

## LEGAL AND DEMOCRATIC SERVICES

### COUNCIL DECISION SHEET

### COUNCIL - WEDNESDAY, 14 MAY 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>	<b><u>The Council resolved:</u></b> 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 items 8(a), 8(b) and 8(c) so as to avoid disclosure of exempt information of the classes described in paragraphs 6, 9 and 10 of Schedule 7(A) of the Act.		
3	<u>Requests for Deputations</u>	<b><u>The Council resolved:</u></b> to agree to hear the deputation immediately prior to the item of business concerned.		
7(i)	<u>Appointments - Report by Chief Executive</u>	<b><u>The Council resolved:</u></b> (i) to suspend Standing Order 2(1); (ii) to appoint Councillor Laing as Leader of the Council; (iii) to appoint Councillor Laing as Convener of the Urgent Business	Office of Chief Executive  Legal and Democratic	Ciaran Monaghan  Martyn Orchard

	Item Title	Council Decision	Services Required to take action	Officer to Action
		<p>Committee;</p> <p>(iv) that Councillor Jean Morrison replace Councillor Nathan Morrison as the Council's representative on Langstane Housing Association Ltd;</p> <p>(v) that Councillor Jean Morrison replace Councillor Lesley Dunbar as the Council's representative on the North East Scotland Climate Change Partnership;</p> <p>(vi) that Councillor Jean Morrison replace Councillor Laing as the Council's representative on Transition Extreme;</p> <p>(vii) that Councillor Graham replace Councillor Jean Morrison as the Council's representative on Care and Repair Initiative Scotland - Aberdeen Agency; and</p> <p>(viii) that Councillor Lesley Dunbar replace Councillor Jean Morrison as the Council's representative on the General Committee for Older People's Week.</p>		
4(a)	<b><u>Minute of Meeting of Council of 5 March 2014 - for approval (circulated separately)</u></b>	<b><u>The Council resolved:</u></b> to approve the minute.		
4(b)	<b><u>Minute of Meeting of Urgent Business Committee of 11 March 2014 - for approval</u></b>	<b><u>The Council resolved:</u></b> to approve the minute.		

	Item Title	Council Decision	Services Required to take action	Officer to Action
4(c)	<u>Minute of Meeting of Urgent Business Committee of 17 March 2014 - for approval</u>	<u>The Council resolved:</u> to approve the minute.		
4(d)	<u>Minute of Meeting of Urgent Business Committee of 27 March 2014 - for approval</u>	<u>The Council resolved:</u> to approve the minute.		
4(e)	<u>Minute of Meeting of Urgent Business Committee of 24 April - for approval</u>	<u>The Council resolved:</u> to approve the minute.		
5(a)	<u>Business Statement</u>	<u>The Council resolved:</u> (i) in respect of item 7 (Strategic Infrastructure Plan (SIP) Key Goal 1: A step change to the supply of housing), to note that all future progress on the affordable housing project would be reported to the Finance, Policy and Resources Committee as part of an overall SIP update report, and to therefore delete the item; (ii) to note that a report on item 10 (Integration of Health and Social Care) was expected to be submitted to the next meeting; and (iii) otherwise to note the statement.	Legal and Democratic  Housing and Environment  Office of Chief Executive  Social Care and Wellbeing	Martyn Orchard/ Allison Swanson  Pete Leonard  David Leslie  Liz Taylor
5(b)	<u>Motions List</u>	<u>The Council resolved:</u> to note the motions list.		

	Item Title	Council Decision	Services Required to take action	Officer to Action
5(c)	<b><u>Minute of Meeting of Guildry and Mortification Funds Sub Committee of 14 April 2014 - for approval</u></b>	<b><u>The Council resolved:</u></b> to approve the increase in annual Guildry Fund allowances backdated from 1 May 2013.	Finance	Catriona Gilmour
5(d)	<b><u>Minute of Meeting of City Centre Regeneration Board of 23 April 2014 - for information</u></b>	<b><u>The Council resolved:</u></b> to note the minute.		
7(d)	<b><u>Organisational Review (Phase One) - Report by Chief Executive</u></b>	<b><u>The Council resolved:</u></b> (i) to approve the proposed top tier structural model as set out at appendix 2 to the report; (ii) to approve the process for filling the top tier posts as detailed at appendix 3 to the report; (iii) to note that proposals emanating from phase two of the review would be reported to Council later in the year and that the phase two report would also include a proposed committee structure to reflect the new management arrangements; and (iv) that the function of Chief Social Work Officer be placed within a Council Directorate.	Office of Chief Executive	Valerie Watts
7(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 agree the proposed changes to polling places for the Scottish Independence Referendum as outlined	Office of Chief Executive	David Gow

