

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 17 December 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
JOHN CORALL
BARNEY CROCKETT
STEVEN DELANEY
GRAHAM DICKSON
ALAN DONNELLY
JACQUELINE DUNBAR
LESLEY DUNBAR
ANDREW FINLAYSON
FRASER FORSYTH
GORDON GRAHAM
ROSS GRANT
MARTIN GREIG
LEONARD IRONSIDE, CBE
MURIEL JAFFREY

JAMES KIDDIE
JENNIFER LAING
GRAEME LAWRENCE
NEIL MacGREGOR
CALLUM McCAIG
M. TAUQEER MALIK
AILEEN MALONE
RAMSAY MILNE
JEAN MORRISON, MBE
NATHAN MORRISON
JAMES NOBLE
GILLIAN SAMARAI
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=2872&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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ADMISSION OF BURGESSES

1. (A) The persons undermentioned were admitted into the presence of the Council and passed as Burgesses of Guild in respect of their respective Acts of Admission in the Guild Burgess Book:-

Councillor Barney Crockett, Councillor, Aberdeen
 Dr Robert Ede, General Practitioner and Occupational Physician, Aberdeen
 Professor Stephen D Logan, Professor, Aberdeen
 Dr Stuart McMain, General Practitioner, Aberdeen
 Thomas R Scotland, Consultant Orthopaedic Surgeon and Historian, Aberdeen

(B) The persons undermentioned were admitted into the presence of the Council and passed as Burgesses of Guild by right of their father's status as a Free Burgess:-

Angus A Carry, Jeweller, Aberdeen
 Malina D Carry, Building Maintenance Projects Manager, Aberdeen

DETERMINATION OF EXEMPT BUSINESS

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

- 10(a) A96 Park and Choose Car Park/Dyce Drive Link Road - Tender Report
- 10(b) Waste Management Services Contract Variation
- 10(c) Aberdeen Sports Village - Pitches Phase

The Council resolved:-

- (i) to not consider item 10(a) - A96 Park and Choose Car Park/Dyce Drive Link Road - Tender Report, and the supplementary report due to its lateness; and
- (ii) 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 10(b) and 10(c) so as to avoid disclosure of exempt information of the classes described in paragraphs 8 and 9 of Schedule 7(A) of the Act.

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 8 OCTOBER 2014

3. The Council had before it the minute of meeting of Aberdeen City Council of 8 October 2014.

The Council resolved:-

to approve the minute.

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MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 27 NOVEMBER 2014

4. The Council had before it the minute of meeting of the Urgent Business Committee of 27 November 2014.

The Council resolved:-

to approve the minute.

BUSINESS STATEMENT

5. The Council had before it a statement of Council business which had been prepared by the Head of Legal and Democratic Services.

The Council resolved:-

to note the business statement.

MOTIONS LIST

6. The Council had before it a list of outstanding motions which had been prepared by the Head of Legal and Democratic Services.

The Council resolved:-

to note the motions list.

MINUTES OF MEETINGS OF APPOINTMENT PANEL OF 10 AND 30 OCTOBER AND 4, 7, 10 AND 11 NOVEMBER 2014

7. The Council had before it minutes of meetings of the Appointment Panel of 10 and 30 October and 4, 7, 10 and 11 November 2014.

The Council resolved:-

to approve the minutes.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE - 6 NOVEMBER 2014 - PROVOST SKENE'S HOUSE, BROAD STREET - 140755

8. With reference to Article 8 of the minute of meeting of the Planning Development Management Committee of 6 November 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 listed building consent in relation to various works at Provost Skene's House; and (2) the decision of the Committee - to refuse the application on the grounds that the proposal would adversely affect the character and special historical interest of Provost Skene's House.

