

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 16 December 2015

MINUTES OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

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

COUNCILLORS

YVONNE ALLAN
MARIE BOULTON
DAVID CAMERON
SCOTT CARLE
NEIL COONEY
NEIL COPLAND
JOHN CORALL
WILLIAM CORMIE
BARNEY CROCKETT
STEVEN DELANEY
GRAHAM DICKSON
ALAN DONNELLY
JACQUELINE DUNBAR
LESLEY DUNBAR
ANDREW FINLAYSON
STEPHEN FLYNN
GORDON GRAHAM
ROSS GRANT
MARTIN GREIG
MICHAEL HUTCHISON
LEONARD IRONSIDE, CBE

MURIEL JAFFREY
JAMES KIDDIE
JENNIFER LAING
GRAEME LAWRENCE
NEIL MacGREGOR
M. TAUQEER MALIK
AILEEN MALONE
RAMSAY MILNE
JEAN MORRISON, MBE
NATHAN MORRISON
ALEXANDER NICOLL
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/ieListMeetings.aspx?Committeeld=122>

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.

Council Meeting, 16 December 2015

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:-

Andrew McCreath, Executive Director, Aberdeen
 Mark E McCue, Wealth Manager, Aberdeen
 Grahame Paterson, Chief Executive, Aberdeen
 Dr Lesley Weir, Retired Medical Practitioner, Aberdeen

(B) The persons undermentioned were admitted into the presence of the Council and passed as Burgesses of the Burgh of Aberdeen of their own craft only:-

Gary Leslie, Baker, Aberdeen
 Theodore Kenny Milne, Flesher, 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:-

- 9(a) Site at Beach Esplanade/King Street
- 9(b) Minutes of Meetings of Social Work Complaints Review Committee of 9 and 23 November 2015

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 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.

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 8 OCTOBER 2015

3. The Council had before it the minute of meeting of Aberdeen City Council of 8 October 2015.

The Council resolved:-

to approve the minute.

MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 19 NOVEMBER 2015

4. The Council had before it the minute of meeting of the Urgent Business Committee of 19 November 2015.

Council Meeting, 16 December 2015

The Council resolved:-

to approve the minute.

BUSINESS STATEMENT

5. The Council had before it a statement of Council business.

The Council resolved:-

- (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.

MOTIONS LIST

6. The Council had before it a list of outstanding motions.

The Council resolved:-

to note the motions list.

MINUTE OF MEETING OF GILDTRY AND MORTIFICATION FUNDS SUB COMMITTEE OF 16 NOVEMBER 2015

7. The Council had before it the minute of meeting of the Guildry and Mortification Funds Sub Committee of 16 November 2015.

The Council resolved:-

to approve the minute.

CHANGES TO POLLING PLACES FOR THE 2016 SCOTTISH PARLIAMENT ELECTIONS - OCE/15/050

8. The Council had before it a report by the Chief Executive which sought approval for a proposed change to the polling places to be used at the 2016 Scottish Parliament Elections.

The report recommended:-

that the Council, subject to any changes, agree the recommended change to polling places - that Bucksburn and Stoneywood Parish Church replace Brimmond School in the DN0108 (Bucksburn) Polling District for all future elections.

The Council resolved:-

to approve the recommendation.

Council Meeting, 16 December 2015

APPOINTMENTS - OCE/15/048

9. The Council had before it a report by the Chief Executive which advised of a change to a previously agreed appointment.

The report recommended:-

that the Council agree the appointment of Councillor Samarai as a representative on the Alcohol and Drugs Partnership replacing Councillor Kiddie.

The Council resolved:-

- (i) to approve the recommendation;
- (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.

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 same time as Aberdeenshire Council.

REGIONAL ECONOMIC STRATEGY AND CITY REGION DEAL UPDATE - CHI/15/340

10. The Council had before it a report by the Chief Executive which sought approval of the new Regional Economic Strategy and provided an update on progress on the Aberdeen City Region Deal.

The report recommended:-

that the Council -

- (a) approve the Regional Economic Strategy for the North East of Scotland, subject to (1) approval of the Strategy by Aberdeenshire Council; and (2) a full Strategic Environmental Assessment or Habitat Regulations Assessment not being required; and
- (b) note the update on progress on the Aberdeen City Region Deal.

The Council resolved:-

to approve the recommendations.

