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**COUNCIL**

**ABERDEEN CITY COUNCIL**

Town House,  
ABERDEEN, 30<sup>th</sup> June, 2010

**MINUTE OF MEETING OF ABERDEEN CITY COUNCIL**

**S e d e r u n t :**

Lord Provost Peter Stephen, Chairperson;  
Depute Provost Jacqueline Dunbar; and

**COUNCILLORS**

GEORGE ADAM  
YVONNE ALLAN  
MARIE BOULTON  
SCOTT CASSIE  
RONALD CLARK  
NORMAN COLLIE  
NEIL COONEY  
JOHN CORALL  
IRENE CORMACK  
WILLIAM CORMIE  
BARNEY CROCKETT  
KATHARINE DEAN  
ALAN DONNELLY  
JAMES FARQUHARSON  
NEIL FLETCHER  
GORDON GRAHAM  
MARTIN GREIG  
JAMES HUNTER  
LEONARD IRONSIDE  
MURIEL JAFFREY

JAMES KIDDIE  
GORDON LESLIE  
CALLUM McCAIG  
MARK McDONALD  
AILEEN MALONE  
ANDREW MAY  
ALAN MILNE  
JAMES NOBLE  
GEORGE PENNY  
JOHN REYNOLDS  
JENNIFER STEWART  
JOHN STEWART  
KEVIN STEWART  
WENDY STUART  
JOHN WEST  
KIRSTY WEST  
JILLIAN WISELY  
WILLIAM YOUNG  
and  
IAN YUILL

Lord Provost Peter Stephen, in the Chair

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**1 ADMISSION OF BURGESSES**

(A) The person aforementioned was admitted into the presence of the Council and passed as a Burgess of Guild in respect of their Act of Admission in the Guild Burgess Book:-

David Parkinson, Independent Financial Adviser, Aberdeen

(B) The person aforementioned was admitted into the presence of the Council and passed as a Burgess of Guild by right of their father's status as a Free Burgess:-

David Wood, School Business Manager, Aberdeen

(C) The person aforementioned was admitted into the presence of the Council and passed as Burgess of the Burgh of Aberdeen of their own craft only:-

Gary McFarlane Thorpe, Tailor, Aberdeen

**2 REQUESTS FOR DEPUTATIONS**

The Council had before it, in accordance with Standing Order 10(1), the following requests for deputations:-

- (1) GMB, Unison and Unite trade unions, in relation to the report on employment costs (as detailed at Article 11 of this minute);
- (2) Friends of Union Terrace Gardens, in relation to the report on the City Garden Project (as detailed at Article 16 of this minute);
- (3) Mr Steven Bothwell, in relation to the report on the City Garden Project; and
- (4) Mr Ian Murray, in relation to Councillor Cooney's notice of motion relating to unauthorised travellers sites.

**The Council resolved:-**

to accept requests (1), (2) and (3), suspending Standing Order 10(3), for the avoidance of doubt, to enable the trade unions to be heard.

In regard to the request from Mr Ian Murray, the Acting Senior Democratic Services Manager explained that Standing Order 10(1) stipulated that applications for deputations must relate to a substantive report on the agenda and therefore such an application would only be appropriate if the notice of motion was referred to a committee and a report was subsequently prepared for that committee.

Councillor Young moved as a procedural motion, seconded by Councillor Cooney:-

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That the Council suspend Standing Order 10(1) to enable Mr Murray to be heard this day.

On a division, there voted:-

For the procedural motion (11) - Councillors Adam, Allan, Cassie, Collie, Cooney, Crockett, Donnelly, Graham, Hunter, Ironside and Young.

Against the procedural motion (27) - Lord Provost Peter Stephen; Depute Provost Dunbar; and Councillors Clark, Corall, Cormack, Cormie, Dean, Farquharson, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McCaig, McDonald, Malone, May, Noble, Penny, Reynolds, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, John West, Kirsty West and Yuill.

Declined to vote (3) - Councillors Boulton, Milne and Wisely.

**The Council further resolved:-**

- (i) to reject the procedural motion and thereby refuse the request from Mr Taylor; and
- (ii) to encourage Mr Taylor to request to make a deputation at the relevant committee meeting when there was a substantive report under consideration.

**3 ANNOUNCEMENTS**

(A) Councillor Kiddie drew the Council's attention to positive comments from the Social Work Inspectorate Agency in relation to the Council's Criminal Justice service, where vast progress had been noted since the previous inspection.

Councillor Kiddie added that he had attended the Scottish Community Service Awards in Glasgow on 24<sup>th</sup> May, where the Council had been awarded second place for the Torry Tidy project and third place for the Powis Gateway Community Centre initiative. Councillor Kiddie congratulated the officers involved, Neil Paterson, Bill Low and Shona McWilliam, who were in attendance and were presented with their certificates by the Lord Provost.

