

LEGAL AND DEMOCRATIC SERVICES

COUNCIL DECISION SHEET

COUNCIL - WEDNESDAY, 16 DECEMBER 2015

Please let the Committee Officer know as soon as possible if you do not agree with any action proposed in this decision sheet. These are decisions of the Council and there is an expectation that action will be taken. If for any reason it is apparent that you will not be able to act on these instructions in full or in part or that there will be a delay, please let the Committee Officer know as it may be necessary to advise Council or seek further instructions from Council.

	Item Title	Council Decision	Services Required to take action	Officer to Action
1	<u>Admission of Burgesses</u>	Not applicable		
2	<u>Determination of Exempt Business</u>	<u>The Council resolved:</u> 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 9(a) and 9(b) so as to avoid disclosure of exempt information of the classes described in paragraphs 1, 6 and 9 of Schedule 7(A) of the Act.		
3	<u>Requests for Deputations</u>	None received		
4(a)	<u>Minute of Meeting of Aberdeen City Council of 8 October 2015 - for approval (circulated separately)</u>	<u>The Council resolved:</u> to approve the minute.		

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4(b)	<u>Minute of Meeting of Urgent Business Committee of 19 November 2015 - for approval</u>	<u>The Council resolved:</u> to approve the minute.		
5(a)	<u>Business Statement</u>	<u>The Council resolved:</u> (i) in relation to item 9 (Strategic Mixed Tenure Housing for Aberdeen City - Limited Liability Partnership (LLP), to appoint Councillors Finlayson and Young as the Administration members on the LLP Management Board, and to note that the opposition member would be confirmed at a later date; and (ii) otherwise to note the business statement.	Communities, Housing and Infrastructure	Paul Genoe
5(b)	<u>Motions List</u>	<u>The Council resolved:</u> to note the motions list.		
5(c)	<u>Minute of Meeting of Guildry and Mortification Funds Sub Committee of 16 November 2015 - for approval</u>	<u>The Council resolved:</u> to approve the minute.	Corporate Governance	Catriona Gilmour
6	<u>No referrals</u>			

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7(a)	<u>Changes to Polling Places for the 2016 Scottish Parliament Elections</u>	<u>The Council resolved:</u> to agree the recommended change to polling places as outlined in the report.	Office of Chief Executive	Steven Dongworth
7(b)	<u>Appointments</u>	<u>The Council resolved:</u> (i) to agree that Councillor Samarai replace Councillor Kiddie as a Council representative on the Alcohol and Drugs Partnership; (ii) to agree that Councillor Crockett replace Councillor Nathan Morrison as a Council representative on Aberdeen Citizens Advice Bureau; (iii) to note the resignation of Councillor Young from the Board of the Aberdeen Exhibition and Conference Centre without replacement at this time; and (iv) to note the resignation of Councillor Boulton as a substitute member of NESTRANS and the Strategic Development Planning Authority without replacement at this time.	Office of Chief Executive Corporate Governance	Ciaran Monaghan Martyn Orchard/ Garry Watson/ Emma Parr
7(c)	<u>Regional Economic Strategy and City Region Deal Update</u>	<u>The Council resolved:</u> (i) to approve the Regional Economic Strategy for the North East of Scotland, subject to (a) approval of the Strategy by Aberdeenshire Council; and (b) a full Strategic Environmental Assessment or Habitat Regulations Assessment not being required; and (ii) to note the update on progress on the Aberdeen City Region Deal.	Communities, Housing and Infrastructure	Richard Sweetnam

