

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 8 October 2014

MINUTES OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Lord Provost George Adam, Chairperson;
Depute Provost John Reynolds; and

COUNCILLORS

YVONNE ALLAN
KIRSTY BLACKMAN
MARIE BOULTON
DAVID CAMERON
SCOTT CARLE
NEIL COONEY
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
CALLUM McCAIG
M. TAUQEER MALIK
AILEEN MALONE
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=2871&Ver=4>

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

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WEBCASTING

1. The Lord Provost advised that the meeting was being filmed for live and subsequent broadcast via the Council's website as a webcasting trial, and that all of the public part of the meeting was planned to be filmed for this purpose.

ANNOUNCEMENT

2. Councillor Laing confirmed that the Council had been successful in securing a grant of £10million from the Heritage Lottery Fund for the Aberdeen Art Gallery redevelopment programme. She explained that the Council had already committed £10million towards the overall cost of the project, and had agreed to underwrite a fundraising campaign for the remaining £10million which was needed. She emphasised that the redevelopment programme was very ambitious and urged organisations, businesses and individuals to invest in the much-loved Art Gallery and the wider project for the good of the city.

DETERMINATION OF EXEMPT BUSINESS

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

8(a) Former Summerhill Academy Site

8(b) Minute of Meeting of Social Work Complaints Review Committee

8(c) Referral from Finance, Policy and Resources Committee - Disposal of Former Victoria Road School

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 22 to 24 of this minute refer) so as to avoid disclosure of exempt information of the classes described in paragraphs 1, 6 and 9 of Schedule 7(A) of the Act.

REQUESTS FOR DEPUTATIONS

4. The Council had before it the following requests for deputations which had been received.

- Dr Lorna McHattie - in connection with the planning application for the former St Nicholas House site
- Torry Heritage Group - in connection with the referral from the Finance, Policy and Resources Committee on the disposal of the former Victoria Road School.

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The Council resolved:-

- (i) to refuse the request from Dr Lorna McHattie, as it was not competent in terms of Standing Order 10(1) on the basis that it related to a planning application; and
- (ii) to accept the request from the Torry Heritage Group, and to hear the deputation as the first main item of business on the agenda.

MINUTE OF MEETING OF COUNCIL OF 20 AUGUST 2014

5. The Council had before it the minute of meeting of Aberdeen City Council of 20 August 2014.

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:-

to note the business 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 CITY CENTRE REGENERATION BOARD OF 23 JULY AND 15 SEPTEMBER 2014

8. The Council had before it the minutes of meetings of the City Centre Regeneration Board of 23 July and 15 September 2014.

The Council resolved:-

to note the minutes.

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MINUTE OF MEETING OF HOMELESSNESS STRATEGY WORKING GROUP OF 9 SEPTEMBER 2014

9. The Council had before it the minute of the final meeting of the Homelessness Strategy Working Group of 9 September 2014.

The Council resolved:-

to approve the minute.

DECLARATIONS OF INTERESTS

Prior to consideration of the following item of business, Councillors Delaney, McCaig and Young declared interests in the subject matter and withdrew from the meeting.

DISPOSAL OF FORMER VICTORIA ROAD SCHOOL - DEPUTATION

10. The Council was addressed by Mr John Main, Mrs Irene Milne and Mr Bob Gibb on behalf of the Torry Heritage Group.

Mr Main spoke of the Torry Heritage Group's aspiration to retain the former Victoria Road School building, highlighted its importance to Torry's heritage and provided an overview of its history. Mr Main had earlier submitted a petition of approximately 2,300 signatures in support of retaining the building.

Mrs Milne also expressed the importance of the building to Torry's heritage and explained that in her opinion Victoria Road School was as important to Torry as Marischal College was to Aberdeen.

Mr Gibb highlighted that although Historic Scotland had not considered the building as meeting the conditions for a listed building, it had stated that the building made a contribution to the sense of place. He also referred to the Aberdeen Local Development Plan Policy D4 - Aberdeen's Granite Heritage - which encouraged the retention of granite buildings throughout the city, even if they were not listed or in a Conservation Area. Finally, he proposed potential uses for the building should it be retained in the community.

Members asked questions of Mr Main, Mrs Milne and Mr Gibb and thanked them for their contribution.

The Council resolved:-

to note that the relevant report would be considered later in the meeting (Article 24 of this minute refers).

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**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE - 21 AUGUST 2014 -
ABERDEEN LOCAL DEVELOPMENT PLAN SITE OP58, COUNTESSWELLS -
140438**

11. With reference to Article 2 of the minute of meeting of the Planning Development Management Committee of 21 August 2014, which had been referred to it for consideration by five members of the Committee, the Council had before it (1) a report by the Head of Planning and Sustainable Development in response to the application for a residential-led mixed use development, including approximately 3,000 homes, employment, education, retail, leisure and community uses and associated new and upgraded access roads, landscaping and ancillary engineering works in respect of Aberdeen Local Development Plan Site OP58 - Countesswells, lying west of Hazlehead Park; and (2) the decision of the Committee - to approve the application in accordance with the recommendation contained within the report.