Council Meeting, 16 December 2015

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 same time as Aberdeenshire Council.

ABERDEEN CITY REGION DEAL - JOINT COMMITTEE

11. The Council had before it a report by the Interim Director of Corporate Governance which sought approval for the establishment of a Joint Committee with Aberdeenshire Council to oversee the implementation of the Aberdeen City Region Deal.

The report recommended:-

that the Council -

- (a) 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;
- (b) approve the Joint Committee's Terms of Reference outlined in appendix 1 to the report;
- (c) approve the Joint Committee's Standing Orders outlined in appendix 2 to the report;
- (d) appoint three named members and up to three named substitute members to the Aberdeen City Region Deal Joint Committee; and
- (e) note that any decision to accept the provisions and terms of a 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.

Councillor Laing moved, seconded by Councillor Boulton:-

That the Council -

- (1) approve recommendations (a), (b), (c) and (e); and
- (2) agree 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; and
- (3) agree to appoint the Depute Leader, 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.

The Council was advised that the suspension of Standing Order 29(1) should be considered as a procedural motion in the first instance.

On a division, there voted:-

For the procedural motion (22) - Lord Provost; 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.

Council Meeting, 16 December 2015

Against the procedural motion (21) - Councillors Cameron, Copland, Corall, Cormie, Delaney, Dickson, Jackie Dunbar, Flynn, Greig, Hutchison, Jaffrey, Kiddie, MacGregor, Malone, Nicoll, Noble, Samarai, Jennifer Stewart, Sandy Stuart, Townson and Yuill.

The Council resolved:-

to adopt the procedural motion, and thereby suspend Standing Order 29(1).

Councillor Jackie Dunbar moved as an amendment, seconded by Councillor Cameron:-
That the Council approve the recommendations subject to the appointment of two members of the administration and one member of the opposition within recommendation (d).

Councillor Yuill moved as a further amendment, seconded by Councillor Malone:-
That the Council approve recommendations (a), (b), (c) and (e), and agree to approach Aberdeenshire Council with a view to changing the membership of the Aberdeen City Region Deal Joint Committee so that each authority has five members, and to appoint three members of the administration and two members of the opposition to those five places.

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

On a division, there voted:-

For the amendment by Councillor Jackie Dunbar (16) - Councillors Cameron, Copland, Corall, Cormie, Dickson, Jackie Dunbar, Flynn, Hutchison, Jaffrey, Kiddie, MacGregor, Nicoll, Noble, Samarai, Sandy Stuart and Townson.

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

Declined to vote (22) - Lord Provost; 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 Jackie Dunbar.

On a division, there voted:-

For the motion (22) - Lord Provost; 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.

For the amendment by Councillor Jackie Dunbar (21) - Councillors Cameron, Copland, Corall, Cormie, Delaney, Dickson, Jackie Dunbar, Flynn, Greig, Hutchison,

Council Meeting, 16 December 2015

Jaffrey, Kiddie, MacGregor, Malone, Nicoll, Noble, Samarai, Jennifer Stewart, Sandy Stuart, Townson and Yuill.

The Council resolved:-

to adopt the motion.

TREASURY MANAGEMENT POLICY AND STRATEGY, 2015/16 MID-YEAR REVIEW - CG/15/130

12. With reference to Article 10 of the minute of meeting of the Finance, Policy and Resources Committee of 3 December 2015, the Council had before it, by way of remit, a report by the Interim Director of Corporate Governance which provided an update on the treasury management activities undertaken to date in 2015/16.

The Finance, Policy and Resources Committee recommended:-

that the Council note the treasury management activities undertaken in 2015/16 as detailed in the report.

The Council resolved:-

to approve the recommendation.

DRAFT HOUSING REVENUE ACCOUNT (HRA) AND HOUSING CAPITAL BUDGET 2016/17 - 2020/21 - CG/15/145

13. With reference to Article 12 of the minute of meeting of the Finance, Policy and Resources Committee of 3 December 2015, the Council had before it a joint report by the Interim 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 2016/17 as well as provisional rent levels for the financial years 2017/18 to 2020/21, explaining that this would allow a capital programme for 2016/17 to be set as well as a provisional programme for 2017/18 to 2020/21.

