

ABERDEEN CITY COUNCIL

Town House,  
ABERDEEN, 4 March 2015

MINUTE 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  
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  
NEIL MacGREGOR  
CALLUM McCAIG  
M. TAUQEER MALIK  
AILEEN MALONE  
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=3484&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. 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 John M Corall, Councillor, Aberdeen  
Ian W Dow, Retired Mental Health Nurse, Aberdeen  
Reverend Duncan C Eddie, Minister of Religion, Aberdeen  
Alistair G MacDonald, University Lecturer, Aberdeen  
Professor Jamie Weir, Retired Professor of Radiology, Aberdeen

## **MEMBERS ARE REQUESTED TO AGREE THAT ANY EXEMPT BUSINESS ON THIS AGENDA BE CONSIDERED WITH THE PRESS AND PUBLIC EXCLUDED**

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

9(a) Aberdeen Exhibition and Conference Centre (AECC) Development

### **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 item of business so as to avoid disclosure of exempt information of the class described in paragraph 6 of Schedule 7(A) of the Act.

## **MINUTE OF MEETING OF COUNCIL OF 17 DECEMBER 2014**

3. The Council had before it the minute of meeting of Aberdeen City Council of 17 December 2014.

### **The Council resolved:-**

to approve the minute.

## **MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 28 JANUARY 2015**

4. The Council had before it the minute of meeting of the Urgent Business Committee of 28 January 2015.

### **The Council resolved:-**

to approve the minute.

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**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.

**MINUTE OF MEETING OF GILDRY AND MORTIFICATION FUNDS SUB COMMITTEE OF 21 JANUARY 2015**

7. The Council had before it the minute of meeting of the Guildry and Mortification Funds Sub Committee of 21 January 2015.

**The Council resolved:-**

to approve the minute.

**CAMPING IN DESIGNATED PLACES - CHI/15/132**

8. With reference to Article 12 of the minute of its meeting of 17 December 2014, the Council had before it a report by the Director of Communities, Housing and Infrastructure which provided an update on progress, with particular reference to contact with the National Park Authority regarding the East Loch Lomond Camping Byelaws.

**The report recommended:-**

that the Council note the progress report.

**The Council resolved:-**

to approve the recommendation.

**MATTER OF URGENCY**

**The Lord Provost intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, that the following item be considered as a matter of urgency to enable the Council to consider the matter at the earliest opportunity following its publication.**

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## **JOINT INSPECTION OF CHILDREN'S SERVICES - ECS/SCW/009**

9. The Council had before it a report by the Director of Education and Children's Services which provided a summary of the outcome of the Care Inspectorate's report on the Joint Inspection of Services for children and young people in the Aberdeen City Community Planning Partnership area, and appended the full inspection report.

### **The report recommended:-**

that the Council note the outcome of the Care Inspectorate's report on the Joint Inspection of Services to children and young people.

### **The Council resolved:-**

- (i) to approve the recommendation;
- (ii) to congratulate all staff involved for their work; and
- (iii) to refer the report to the Education and Children's Services Committee for further consideration.

## **DRAFT HEALTH AND SOCIAL CARE INTEGRATION SCHEME**

10. With reference to Article 3 of the minute of meeting of the Shadow Integration Joint Board of 24 February 2015, the Council had before it a report by the Chief Officer (Adult Health and Social Care) which presented the draft Health and Social Care Integration Scheme for Aberdeen City for approval.

### **The report recommended:-**

that the Council -

- (a) approve the Health and Social Care Integration Scheme for Aberdeen City;
- (b) agree that this Integration Scheme be submitted to the Scottish Government for approval, pending the agreement of NHS Grampian; and
- (c) agree that any minor and technical changes, resulting from the Scottish Government initial review, be agreed for the scheme by the Chair and Vice Chair of the Shadow Integration Joint Board and that no further consultation take place.

Councillor Lesley Dunbar moved, seconded by Councillor Donnelly:-

That the Council approve the recommendations contained within the report, and agree that the Council membership of the Integration Joint Board will consist of three Administration members and one Opposition member with the same arrangement being in place for substitute members.