The report recommended:-

that the Committee express a willingness to approve the application but to withhold the issue of the consent document until the applicant had entered into a legal agreement with the Council to address the following matters:- the provision of 25% affordable housing on site in accordance with the Development Framework and including a range of delivery options, including contributions towards a gypsy traveller halting site; developer contributions towards primary education provision (one two stream and one three stream school) and a new secondary school plus serviced land for the foregoing; developer contributions towards community facilities, library, sports provision, playing fields and healthcare; developer contributions towards the Strategic Transport Fund; developer contributions towards mitigation on the local roads network together with the provision of mitigating infrastructure if necessary, following analysis of:- existing and proposed junctions along Lang Stracht; Queens Road/Kings Gate; Springfield Road / Countesswells Road; Kirk Brae / A93 North Deeside Road; and Friarsfield Road / Kirk Brae; and developer contributions towards the Core Paths Network, subject to the following conditions:-

- (1) That no development shall be undertaken in any phase unless a detailed phasing programme outlining the delivery of buildings, open space and roads infrastructure across the entire application site has been submitted to, and approved in writing by the planning authority via a formal 'Matters Specified in Conditions' (MSC) application;
- (2) That no development in connection with each respective block of the planning permission hereby approved shall take place until full details of the siting, design, external appearance and landscaping within the relevant phase of the development and the means of access serving the relevant block of development have been submitted to and approved in writing by the planning authority. The development shall then be implemented in complete accordance with the approved details, or those subsequently approved. Depending on the block, and unless otherwise agreed in writing with the planning authority, the MSC applications shall include (a) a detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point within the relevant block of development; (b) a detailed drainage plan for the relevant block of development, including full details of the proposed means of disposal of surface water from the relevant block of development, including how surface water run-off shall be addressed during construction, as well as incorporating the

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principles of pollution prevention and mitigation measures. The final location of Sustainable Urban Drainage Systems (SUDS), including ponds, should be appropriately positioned in accordance with an agreed flood risk assessment; (c) full details of the connection to the existing Scottish Water foul water drainage network for the relevant block of development; (d) details of all cut and fill operations in the relevant block of the development; (e) the details of all roads, footpaths and cycleways throughout the relevant block of the development; (f) details of any screen walls/fencing to be provided within the relevant block of the development; (g) details of all landscaping, planting and screening associated with the relevant block of the development; (h) full details of the layout, siting, design and finish of all residential properties, throughout the relevant block of development; (i) full details of the layout, siting, design and finish of all non-residential properties throughout the relevant block of development. This shall include but is not limited to; community facilities, health centre, schools, commercial premises, energy centres, pumping stations, and water treatment works; and (j) full details of all waste/recycling collection points, for residential and non-residential properties; (3) The landscaping details to be submitted pursuant to condition 2 above shall include (a) existing and proposed finished ground levels relative to a fixed datum point; (b) existing landscape features and vegetation to be retained; (c) existing and proposed services including cables, pipelines and substations; (d) the location of new trees, shrubs, hedges, grassed areas and water features; (e) a schedule of plants to comprise species, plant sizes and proposed numbers and density; (f) the location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment; (g) an indication of existing trees, shrubs and hedges to be removed; (h) a biodiversity action plan; (i) a management plan detailing appropriate management measures for all watercourse buffer strips; and (j) a programme for the completion and subsequent maintenance of the proposed landscaping. All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of each respective phase of the development or such other date as may be agreed in writing with the planning authority. Any planting which, within a period of 5 years from the completion of each phase of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted; (4) The details to be submitted pursuant to condition 2 for each respective block of the development shall show the proposed means of disposal of foul and surface water from the relevant block of the development within the form of a SUDS and include a development impact assessment and detailed design and methodology statement. Unless otherwise agreed in writing by the planning authority, in consultation with SEPA, the development shall connect to the public sewer and the relevant block of the development shall not be occupied unless the agreed drainage system has been provided in its entirety and maintained thereafter throughout the lifetime of the consent in accordance with the approved maintenance scheme. The details required shall also include details of the future long term maintenance of the system covering matters such as (a) inspection regime relating to matters such as outlets/inlets; (b) frequency and method of cleaning of filter trenches, removal of silt etc; (c) grass cutting (and weeding) regime for swales; (d) means of access for future maintenance;

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(e) how to ensure that planting will not be undertaken over perforated pipes; and (f) details of the contact parties for future factoring/maintenance of the scheme to protect the water environment and help reduce flooding; (5) Prior to the commencement of any phase of development, as identified in the approved phasing plan required by condition 1, for each respective phase full details of the proposed street design for each block, which shall contain, but not be limited to, a parking strategy, road junctions and visibility splays, cycleway provision, gradients, level details, finishing/surfacing materials and crossing points, shall be provided for the further written approval of the planning authority in consultation with the roads authority. The development shall be carried out in complete accordance with such a plan and buildings shall not be occupied unless the streets and parking areas for the respective block are complete and available for use unless otherwise agreed in writing by the planning authority as part of an occupancy plan; (6) Unless otherwise agreed in writing by the planning authority, no more than 300 residential units within the development shall be occupied until an upgraded Jessiefield roundabout and connecting road into the application site has been constructed in complete accordance with a scheme to be submitted to, and approved in writing by, the planning authority; (7) Prior to the opening of the AWPR, a scheme for the provision of a bus gate on Kirk Brae (C128C) close to the Kingswells roundabout shall be submitted to, and approved in writing by, the planning authority. Thereafter the scheme shall be implemented in complete accordance with the details as so agreed, unless otherwise approved in writing by the planning authority; (8) Unless otherwise agreed in writing by the planning authority, no more than 2,000 residential units within the development shall be occupied until a further upgrade solution to the Jessiefield roundabout or an equivalent financial contribution, has been constructed in complete accordance with a scheme to be submitted to, and approved in writing by, the planning authority; (9) That no development shall commence until details of an appropriate segregated cycle connection to the crossing on the A944 towards the Prime 4 Business Park, has been submitted to, and approved in writing by the planning authority. Thereafter the approved connection shall be provided in complete accordance with the details as so agreed; (10) Prior to the occupancy of each block, parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the agreed parking strategy in accordance with the Council's Car Parking Standards, unless otherwise agreed in writing with the planning authority; (11) That prior to the commencement of development, a Framework Travel Plan, setting out proposals for reducing dependency on the private car, shall be submitted to and approved in writing by the planning authority; (12) That no commercial/employment or residential element of the development shall be occupied unless there has been submitted to and approved in writing by the planning authority, a comprehensive Travel Plan for that part of the development, setting out proposals for reducing dependency on the private car. Each Travel Plan shall identify measures to be implemented, the system of management, monitoring, review and reporting, as well as the duration of the plan; (13) That no development shall take place within any individual block unless there has been submitted to, and approved in writing by, the planning authority details identifying safe routes to schools within the proposed development. This shall include details of measures, including a timetable for implementation, required to help ensure safe travel to school and the measures shall be implemented fully in accordance with such a plan; (14)

