

FINANCE, POLICY AND RESOURCES COMMITTEE

ABERDEEN, 26 September 2013 - minute of meeting of the FINANCE, POLICY AND RESOURCES COMMITTEE. Present: Councillor Young, Convener; Councillor Forsyth, Vice Convener; and Councillors Allan, Cameron, Delaney (as substitute for Councillor Yuill), Dickson, Donnelly, Grant (for articles 1 to 12 only), Len Ironside CBE (as substitute for Councillor Crockett), Lawrence (as substitute for Councillor Laing), McCaig, Milne, Jean Morrison MBE (as substitute for Councillor Grant from item 13 onwards), Noble, Reynolds and Samarai (as substitute for Councillor Jackie Dunbar); and Councillor Greig was in attendance for article 8 only.

The agenda and reports associated with this minute can be located at the following link:-

<http://committees.aberdeencity.gov.uk/ielistdocuments.aspx?cid=146&mid=2903&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 altered retrospectively.

DETERMINATION OF EXEMPT ITEMS OF BUSINESS

1. The Convener proposed that the Committee consider those reports identified on the agenda as being for determination in private, with the press and public excluded.

The Committee resolved:-

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting from item 10.1 of the agenda (article 29 of this minute) onwards so as to avoid disclosure of information of the classes described in the following paragraphs of Schedule 7(A) to the Act: article 29 (paragraph 9), article 30 (paragraphs 6 and 9), article 31 (paragraph 11), article 32 (paragraph 6), article 33 (paragraphs 6 and 9), article 34 (paragraph 8) and article 35 (paragraphs 6, 8 and 10).

REQUEST FOR DEPUTATION

2. In terms of Standing Order 10, the Committee had before it a request for a deputation from Dr W Melvin Morrison on behalf of Aberdeen Medico-Chirurgical Society relating to item 4.1 (Motion by Councillor Greig – Policing Museum) on the agenda.

The Committee resolved:-

to accept the request and hear the deputation immediately prior to the report being considered.

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MINUTE OF PREVIOUS MEETING

3. The Committee had before it the minute of its previous meeting of 13 June 2013.

The Committee resolved:-

- (i) to approve the minute as a correct record; and
- (ii) in relation to article 8 (Small Financial Assistance Grants 2013/2014) resolution (ii), to request officers to provide the Committee with an update, by way of email, on the invitation to Celebrate Aberdeen to apply for financial assistance towards the cost of traffic management and barriers for its parade held on 1 June, 2013.

MINUTE OF ADDITIONAL MEETING OF 25 JULY 2013

4. The Committee had before it the minute of its additional meeting of 25 July 2013.

The Committee resolved:-

to approve the minute as a correct record.

MINUTE OF LOCAL GOVERNMENT EMPLOYEES JOINT CONSULTATIVE COMMITTEE OF 22 MAY 2013

5. The Committee had before it the minute of the Local Government Employees Joint Consultative Committee meeting of 22 May 2013, for information.

The Committee resolved:-

to note the minute.

COMMITTEE BUSINESS STATEMENT

6. The Committee had before it a statement of pending and outstanding committee business, as prepared by the Head of Legal and Democratic Services.

The Committee resolved:-

- (i) to note that a report on item 10 (Processions Charging Policy), would be considered by the Enterprise, Strategic Planning and Infrastructure Committee on 12 November 2013 and therefore to delete;
- (ii) to note that reports on items 16 (Volunteering Strategy) and 17 (Auto-enrolment), were to be considered on today's agenda and to remove them subject to the decision taken; and
- (iii) to otherwise note the updates provided.

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MOTIONS LIST

7. The Committee had before it the outstanding motions list, as prepared by the Head of Legal and Democratic Services.

The Committee resolved:-

- (i) in relation to motion 1 (Motion by Councillor McCaig – Business Rates Incentive Scheme), to note that a report would be submitted to the next meeting of the Committee on 5 December 2013; and
- (ii) in relation to motion 2 (Motion by Councillor Greig – Policing Museum), to note that a report was to be considered on today's agenda.