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The report recommended:-

that the Committee express a willingness to approve the application for the removal of the steps and balustrade to the front of Provost Skene's House, the re-profile and renewal of surface finishes between the balustrade and Provost Skene's House, and the relocation of the stone arch on the site, subject to notification to Historic Scotland, and the following conditions:-

(1) That no part of the works hereby authorised shall be undertaken unless the following information has been submitted to, and agreed in writing by, the planning authority, in consultation with Historic Scotland. Thereafter, all works shall be carried out in full accordance with the details so agreed, unless otherwise agreed in writing by the planning authority:- (a) large-scale drawings and plans showing the re-positioned archway and adjoining walls; (b) a detailed methodology/specification for the careful dismantling of the 20th century rubble wall and the repositioning of the archway; (c) details for salvaging and re-use of the armorial panel, currently within part of the wall beside the archway; (d) details of the provenance, significance and estimated age of the freestanding wall to the north-east of Provost Skene's House, along with proposals/recommendations for its removal, retention or re-siting as appropriate; (e) full specification, together with large scale elevation/section drawings and plans, for the detailed treatment for the existing Provost Skene's entrance courtyard, as well as the outdoor spaces adjoining its other three sides, as part of the wider public realm scheme for the Marischal Square project. This should include details of any new surfacing, planter walls, seating, lighting and other alterations to the outdoor spaces immediately adjoining Provost Skene's House; and (2) That 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 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.

Councillor Milne moved, seconded by Councillor Donnelly:-

That the application be approved in accordance with the recommendation contained within the report.

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

That the Council reaffirm the decision of the Planning Development Management Committee.

On a division, there voted:-

For the motion (21) - Lord Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Donnelly, Lesley Dunbar, Forsyth, Graham, Grant, Ironside, Kiddie, Laing, Lawrence, Malik, Milne, Jean Morrison, Nathan Morrison, Taylor and Young.

For the amendment (19) - Depute Provost; and Councillors Blackman, Cameron, Corall, Delaney, Dickson, Jackie Dunbar, Finlayson, Greig, Jaffrey, MacGregor, McCaig, Malone, Noble, Samarai, Sandy Stuart, Thomson, Townson and Yuill.

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The Council resolved:-

to adopt the motion.

COUNCIL DIARY AND COMMITTEE MEMBERSHIP - CG/14/169

9. The Council had before it a report by the Acting Director of Corporate Governance which sought approval for the Council diary of meetings from July to December 2015, and a reallocation of committee seats amongst the Administration groups.

The report recommended:-

that the Council -

- (a) approve the Council diary of meetings to December 2015; and
- (b) suspend Standing Order 22(1) and allocate one Labour Group seat on the Planning Development Management Committee to the Independent Alliance Group and one Labour Group seat on the Finance, Policy and Resources Committee to the Conservative Group.

The Council resolved:-

to approve the recommendations subject to amending the date of the Planning Development Management Committee in August to 18 August 2015.

FAIRER ABERDEEN FUND ANNUAL REPORT 2013/14 AND SIX MONTH PROGRESS REPORT - CHI/14/057

10. With reference to Article 26 of the minute of its meeting of 14 May 2014, the Council had before it a report by the Director of Communities, Housing and Infrastructure which presented the Fairer Aberdeen Fund annual report for 2013/14, and a six month progress report which advised of projects being funded in 2014/15.

The report recommended:-

that the Council -

- (a) consider and advise the Fairer Aberdeen Board of the Council's comments on the annual report for 2013/14 at appendix 1 to the report;
- (b) note the information in appendix 2 to the report outlining Fairer Aberdeen Fund progress between 1 April and 30 September 2014; and
- (c) note the information in appendix 3 to the report listing the initiatives being funded in 2014/15.

The Council resolved:-

- (i) to approve the recommendations; and
- (ii) to commend the officers involved for their excellent work, and to thank the volunteer community members on the Fairer Aberdeen Board for their valued input.

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COMMUNITY PLANNING ABERDEEN UPDATE - CG/14/170

11. With reference to Article 25 of the minute of its meeting of 14 May 2014, the Council had before it a report by the Director of Communities, Housing and Infrastructure which provided a six month progress update on the activity of Community Planning Aberdeen.

The report recommended:-

that the Council consider the report and advise of any actions.

The Council resolved:-

to note the report.

CAMPING IN DESIGNATED PLACES UPDATE - CG/14/163

12. With reference to Article 18 of the minute of its meeting of 8 October 2014, the Council had before it a report by the Director of Communities, Housing and Infrastructure 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.