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That no dwellings shall be occupied until such time as a public transport strategy, including proposals for the provision of either new or extended bus services linking the development with the existing public transport network, and details of the phased implementation of the strategy, have been submitted to and approved by the planning authority. Thereafter the agreed strategy shall be implemented in full in accordance with such a scheme, unless otherwise agreed in writing with the planning authority; (15) The proposed development shall be limited to Phase 1, comprising 1,000 residential units; 1,000 square metres GFA Class 4 office space; 2,500 square metres GFA Class 1 retail space; and associated ancillary uses, for the period prior to the AWPR being open to traffic, and the consequent removal of trunk road status for the A90 Anderson Drive; (16) That no commercial development within the block that includes the 'town centre' (including the 2,500 square metres single unit of retail floorspace indicated in the approved Countesswells Development Framework) shall take place unless there has been submitted to and approved in writing by, the planning authority a Retail Impact Assessment (RIA) for the town centre. The RIA shall assess the proposed scale and mix of town centre uses (Class 1, 2, 3, 7 and 11) and any impact on nearby town, district and neighbourhood centres and the city centre, together with an assessment of the scale and mix of town centre uses that are required to meet the retail and leisure needs of Countesswells residents and adjacent residential communities. The assessment should also demonstrate how town centre uses should be phased to ensure the vitality and vibrancy of the town centre. The precise level of retail and town centre uses shall be informed by the outcome of the RIA to ensure that there is no significant adverse impact on pre-existing centres; (17) No development in any individual block shall take place unless it is carried out in full accordance with a scheme to address any significant risks from contamination on the site that has been approved in writing by the planning authority. The scheme shall follow the procedures outlined in "Planning Advice Note 33 Development of Contaminated Land" and shall be conducted by a suitably qualified person in accordance with best practice as detailed in "BS10175 Investigation of Potentially Contaminated Sites - Code of Practice" and other best practice guidance and shall include (a) an investigation to determine the nature and extent of contamination; (b) a site specific risk assessment; (c) a remediation plan to address any significant risks and ensure the site is fit for the use proposed; and (d) verification protocols to demonstrate compliance with the remediation plan. No building(s) in the respective block shall be occupied unless (a) any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken and (b) a report specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out unless the planning authority has given written consent for a variation; (18) Notwithstanding the indicative layout in figure 96 of the Design and Access Statement (110342_das, Rev 140324), prior to the commencement of any works in any phase of the development, the location (NGR of source) and type (surface water or groundwater) of the private water supplies serving Bogskeathy and Upper Kingshill shall be identified. Should they be groundwater fed and fall within 100m of roads, tracks or trenches or within 250m of foundations as proposed

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within the development, a quantitative hydrogeological assessment shall be submitted and, where appropriate, a scheme of protection and/or mitigation shall be developed by the applicant and agreed with the planning authority in writing in consultation with SEPA. Once approved, the agreed scheme shall be implemented in full; (19) That no development in each independent block pursuant to this planning permission shall commence unless (a) a detailed and finalised Construction Environment Management Plan (CEMP) is in place including site specific construction method statements, measures to minimise the risk of sediment entering watercourses on the site, and the mechanism for compliance, for that block; and (b) details of the SUDS scheme, its adoption and maintenance, in order to manage sediments and pollutants from construction and operation of the development have been submitted to and approved in writing by the planning authority in consultation with SEPA. The mitigation measures outlined in the CEMP shall be informed by the result of a full ground (water and soil) investigation study. All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the planning authority; (20) Prior to the commencement of any work in any block of the development, a detailed scheme for the protection and enhancement of the water environment shall be submitted to, and approved in writing by, the planning authority in consultation with SEPA. This shall include (a) confirmation of the location of all existing water bodies on site and demonstration of how they have been positively incorporated into the layout of the development, including appropriate buffer zones between the top of the bank of the watercourse and the development; (b) full details relating to the realignment/deculverting of any watercourse on site including the Cults Burn. Any re-designed watercourses shall be designed to accommodate the 1 in 200 year flow from the whole catchment. This shall include a low flow channel designed to accommodate the 1 in 2 year flow set within a wider channel capable of conveying the 1 in 200 year flow. In addition, appropriate buffer zones shall be included between the edge of the wider channel (i.e. the extent of channel utilised during high flows) and the development; (c) full details relating to any other proposed engineering activities in the water environment, including the location and type of any proposed watercourse crossings. Any proposed watercourse crossings shall be designed to accept the 1 in 200 year flow. All works on site must be undertaken in accordance with the approved scheme unless otherwise agreed in writing with the planning authority in consultation with SEPA; (21) That the development hereby approved shall be connected to the public waste water system in line with PAN 79 Water and Drainage. Any necessary upgrades to the public waste water system should be in place prior to the occupation of the phase of development requiring the upgrade; (22) Development in any individual block shall not commence until a water efficiency statement to illustrate the measures proposed to incorporate water saving technology, has been submitted to and approved in writing by the planning authority. The measures contained therein shall thereafter be implemented, as approved; (23) No development in any particular phase of the development hereby approved shall take place unless surveys for protected species (red squirrel/bats/badgers) for that phase have been carried out and submitted to and approved in writing by the planning authority. Thereafter no development shall take place within the relevant phase of the development unless detailed mitigation measures to safeguard any identified protected species have been submitted to and approved in writing by the