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

That the Council approve the recommendations contained within the report, and instruct officers to approach NHS Grampian to seek agreement that the membership of the board be increased to five members from both the Council and NHS Grampian.

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On a division, there voted:-

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

For the amendment (19) - Councillors Blackman, Cameron, Corall, Cormie, Delaney, Dickson, Jackie Dunbar, Greig, Jaffrey, Kiddie, MacGregor, McCaig, Malone, Noble, Samarai, Jennifer Stewart, Sandy Stuart, Townson and Yuill.

Absent from the division (1) - Depute Provost.

**The Council resolved:-**  
to adopt the motion.

### **COSLA/SCOTTISH LOCAL GOVERNMENT PARTNERSHIP - OCE/15/005**

11. With reference to Article 1 of the minute of its meeting of 6 February 2014, the Council had before it a report by the Chief Executive which provided information on the arrangements being made by officers in light of the Council's decision to terminate its membership of COSLA with effect from 1 April 2015, and advised of the formation of the Scottish Local Government Partnership.

**The report recommended:-**

that the Council -

- (a) note that the Council's membership of COSLA would terminate with effect from 1 April 2015;
- (b) note the arrangements being made by officers in light of the Council no longer being a member of COSLA;
- (c) agree that the Council joins the Scottish Local Government Partnership and plays an active role in its development; and
- (d) agree that further reports be brought to committee on these matters as necessary.

Councillor Laing moved, seconded by Councillor Boulton:-

That the Council approve the recommendations contained within the report.

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

That the Council -

- (1) note that the Council's membership of COSLA would terminate with effect from 1 April 2015;
- (2) note the arrangements being made by officers in light of the Council no longer being a member of COSLA;
- (3) note the formation of the Scottish Local Government Partnership;
- (4) agree that the best interests of the citizens of Aberdeen are at present best served by Aberdeen City Council not being a member of any central belt dominated local government association;

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- (5) agree that no "exit payment" will be paid to COSLA unless approved by the Council; and
- (6) agree that further reports be brought to committee on these matters as necessary.

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

That the Council withdraw the notice to terminate its membership of COSLA and agree to remain as a member of COSLA.

### **DECLARATION OF INTERESTS**

**During the course of summing up, Councillors Dickson, Jackie Dunbar and McCaig declared interests by virtue of their employment by Kevin Stewart MSP, who had been referred to in the debate. Councillor Blackman declared an interest by virtue of her employment by Mark McDonald MSP and Councillor Young declared an interest by virtue of his employment by Richard Baker MSP. None of the Councillors considered that the nature of their interest required them to leave the meeting.**

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

On a division, there voted:-

For the amendment by Councillor Yuill (7) - Lord Provost; and Councillors Delaney, Forsyth, Greig, Malone, Jennifer Stewart and Yuill.

For the amendment by Councillor McCaig (14) - Councillors Blackman, Cameron, Corall, Cormie, Dickson, Jackie Dunbar, Jaffrey, Kiddie, MacGregor, McCaig, Noble, Samarai, Sandy Stuart and Townson.

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

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

On a division, there voted:-

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

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For the amendment by Councillor McCaig (14) - Councillors Blackman, Cameron, Corall, Cormie, Dickson, Jackie Dunbar, Jaffrey, Kiddie, MacGregor, McCaig, Noble, Samarai, Sandy Stuart and Townson.

Declined to vote (5) - Councillors Delaney, Greig, Malone, Jennifer Stewart and Yuill.

**The Council resolved:-**

to adopt the motion.

**In terms of Standing Order 15(6), Councillors Blackman, Cameron, Corall, Cormie, Dickson, Jackie Dunbar, Jaffrey, Kiddie, MacGregor, McCaig, Noble, Samarai, Sandy Stuart and Townson intimated their dissent against the foregoing decision.**

**APPOINTMENTS - OCE/15/004**

12. The Council had before it a report by the Chief Executive which advised of changes to previously agreed appointments and sought new appointments.