PROPERTY SUB COMMITTEE ORDERS OF REFERENCE

8. With reference to article 11 of the minute of meeting of Council of 21 August 2013, members had before them the Orders of Reference of the Property Sub Committee for approval.

The Committee resolved:

to approve the Orders of Reference of the Sub Committee.

MOTION BY COUNCILLOR GREIG - POLICING MUSEUM

9. (A) In terms of Standing Order 10(1), and as agreed at the beginning of the meeting (article 2 refers), the Committee received a deputation from Dr W Melvin Morrison on behalf of Aberdeen Medico-Chirurgical Society.

Dr Morrison advised of the Society's aspiration for a museum for Aberdeen City and possibly the North East and acknowledged that it required the support of the Council, in principle, for this concept to be progressed. On this basis, Dr Morrison sought the Committee's approval of the following actions in order to progress this matter jointly:

- (1) support, in principle, the concept of a museum for Aberdeen City and possibly the North East;
- (2) support the Aberdeen Medico-Chirurgical Society's concept of such a museum being housed in the Simpson Pavilion, Woolmanhill;
- (3) support the Aberdeen Medico-Chirurgical Society's suggestion that the Society host a meeting of interested parties to discuss how to progress the concept or alternatively to suggest another way forward; and
- (4) authorise officials to engage in such discussions.

Members were invited to ask questions of Dr Morrison and then thanked him for his contribution.

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(B) With reference to article 6 of the minute of its meeting of 13 June 2013, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided an update on discussions held regarding the terms of the Councillor Greig's motion, namely to explore the establishment of a policing museum for the North East, as well as the possibility of creating a regional museum which would include a public protection section.

The report recommended -

that the Committee -

- (a) note the information contained in the report; and
- (b) instruct officers to report in more detail to a future meeting of the Education, Culture and Sport committee, and if it were agreed to pursue this project, to refer it to the budget process.

The Convener moved, seconded by Councillor Greig:-
that the Committee approve the recommendations.

Councillor Noble then moved as an amendment, seconded by Councillor McCaig:-
that the Committee -

- (1) approve recommendation (b);
- (2) support, in principle, the concept of a museum for Aberdeen City and possibly the North East;
- (3) support the Aberdeen Medico-Chirurgical Society's concept of such a museum being housed in the Simpson Pavilion, Woolmanhill;
- (4) support the Aberdeen Medico-Chirurgical Society's suggestion that the Society host a meeting of interested parties to discuss how to progress the concept or alternatively to suggest another way forward; and
- (5) authorise officials to engage in such discussions.

On a division, there voted:- For the motion (11) - the Convener; the Vice Convener; and Councillors Allan, Delaney, Donnelly, Grant, Greig, Len Ironside CBE, Lawrence, Milne, Reynolds. For the amendment (5) - Councillors Cameron, Dickson, McCaig, Noble and Samarai.

The Committee resolved:-

to adopt the motion.

STATUTORY PERFORMANCE INDICATORS 2012/13 (CG/13/089)

10. The Committee had before it a report by the acting Director of Corporate Governance which detailed the outturn performance for the Council's agreed Statutory Performance Indicators (SPIs) for 2012/2013.

The report recommended -

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that the Committee -

- (a) note the outturn performance for 2012/13 SPIs;
- (b) note that the SPIs detailed in the report would also be reported to the Council's service committees as appropriate and that further details required by members, including analysis and trend information were available on request;
- (c) agree that the performance outturn detailed in the report be published in accordance with statutory requirements; and
- (d) note the developments in SPI management and reporting scheduled for the 2013/14 financial year.

The Committee resolved:-

- (i) to approve the recommendations;
- (ii) to request officers to provide the Committee, by way of email, with information on the Council's performance across the SPIs against the four principal cities and other comparable authorities; and
- (iii) to note that members could contact the Head of Asset Management and Operations to further discuss road network restrictions.