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planning authority. No development shall take place within the relevant phase unless the mitigation measures which have been agreed in writing by the planning authority are carried out in accordance with the agreed scheme; (24) That all works should be carried out in accordance with the approved Summary of Environmental Commitments containing within Chapter 18 of the Environmental Statement carried out by Ironside Farrar dated March 2014; (25) No development shall take place within any individual block until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. The programme of archaeological work will include all necessary post-excavation and publications; (26) No demolition of any traditional farmstead buildings or development shall take place prior to a photographic survey being undertaken by the developer and approved by the planning authority. All elevations, both internal and external, together with the setting of the farmstead, and any unusual feature/s, shall be photographed and clearly annotated on a plan. Photographs, which should be digital on cd, shall be clearly marked with place name for identification, national grid reference and planning reference and deposited in the local sites and monuments record; (27) That no development within any individual block shall be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full; (28) Development in any individual block shall not commence until a bird hazard management plan has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with the Advice Note 8 'Potential Bird Hazards from Building Design'. The Bird Hazard Management Plan shall be implemented, as approved, on completion of the development and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the planning authority; (29) That no development in any individual block shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the planning authority and any such scheme as may have been approved has been implemented; and (30) That no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) in any individual block has been submitted to and approved in writing by the planning authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the planning authority has given prior written approval for a variation.

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DIRECTION UNDER SECTION 59 OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997:

That the subsection (2)(a)(i) of Section 59 shall apply as respects the permission with the substitution for the period of 3 years referred to in that subsection of 15 years, as is considered appropriate by the planning authority in this instance on the basis of the scale of the allocation. The provisions of section 59(2) shall therefore be read as follows; that this planning permission in principle shall lapse unless a further application or applications for approval of the matters specified in all condition(s) attached to this grant of planning permission in principle across the entire site has been made before whichever is the latest of the following:-

- (i) the expiration of 15 years from the date of this grant of planning permission in principle;
- (ii) the expiration of 6 months from the date on which an earlier application for the requisite approval of matters specified in conditions was refused;
- (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed;

- pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

INFORMATIVES

- (1) That this planning permission in principle shall lapse on the expiration of 2 years from the approval of matters specified in conditions being obtained (or, in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained) unless the development to which the permission relates is begun before that expiration.
- (2) For the avoidance of doubt, the term 'phase' within any condition shall refer to the phases as have been approved under the terms of condition 1 of the planning permission in principle hereby approved.
- (3) Unless otherwise agreed in writing with the planning authority, during the construction of any phase of the development, the normal hours of operation for all activity audible at the boundary of the nearest noise sensitive premises shall be between 07:00 to 19:00 hours Monday to Friday; 07:00 to 12:00 hours on Saturday, with no working on Sundays.
- (4) It is advisable that the developer contact the Council's Waste Aware Team to discuss the appropriate waste storage and uplift arrangements for the residential developments.
- (5) In the event that during construction, cranes or scaffolding is required, then their use must be subject to separate consultation with Aberdeen International Airport (AIA). The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome.

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

That the application be deferred pending further information regarding infrastructural improvements.

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On a division, there voted:-

For the procedural motion (14) - Depute Provost; and Councillors Boulton, Donnelly, Finlayson, Greig, Jaffrey, Kiddie, Malik, Malone, Samarai, Jennifer Stewart, Thomson, Townson and Yuill.

Against the procedural motion (26) - Lord Provost; and Councillors Allan, Blackman, Cameron, Carle, Cormie, Cooney, Crockett, Delaney, Dickson, Jackie Dunbar, Lesley Dunbar, Forsyth, Grant, Ironside, Laing, Lawrence, McCaig, May, Milne, Jean Morrison, Nathan Morrison, Noble, Sandy Stuart, Taylor and Young.

Absent from the division (1) - Councillor Graham.

The Council resolved:-

to reject the procedural motion, and therefore consider the application this day.

Councillor Milne moved, seconded by Councillor Cormie:-

That the Council reaffirm the decision of the Planning Development Management Committee subject to an additional clause being inserted into the legal agreement with regard to monitoring the condition of Countesswells Road.

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

That the Council refuse the application on the grounds that the surrounding roads infrastructure was currently unable to support the proposed development, and due to concerns over school capacity as a result of the proposed development.

DECLARATION OF INTEREST

At this juncture, Councillor Samarai declared an interest in the subject matter having realised that she knew one of the objectors through a business connection, and withdrew from the meeting.

On a division, there voted:-

For the motion (31) - Lord Provost; and Councillors Allan, Blackman, Cameron, Carle, Cooney, Cormie, Crockett, Dickson, Donnelly, Jackie Dunbar, Lesley Dunbar, Forsyth, Graham, Grant, Ironside, Jaffrey, Kiddie, Laing, Lawrence, McCaig, Malik, May, Milne, Jean Morrison, Nathan Morrison, Noble, Sandy Stuart, Taylor, Townson and Young.