Councillor Laing moved, seconded by Councillor Yuill:-

That the Council -

- (1) note the letter dated 31 October 2014 from the Scottish Government confirming that Scottish Ministers have decided not to confirm the byelaws requested by the Council;
- (2) note the East Loch Lomond Camping Byelaws approved by Scottish Ministers on 10 March 2011 which comply with the general duty of the Equality Act 2010;
- (3) instruct the Chief Executive to work with all interested parties, including those who objected to the byelaws, and liaise with the Loch Lomond and the Trossachs National Park Authority to consider the issues experienced in Aberdeen and to report back to the Council at its meeting on 24 June 2015 with all available options to address those issues; and
- (4) instruct the Chief Executive to provide a report on the progress made on the implementation of the instruction contained in (3) above to the Council meeting on 4 March 2015.

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

That the Council take no action on the proposed byelaw to prohibit camping in designated places.

On a division, there voted:-

For the motion (27) - Lord Provost; Depute Provost; and Councillors Allan, Boulton, Carle, Cooney, Crockett, Delaney, Donnelly, Lesley Dunbar, Finlayson, Forsyth,

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Graham, Grant, Greig, Ironside, Laing, Lawrence, Malik, Malone, Milne, Jean Morrison, Nathan Morrison, Taylor, Thomson, Young and Yuill.

For the amendment (13) - Councillors Blackman, Cameron, Corall, Dickson, Jackie Dunbar, Jaffrey, Kiddie, MacGregor, McCaig, Noble, Samarai, Sandy Stuart and Townson.

The Council resolved:-

to adopt the motion.

LEGAL SERVICES RESTRUCTURE UPDATE - CG/14/146

13. With reference to Article 14 of the minute of its meeting of 25 June 2014, the Council had before it a report by the Acting Director of Corporate Governance which provided a further update on the restructure of Legal Services, as well as evidence of customer satisfaction levels and financial outturns in terms of expenditure on external legal resources.

The report recommended:-

that the Council note the content of the report.

The Council resolved:-

to approve the recommendation.

CHIEF SOCIAL WORK OFFICER ANNUAL REPORT - SCW/14/25

14. The Council had before it a report by the Transitional Director, Social Care and Wellbeing, which presented the Chief Social Work Officer's annual report for 2013/14.

The report recommended:-

that the Council -

- (a) note the content of the annual report as appended to the report; and
- (b) comment on the format of the report.

The Council resolved:-

to note the Chief Social Work Officer's annual report for 2013/14.

DRAFT HOUSING REVENUE ACCOUNT (HRA) BUDGET AND HOUSING CAPITAL BUDGET 2015/16 TO 2019/20 - CG/14/134

15. With reference to Article 8 of the minute of meeting of the Finance, Policy and Resources Committee of 4 December 2014, the Council had before it a joint report by the Acting Director of Corporate Governance and the Director of Communities, Housing and Infrastructure which provided members with information to allow the setting of the rent level for the financial year 2015/16 as well as provisional rent levels for the financial years 2016/17 to 2019/20, explaining that this would allow a capital

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programme for 2015/16 to be set as well as a provisional programme for 2016/17 to 2019/20.

The report recommended:-

that the Finance, Policy and Resources Committee consider the draft HRA Budget and refer it to Council on 17 December 2014 to -

- (a) approve the budget as at appendix 1 to the report;
- (b) approve the weekly unrebated rents for municipal houses, as detailed at appendix 1 to the report, to take effect from Monday 6 April 2015;
- (c) approve the level of revenue contribution to the Housing Capital budget for 2015/16 as well as provisional contribution for the subsequent four financial years as detailed at appendix 1 to the report;
- (d) continue to increase the level of working balances to 10% to meet future contingencies;
- (e) agree the continuation of the practice that all capital receipts, from the disposal of Council houses under right to buy, continue to be used to repay debt for 2015/16 and future years;
- (f) approve the level of miscellaneous rents and service charges, including Heat with Rent as detailed in appendix 1 to the report;
- (g) set a capital programme for the financial year 2015/16 based on the rent strategy adopted as well as the indicative level of programme for the financial years 2016/17 to 2019/20;
- (h) in order for work to commence on the capital programme, approve as estimated expenditure, in terms of Standing Order 1(3) of the Council's Standing Orders relating to Contracts and Procurement, the sums shown against each heading of the Housing Capital Expenditure budget set out in appendix 1 to the report; and
- (i) authorise the Director of Communities, Housing and Infrastructure to undertake or instruct appropriate procedures to procure the works referred to in appendix 1 for the capital programme and award contracts thereto.