CORPORATE GOVERNANCE SERVICE - PERFORMANCE REPORTING (CG/13/090)

11. With reference to article 6 of the minute of the meeting of the former Corporate Policy and Performance Committee of 27 September 2012, the Committee had before it a report by the acting Director of Corporate Governance which presented the performance of the Corporate Governance Service as at September 2012, and apprised on progress in implementing the approved Service Business Plan 2011/2016.

The report recommended:-

That the Committee –

- (a) note the Corporate Governance Service's reported progress and performance;
- (b) note the progress being made towards continuous improvement in risk management arrangements across the Service; and
- (c) instruct such action as was considered appropriate.

The Committee resolved:-

to approve the recommendations.

2013-14 FINANCIAL MONITORING - CORPORATE GOVERNANCE SERVICE (CG/13/092)

12. With reference to article 10 of the minute of its meeting of 21 February 2013, the Committee had before it a report by the Head of Finance which provided information to date on the current year's revenue budget to date for the Corporate Governance

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Service, and advised of any areas of risk and management action being taken in this regard.

The report recommended -

that the Committee -

- (a) note the information on management action and risks contained within the report; and
- (b) instruct officers continue to review budget performance and report on Service strategies.

The Committee resolved:-

to approve the recommendations.

COUNCIL REVENUE BUDGET 2013/14 MONITORING (CG/13/072)

13. With reference to article 7 of the minute of its meeting of 13 June 2013, the Committee had before it a report by the acting Director of Corporate Governance which presented the revenue position for the Council for 2013/2014 and advised as to any areas of risk that had been highlighted by Directors.

The report recommended –

that the Committee -

- (a) note and endorse the content of the report; and
- (b) agree to use any uncommitted revenue surplus to benefit the funding of the Council's capital investment requirements as set out in the five year capital programme.

The Convener moved, seconded by the Vice Convener:-
that the Committee approve the recommendations.

Councillor Delaney then moved as an amendment, seconded by Councillor Dickson:-
that the Committee -

- (1) note and endorse the content of the report;
- (2) agree to set aside £1million from projected surpluses;
- (3) instruct officers to bring forward a priority list for the replacement of street lighting and the resurfacing of roads and pavements throughout the city, drawing first from those projects on this year's reserve lists followed by other projects known to officers to be in the greatest need of attention, making full use of the additional resource;
- (4) instruct officers to progress these additional works at the earliest opportunity, carrying forward any approved but uncompleted works which might exist at the year end;
- (5) instruct officers to report the list of works to the Enterprise, Strategic Planning and Infrastructure Committee for information; and

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- (6) agree to use any further uncommitted revenue surplus to benefit the finding of the Council's capital investment requirements as set out in the 5 year capital programme.

Councillor Noble moved as a further amendment, seconded by Councillor McCaig:-
that the Committee approve recommendation (a) and in light of the projected £4million underspend, instruct the Corporate Management Team to bring forward proposals to utilise the £5million risk fund, on a spend to save basis, to help meet the financial challenges that the Council would face in future years.

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

On a division, there voted:- For the amendment by Councillor Delaney (1) - Councillor Delaney; For the amendment by Councillor Noble (5) - Councillors Cameron, Dickson, McCaig, Noble and Samarai; Declined to vote (9) - the Convener; the Vice Convener; and Councillors Allan, Donnelly, Grant, Len Ironside CBE, Lawrence, Milne and Reynolds.

The Committee then divided between the motion and the amendment by Councillor Noble.

On a division, there voted:- For the motion by the Convener (9) - the Convener; the Vice Convener; and Councillors Allan, Donnelly, Grant, Len Ironside CBE, Lawrence, Milne and Reynolds; For the amendment by Councillor Noble (5) - Councillors Cameron, Dickson, McCaig, Noble and Samarai; Declined to vote (1) - Councillor Delaney.