For the amendment (9) - Depute Provost; and Councillors Boulton, Delaney, Finlayson, Greig, Malone, Jennifer Stewart, Thomson and Yuill.

Absent from the division (1) - Councillor Samarai.

The Council further resolved:-

to adopt the motion.

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

FORMER ST NICHOLAS HOUSE SITE, BROAD STREET - 140698

12. The Council had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Council express a willingness to approve the application for planning permission for a mixed use development including office, hotel, retail, restaurant, leisure and civic space, including car parking, access, landscaping, infrastructure and public realm improvements at the former St Nicholas House site, subject to conclusion of a planning agreement to secure appropriate financial contributions towards the Council's Strategic Transport Fund, and also subject to the following conditions:-

- (1) That no part of the development hereby approved shall be occupied or brought into use until such time as a 'service vehicles only' zone and associated resurfacing have been implemented around the junction of Flourmill Lane, Netherkirkgate, the development car park entrance and the exit out onto Broad Street, in accordance with a drawing submitted to and approved in writing by the planning authority, in consultation with the Council's roads projects team;
- (2) That the development hereby granted planning permission shall not be occupied unless the cycle storage facilities as shown on the approved drawings, or others subsequently approved in writing by the planning authority, have been provided;
- (3) That no part of the development hereby approved shall be occupied or brought into use until such time as a scheme for the allocation of car parking to respective uses based on their floorspace has been submitted to and agreed in writing by the planning authority, in consultation with the Council's Roads Projects Team;
- (4) That no development pursuant to this grant of planning permission shall be undertaken until a revised Framework Travel Plan, which takes into account all users/occupiers and includes the production of sample Travel Packs for the distinct user/occupier groups and the identification of mode share targets for the different users, along with aims and objectives for each;
- (5) That hotel and office uses shall not be brought into use until such time as an individual Travel Plan for each occupier has been submitted to and approved in writing by the planning authority, based on the Travel Plan Framework referred to in condition 4 and including a Travel Pack for employees and (for the hotel) guests. Retail and restaurant units may not be occupied until such time as a Travel Pack, submitted to and approved in writing by the planning authority, has been produced and distributed to staff, based on that produced for hotel staff;
- (6) That no development pursuant to this grant of planning permission shall be undertaken until such time as a dust management plan, detailing dust mitigation measures and controls, responsibilities and any proposed monitoring regime, has been submitted to and approved in writing by the planning authority, in consultation with the Council's Environmental Health officers. Thereafter, works shall be carried out in full accordance with the agreed dust management plan, unless otherwise agreed in writing by the planning authority;
- (7) No development shall take place within the area indicated (in this case the area of the whole development) until the applicant has secured the implementation of a

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programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. The programme of archaeological work will include all necessary post-excavation and publication work; (8) That no development pursuant to this grant of planning permission shall be undertaken until a site specific Construction Method Statement (CMS) has been submitted and approved in writing by the planning authority in consultation with SEPA (and other agencies as appropriate). Thereafter, all works on site must be undertaken in accordance with the approved CMS unless otherwise agreed in writing with the planning authority; (9) That no development shall commence until such time as a detailed scheme of materials and finishes, including material samples, has been submitted to and approved in writing by the planning authority; (10) That no buildings within the development shall be occupied unless a Waste Management Plan, including details of arrangements for the segregation, storage, collection and management of hotel, commercial and business waste, have been submitted to, and approved in writing by, the planning authority, and thereafter has been implemented in full; (11) That no buildings within the development hereby approved shall be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to the planning authority and subsequently approved in writing, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full; (12) That no buildings within the development hereby approved shall be occupied unless the scheme of drainage shown in the submitted Drainage Impact Assessment, drawing ref 95814/2001-A, or any other such scheme as has been submitted to and approved in writing by the planning authority prior to development commencing, has been implemented in full; (13) That no part of the development hereby granted planning permission shall be occupied unless details of suitable filtrated extraction systems, with any terminal point at the highest part of the building have been submitted to and approved in writing by the planning authority and that the said scheme has been implemented in full and is ready for operation; (14) That all building services and fixed plant including fans, ventilation exhausts and inlets shall be designed to not exceed 40db LAeq outside nearby residential properties and an internal level of NR35 between the hours of 07.00 and 23.00 and NR25 at all other times with windows closed; (15) That no development shall commence until such time as 1:20 construction drawings, showing the detailing of points where there would be a change in the surface finishes (e.g. point where glazed sections of frontage meet granite-clad sections) have been submitted to and approved in writing by the planning authority; (16) That no development shall commence until such time as an external lighting strategy for the site has been submitted to and approved in writing by the planning authority, and thereafter no building within the development shall be brought into use or occupied until such time as any agreed lighting measures have been fully implemented; (17) That the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing Nos. PL-003-Rev A & PL-004-Rev B of the plans hereby approved or such other drawing(s) as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the