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

Councillor Cooney moved, seconded by Councillor Jean Morrison:-

That the Council approve the recommendations contained within the report subject to clarifying that the Environmental Improvements budget for 2015/16 would remain at £1.2million, and that the housing repairs draft budget was for 2015/16 to 2019/20 not 2014/15 to 2018/19.

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

That the Council -

- (1) allocate £1.2million at item 17, Environmental Improvements, of the housing repairs budget on page 12 of the report;
- (2) approve the weekly unrebated rents for municipal houses, as detailed in appendix 1 of the report, to take effect from Monday 6 April 2015;
- (3) approve £20.331million by way of revenue contribution to the Housing Capital budget for 2015/16, as well as a provisional contribution for the subsequent four financial years adjusted to maintain an additional spend

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- of £360,000 per annum on environmental improvements from 2014/15 expenditure, uplifted to take account of increasing costs;
- (4) otherwise approve the budget as contained within appendix 1 to the report;
 - (5) continue to increase the level of working balances to 10% to meet future contingencies;
 - (6) agree the continuation of the practice that all capital receipts, from the disposal of Council houses under right to buy, continue to be used to repay debt for 2015/16 and future years;
 - (7) approve the level of miscellaneous rents and service charges, including Heat with Rent as detailed in appendix 1 to the report;
 - (8) set a capital programme for the financial year 2015/16 based on the rent strategy adopted as well as the indicative level of programme for the financial years 2016/17 to 2019/20;
 - (9) in order for work to commence on the capital programme, approve as estimated expenditure, in terms of Standing Order 1(3) of the Council's Standing Orders relating to Contracts and Procurement, the sums shown against each heading of the Housing Capital Expenditure budget set out in appendix 1 to the report;
 - (10) authorise the Director of Communities, Housing and Infrastructure to undertake or instruct appropriate procedures to procure the works referred to in appendix 1 for the capital programme and award contracts relating thereto;
 - (11) instruct officers to bring forward a report to the appropriate committee outlining the next phase of the Combined Heat and Power initiative to include additional homes and public buildings across the city in order to contribute towards the reduction of fuel poverty, reduce our carbon footprint and minimise fuel costs faced by the Council in respect of public buildings; and
 - (12) instruct the Chief Executive to write to the Scottish and UK Governments requesting that they agree a protocol which would enable the Housing element of Universal Credit to be paid directly to providers of social housing by agreement with the tenant, in tandem with the introduction of Universal Credit in Scotland and in advance of the transfer of additional powers arising from the Smith Commission proposals.

Councillor Dickson proposed as an addendum:- that the Council instruct officers to submit a report to the Communities, Housing and Infrastructure Committee on spending uncommitted funds from the second home and empty property fund. Councillor Cooney agreed to incorporate this into his motion, and this was accepted.

During the course of summing up, Councillor Delaney agreed to incorporate Councillor Dickson's addendum into his amendment, and this was accepted; and Councillor Cooney agreed to incorporate part (11) of Councillor Delaney's amendment into his motion, and this was also accepted.

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On a division, there voted:-

For the motion (36) - Lord Provost; Depute Provost; and Councillors Allan, Blackman, Boulton, Cameron, Carle, Cooney, Corall, Crockett, Dickson, Donnelly, Jackie Dunbar, Lesley Dunbar, Finlayson, Forsyth, Graham, Grant, Ironside, Jaffrey, Kiddie, Laing, Lawrence, MacGregor, McCaig, Malik, Milne, Jean Morrison, Nathan Morrison, Noble, Samarai, Sandy Stuart, Taylor, Thomson, Townson and Young.

For the amendment (4) - Councillors Delaney, Greig, Malone and Yuill.

The Council resolved:-

- (i) to adopt the motion; and
- (ii) to thank the relevant staff for their hard work, and the members of the former Housing and Environment Committee and the Communities, Housing and Infrastructure Committee for their input.

TREASURY MANAGEMENT - MID YEAR REVIEW - CG/14/141

16. With reference to Article 11 of the minute of meeting of the Finance, Policy and Resources Committee of 4 December 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 2014/15.

The Finance, Policy and Resources Committee recommended that the Council:-

- (a) note the treasury management activities undertaken in 2014/15 as detailed in the report; and
- (b) approve the revised Counterparty list as detailed at appendix 1 to the report.