**The report recommended:-**

that the Council -

- (a) note Councillor Cameron's resignation from the Board of Aberdeen Exhibition and Conference Centre and agree the appointment of a replacement representative;
- (b) agree the appointment of an elected member as the Council's representative on the North East Scotland Pension Fund - Pensions Board along with a substitute member; and
- (c) note that Councillor Sandy Stuart had replaced Councillor May on the Education and Children's Services Committee and that Councillor MacGregor had replaced Councillor May on the Pensions Committee.

**The Council resolved:-**

- (i) to agree the appointment of Councillor Donnelly to the Board of Aberdeen Exhibition and Conference Centre;
- (ii) to agree the appointment of Councillor Ironside as the Council's representative on the North East Scotland Pension Fund - Pensions Board; and
- (iii) to note that Councillor Sandy Stuart had replaced Councillor May on the Education and Children's Services Committee, that Councillor MacGregor had replaced Councillor May on the Pensions Committee, and that Councillor Lesley Dunbar had replaced Councillor Reynolds on the Older People's Advisory Group.

**ABERDEEN SPORTS VILLAGE AND SPORT ABERDEEN - RECRUITMENT OF BOARD MEMBERS - ECS/15/015**

13. The Council had before it a report by the Director of Education and Children's Services which advised of vacant Council director positions on the boards of Aberdeen

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Sports Village and Sport Aberdeen, discussed the recruitment arrangements and sought confirmation of a selection panel.

**The report recommended:-**

that the Council -

- (a) note the content of the report;
- (b) express its thanks to Nick Dalgarno and Paul McDonald for their time as board members of Aberdeen Sports Village and Sport Aberdeen respectively;
- (c) agree the timeline for the recruitment process to be followed for Aberdeen Sports Village;
- (d) agree the establishment of a selection panel made up of nine elected members consisting of 3 Labour, 3 SNP, 1 Independent, 1 Conservative and 1 Liberal Democrat with support from an appropriate officer;
- (e) delegate authority to the selection panel to select their preferred candidates with a bulletin report to come to the next Council meeting on 13 May 2015; and
- (f) note the process to be followed by Sport Aberdeen for the appointment of the new board member.

**The Council resolved:-**

to approve the recommendations subject to the report referred to in (e) being submitted to Council for approval rather than via the information bulletin.

**MOTION BY LORD PROVOST GEORGE ADAM**

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

“That this Council congratulates the Guild of Burgesses on their 800<sup>th</sup> anniversary: in so doing celebrates the enormous contribution made by Burgesses in the development of Aberdeen, remembers those who lost their lives in the defence of the city, and looks forward to continuing our long and fruitful relationship.”

**The Council resolved:-**

- (i) to approve the terms of the motion; and
- (ii) to congratulate the Dean of Guild on his new title effective from 9 March 2015 - The Lord Dean of Guild of the City and Royal Burgh of Aberdeen.

**MOTION BY COUNCILLOR YUILL**

15. The Council had before it the following notice of motion by Councillor Yuill:-

“That this Council:-

- (1) Notes the recent decision by the City of Edinburgh Council to introduce a 20mph speed limit covering most of Edinburgh and similar moves by a number of English local authorities.



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- (2) Notes the positive effect on pedestrian and cyclist survivability in accidents involving vehicles travelling at 20mph rather than 30mph.
- (3) Instructs officers to report on the feasibility, desirability and implications of introducing a similar arrangement in Aberdeen.”

**The Council resolved:-**

to refer the motion to the Communities, Housing and Infrastructure Committee.

**MOTION BY COUNCILLOR YUILL**

16. The Council had before it the following notice of motion by Councillor Yuill:-

“That this Council deplores the decision by Aberdeen International Airport to introduce a £1 charge for those dropping off passengers at the airport.”

Councillor Yuill moved, seconded by Councillor Malone:-

That the Council approve the terms of the motion.