The report recommended:-

that the Finance, Policy and Resources Committee consider the draft HRA Budget and refer it to Council on 16 December 2015 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 4 April 2016;
- (c) approve the level of revenue contribution to the Housing Capital budget for 2016/17 as well as a 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 2016/17 and future years;

Council Meeting, 16 December 2015

- (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 2016/17 based on the rent strategy adopted as well as the indicative level of programme for the financial years 2017/18 to 2020/21;
- (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 relating 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 -

- (1) approve the budget as attached to the report subject to the points below;
- (2) approve that the weekly unrebated rents for municipal houses be increased by 1.7%, to take effect from Monday 4 April 2016;
- (3) 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;
- (4) continue to increase the level of working balances to 10% to meet future contingencies;
- (5) 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;
- (6) approve the level of miscellaneous rents and service charges, including Heat with Rent as detailed in the report;
- (7) approve the capital programme for the financial year 2016/17 as well as the indicative level of programme for the financial years 2017/18 to 2020/21 as detailed in the report;
- (8) 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
- (9) 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.

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

That the Council -

- (1) approve the budget as attached to the report subject to (3) below;
- (2) approve that the weekly unrebated rents for municipal houses be increased by 1.9%, to take effect from Monday 4 April 2016;

Council Meeting, 16 December 2015

- (3) approve the level of revenue contribution to the Housing Capital budget for 2016/17 at £24.142million as well as a provisional contribution for the subsequent four financial years as detailed in the report;
- (4) continue to increase the level of working balances to 10% to meet future contingencies;
- (5) 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;
- (6) approve the level of miscellaneous rents and service charges, including Heat with Rent as detailed in the report;
- (7) approve the capital programme for the financial year 2016/17 as well as the indicative level of programme for the financial years 2017/18 to 2020/21 as detailed in the report;
- (8) 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
- (9) 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.

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

That the Council -

- (1) approve the budget as attached to the report subject to the points below;
- (2) approve that the weekly unrebated rents for municipal houses be increased by 1%, to take effect from Monday 4 April 2016;
- (3) approve the level of revenue contribution to the Housing Capital budget for 2016/17 at £23.923million;
- (4) agree to maintain working balances of £8.407million;
- (5) 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;
- (6) approve the level of miscellaneous rents and service charges, including Heat with Rent as detailed in the report;
- (7) approve the capital programme for the financial year 2016/17 as detailed in the report;
- (8) 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;
- (9) 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;
- (10) instruct the Interim Director of Corporate Governance to undertake a review of the HRA based on a zero based budgeting approach and report back to Council; and

Council Meeting, 16 December 2015

- (11) instruct officers to consult Aberdeen Heat and Power and report back to the Communities, Housing and Infrastructure Committee on the options to extend the original remit of Aberdeen Heat and Power from connecting up all multi-storey HRA properties to their CHP system to include all housing in the city wherever financially and technically viable, taking account of any implications for state aid.

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

On a division, there voted:-

For the amendment by Councillor Delaney (6) - Lord Provost; and Councillors Delaney, Greig, Malone, Jennifer Stewart and Yuill.

For the amendment by Councillor Dickson (16) - Councillors Cameron, Copland, Corall, Cormie, Dickson, Jackie Dunbar, Flynn, Hutchison, Jaffrey, Kiddie, MacGregor, Nicoll, 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 Dickson.

On a division, there voted:-

For the motion (22) - Lord Provost; 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.

For the amendment by Councillor Dickson (16) - Councillors Cameron, Copland, Corall, Cormie, Dickson, Jackie Dunbar, Flynn, Hutchison, Jaffrey, Kiddie, MacGregor, Nicoll, 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.

CHARITABLE TRUSTS REORGANISATION - CG/15/150

14. The Council had before it a report by the Interim Director of Corporate Governance which provided an update on the reorganisation of charitable trusts of which the Council was the trustee.

Council Meeting, 16 December 2015

The report recommended:-

that the Council -

- (a) note the report on the ongoing reorganisation of the Council's charitable trusts and management action contained therein; and
- (b) instruct officers to continue to work with the Office of the Scottish Charity Regulator (OSCR) on the reorganisation of the charitable trusts.

The Council resolved:-

to approve the recommendations.

COMMUNITY PLANNING ABERDEEN - DEVELOPMENT PLAN - CHI/15/325

15. The Council had before it a report by the Director of Communities, Housing and Infrastructure which provided the six monthly update on progress within Community Planning Aberdeen.