The Committee resolved:-
to adopt the motion.

2013/14 COMMON GOOD BUDGET - MONITORING REPORT (CG/13/093)

14. With reference to article 16 of the minute of its meeting of 25 April 2013, the Committee had before it a report by the Head of Finance which presented information on the income and expenditure of the Common Good budget for the period to 31 July 2013, and outlined the forecast position of the cash balances.

The report recommended –
that the Committee -

- (a) note the income and expenditure position as at 31 July 2013, and the forecast outturn for the year; and

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- (b) note the forecast cash balances as at 31 March 2014, of £6,900,000 based on current estimates, which was within the recommended levels indicated by the Head of Finance.

The Committee resolved:-

to approve the recommendations.

TREASURY MANAGEMENT - MID YEAR REVIEW (CG/13/091)

15. With reference to article 13 of the minute of the meeting of Council of 26 June 2013, the Committee had before it a report by the acting Director of Corporate Governance which provided an update on treasury management activities undertaken during the financial year 2013/2014.

The report recommended –

that the Committee recommend that Council note the treasury management activities undertaken in 2013/2014 as detailed in the report.

The Committee resolved:-

to approve the recommendation.

CAPITAL PROGRAMME MANAGEMENT - PROPOSED CHANGES (EPI/13/176)

16. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which sought approval of the recommended changes to the management of the capital programme to take account of the Audit Scotland report entitled “Major Capital Investment in Councils”.

The report recommended –

that the Committee -

- (a) approve the following changes to the capital programme process:-
1. projects would only be considered for possible inclusion in the capital programme when up to date business cases, which comprehensively addressed the various component elements of the proforma and particularly took account of the value of the project to the Council’s overall priorities were submitted; and
 2. in the event that Elected Members added projects to the programme that had not been subject to normal business case procedures, a full business case should be completed by officers as soon as reasonably practical and submitted for approval by the relevant service committee; and
- (b) note the other listed actions approved by the Corporate Asset Group.

The Committee resolved:-

to approve the recommendations.

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UNRECOVERABLE DEBT (CG/13/086)

17. With reference to article 17 of the minute of its meeting of 6 December 2012, the Committee had before it a report by the acting Director of Corporate Governance which (a) requested approval, in terms of financial regulation 11.3.7, to write off business rate debts in excess of £25,000 deemed to be unrecoverable during 2012/13 and (b) advised of the numbers and values of Council Tax, business rates, community charge and housing benefit overpayments of up to £10,000, deemed to be unrecoverable during 2012/13 after all approved recovery procedures had been followed, in terms of financial regulations 11.3.6 and 11.3.9.

The report recommended –

that the Committee -

- (a) note the value of Council Tax, business rates, community charge and housing benefit overpayments deemed by the Director of Corporate Governance as unrecoverable, as detailed at appendices 1 to 4; and
- (b) agree that the business rates amounts over £25,000 (and as detailed at appendix (5) in the exempt section of the agenda) deemed as unrecoverable by the Director of Corporate Governance, also be written off.

The Committee resolved:-

to approve the recommendations.

SOCIETY OF PERSONNEL AND DEVELOPMENT SCOTLAND ANNUAL CONFERENCE 2013

18. The Committee had before it details of the Society of Personnel and Development Scotland annual conference, to be held on 7 and 8 November 2013.

The Convener moved, seconded by the Vice Convener:-

that the Committee agree that one member of the administration and one member of the opposition attend the Society of Personnel Development Scotland Annual Conference on 7 and 8 November 2013.

Councillor Delaney then moved as an amendment, seconded by Councillor Dickson:-

that the Committee take no action.

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

that the Committee agree that one members of the administration, that being the Leader of the Council, or the Convener or Vice Convener of the Finance, Policy and Resources Committee attend the Society of Personnel Development Scotland Annual Conference on 7 and 8 November 2013.

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In terms of Standing Order 12(10), the Committee first divided between the motion by the Convener and the amendment by the Delaney.