Councillor Laing moved as an amendment, seconded by Councillor Young:-

That the Council notes the decision by Aberdeen International Airport to introduce a £1 charge for those dropping off passengers at the airport.

On a division, there voted:-

For the motion (19) - Councillors Blackman, Cameron, Corall, Cormie, Crockett, Delaney, Dickson, Lesley Dunbar, Finlayson, Greig, Jaffrey, Kiddie, MacGregor, McCaig, Malone, Samarai, Jennifer Stewart, Sandy Stuart and Yuill.

For the amendment (22) - Lord Provost; Depute Provost; and Councillors Allan, Carle, Cooney, Donnelly, Jackie Dunbar, Forsyth, Graham, Grant, Ironside, Laing, Lawrence, Malik, Milne, Jean Morrison, Nathan Morrison, Noble, Taylor, Thomson, Townson and Young.

Declined to vote (1) - Councillor Boulton.

**The Council resolved:-**

to adopt the amendment.

**MOTION BY COUNCILLOR REYNOLDS**

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

“That following the opening of the South Glasgow University Hospital, Aberdeen City Council calls on the Scottish Government to award a ring fenced grant to cover the cost of installing a new multi storey car park on the ARI site, similar to the three multi storey car parks in the new Glasgow Hospital.”

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Councillor Reynolds moved, seconded by Councillor Young:-

That the Council approve the terms of the motion.

Councillor Blackman moved as an amendment, seconded by Councillor Cameron:-

That this Council -

- (1) notes that residents are concerned about the lack of available parking at the ARI site in Aberdeen;
- (2) further notes that the Scottish Government have announced funding for a replacement maternity unit and cancer centre on the site;
- (3) supports NHS Grampian in taking these plans forward and notes that any plans will consider the impact on the whole site, as well as the known developments to the west of the site including analysis of the changed traffic flows, location of any future parking to allow the public to quickly and safely access their point of need and alternatives to car use including public transport options; and
- (4) also notes that there are around 11,000 vehicles arriving and departing the Foresterhill Campus each day while there are around 2,400 spaces on site.

Councillor Yuill moved as a further amendment, seconded by Councillor Jennifer Stewart:-

That the Council approve a combination of the motion by Councillor Reynolds and the amendment by Councillor Blackman.

Councillor Reynolds agreed to accept Councillor Blackman's amendment as an addendum to his motion and this was accepted, with Councillors Blackman and Yuill agreeing to withdraw their amendments.

**The Council resolved:-**

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

That following the opening of the South Glasgow University Hospital, Aberdeen City Council (1) calls on the Scottish Government to award a ring fenced grant to cover the cost of installing a new multi storey car park on the ARI site, similar to the three multi storey car parks in the new Glasgow Hospital; (2) notes that residents are concerned about the lack of available parking at the ARI site in Aberdeen; (3) further notes that the Scottish Government have announced funding for a replacement maternity unit and cancer centre on the site; (4) supports NHS Grampian in taking these plans forward and notes that any plans will consider the impact on the whole site, as well as the known developments to the west of the site including analysis of the changed traffic flows, location of any future parking to allow the public to quickly and safely access their point of need and alternatives to car use including public transport options; and (5) also notes that there are around 11,000 vehicles arriving and departing the Foresterhill Campus each day while there are around 2,400 spaces on site.

**MOTION BY COUNCILLOR REYNOLDS**

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

“That Aberdeen City Council calls on the National Air Traffic Services (NATS) and the Civil Aviation Authority (CAA) to review the current policy regarding helicopters overflying the residential areas of the Bridge of Don and revert to helicopters being obliged to fly north of the residential area concerned and calls upon the local Member of Parliament Malcolm Bruce to give this request his support.”

**The Council resolved:-**

to approve the terms of the motion subject to its amendment to cover all residential areas of Aberdeen, and therefore also calling upon Frank Doran MP and Dame Anne Begg MP to give the request their support.