The report recommended:-

that the Council note the report.

The Council resolved:-

to approve the recommendation.

FAIRER ABERDEEN FUND ANNUAL REPORT 2014/15 - CHI/15/236

16. The Council had before it a report by the Director of Communities, Housing and Infrastructure which provided the 2014/15 annual report for the Fairer Aberdeen Fund programme.

The report recommended:-

that the Council consider and advise the Fairer Aberdeen Board of the Council's comments on the annual report for 2014/15 at appendix 1 to the report.

The Council resolved:-

- (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.

34-40 ABBOTSWELL ROAD - 150343

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

That the Council **refuse** the application for detailed planning permission for the demolition of the existing business and industrial buildings on the site and the erection of a 100 unit flatted residential development inclusive of 24 affordable units, associated infrastructure and landscaping on the following grounds:-

Council Meeting, 16 December 2015

- (1) The site lies within an area allocated as Business and Industry within the Adopted Local Development Plan (ALDP) 2012. Such areas are supported through Policy B11 which indicates that in these areas, such uses shall be retained. The proposed development does not comply with the policy in that it does not represent a type of development that would safeguard existing business and industrial land, nor support it through the provision of ancillary facilities. Sufficient land has been identified for new residential development through the Local Development Plan, and therefore approval would undermine the long-term strategy of the ALDP; and
- (2) The proposed design and layout of the development, and in particular the elevation treatment, and proximity to existing trees adjacent to the site, is not considered to accord with the requirements of Policies D1 - Architecture and Placemaking and D2 - Design and Amenity of the ALDP as the proposal if approved would result in a development which is not considered to be designed to result in a positive contribution to its setting, and a layout which would be dominated by the primary road and associated car parking.

The Council also had before it the minute of meeting of the Planning Development Management Committee of 2 June 2015 when a Pre-Determination Hearing was held.

The Council resolved:-

to approve the minute.

Councillor Milne moved, seconded by Councillor Cooney:-

That the Council approve the recommendation contained in the report, and thereby refuse the application for planning permission.

Councillor Donnelly moved as an amendment, seconded by Councillor Greig:-

That the Council approve the application for planning permission on the grounds that there was a shortage of affordable housing in the city, and the application had triggered only one live objection; subject to the applicant entering into a Section 75 planning obligation in respect of developer contributions towards affordable housing, the city car club, the Strategic Transport Fund, community facilities, the core path network, and the provision of a new bus shelter on Wellington Road; and subject to conditions to be agreed by officers in respect of external finishing materials, boundary treatments, Sustainable Urban Drainage Systems/drainage/flood protection measures, localised road improvements, landscaping, tree protection, ground investigations and mitigation, car/cycle/motorcycle parking, noise assessment, waste/recycling provision, a residential travel plan framework, and low and zero carbon generating technologies.

On a division, there voted:-

For the motion (37) - Lord Provost; Depute Provost; and Councillors Allan, Boulton, Cameron, Carle, Cooney, Copland, Cormie, Crockett, Delaney, Dickson, Jackie Dunbar, Lesley Dunbar, Finlayson, Flynn, Graham, Grant, Greig, Ironside, Jaffrey, Kiddie, Laing, Lawrence, MacGregor, Malik, Malone, Milne, Jean Morrison, Nathan Morrison, Nicoll, Sandy Stuart, Taylor, Thomson, Townson, Young and Yuill.

Council Meeting, 16 December 2015

For the amendment (6) - Councillors Corall, Donnelly, Hutchison, Noble, Samarai and Jennifer Stewart.

The Council further resolved:-
to adopt the motion.

INTER-AUTHORITY AGREEMENT ON ENERGY FROM WASTE - CHI/15/337

18. The Council had before it a report by the Director of Communities, Housing and Infrastructure which provided an update on progress of the Joint Authority Energy from Waste Project with Aberdeenshire and the Moray Councils, and sought approval to enter into a first stage Inter-Authority Agreement (IAA) relating to initial project and procurement development work.

The report recommended:-
that the Council -

- (a) approve the terms of the Stage 1 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;
- (b) 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;
- (c) appoint up to three Council members to sit on the Energy from Waste Elected Members Engagement Group; and
- (d) 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.

The Council resolved:-

- (i) to approve recommendations (a), (b) and (d); and
- (ii) 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.