The Council resolved:-

to approve the recommendations.

BUSINESS RATES APPEALS SUB-COMMITTEE - CG/14/165

17. With reference to Article 23 of the minute of meeting of the Finance, Policy and Resources Committee of 4 December 2014, the Council had before it, by way of remit, a report by the Acting Director of Corporate Governance which sought approval to establish a body to hear appeals against rating liability under section 238 of the Local Government (Scotland) Act 1947.

The report recommended:-

that the Finance, Policy and Resources Committee -

- (a) establish a small Business Rates Appeals Sub Committee comprising five members and that arrangements be made to hear the current appeal;
- (b) agree that training be provided to the nominated members and possible substitutes prior to the hearing of the appeal;

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- (c) agree that the Senior Democratic Services Manager be appointed clerk to the sub committee and be authorised to delegate in writing the day to day operation of the sub committee to a Committee Services Officer in his team; and
- (d) agree that the procedure appended to the report for the making and hearing of appeals be adopted.

The Finance, Policy and Resources Committee noted the report and referred it to Council to establish the Business Rates Appeals Sub Committee.

The Council resolved:-

- (i) to establish the Business Rates Appeals Sub Committee comprising five members (1+1+1+1+1);
- (ii) to note that the members would be as follows:-
 - Labour – Councillor Ironside, with Councillor Young as nominated substitute
 - SNP – Councillor Noble, with Councillor Cameron as nominated substitute
 - Liberal Democrat – Councillor Yuill, with Councillor Jennifer Stewart as nominated substitute
 - Conservative – Councillor Donnelly, with Councillor Thomson as nominated substitute
 - Independent Alliance – Councillor Reynolds, with Councillor Boulton as nominated substitute;
- (iii) to delegate authority to the Senior Democratic Services Manager to make minor changes to the procedure following receipt of further information from the Council's agents; and
- (iv) otherwise to approve the recommendations.

ABERDEEN EXHIBITION AND CONFERENCE CENTRE (AECC) - OCE/14/041

18. With reference to Article 32 of the minute of its meeting of 14 May 2014, the Council had before it a report by the Chief Executive which provided an explanation for the deferral of the expected report on the proposed AECC development to the Council meeting in March 2015.

The report recommended:-

that the Council note the report.

The Council resolved:-

to approve the recommendation.

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PROPOSED CHANGES TO HEAD OF SERVICE ROLES WITHIN CORPORATE GOVERNANCE AND RECRUITMENT AND SELECTION PROCESS TO VACANT HEAD OF SERVICE ROLE - OCE/14/042

19. The Council had before it a report by the Chief Executive which sought approval for amendments to two existing roles at Head of Service level within Corporate Governance, and for the establishment of an Appointment Panel for recruitment to the vacancy for the redesignated post of Head of Information Technology and Transformation.

The report recommended:-

that the Council -

- (a) amend the current post of Head of Information Technology, Customer Services and Performance to transfer the function of Customer Services to the work portfolio of the Head of Human Resources and Organisational Development, and to retitle the post as Head of Information Technology and Transformation. In addition, to retitle the current Head of Human Resources and Organisational Development as Head of Human Resources, Organisational Development and Customer Services;
- (b) establish an Appointment Panel comprising nine members in total (3+3+1+1+1) to appoint to the Head of Information Technology and Transformation, including the Convener of the Finance, Policy and Resources Committee who should be appointed as Convener of the Appointment Panel;
- (c) delegate powers to the Appointment Panel to agree all matters relating to the recruitment process, including role profile, person specification and salary;
- (d) in respect of the timescale for recruitment processes, delegate powers to relevant officers to finalise this timeline, in consultation with the Convener of the Appointment Panel;
- (e) appoint external recruitment consultants for the purposes of supporting the recruitment to the post where appropriate;
- (f) invoke Standing Order 1(6)(a) of the Council's Standing Orders relating to Contracts and Procurement to dis-apply the requirements of Standing Order 5, thereby allowing a contract to be entered into with the recruitment consultants to support the recruitment process for this post, without the need to undertake a competitive tendering exercise; and
- (g) agree that the estimated expenditure associated with this recruitment exercise, estimated to be no more than £50,000, be met from contingencies.

The Council resolved:-

to approve the recommendations.