	Item Title	Council Decision	Services Required to take action	Officer to Action
		<p>in the report;</p> <p>(ii) to note that officers would make all necessary arrangements to ensure that the Chief Counting Officer's Directions were met in full; and</p> <p>(iii) to agree that a report providing an update on the arrangements being put in place for the delivery of the Scottish Independence Referendum be brought to the Council at its meeting on 25 June 2014.</p>		
7(b)	<b><u>Scottish Independence Referendum - Letter from Secretary of State for Scotland - Report by Chief Executive</u></b>	<b><u>The Council resolved:</u></b> to note the Secretary of State's letter.	Office of Chief Executive	Ciaran Monaghan
7(c)	<b><u>Ministerial Visits Protocol - Report by Chief Executive</u></b>	<b><u>The Council resolved:</u></b> to approve the ministerial visits protocol for immediate introduction.	Office of Chief Executive	Ciaran Monaghan
7(e)	<b><u>Local Policing Plan 2014 - 2017 - Report by Chief Executive</u></b>	<b><u>The Council resolved:</u></b> to approve the Local Policing Plan for Aberdeen City 2014 - 2017.	Office of Chief Executive	Ciaran Monaghan
7(f)	<b><u>Local Fire and Rescue Plan 2014 - 2017 - Report by Chief Executive</u></b>	<b><u>The Council resolved:</u></b> to approve the Aberdeen City Local Fire and Rescue Plan 2014 - 2017.	Office of Chief Executive	Ciaran Monaghan

	Item Title	Council Decision	Services Required to take action	Officer to Action
7(g)	<b><u>Legal Highs - Motion by Councillor Thomson - Report by Chief Executive</u></b>	<b><u>The Council resolved:</u></b> to note the progress made to date in addressing the terms of Councillor Thomson's motion and to instruct officers to report again to Council once a response had been received from the Aberdeen City Alcohol and Drugs Partnership.	Office of Chief Executive	Ciaran Monaghan
7(h)	<b><u>Big Noise Torry Business Plan and Partnership Agreement - Report by Chief Executive</u></b>	<b><u>The Council resolved:</u></b> (i) to agree the business plan and the proposed model of funding; (ii) to instruct the Head of Legal and Democratic Services in conjunction with the Head of Communities, Culture and Sport, in consultation with the Conveners of Finance, Policy and Resources, and Education, Culture and Sport, to conclude and finalise the Partnership Agreement with Sistema Scotland, to meet the implementation of Big Noise Torry and in such terms as the Head of Legal and Democratic Services deems appropriate; and (iii) to instruct the Chief Executive to liaise with all Directorates of the Council to consider how the introduction of a Big Noise Centre in the city, its principles and experience can be integrated into all aspects of the Council's work and that a report on this be brought back to the Council.	Education, Culture and Sport  Legal and Democratic  Chief Executive	Neil Bruce/ Gail Woodcock/ Sheila Sansbury  Jane MacEachran  Valerie Watts



	Item Title	Council Decision	Services Required to take action	Officer to Action
7(m)	<b><u>Proposed Byelaw Regarding Camping in Designated Places - Joint report by Director of Housing and Environment and Director of Corporate Governance</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to agree to move forward with the byelaw as indicated in appendix A to the report;</p> <p>(ii) to note the comments of the Procurator Fiscal that presumption against prosecution was distinct from enforcement; and</p> <p>(iii) to instruct the Chief Executive to write to the Lord Advocate asking him to look again at the guidelines issued to Procurators Fiscal in relation to unauthorised encampment by Gypsy/Travellers and presumption against prosecution, given the problems the Council has had in dealing with the vast number of such encampments, given that the guidelines are over ten years old and given that there is no statutory responsibility placed upon a local authority to provide halting sites.</p>	<p>Housing and Environment</p> <p>Legal and Democratic</p> <p>Office of Chief Executive</p>	<p>Pete Leonard/ Martin Smith</p> <p>Alyson Mollison</p> <p>Valerie Watts</p>
7(n)	<b><u>Bus Lane Enforcement Expenditure - Report by Director of Enterprise, Planning and Infrastructure</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to agree the proposed policy for the use of net Bus Lane Enforcement income;</p> <p>(ii) to instruct the Chief Executive to write to Keith Brown MSP, Minister for Transport and Veterans requesting that he review the current concessionary travel scheme to ensure that it complies fully with the Equalities Act and provides for those people who</p>	<p>Planning and Sustainable Development</p> <p>Office of Chief Executive</p>	<p>Scott Ramsay</p> <p>Valerie Watts</p>