**VALEDICTORY**

**19.** The Lord Provost noted that this was the last ordinary meeting of the Council for the Head of Legal and Democratic Services, Mrs Jane MacEachran, who was shortly to be leaving the Council after over 26 years' service, comprising eight years at Grampian Regional Council and then joining Aberdeen City Council from its inception.

The Lord Provost paid tribute to Mrs MacEachran, emphasising that she had been a dedicated public servant with an enthusiastic nature and a passion for driving change, and that she had forged many strong bonds with partner organisations in particular. He added that he would always be tremendously grateful for the guidance and support she had given him at Council meetings.

Mrs MacEachran was then presented with a gift and a bouquet of flowers by the Lord Provost and Chief Executive, and received a standing ovation from all members of the Council.

**In accordance with the decision recorded under Article 2 of this minute, the following item was considered with the press and public excluded.**

## **DECLARATION OF INTERESTS**

**The Depute Provost and Councillor Malone declared interests in relation to the following item of business by virtue of their position as Council appointed Directors to the Board of Aberdeen Exhibition and Conference Centre (AECC). Both members considered that the nature of their interest required them to leave the meeting and took no part in the Council's deliberations thereon.**

**Councillors Crockett, Donnelly and Young also declared interests by virtue of their position as Council appointed Directors to the Board of AECC but chose to remain in the meeting as AECC Limited was a body being a company established wholly or mainly for the purpose of providing services to the local authority, and which had entered into a contractual arrangement with the local authority for the supply of goods and/or services to the local authority, as set out in paragraph 5.18(2)(d)(i) and (ii) of the Councillors' Code of Conduct.**

## **ABERDEEN EXHIBITION AND CONFERENCE CENTRE (AECC) DEVELOPMENT - CHI/14/045**

**20.** With reference to Article 4 of the minute of its meeting of 31 October 2013, the Council had before it a report by the Chief Executive which presented the financial options to deliver the new AECC development at the minimum cost to the Council.

### **The report recommended:-**

that the Council -

- (a) note the reduction in the Council's financial exposure over the 35 year period from a Net Present Cost of £54.12million (an average of £1.55million per annum) to £3.51million (an average of £0.1million per annum), referred to as option 3 in the report;
- (b) note the addition of hotel two and anaerobic digestion plant in the revised development proposal;
- (c) approve the appointment of the preferred operator for both the 4 star hotel and the 3½ star hotel and delegate the negotiation and the approval of the Hotel Franchise and Management Agreements to the Chief Executive and the Head of Legal and Democratic Services;
- (d) approve the inclusion of Balgownie One within the site available for redevelopment at the existing AECC complex; and
- (e) instruct the Chief Executive to report back to the Finance, Policy and Resources Committee with options for the operation and management of the new AECC facility.

### **The Council resolved:-**

- (i) to note the reduction in the Council's financial exposure over the 35 year period from a Net Present Cost of £54.12million (an average of £1.55million per annum)

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- to £3.51million (an average of £0.1million per annum), referred to as option 3 in the report;
- (ii) to note the addition of hotel two and anaerobic digestion plant in the revised development proposal;
  - (iii) to approve the appointment of the preferred operator for both the 4 star hotel and the 3½ star hotel and to delegate the negotiation and the approval of the Hotel Franchise and Management Agreements to the Chief Executive and the Head of Legal and Democratic Services in consultation with the Leader of the Council;
  - (iv) to approve the inclusion of Balgownie One within the site available for redevelopment at the existing AECC complex;
  - (v) to instruct the Chief Executive to report back to the Finance, Policy and Resources Committee on or before 9 June 2015 with options for the operation and management of the new AECC facility;
  - (vi) to note that a Transport Impact Assessment would be submitted as part of the planning application for consideration by the Planning Development Management Committee;
  - (vii) to instruct the Chief Executive to report back to Council should there be an increase in the Council's financial exposure due to an increase in yield factor required to fund the 35 year strip lease; and
  - (viii) to instruct the Head of Communication and Promotion to issue a media release featuring comment from both the Leader of the Council and the Chief Executive on the decision taken by Council on these matters.

- **GEORGE ADAM, Lord Provost**.