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7(d)	<u>Aberdeen City Region Deal - Joint Committee</u>	<p><u>The Council resolved:</u></p> <ul style="list-style-type: none"> (i) to establish a Joint Committee in terms of sections 56 and 57 of the Local Government (Scotland) Act 1973 with Aberdeenshire Council to be known as the Aberdeen City Region Deal Joint Committee; (ii) to approve the Joint Committee's Terms of Reference outlined in appendix 1 to the report; (iii) to approve the Joint Committee's Standing Orders outlined in appendix 2 to the report; (iv) to suspend Standing Order 29(1) and appoint the Council Leader, the Convener of Finance, Policy and Resources and the Vice Convener of Finance, Policy and Resources as members of the Aberdeen City Region Deal Joint Committee; (v) to appoint the Depute Leader of the Council, the Convener of Audit, Risk and Scrutiny and the Vice Convener of Audit, Risk and Scrutiny as substitute members of the Aberdeen City Region Deal Joint Committee; and (vi) to note that any decision to accept the provisions and terms of City Region Deal will be a decision reserved for the respective Councils and is not a matter that is delegated to the proposed Joint Committee. 	Corporate Governance	Fraser Bell

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7(e)	<u>Treasury Management Policy and Strategy, 2015/16 Mid-Year Review - referred by Finance, Policy and Resources Committee of 3 December 2015</u>	<u>The Council resolved:</u> to note the Treasury Management activities undertaken in 2015/16 as detailed in the report.	Corporate Governance	Neil Stewart
7(f)	<u>Draft Housing Revenue Account and Housing Capital Budget 2016/17 - 2020/21 - referred simpliciter by Finance, Policy and Resources Committee of 3 December 2015</u>	<u>The Council resolved:</u> (i) to approve the budget as attached to the report subject to the resolutions below; (ii) to approve that the weekly unrebated rents for municipal houses be increased by 1.7% to take effect from 4 April 2016; (iii) to approve the level of revenue contribution to the Housing Capital budget for 2016/17 at £23.982million as well as a provisional contribution for the subsequent four financial years as detailed in the report; (iv) to continue to increase the level of working balances to 10% to meet future contingencies; (v) to agree to the continuation of the practice that all capital receipts, from the disposal of Council houses under right to buy, be used to repay debt for 2016/17 and future years where applicable; (vi) to approve the level of miscellaneous rents and service charges, including Heat with Rent as detailed in the report; (vii) to approve the capital programme for the financial year 2016/17 as well as	Corporate Governance Communities, Housing and Infrastructure	Helen Sherrit Pete Leonard

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		<p>the indicative level of programme for the financial years 2017/18 to 2020/21 as detailed in the report;</p> <p>(viii) in order for work to commence on the capital programme, to 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</p> <p>(ix) to authorise the Director of Communities, Housing and Infrastructure to undertake or instruct appropriate procedures to procure the works referred to in the report for the capital programme and award contracts relating thereto.</p>		
7(g)	<u>Charitable Trust Reorganisation</u>	<p><u>The Council resolved:</u></p> <p>(i) to note the report on the ongoing reorganisation of the Council's charitable trusts and management action contained therein; and</p> <p>(ii) to instruct officers to continue to work with the Office of the Scottish Charity Regulator (OSCR) on the reorganisation of the charitable trusts.</p>	Corporate Governance	James Hashmi
7(h)	<u>Community Planning Aberdeen - Development Plan</u>	<p><u>The Council resolved:</u></p> <p>to note the report.</p>	Communities, Housing and Infrastructure	Paul Hannan

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7(i)	<u>Fairer Aberdeen Fund Annual Report 2014/15</u>	<u>The Council resolved:</u> (i) to note the annual report for 2014/15; and (ii) to thank the members of the Fairer Aberdeen Board and the relevant staff for their excellent work.	Communities, Housing and Infrastructure	Susan Thoms
7(j)	<u>34-40 Abbotswell Road - P150343 - planning application</u> The documents associated with this application can be found at:- http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=150343	<u>The Council resolved:</u> (i) to refuse the application for detailed planning permission; and (ii) to approve the minute of meeting of the Planning Development Management Committee of 2 June 2015.	Communities, Housing and Infrastructure	Paul Williamson
7(k)	<u>Inter-Authority Agreement on Energy from Waste</u>	<u>The Council resolved:</u> (i) to approve the terms of the Stage 1 Inter Authority Agreement (IAA) included at appendix A to the report, and authorise the Head of Legal and Democratic Services to enter into this agreement on behalf of the Council; (ii) to appoint the Director of Communities, Housing and Infrastructure, or substitute, as the Council's representative on the Project Board, and the Waste and Recycling Manager as the Council's representative on the Project Team, and delegate to them the necessary powers required to agree or approve decisions which are designated as Project Board and Project Team decisions on Part 1 of the IAA schedule;	Communities, Housing and Infrastructure	Peter Lawrence