On a division, there voted:- For the motion by the Convener (9) - the Convener; the Vice Convener; and Councillors Allan, Donnelly, Grant, Len Ironside CBE, Lawrence, Milne and Reynolds; For the amendment by Councillor Delaney (1) - Councillor Delaney; Declined to vote (5) Councillors Cameron, Dickson, McCaig, Noble and Samarai.

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

On a division, there voted:- For the motion (9) - the Convener; the Vice Convener; and Councillors Allan, Donnelly, Grant, Len Ironside CBE, Lawrence, Milne and Reynolds; For the amendment by Councillor McCaig (5) - Councillors Cameron, Dickson, McCaig, Noble and Samarai; Declined to vote (1) – Councillor Delaney.

The Committee resolved:-

to adopt the motion.

AUTO-ENROLMENT - UPDATE FOLLOWING IMPLEMENTATION (CG/13/097)

19. With reference to article 11 the minute of the meeting of the former Corporate Policy and Performance Committee of 29 November 2012, the Committee had before it a report by the acting Director of Corporate Governance which provided an update on the auto-enrolment project following implementation at the Council's staging date on 1 April 2013, including information on the latest known costs.

The report recommended –

that the Committee -

- (a) note the update on the auto-enrolment project following implementation, including information on the latest known costs and instruct officers to continue to progress the remaining tasks in relation to auto-enrolment; and
- (b) note that the Council was one of the few Scottish Local Authorities to have implemented auto-enrolment on schedule at the appointed staging date, demonstrating its genuine care for the financial wellbeing of its employees in their later years.

The Committee resolved:

to approve the recommendations.

FAILURE TO ATTEND WORK DUE TO BAD WEATHER (CG/13/098)

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20. The Committee had before it a report by the acting Director of Corporate Governance which proposed the replacement of the two current policies on failure to attend work due to bad weather (non-teaching and teaching), with a set of new corporate guidance.

The report recommended –

that the Committee approve the introduction of the new corporate guidance on failure to attend work due to bad weather, to replace the two existing policies.

The Committee resolved:-

- (i) to approve the recommendation; and
- (ii) to instruct officers to report back to the Committee on the guidance in one year.

SMARTER WORKING FRAMEWORKS (CG/13/102)

21. The Committee had before it a report by the acting Director of Corporate Governance which sought approval of the introduction of comprehensive guidance for managers and for employees on different forms of flexible working available within Aberdeen City Council which would supersede the previous Flexible Working Scheme, Teleworking Scheme and Job Share Scheme.

The report recommended –

that the Committee approve the introduction of the Smarter Working Frameworks which would supersede the existing Flexible Working, Teleworking and Job Sharing schemes.

The Committee resolved:-

to approve the recommendation.

TELEPHONE SYSTEMS AND MOBILE DEVICES FOR PRIVATE USAGE (CG/13/100)

22. The Committee had before it a report by the acting Director of Corporate Governance which proposed the replacement of the existing policy on the use by employees of the Council's telephone systems for private calls with a set of guidance, which also covered the use of mobile devices for private calls and digital messaging.

The report recommended –

that the Committee approve the replacement of the existing policy on the use by employees of the Council's telephone systems for private calls with a set of guidance, which also covered the use of mobile devices for private calls and digital messaging.

The Committee resolved:-

to approve the recommendation.

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DATA VALIDATION - OUTCOME OF 2012/2013 EXERCISE (CG/13/099)

23. The Committee had before it a report by the acting Director of Corporate Governance which provided details of the outcome of the 2012/2013 data validation exercise.

The report recommended –

that the Committee note the outcome of the 2012/2013 data validation exercise and instruct officers to further develop the reporting of diversity and equality information to fully meet Equality Act requirements.

The Committee resolved:-

to approve the recommendation.