	Item Title	Council Decision	Services Required to take action	Officer to Action
		<p>have disabilities which prevent their take up of free bus transport and who are unable to drive; and</p> <p>(iii) agree that the net Bus Lane Enforcement income is spent on the schemes set out in paragraph 5.3.1 of the report subject to the following amendments:-</p> <ul style="list-style-type: none"> <li>• removal of Energetica Corridor All Modes Feasibility Study (£25,000)</li> <li>• moving Park &amp; Ride Maintenance to the reserve list (£50,000)</li> <li>• reducing the Emergency Contingency Fund to £38,525 from £50,000 (£11,475)</li> <li>• adding a new project - Waiting Restrictions for City Centre at £100,000 (utilising the above savings plus underspend of £13,525)</li> </ul>		
7(o)	<p><b><u>Corporate Parenting: Annual Update - Report by Director of Social Care and Wellbeing</u></b></p>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to note the progress set out in the annual update for 2013 - 2014; and</p> <p>(ii) to instruct officers to report back on the implementation and review of the policy to Council in May 2015.</p>	Children's Services	David Bliss

	Item Title	Council Decision	Services Required to take action	Officer to Action
8(a)	<b><u>Progress Report on the Aberdeen Exhibition and Conference Centre (AECC) Development - Report by Director of Enterprise, Planning and Infrastructure</u></b>	<b><u>The Council resolved:</u></b> (i) to note the progress in the report; and (ii) to request officers to finalise the financial options to deliver the development at minimum cost to the Council and that such options be reported to Council at its meeting in October 2014.	Enterprise, Planning and Infrastructure	Andrew Win
8(b)	<b><u>Sale of Ground, Torry Quay/Greyhope Road - Report by Director of Enterprise, Planning and Infrastructure - referred by Property Sub Committee of 22 April 2014</u></b>	<b><u>The Council resolved:</u></b> (i) to approve the sale of the ground at Torry Quay/Greyhope Road to Aberdeen Harbour Board for the amount detailed; and (ii) to instruct the Head of Legal and Democratic Services to conclude missives for the sale of the property on the terms agreed with Aberdeen Harbour Board.	Asset Management and Operations  Legal and Democratic	Neil Strachan  Jane MacEachran
8(c)	<b><u>Finance, Policy and Resources Committee of 6 May 2014 - Update on Transfer of Ownership of Thomas Blake Glover House - Report by Director of Enterprise, Planning and Infrastructure</u></b>	<b><u>The Council resolved:</u></b> (i) to instruct the Head of Legal and Democratic Services, in conjunction with the Head of Finance and the Director of Enterprise, Planning and Infrastructure, to conclude negotiations with the Trust regarding the terms and conditions of the transfer including the proposed future use of the asset, and ensuring that the Council is protected from any further claims against legal title of the asset; (ii) to authorise the appropriate officers to	Enterprise, Planning and Infrastructure  Legal and Democratic Services  Finance	Gordon McIntosh/ Rita Stephen  Jane MacEachran  Steve Whyte

	Item Title	Council Decision	Services Required to take action	Officer to Action
		<p>incur the expenditure set out in section 3.5 of the report, utilising the underspend in the Council's 2013/14 General Services revenue budget;</p> <p>(iii) to approve the transfer of responsibility of operating the building to the Council;</p> <p>(iv) to instruct officers, once the transfer is complete, to advise the Trust of the successful transfer and support the Trust in winding up; and</p> <p>(v) to authorise the Head of Legal and Democratic Services to negotiate and execute a Non Disclosure agreement with the organisation detailed related to the disclosure of information to third parties in respect of the ownership and management of Glover House.</p>		

**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)**