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 make decisions without delay.

Council Meeting, 16 December 2015

TRANSPORT IMPLICATIONS - CITY CENTRE MASTERPLAN PROJECTS - CHI/15/299

19. With reference to Article 21 of the minute of its meeting of 5 March 2014, the Council had before it a report by the Director of Communities, Housing and Infrastructure which advised of the result 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 and Queen Street.

The report recommended:-

that the Council -

- (a) agree the outcomes of the transportation and traffic modelling of the above named City Centre Masterplan interventions;
- (b) agree that the preferred option for Broad Street is a bus and cyclist only route between Upperkirkgate and Queen Street and instruct officers to undertake the necessary statutory procedures for the Traffic Regulation Order, reporting back to the Communities, Housing and Infrastructure Committee on the outcomes;
- (c) note the public transport mitigations identified as necessary along Union Terrace to support the preferred option for Broad Street and instruct officers to develop a traffic management plan for Union Terrace and report back to elected members at the first possible opportunity;
- (d) instruct officers to engage with Muse with a view to developing a preferred design and layout for Broad Street and to report back to members as soon as practically possible for approval, and agree that Muse be appointed to undertake the design and construction on the Council's behalf subject to the costs being monitored by officers on an 'open book' basis;
- (e) agree that Castlegate should not be reopened to traffic and Queen Street should not be opened to through traffic at the junction of West North Street; and
- (f) instruct officers to develop and consult on options for Golden Square, Schoolhill Pocket Park and Castlegate and return to members with a full business case including engagement outcomes, a preferred option, detailed design and costs, any Traffic Regulation Order implications and proposed time line/resources for implementation.

Councillor Laing moved, seconded by Councillor Taylor:-

That the Council approve the recommendations contained within the report.

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

That the Council -

- (1) 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;
- (2) 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;
- (3) instruct officers to revoke with immediate effect the temporary traffic order stopping traffic on Broad Street and adjust traffic light sequences as necessary;

Council Meeting, 16 December 2015

- (4) instruct officers to engage with Muse with a view to developing detailed designs for the layout of Broad Street, on the basis of:-
 - (a) status quo (full vehicle access)
 - (b) public transport and bicycle only access
 - (c) full pedestrianisation;
- (5) 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;
- (6) 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
- (7) agree that all pedestrianisation options go out for full public consultation before final decisions are taken by Council.

Members asked a number of questions of officers, during the course of which it was emphasised that the temporary traffic orders for Broad Street and Trinity Quay had been put in place under delegated powers for road and pedestrian safety reasons.

At this juncture, the Council agreed to suspend Standing Order 22(1) to enable future reports to be submitted to the Council instead of the Communities, Housing and Infrastructure Committee as had been agreed by the Finance, Policy and Resources Committee at its meeting of 15 September 2015.

On a division, there voted:-

For the motion (17) - Lord Provost; and Councillors Allan, Carle, Cooney, Crockett, Lesley Dunbar, Graham, Grant, Ironside, Laing, Lawrence, Malik, Milne, Jean Morrison, Nathan Morrison, Taylor and Young.

For the amendment (25) - Depute Provost; and Councillors Boulton, Cameron, Copland, Corall, Cormie, Delaney, Dickson, Donnelly, Jackie Dunbar, Finlayson, Flynn, Greig, Hutchison, Jaffrey, Kiddie, MacGregor, Nicoll, Noble, Samarai, Jennifer Stewart, Sandy Stuart, Thomson, Townson and Yuill.

Absent from the division (1) - Councillor Malone.

The Council resolved:-
to adopt the amendment.

In accordance with Standing Order 15(6), Councillor Milne intimated his dissent against the foregoing decision.

Council Meeting, 16 December 2015

CHIEF SOCIAL WORK OFFICER'S ANNUAL REPORT - ECS/15/057

20. The Council had before it a report by the Director of Education and Children's Services which presented the Chief Social Work Officer's annual report for 2014/15.

The report recommended:-

that the Council -

- (a) note the content of the annual report; and
- (b) offer comment and observations on the content of the annual report.

The Council resolved:-

- (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.

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 allow confirmation to be provided to the Scottish Futures Trust as soon as possible that the Council had agreed to the changes as set out in the report.