INFRASTRUCTURE AND ASSETS MANAGER FOR EDUCATION, CULTURE AND SPORT (CG/13/105)

24. The Committee had before it a report by the acting Director of Corporate Governance which sought approval to establish a new post of Infrastructure and Assets Manager for Education, Culture and Sport to meet the Directorate's obligation to deliver a school estate which met the needs of learners throughout the city.

The report recommended –

that the Committee approve the establishment of an event related fixed term post of Infrastructure and Assets Manager for Education, Culture and Sport on Chief officer terms and conditions of employment.

The Committee heard from the Head of Educational Development, Policy and Performance who advised the Committee that the title of the proposed new post contained within the report was inaccurate and therefore clarified that the post title was "Infrastructure and Assets Manager for Education, Culture and Sport, and that the post would be fixed term for up to approximately 25 years".

The Convener moved, seconded by the Vice Convener:-
that the Committee approve the recommendation.

Councillor Noble then moved as an amendment, seconded by Councillor McCaig:-
that the Committee take no action.

On a division, there voted:- For the motion (8) - the Convener; the Vice Convener; and Councillors Allan, Donnelly, Len Ironside CBE, Lawrence, Milne and Jean Morrison MBE. For the amendment (6) - Councillors Cameron, Delaney, Dickson, McCaig, Noble and Samarai.

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The Committee resolved:-

to adopt the motion.

DECLARATION OF INTEREST

Councillor Dickson declared an interest in relation to the following item of business arising from being a member of a company which might benefit from the tender, withdrew from the meeting and took no part in the Committee's deliberations thereon.

PROVISION OF LIFEGUARDS IN SWIMMING POOLS TENDER (ECS/13/064)

25. The Committee had before it a report by the Director of Education, Culture and Sport which sought approval of a tender exercise for the provision of lifeguards during curriculum time in swimming pools attached to schools for a maximum of three years at the estimated expenditure detailed in the report.

The report recommended –

that the Committee approve the estimated annual expenditure of £60,000 for three years for the provision of lifeguards in swimming pools attached to schools, in accordance with Standing Order 1(3) of the Council's Standing Orders Relating to Contracts and Procurement.

The Committee resolved:-

- (i) to approve the recommendation.
- (ii) to instruct officers to advise the Committee, by way of email, when the tendering exercise commenced.

PROVISION OF WORKPLACE WATER TENDER (CG/13/103)

26. The Committee had before it a report by the acting Director of Corporate Governance which sought approval of a tender exercise for the provision of water in the workplace for a maximum of four years at the estimated expenditure detailed in the report.

The report recommended –

that the Committee approve the estimated annual expenditure of £20,546 for four years for the provision of water in the workplace, in accordance with Standing Order 1(3) of the Council's Standing Orders Relating to Contracts and Procurement.

The Committee resolved:-

to approve the recommendation.

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PROCUREMENT OF FUEL OIL (CG/13/104)

27. The Committee had before it a report by the acting Director of Corporate Governance which sought approval (a) to use a national mini-competition procedure to call-off from a pre-tendered UK Government Procurement Service Framework Agreement (RM1013 Liquid Fuels) for the purchase of fuel oil; and (b) of the estimated expenditure as detailed in the report.

The report recommended –

that the Committee approve the use of the Government Procurement Service Framework Agreement in order to purchase fuel oil as required and the estimated expenditure detailed in the report.

The Committee resolved:-

to approve the recommendation.

COMMUNITY COUNCIL PROTOCOL (CG/13/080)

28. The Committee had before it a report by the acting Director of Corporate Governance which sought approval of the Community Council Protocol which outlined the expected relationship between the Council and Community Councils across Aberdeen specifically in relation to communication and consultation.

The report recommended –

that the Committee adopt the Community Council Protocol as set out in appendix 1 of the report.

The Committee resolved:-

to approve the recommendation subject to the addition of the fact that Community Councils were statutory consultees for alcohol licenses.