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parking of cars ancillary to the development and use thereby granted approval; (18) That, unless otherwise agreed in writing by the planning authority, deliveries to the premises via heavy goods vehicles shall be restricted to 07.00 to 19.00 Monday to Saturday and 09.00 to 19.00 Sunday; (19) That no buildings hereby granted planning permission shall be occupied unless the areas of public open space and associated hard and soft landscaping as identified on Drawing No. TOWN566(08)5001-R03(or such other drawing as may be subsequently approved), excluding those works relating to the pedestrianisation of Broad Street, have been laid out in accordance with a scheme which shall be submitted to and approved in writing by the planning authority prior to commencement. No development pursuant to this planning permission shall take place unless such a scheme detailing the manner in which the open space is to be managed and maintained has been submitted to and approved in writing by the planning authority; (20) That no buildings hereby granted planning permission shall be occupied unless appropriate measures have been implemented to mitigate localised wind conditions within the development site, in accordance with a scheme which has been submitted to, and approved in writing by the planning authority prior to commencement of development; and (21) That, notwithstanding their annotation as 'retail' on the submitted drawings, none of the ground-floor commercial units hereby approved within office buildings 01 and 02 shall be used other than for uses within Use Classes 1 (shops) or 3 (food and drink) of the Use Classes (Scotland) Order 1997 unless planning permission has been granted for a change of use of the unit; and that at least 50% of that ground-floor commercial floorspace shall be used for purposes within Use Class 1 (shops) unless otherwise agreed in writing by the planning authority.

INFORMATIVES

- (1) Environmental Health - recommend that construction works audible at the site boundary are restricted to the following - Monday to Friday 07.00 to 19.00; Sat 09.00 to 17.00; and Sunday no noisy activities audible at boundary.
- (2) It is recommend that the CMS is submitted at least two months prior to the commencement of any works on site; this is to allow the necessary agencies sufficient time to fully review the mitigation proposals to avoid any potential delays to the project moving forward.

The Council also had before it the minute of meeting of the Planning Development Management Committee of 28 August 2014, when a public hearing was held.

Councillor Milne moved, seconded by Councillor Donnelly:-

That the Council approve the recommendation contained within the report.

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

That the Council refuse the application on the grounds that the proposed development represented overdevelopment of the site and therefore did not comply with Aberdeen Local Development Plan (ALDP) Policy D1: Architecture and Placemaking; and nor did it comply with Policy D5: Built Heritage, in terms of the negative impact on Provost Skene's House.

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Councillor Cormie moved as a further amendment, seconded by Councillor Jaffrey:-

That the Council defer consideration of the application pending further discussions with the applicant in an effort to secure more civic space and an improved design.

There being a motion and two amendments, the Council first divided between the amendment by Councillor Jennifer Stewart and the amendment by Councillor Cormie.

On a division, there voted:-

For the amendment by Councillor Jennifer Stewart (9) - Depute Provost; and Councillors Blackman, Delaney, Jackie Dunbar, Greig, Malone, Samarai, Jennifer Stewart and Thomson.

For the amendment by Councillor Cormie (13) - Councillors Cameron, Cormie, Dickson, Finlayson, Jaffrey, Kiddie, McCaig, May, Nathan Morrison, Noble, Sandy Stuart, Townson and Yuill.

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

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

On a division, there voted:-

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

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

The Council resolved:-

- (i) to adopt the motion; and
- (ii) to approve the minute of meeting of the Planning Development Management Committee of 28 August 2014.

COUNCIL GOVERNANCE - OCE/14/035

13. With reference to Article 6 of the minute of its meeting of 20 August 2014, the Council had before it a report by the Chief Executive which addressed the necessary changes to the suite of governance documents following approval of the new management and committee structures.

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The report recommended:-

that the Council -

- (a) approve the revised Standing Orders at appendix A to the report;
- (b) approve the revised Scheme of Delegation at appendix B to the report, and authorise the Chief Executive to make any amendment necessary arising from the allocation of functions under the continuing structural review;
- (c) note that legislation which would require to be reflected in revisions to the Standing Orders on Contracts and Procurement was expected during 2015 and that a report would be submitted thereafter;
- (d) approve the revised Financial Regulations at appendix C to the report;
- (e) note the revisions to the report template to reflect the need for report authors to undertake privacy impact assessments where appropriate and to consider whether projects or contracts offered scope for joint working with partners;
- (f) suspend Standing Order 22(1) and amend the name of the City Centre Regeneration Board to the City Centre Regeneration Working Group;
- (g) agree that all external members of Council committees, sub committees and working groups be required to adhere to the principles of the Councillors' Code of Conduct; and
- (h) suspend Standing Order 22(1) and transfer the remit to consider and approve the Council's annual report and accounts to the Audit, Risk and Scrutiny Committee on the basis that copies would be sent to all members for information after approval.

The Council resolved:-

to approve the recommendations.

APPOINTMENTS

14. 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 that the Council's representation on the Aberdeen International Airport Consultative Committee be reduced to three members - Councillor Laing plus one Administration local member and one opposition local member;
- (b) agree that Councillor Donnelly replace Councillor Milne as the Council's representative on KIMO;
- (c) agree that Councillor Grant replace Councillor Taylor as one of the Council's representatives on NESTRANS and that Councillor Laing replace Councillor Crockett as a substitute representative on NESTRANS;
- (d) agree that Councillor Jean Morrison replace Councillor Taylor as one of the Council's representatives on the Strategic Development Planning Authority;
- (e) agree that Councillor Laing replace Councillor Crockett as one of the Council's representatives on Visit Aberdeen Destination Marketing Organisation; and
- (f) note that Councillors Laing and Young had replaced Councillors Grant and Nathan Morrison on the Electoral Boundaries Working Group.