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		<p>(iii) to appoint Councillors Corall, Finlayson and Jean Morrison as the three Council members to sit on the Energy from Waste Elected Members Engagement Group, and to agree to its establishment; and</p> <p>(iv) to note that the anticipated expenditure of approximately £180,000 to fund the Council's contribution to Stage 1 of the IAA would be met from the Capital Plan Project 810C.</p>		
7(l)	<p><u>Transport Implications - City Centre Masterplan Projects</u></p>	<p><u>The Council resolved:</u></p> <p>(i) to note the outcomes of the transportation assessment and traffic modelling undertaken for the City Centre Masterplan interventions for Broad Street, Schoolhill/Upperkirkgate, Golden Square, Bon Accord Square, Schoolhill Pocket Park, Castlegate and Queen Street;</p> <p>(ii) to instruct officers to revoke with immediate effect the temporary traffic order stopping traffic from Virginia Street entering Guild Street and adjust traffic light sequences as necessary;</p> <p>(iii) to instruct officers to revoke with immediate effect the temporary traffic order stopping traffic on Broad Street and adjust traffic light sequences as necessary;</p> <p>(iv) to instruct officers to engage with Muse with a view to developing detailed designs for the layout of</p>	Communities, Housing and Infrastructure	Hugh Murdoch/ Joanna Murray/ Louise MacSween

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		<p>Broad Street, on the basis of:-</p> <ul style="list-style-type: none"> (a) status quo (full vehicle access) (b) public transport and bicycle only access (c) full pedestrianisation; <p>(v) to agree that all of the above options be designed with the opportunity for Broad Street to be closed so it may be transformed into an event ready space for special events/occasions - and report back to the Council meeting on 2 March 2016 for approval. All options will be subject to public consultation;</p> <p>(vi) to agree that a structured approach to city centre public realm works is required and that full traffic modelling is required for all public realm works identified in the Masterplan before any decision of full/part pedestrianisation is taken by Council; and to instruct officers to report back with traffic modelling, timelines and options to the Council meeting on 2 March 2016; and</p> <p>(vii) to agree that all pedestrianisation options go out for full public consultation before final decisions are taken by Council.</p>		
7(m)	<u>Chief Social Work Officer's Annual Report</u>	<p><u>The Council resolved:</u></p> <ul style="list-style-type: none"> (i) to note the content of the annual report; and (ii) to thank the Chief Social Work Officer and her staff for their good work. 	Education and Children's Services	Bernadette Oxley

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7(n)	<u>Scottish Futures Trust Delivery Model (Hubco)</u>	<p><u>The Council resolved:</u></p> <ul style="list-style-type: none"> (i) to note the changes being made to the Hub Design, Build, Finance and Maintain (DBFM) delivery model; (ii) to agree to the Hub Shareholders Agreement and the Territory Partnering Agreement being amended to accommodate these changes; (iii) to note that all participants within Hub North Scotland Ltd must agree to the amendment before any project in the area can proceed to financial close; and (iv) to delegate authority to the Head of Finance and Head of Legal and Democratic Services to resolve any unforeseen issues that may arise during the implementation of these changes. 	Corporate Governance	Steve Whyte
7(o)	<u>Designation of Local Police Commander</u>	<p><u>The Council resolved:</u></p> <ul style="list-style-type: none"> (i) to note its opposition to the formation of a single police division for Aberdeen, Aberdeenshire and Moray; (ii) to note and welcome the Chief Constable's nomination of Chief Superintendent Campbell Thomson as the Local Police Commander for Aberdeen City and to confirm its support for the appointment; (iii) to note nevertheless that the current arrangements for the appointment of Local Police Commanders include no meaningful role for local authorities and local communities; and 	Office of Chief Executive	Ciaran Monaghan