VOLUNTEERING POLICY (CG/13/015)

29. With reference to article 18 of the minute of the meeting of the former Corporate Policy and Performance Committee of 1 December 2011, the Committee had before it a report by the acting Director of Corporate Governance which sought approval of the Volunteering Policy Guidance and Service Pack.

The report recommended –

that the Committee

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- (a) to endorse the Making the Difference: Volunteering in Aberdeen Volunteering Service Pack and the Making the Difference: Volunteering in Aberdeen Volunteering Policy Guidance;
- (b) to note that local arrangements would be developed for volunteers to be inducted properly to the organisation and ensure that they operated within the principles and behaviours agreed by the Council; and
- (c) to agree that the responsibility for coordinating and monitoring volunteering opportunities within the Council would be taken by the Corporate Governance, Customer Service and Performance Service and linked into the Community Planning Aberdeen Volunteering Strategy.

The Committee resolved:-

to approve the recommendations.

In accordance with the decision recorded under article 1 of this minute, the following items were considered with the press and public excluded.

COMMON GOOD PROPERTY REPAIRS (EPI/13/171)

30. Reference was made to article 8 of the minute of meeting of the Property Sub Committee of 24 September 2013, at which time members agreed, amongst other things, to refer the report before them to this Committee for consideration of an allocation of an additional £20,000 from the Common Good Revenue Budget to allow the urgent works on Common Good properties to be progressed this financial year. The Committee had before it on this day, the report as presented to the Property Sub Committee.

The Committee resolved:-

to agree to allocate an additional £20,000 from the Common Good Revenue Budget to allow the urgent works on Common Good properties to be progressed this financial year.

DECLARATION OF INTEREST

Prior to the consideration of the following item of business, Councillor Donnelly declared an interest in the subject matter due to his position on the Aberdeen Performing Arts Board but considered that the nature of his interest did not require him to leave the meeting.

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LEMON TREE, WEST NORTH STREET (EPI/13/168)

31. With reference to article 10 of the minute of the meeting of the Property Sub Committee of 24 September 2013, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised members of progress of negotiations regarding the formalising of the agreement for the Lemon Tree.

The report recommended –

that the Committee –

- (a) approve the proposed twenty five year lease of the Lemon Tree to Aberdeen Performing Arts (APA);
- (b) approve the proposed twenty five year lease of the office property at Shoe Lane to Aberdeen performing Arts; and
- (c) instruct the Head of Legal and Democratic Services to conclude the appropriate legal agreements incorporating various qualifications as were necessary to protect the Council's interests .

The Convener moved, seconded by the Vice Convener:-

that the Committee –

- (1) approve recommendations (a) and (c);
- (2) approve the proposed twenty five year lease of the office property at Shoe Lane to APA with a rent free period until 1 April 2014;
- (3) agree that the grant to APA be looked at again in February 2014 as part of the budget process.

Councillor McCaig then moved as an amendment, seconded by Councillor Noble:-

that the Committee –

- (i) approve recommendations (a) and (c);
- (ii) approve the proposed twenty five year lease of the office property at Shoe Lane to APA with a rent free period until 1 April 2014 and a two month break option pending the outcome of the Council's budget process; and
- (iii) agree that the grant to APA be looked at again in February 2014 as part of the budget process.

On a division, there voted:- For the motion (8) - the Convener; the Vice Convener; and Councillors Allan, Donnelly, Len Ironside CBE, Lawrence, Milne and Jean Morrison MBE. For the amendment (6) - Councillors Cameron, Delaney, Dickson, McCaig, Noble and Samarai.

The Committee resolved:-

to adopt the motion.

2013/14 PAY AWARD - AMENDMENT TO GRADE STRUCTURE (CG/13/101)

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32. The Committee had before it a report by the acting Director of Corporate Governance which (a) sought approval of an amendment to the equal pay and modernisation grade structure once negotiations on the 2013/14 pay agreement were concluded; and (b) detailed the revisions that would be required if the currently proposed pay award was accepted.