SCOTTISH FUTURES TRUST DELIVERY MODEL (HUBCO) - CG/15/151

21. The Council had before it a report by the Interim Director of Corporate Governance which outlined changes to the Scottish Futures Trust Hub Design, Build, Finance and Maintain (DBFM) delivery model that were required to reinforce the classification of these projects as private sector under ESA 10 rules.

The report recommended:-

that the Council -

- (a) note the changes being made to the Hub DBFM delivery model;
- (b) agree to the Hub Shareholders Agreement and the Territory Partnering Agreement being amended to accommodate these changes;
- (c) 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
- (d) 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.

The Council resolved:-

to approve the recommendations.

Council Meeting, 16 December 2015

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 respond to Police Scotland at the earliest opportunity.

DESIGNATION OF LOCAL POLICE COMMANDER - OCE/15/049

22. The Council had before it a report by the Chief Executive which advised of the Chief Constable of Police Scotland's nomination for the role of Local Police Commander for Aberdeen City.

The report recommended:-

that the Council -

- (a) note the Chief Constable of Police Scotland's nomination of Chief Superintendent Campbell Thomson as the Local Police Commander for Aberdeen City and to confirm its support for the appointment; and
- (b) 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.

The Council resolved:-

- (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
- (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.

MOTION BY COUNCILLOR REYNOLDS

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

"That this Council -

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."

Council Meeting, 16 December 2015

The Council resolved:-

to approve the terms of the motion.

MOTION BY COUNCILLOR JACKIE DUNBAR

24. The Council had before it the following notice of motion by Councillor Jackie Dunbar:-

“Council values the excellent and mutually respectful working relationship which it has with both the workforce and their Trade Unions.

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.

Council supports the collection of dues through the check-off arrangement, from which the Council receives income, and defends these Trade Union arrangements.

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.

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.”

The Lord Provost intimated that he had been advised by officers that the motion was not competent, and he was therefore minded to rule it incompetent. The Head of Legal and Democratic Services advised that this remained his view on the matter and that he had concerns, particularly in regard to the wording within the final paragraph of the motion.

The Lord Provost ruled the motion incompetent in terms of Standing Order 18(1)(iii).

MOTION BY COUNCILLOR CAMERON

25. The Council had before it the following notice of motion by Councillor Cameron:-

“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 (25 November 2015 to 3 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

Council Meeting, 16 December 2015

Licensed Trade in Aberdeen, NHS Grampian, and the public of Aberdeen with a report on the findings of this review to come back to the Council in six months.”

The Council resolved:-

to refer the motion to the Finance, Policy and Resources Committee.

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

SITE AT BEACH ESPLANADE/KING STREET - CHI/7624

26. With reference to Article 8 of the minute of meeting of the Property Sub Committee of 17 November 2015, which had been referred to it for consideration by four members of the Sub Committee, the Council had before it (1) a report by the Director of Communities, Housing and Infrastructure which outlined the current status of a site in Council ownership which was zoned for Mosque/community facilities and open space; and (2) the decision of the Sub Committee - to instruct the Head of Land and Property Assets to (a) confirm that it is still the intention of the Council to see the site developed as a Muslim and Islamic Centre; and (b) market the site for the development of a Muslim and Islamic Centre to take account of all aspects surrounding best value including project delivery, governance structure, legal status, community support, technical ability and funding in addition to price reporting back to the 29 March 2016 meeting of the Property Sub Committee.

The report recommended:-

that the Property Sub Committee -

- (a) instruct the Head of Land and Property Assets to confirm that it is still the intention of the Council to see the site developed as a Muslim and Islamic Centre; and
- (b) instruct the Head of Land and Property Assets to market the site for the development of a Muslim and Islamic Centre reporting to a future meeting of the Property Sub Committee.

The Council resolved:-

- (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.

MINUTES OF MEETINGS OF SOCIAL WORK COMPLAINTS REVIEW COMMITTEE OF 9 AND 23 NOVEMBER 2015

27. The Council had before it the minutes of meetings of the Social Work Complaints Review Committee of 9 and 23 November 2015, and forewords by the Director of

Council Meeting, 16 December 2015

Education and Children's Services which set out the actions to be taken to respond to the recommendations.

The Council resolved:-

- (i) to approve the recommendations; and
- (ii) otherwise to note the Director of Education and Children's Services comments in the forewords.

- GEORGE ADAM, Lord Provost.