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QUESTIONS

20. The Council had before it the following questions, of which due notice had been given in terms of Standing Order 20(2), which had been placed on the agenda in terms of Standing Order 20(3).

Councillor Samarai

- (1) To ask the Chief Executive what the current deficit is for Bon Accord Care?
- (2) To ask the Chief Executive what the projected year end deficit is for Bon Accord Care?
- (3) To ask the Chief Executive why care at Bon Accord Care has moved from A grade at the time of transfer to C grade?
- (4) To ask the Chief Executive if any of the current discussions with Bon Accord Care include changes to staff terms and conditions?

Councillor Dickson

- (1) To ask the Chief Executive if the status quo remains what is the projected financial deficit for Bon Accord Care in 2015/16?

ANSWER (by the Chief Executive) -

The current position with Bon Accord Care is that based on discussions with officers the organisation is expected to break even during the financial year 2014/15 based on the financial uplifts the organisation is entitled to by way of the contractual agreement that is in place with the Council.

The Council, as it does with all of the arm's length organisations that it operates and funds, continues to work closely with Bon Accord Care to ensure that the services the Council in essence purchases are delivered in an effective and efficient manner. The final contractual uplift is currently being finalised.

The funding made available to Bon Accord Care by the Council for 2015/16 will be decided as part of the budget process and will formulate part of the discussion with all of the Council's arm's length organisations. A proposal will be placed before the Council at its budget meeting on 5 February 2015 seeking a decision on the services it wishes to purchase and what the cost of these will be.

As the Council has not as yet set its budget for 2015/16 the planned amount has not yet been decided. Officers are in discussion with all arm's length organisations with regard to their funding requirements and the results of these discussions will go through the Council's budget process.

The matters being discussed with the arm's length organisations are commercially sensitive and the likely amount of Council funding to the organisations cannot be disclosed at this stage but will be shown as part of the 2015/16 budget. However, the recommendation made by officers to the Council will provide for a final funding position

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that ensures all its arm's length organisations will achieve at least a break even position.

With regard to care grades, Bon Accord Care reports that grouped registrations of services presented a significant risk to the company and as a result services are now individually registered. Not all services have as yet been inspected during the period since Bon Accord Care went live, but new inspectors and inspection methodologies are impacting on previous gradings.

With regard to staff terms and conditions, Bon Accord Care reports that there are no planned changes.

The Council resolved:-

- (i) to note the information meantime; and
- (ii) to resume consideration of the matter with the press and public excluded in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, so as to avoid disclosure of exempt information of the class described in paragraph 6 of Schedule 7(A) of the Act.

MOTION BY LORD PROVOST GEORGE ADAM

21. The Council had before it the following notice of motion by Lord Provost George Adam:-

“That Aberdeen City Council agrees to take forward approaches from associates of the local fishing industry to create an appropriate and lasting memorial to the men and women who lived, worked and died in it, in peace time and in war, and to commemorate the major contribution which fishing has made to the city's life and heritage. Officers are instructed to report on the establishment of a small working group, the scope of commission and confirmation of a budget with a view to obtaining additional contributions to build on external funds already secured.”

The Council resolved:-

to approve the terms of the motion.

MOTION BY COUNCILLOR CORALL

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

“That this Council -

- 1. Acknowledges that the costs of the proposed redevelopment of the Art Gallery and its associated Museums Collection Centre are exceeding considerably their original estimates;
- 2. Instructs officers to immediately halt the tendering exercise for the proposed renovation in light of its affordability and major opposition from the citizens of Aberdeen;

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3. Agrees that steps are taken to ensure the present Art Gallery building is wind and watertight;
4. Instructs that an urgent inquiry be undertaken to ascertain why the new build at Granitehill will miss its completion date of December 2014;
5. Instructs that elected members are made aware of the additional costs of alternative storage and the reasons why; and
6. Agrees that alternative disabled access be designed and implemented as a matter of urgency."

The Council resolved:-

to note that Councillor Corall had withdrawn his motion.

MOTION BY COUNCILLOR REYNOLDS

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

"That this Council calls upon the Scottish Government to review and change its policy on overseas travel for MSPs, civil servants and all employees of organisations funded from the public purse, in line with that applicable to local authorities, whereby international flights are by economy tickets only and only in the most exceptional of circumstances and by ministerial permission could premium economy or business class be authorised."