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		(iv) to invite Chief Superintendent Thomson to attend an early meeting of the Communities, Housing and Infrastructure Committee to discuss his plans for police services in Aberdeen.		
8(a)	<p><u>Motion by Councillor Reynolds</u></p> <p>“That this Council</p> <ol style="list-style-type: none"> 1. Write to the Royal Society for the Prevention of Cruelty to Animals (RSPCA) calling on them to transfer all funds received from donors living in Scotland from this financial year and henceforth, to the Scottish Society for the Prevention of Cruelty to Animals (SSPCA); and 2. Ask local authorities in Scotland and the Scottish Government for their support.” 	<p><u>The Council resolved:</u> to approve the terms of the motion.</p>	Office of Chief Executive	Ciaran Monaghan
8(b)	<p><u>Motion by Councillor Jackie Dunbar</u></p> <p>“Council values the excellent and mutually respectful working relationship which it has with both the workforce and their Trade Unions.</p> <p>Council considers this positive relationship to be one which benefits both workers and the city alike and respects the need for Trade Union representatives to use facility time to conduct their legitimate business.</p>	Ruled incompetent		

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	<p>Council supports the collection of dues through the check-off arrangement, from which the Council receives income, and defends these Trade Union arrangements.</p> <p>Council believes that the Trade Union Bill, proposed by the current Conservative UK Government, will restrict the ability of this Council to engage in good industrial relations practices with our workforce and their Trade Union representatives.</p> <p>Council commits not to use agency staff to break or weaken industrial action in relation to this matter, and requests the Council Leader to write to the Secretary of State for Business, Innovation and Skills stating the Council's opposition to this Bill and our resolve not to co-operate with any attacks on facility time or check-off."</p>			
8(c)	<p><u>Motion by Councillor Cameron</u></p> <p>This Council, in light of the Council's recent decision to relax the Aberdeen City Council Bye-law Prohibiting Drinking in Public Places in Union Terrace for the duration of the Aberdeen Christmas Village (25th November 2015 to 3rd January 2016), agrees to review the Bye-law, which has been in place since 2009, for its effectiveness. The review to include consultation with Police Scotland, the Licensed Trade in Aberdeen, NHS Grampian, and the public of Aberdeen</p>	<p><u>The Council resolved:</u> to refer the motion to the Finance, Policy and Resources Committee.</p>	Corporate Governance	Mark Masson

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	with a report on the findings of the review to come back to the Council in six months.			
9(a)	<u>Site at Beach Esplanade/King Street - referred by Property Sub Committee of 17 November 2015</u>	<u>The Council resolved:</u> (i) to confirm that it is still the intention of the Council to see the site developed as a Mosque and Islamic Centre; and (ii) to instruct the Head of Land and Property Assets to continue the dialogue with the Muslim Community to progress the development of a Mosque and Islamic Centre, taking account of all previous correspondence and Council decisions and report to the Property Sub Committee in June 2016.	Communities, Housing and Infrastructure	John Quinn/ Louisa Ratana-Arporn
9(b)	<u>Minutes of Meetings of Social Work Complaints Review Committee of 9 and 23 November 2015 - for approval</u>	<u>The Council resolved:</u> (i) to approve the recommendations; and (ii) otherwise to note the Director of Education and Children's Services comments in the forewords.	Corporate Governance	Emma Parr

If you require any further information about this decision sheet, please contact Martyn Orchard, tel. 01224 523097 or email morchard@aberdeencity.gov.uk