The report recommended –

that the Committee grant authority to the Director of Corporate Governance in consultation with the Convener to implement a revision to the pay and grading structure following a determination on the 2013/14 pay award for SJC Local Government Employees.

The Committee resolved:-

to approve the recommendation.

UNRECOVERABLE DEBT - APPENDIX

33. With reference to article 16 of this minute, the Committee had before it an appendix containing details of business case write offs above £25,000.

The Committee resolved:

to note that this matter had been dealt with at article 16 of this minute.

ACQUISITION OF PROPERTY FOR THIRD DON CROSSING (EPI/13/167)

34. With reference to article 10 of the minute of the meeting of Council of 6 March 2013, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided an update on the progress of negotiations over the payment of compensation claims following The Aberdeen City Council Access from the North Proposals (“Third Don Crossing”) Compulsory Purchase Order 2010.

The report recommended –

that the Committee -

- (a) note the current progress of discussions regarding compensation;
- (b) suspend Standing Orders to grant delegated powers to the Head of Asset Management and Operations, after consultation with the Head of Legal and Democratic Services and the Convener of the Property Sub Committee to agree and pay any compensation claims in relation to this compulsory purchase order which exceeds £100,000 without the need to refer payment to Committee; and
- (c) note that the Council was currently challenging two Notices of Objection of Severance and that the Head of Legal and Democratic Services and the Head of Asset Management and Operations would undertake such work as required to protect the Council’s interests in respect of these cases.

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The Committee resolved:-

- (i) to approve recommendations (a) and (c) of the report; and
- (ii) to agree to suspend Standing Orders to grant delegated powers to the Head of Asset Management and Operations, after consultation with the Head of Legal and Democratic Services, the Convener of the Finance, Policy and Resources Committee and the Convener of the Property Sub-Committee to agree and pay any compensation claims in relation to this compulsory purchase order which exceeded £100,000 without the need to refer payment to Committee; and
- (iii) notwithstanding the progress report being submitted to the next meeting of the Committee, to instruct officers to bring forward the determination of the land tribunal decision to the Council or this Committee, whichever was sooner.

EXTENSION OF COUNCIL INSURANCES (CG/13/107)

35. The Committee had before it a report by the acting Director of Corporate Governance which sought approval of a one year extension to the Council's existing insurance arrangements.

The report recommended –

that the Committee –

- (a) approve the estimated expenditure of £11,967 for an extension of the Council's existing insurance arrangements for a period of one year in accordance with Standing Order 1(3) of the Councils Contract and Procurement Standing Orders;
- (b) agree to invoke the provisions of Standing Order 1(6)(b) in order to set aside the need for compliance with Standing Order 4; and
- (c) approves the proposed extension of the current insurance arrangements for a period of one year in order to allow officers to explore the possibility of a future joint tender with Aberdeenshire Council.

The Committee resolved:-

to approve the recommendations.

LAGAN CUSTOMER RELATIONSHIP MANAGEMENT (CRM) SYSTEM CONTRACT RENEWAL (CG/13/096)

36. The Committee had before it a report by the acting Director of Corporate Governance which sought approval to (a) invoke Standing Order 1(6)(a) of the Council's Standing Orders Relating to Contracts and Procurement and thereby exempt a contract for the provision of support and maintenance of the Lagan Customer Relationship Management (CRM) System from the requirement to go out to competitive tender and to advertise on the Public Contracts Scotland Portal on the grounds that the

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exemption was justified by special circumstances; and (b) renew the existing contract for a period of three years and approve the estimated expenditure detailed in the report.

The report recommended –

that the Committee -

- (a) approve the expenditure for renewal of the Lagan CRM System support and maintenance contract with Kana Software Incorporated for a three year period; and
- (b) agree not to go out to competitive tender for the Lagan CRM System support and maintenance contract due to the special circumstances detailed in the report.

The Committee resolved:-

to approve the recommendations.

- **COUNCILLOR WILLIE YOUNG, Convener.**