The Council resolved:-

to approve the terms of the revised motion as follows:-

That this Council calls upon the Scottish Government and UK Government to each review and change its policy on overseas travel for MSPs, MPs, civil servants and all employees of organisations funded from the public purse, in line with that applicable to local authorities, whereby international flights are by economy tickets only and only in the most exceptional of circumstances and by ministerial permission could premium economy or business class be authorised.

In accordance with the decisions recorded under Articles 3 and 20 of this minute, the following items were considered with the press and public excluded.

QUESTIONS

- 24.** With reference to Article 20 of this minute, the Council resumed consideration of the aforementioned questions and responses to the supplementary questions posed by Councillors Samarai and Dickson.

The Council resolved:-

- (i) to request officers to circulate an explanatory note to members in regard to Bon Accord Care's budget for 2015/16 in terms of their business plan, and variance

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- compared to the actual budget for 2015/16, once known, for Bon Accord Care to break even; and
- (ii) otherwise to note the information

WASTE MANAGEMENT SERVICES CONTRACT VARIATION - ZWM/14/7565

25. With reference to Article 6 of the minute of meeting of the Zero Waste Management Sub Committee of 2 December 2014, the Council had before it, by way of remit, a report by the Director of Communities, Housing and Infrastructure which summarised the process for the renegotiation of the Waste Management Services Contract with SITA North East Limited for processing Aberdeen's waste, and sought approval for recommended changes in respect of the remaining term of the contract to meet the Council's requirements through to 2025.

The Zero Waste Management Sub Committee recommended that the Council agree:-

- (a) that the revised technical and service proposals identified in the report be accepted and shall form the basis of the variation to the Waste Management Services Contract with SITA North East Limited;
- (b) that organic waste (kitchen and garden) should continue to be processed by Keenan (Recycling) Limited in New Deer (under a sub-contract between SITA and Keenan (Recycling) Limited) pending development of a more local facility if a local commercial outlet became available (noting that there was a contract break point after five years, beyond five years a further contract variation would be required);
- (c) that a new facility be constructed on the identified site at Altens, directly funded by the Council to:-
- (1) process recycled mixed materials (including glass) for onward sale to markets; and
 - (2) prepare residual waste for export via Montrose Port to an off-site processing plant, pending development of a local Energy from Waste facility;
- (d) that the Altens facility should be capable of receiving third party waste from other sources so as to maximise economies of scale and reduce unit costs to the Council;
- (e) that the new facility at Altens should include a new Waste Services depot and office to allow withdrawal from the Kittybrewster site in anticipation of the Berryden Corridor road development;
- (f) that the current commercial position be accepted as the basis for the contract variation and that authority be delegated to the Director of Communities, Housing and Infrastructure to finalise the terms of the variation in consultation with the Head of Legal and Democratic Services - and that this authority be limited to seeking lower cost services only and did not include authority to alter the specification of the services; and
- (g) that the Altens site, accesses, roads, offices, plant and other fixed assets shall be wholly owned by the Council, and be returned to the Council in good condition at the end of the contract so as to be available to a new contractor (or to allow operations to be brought in-house) at that time.

The Council resolved:-

to approve the recommendations.

DECLARATION OF INTERESTS

Councillor Cameron declared an interest in the following item of business by virtue of his position as a Director on the Board of Aberdeen Sports Village and withdrew from the meeting.

Councillor Sandy Stuart declared an interest by virtue of a previous connection with Aberdeen East End Football Club and withdrew from the meeting. Councillor Laing declared an interest by virtue of her son's involvement with Aberdeen East End Football Club and withdrew from the meeting.

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26. With reference to Article 2 of the minute of its meeting of 6 February 2014, the Council had before it a joint report by the Director of Education and Children's Services and the Director of Communities, Housing and Infrastructure which brought forward a number of options for the development of the remaining land to the east of Aberdeen Sports Village and sought a preferred option for further development.

The report recommended:-

that the Council -

- (a) note the four options for development being explored by Aberdeen Sports Village, the University of Aberdeen and Aberdeen City Council officers; and
- (b) instruct officers to continue to work in partnership to develop the various options and come back to an appropriate committee with more detailed costs, once the soil investigation analysis was complete.

The Council resolved:-

to approve the recommendations.

- **GEORGE ADAM, Lord Provost.**