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The Council resolved:-

- (i) to approve recommendations (b), (e) and (f);
- (ii) to request the Council Leader to write to the Aberdeen International Airport Consultative Committee requesting that they reconsider the proposal to reduce the number of Council members;
- (iii) that Councillor Grant replace Councillor Taylor as a representative on NESTRANS, with Councillors Graham and Laing replacing Councillors Boulton and Crockett as substitute members respectively;
- (iv) that Councillor Grant replace Councillor Taylor as a representative on the Strategic Development Planning Authority, with Councillors Jean Morrison and Taylor replacing Councillors Boulton and Grant as substitute members respectively;
- (v) that Councillors Donnelly and Young replace Councillors Forsyth and Boulton respectively as representatives on the Transitional Leadership Group for integration, with Councillor Graham replacing Councillor Donnelly as a substitute member;
- (vi) that Councillor Taylor replace Councillor Laing as a member of the Aberdeen Endowments Trust;
- (vii) that Councillor Nathan Morrison replace Councillor Taylor as a representative on Aberdeen Citizens Advice Bureau;
- (viii) to invite the opposition groups to appoint two elected members as representatives on Aberdeen International Youth Festival to replace Councillors Jennifer Stewart and Townson; and
- (ix) that Councillor Grant replace Councillor Thomson as the Council's Cycling Champion.

TREASURY MANAGEMENT POLICY AND STRATEGY - CG/14/103

15. With reference to Article 10 of the minute of meeting of the Finance, Policy and Resources Committee of 30 September 2014, 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 during the 2013/14 financial year.

The Finance, Policy and Resources Committee recommended that the Council:-
note the treasury management activities undertaken in 2013/14 as detailed in the report.

The Council resolved:-

to approve the recommendation.

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BON ACCORD CARE LTD ANNUAL REPORT - SCW/14/20

16. The Council had before it a report by the Transitional Director - Social Care and Wellbeing - which presented the first annual report for Bon Accord Care Ltd for the period 1 August 2013 to 31 July 2014.

The report recommended:-

that the Council agree to receive each annual report from Bon Accord Care Ltd.

Members asked a number of questions of the Transitional Director - Social Care and Wellbeing, and Ms Sandra Ross, Managing Director of Bon Accord Care Ltd, in connection with the annual report. In particular, questions and areas of concern related to:- financial performance for 2013/14 and the absence of projected figures for 2014/15; the lack of regular monitoring reports to elected members; shift patterns; sickness absence rates of staff; savings and efficiency measures; service shortfalls and related financial penalties; and invoicing and billing arrangements.

The Council resolved:-

- (i) to approve the recommendation; and
- (ii) otherwise to note the Bon Accord Care Ltd annual report for 1 August 2013 to 31 July 2014.

SHADOW INTEGRATION BOARD REMIT - SCW/14/19

17. The Council had before it a report by the Transitional Director - Social Care and Wellbeing - on behalf of the Transitional Leadership Group (TLG) for integration, which presented the proposed remit of the Shadow Integration Joint Board to be established to take forward preparations for the integration of adult health and social care from 1 April 2015.

The TLG recommended:-

that the Council –

- (a) approve the proposed remit of the Shadow Integration Joint Board at appendix A to the report;
- (b) note the appointment of the Chief Officer, Judith Proctor; and
- (c) suspend Standing Order 22(1) and agree that the TLG would transition to the Shadow Integration Joint Board when the Chief Officer was in post, at a time deemed appropriate by the TLG and within timescales that ensured legal requirements for integration were met.

The Council resolved:-

- (i) to approve the recommendations; and
- (ii) to note the scope of services and the integrated budget would be defined in the integration scheme which was still to be approved by the Council and NHS Grampian.

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CAMPING IN DESIGNATED PLACES UPDATE - CG/14/126

18. With reference to Article 7 of the minute of its meeting of 20 August 2014, the Council had before it a report by the Acting Director of Corporate Governance which provided an update on progress on the proposed byelaw to prohibit camping in designated places.

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

The Council resolved:-
to approve the recommendation.

LOCAL AUTHORITY COMMUNITY COVENANT - MOTION BY COUNCILLOR THOMSON - OCE/14/038

19. With reference to Article 10 of the minute of its meeting of 20 August 2014, the Council had before it a report by the Chief Executive which addressed the notice of motion by Councillor Thomson in relation to the Local Authority Community Covenant, and indicated the next steps to be taken on the matters raised.

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

The Council resolved:-
to approve the recommendation.

AUDITED FINANCIAL STATEMENTS 2013/14

20. With reference to Article 1 of the minute of meeting of the Audit and Risk Committee of 25 September 2014, the Council had before it a report by the Acting Director of Corporate Governance which presented the final signed audited financial statements for the financial year 2013/14 for the Council and its Charitable Trusts.

The report recommended:-
that the Council note the report and the associated financial statements.

- (i) to note the report and approve the associated financial statements for its interest; and
- (ii) to thank the team involved in the preparation of the financial statements for their excellent work.

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MOTION BY COUNCILLOR REYNOLDS

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

“That Council requests offices to investigate options for and the installation of a cash machine within Marischal College, for use by staff and members of the public.”

The Council resolved:-

- (i) to suspend Standing Order 21(4) to enable the motion to be considered in the absence of Councillor Reynolds; and
- (ii) to refer the motion to the Communities, Housing and Infrastructure Committee and instruct officers to submit a report.

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

FORMER SUMMERHILL ACADEMY SITE - OPTIONS - CHI/14/038

22. With reference to Article 11 of the minute of its meeting of 20 August 2014, the Council had before it a report by the Director of Communities, Housing and Infrastructure which provided an update on the former Summerhill Academy site and indicated a range of options to be considered in relation to the future development of the site.

