards and Consumer Protection laws to take action against outlets selling legal highs; and</p> <p>(iii) to refer the motion to the Alcohol and Drugs Partnership for detailed consideration and instruct officers to report back to Council within one cycle.</p>	<p>Office of Chief Executive</p> <p>Social Care and Wellbeing</p> <p>Environmental Services</p>	<p>Valerie Watts</p> <p>Liz Taylor</p> <p>Mark Reilly</p>

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	<p>(iv) instructs the Chief Executive to write to both the UK and Scottish Governments asking them to ban these substances, take measures to proactively combat their sale and supply in Scotland, or as a potential way forward consider the licensing of premises where legal highs are available.”</p>			
7(b)	<p><b><u>Urgent Motion by Councillor McCaig</u></b></p> <p>“Council notes with concern the decisions taken by COSLA Leaders in September and February regarding the funding formula, which according to Scottish Government figures may mean Aberdeen City Council loses out on an additional £7.3m of revenue and £0.2m of capital in 2015/16. Council urges the Council Leader, or his substitute, to put the interests of the city first, and vote for this additional funding to come to Aberdeen when the matter is next discussed at COSLA in April.”</p>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to note that Aberdeen City Council, like every other Council in Scotland, was being underfunded by the Scottish Government and that if local authorities throughout Scotland received the same percentage share of the Scottish Government’s budget in 2014/15 as they received in 2010/11 there would be additional funding of over £600million to be shared by local authorities this year;</p> <p>(ii) to instruct officers to write to the Cabinet Secretary for Finance, Employment and Sustainable Growth to obtain details of his funding for Aberdeen including a full disclosure of the 85% floor rule, Council tax assumptions and NDRI uplift assumptions, and to ask who the Cabinet Secretary consulted at COSLA, if anybody, before releasing the figures for 2015/16 and when that consultation, if any, took place; and to</p>	<p>Office of Chief Executive</p> <p>Finance</p>	<p>Valerie Watts</p> <p>Steve Whyte</p>



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		<p>agree thereafter to share that information with the Council's COSLA representatives and the Leaders of the Administration;</p> <p>(iii) to agree the appointment of Councillor Ironside as a representative on the COSLA Convention in place of Councillor McCaig; and</p> <p>(iv) to agree that whoever represents the city at the next COSLA Leaders meeting in April, the representative must ensure that they put the interests of the citizens of Aberdeen first and vote to obtain the most advantageous financial settlement for the city of Aberdeen.</p>		
8	<u>There are no items under this heading</u>			

If you require any further information about this decision sheet, please contact Martyn Orchard, tel. (52)3097 or email [morchard@aberdeencity.gov.uk](mailto:morchard@aberdeencity.gov.uk)