The report recommended:-

that the Council -

- (a) allocate the former Summerhill Academy site as a development site for the delivery of affordable houses through the Council's Strategic Infrastructure Plan (SIP) affordable housing project;
- (b) agree that the site be treated as an early action site with appropriate technical feasibility work and statutory consent applications being advanced by the Council during the procurement process for a development partner;
- (c) agree to transfer the site to the development Joint Venture project when the necessary legal agreements were in place; and
- (d) agree that the site be identified as a site for mid market rented properties (100%).

Councillor Laing moved, seconded by Councillor Boulton:-

That the Council -

- (1) approve the recommendations contained within the report;
- (2) agree the principle of developing Council housing on the former Smithfield Primary School site and Manor Walk; and
- (3) instruct officers to report to the Finance, Policy and Resources Committee on 4 December 2014 on the detail of the Smithfield Primary School site and Manor Walk proposals and the process for their development.

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

That the Council -

- (1) instruct as a matter of urgency a full technical evaluation of all options using the established formal review mechanism to ensure they are robustly tested prior to consideration by Council and include the fullest possible information for consideration by members;
- (2) instruct that further consideration be given to addressing social housing need as part of that process;
- (3) instruct an analysis of predicted school rolls for the area leading to a detailed strategy to mitigate or manage any identified lack of capacity;
- (4) instruct a further report to Council at the earliest possible date upon completion of that review;
- (5) agree the principle of developing Council housing on the former Smithfield Primary School site and Manor Walk; and
- (6) instruct officers to report to the Finance, Policy and Resources Committee on 4 December 2014 on the detail of the Smithfield Primary School site and Manor Walk proposals and the process for their development.

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

That the Council -

- (1) approve the recommendations contained within the report, with the exception of recommendation (d), whereby 50% of the site be identified for mid market rented properties, with 25% private housing and 25% social housing;
- (2) agree the principle of developing Council housing on the former Smithfield Primary School site and Manor Walk; and
- (3) instruct officers to report to the Finance, Policy and Resources Committee on 4 December 2014 on the detail of the Smithfield Primary School site and Manor Walk proposals and the process for their development.

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

On a division, there voted:-

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

For the amendment by Councillor Cameron (12) - Lord Provost; and Councillors Blackman, Cameron, Cormie, Dickson, Jackie Dunbar, Jaffrey, Kiddie, Noble, Samarai, Sandy Stuart and Townson.

Declined to vote (21) - Depute Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Donnelly, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Ironside, Laing, Lawrence, Malik, Milne, Nathan Morrison, Taylor, Thomson and Young.

Absent from the division (3) - Councillors McCaig, May and Jean Morrison.

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

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On a division, there voted:-

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

For the amendment by Councillor Cameron (16) - Councillors Blackman, Cameron, Cormie, Delaney, Dickson, Jackie Dunbar, Greig, Jaffrey, Kiddie, Malone, Noble, Samarai, Jennifer Stewart, Sandy Stuart, Townson and Yuill.

Absent from the division (3) - Councillors McCaig, May and Jean Morrison.

The Council resolved:-
to adopt the motion.

MINUTE OF MEETING OF SOCIAL WORK COMPLAINTS REVIEW COMMITTEE OF 10 SEPTEMBER 2014

23. The Council had before it the minute of meeting of the Social Work Complaints Review Committee of 10 September 2014, and a foreword by the Transitional Director - Social Care and Wellbeing which set out the actions to be taken to respond to the recommendations.

The Council resolved:-

- (i) to approve the recommendations; and
- (ii) otherwise to note the Director's comments in the foreword.

DECLARATIONS OF INTEREST

Prior to consideration of the following item of business, Councillors Delaney and Young declared interests in the subject matter and withdrew from the meeting.

FINANCE POLICY AND RESOURCES COMMITTEE - 30 SEPTEMBER 2014 - DISPOSAL OF FORMER VICTORIA ROAD SCHOOL - CHI/14/011

24. With reference to Article 32 of the minute of meeting of the Finance, Policy and Resources Committee of 30 September 2014, 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 Communities, Housing and Infrastructure which (a) advised of the outcome of marketing activities in relation to the surplus property known as the former Victoria Road School and the offers subsequently received; and (b) highlighted the outcome of a listing proposal submitted by a third party to Historic Scotland; and (2) the decision of the Committee - to approve the recommendations contained within the report.

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The report recommended:-

that the Committee -

- (a) accept the offer submitted by Raeburn Christie Clark and Wallace, on behalf of BDW Trading Ltd;
- (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; and
- (c) agree that a sum of £125,000 be earmarked for the necessary asset base and startup costs to be put in place for the new South of the City transportation of children costs.

The Council also had before it a paper by the Torry Heritage Group in furtherance of their deputation, which was heard under Article 10 of this minute.

Councillor Thomson moved, seconded by Councillor Crockett:-

That the Council reaffirm the decision of the Finance, Policy and Resources Committee.

Councillor Noble moved as an amendment, seconded by Councillor Dickson:-

That the Council -

- (1) note the outcome of the marketing exercise;
- (2) reject all of the offers received; and
- (3) instruct officers to work with the Torry Development Trust and others to retain the building as part of a community asset transfer and to report back to Council with a business plan.

On a division, there voted:-

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

For the amendment (14) - Councillors Blackman, Cameron, Cormie, Dickson, Jackie Dunbar, Greig, Jaffrey, Kiddie, Malone, Noble, Samarai, Sandy Stuart, Townson and Yuill.

Declined to vote (2) - Councillors Allan and Finlayson.

Absent from the division (6) - Councillors Delaney, McCaig, May, Jean Morrison, Jennifer Stewart and Young.

The Council resolved:-

to adopt the motion.

- **GEORGE ADAM, Lord Provost.**