(B) Councillor Corall made reference to the EcoCity Awards ceremony he had attended at the Highland Games on 20<sup>th</sup> June and congratulated the various winners and runners up as follows:-

Educational Category

Winner - St Machar Academy for their School Garden

Runner up - Cordyce School Gardening Project

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Charities/Community and Voluntary Groups Category

Winner - Aberdeen Greenspace Trust Ltd for Tillydrone Lads Club Greenspace

Runner up - Aberdeen Cycle Forum for Free Cycle Training

Business Category

Winner - Mud Pies

Special Technical Award - Active - for the Active Renewable Energy Centre

Individual Category

Winner - Alistair Mackenzie (Aberdeen Greenspace Trust Volunteer)

Runner up - Keith Allardyce (Cordyce School)

Overall Gold Award

St Machar Academy for their Garden Project

(C) Councillor Boulton advised that Katie Forbes, aged ten, from Culter, had been successful at recent trampoline championships in Birmingham, which resulted in her qualification for the national championships in July. Councillor Boulton also advised that the Culter Primary School basketball team had won the Basketball Rocks regional competition.

Councillor Boulton added that Sally Fleming was retiring as Head Teacher at Milltimber Primary School after 21 years, and wished her well in her retirement.

(D) Councillor Allan congratulated the Dee Boys Football Club Under 19 team, from Torry, on winning the Moray Cup, having beaten Huntly 4-1 in the final.

(E) The Lord Provost advised that Aberdeen had been unsuccessful in its defence of the Meff Spence bowling trophy against Dundee earlier in the month, however the Council team, skipped by Martyn Orchard, had won their individual match. The Lord Provost thanked the members of the Council team for their efforts.

(F) Councillor Ironside made reference to the recent passing of three former Councillors who had served the city for a number of years. The Council then observed a minute's silence in memory of former Councillors David Falconer, Ted Harris and Pamela MacDonald.

**The Council resolved:-**

to concur with the remarks of the various members.

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**4 MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 19TH MAY 2010**

The Council had before it the minute of the special meeting of Aberdeen City Council of 19<sup>th</sup> May 2010.

**The Council resolved:-**  
to approve the minute.

**5 MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 19TH MAY 2010**

The Council had before it the minute of meeting of Aberdeen City Council of 19<sup>th</sup> May 2010.

**The Council resolved:-**  
to approve the minute.

**6 PAMPHLET OF MINUTES**

The Council had before it a pamphlet of standing committee minutes from 13<sup>th</sup> April to 2<sup>nd</sup> June 2010.

**The Council resolved:-**  
to note the minutes.

**7 BUSINESS STATEMENT**

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:-**

- (i) to note the update from the Director of Enterprise, Planning and Infrastructure and Councillor Collie, in relation to the 50 Metre Swimming Pool, to the effect that a report would be submitted to Council in August 2010;
- (ii) to note the update from the Director of Enterprise, Planning and Infrastructure on Aberdeen Exhibition and Conference Centre, to the effect that a report with alternative proposals would be submitted to Council in due course; and
- (iii) to otherwise note the statement.

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**8 MINUTE OF MEETING OF GUILDRY AND MORTIFICATION FUNDS SUB COMMITTEE OF 14TH JUNE 2010**

The Council had before it the minute of meeting of the Guildry and Mortification Funds Sub Committee of 14<sup>th</sup> June 2010, wherein approval of a specific recommendation was sought in relation to the likely receipt of additional income to the Lands of Skene Trust.

The minute explained that an estimated £1million was potentially forthcoming to the Lands of Skene Trust if, as was anticipated, the Court of Session ruled in the Trust's favour. The following options had been presented to the Sub Committee:-

- (1) That the capital sum be retained by the Lands of Skene Trust and income earned from it be disbursed in accordance with previous practice; or
- (2) That the additional income be disbursed along with other income at the end of the financial year to the Common Good, Bridge of Don Fund and the Guildry.

The Sub Committee had resolved to recommend to the Council that option 2 be approved - that the additional income be disbursed along with other income at the end of the financial year to the Common Good, Bridge of Don Fund and the Guildry.

**The Council resolved:-**

- (i) to approve option 2 as recommended by the Sub Committee; and
- (ii) to otherwise note the minute.

**DECLARATIONS OF INTERESTS**

**Councillor Dean declared an interest in the following item of business by virtue of her position as a member of the Board of NHS Grampian, an objector to the application. Councillor Dean considered that the nature of her interest required her to leave the meeting and took no part in the Council's deliberations thereon.**

**Councillor Fletcher declared an interest in the following two items of business by virtue of his position as Chairperson of the Pensions Panel. Councillor Fletcher considered that the nature of his interest required him to leave the meeting and took no part in the Council's deliberations thereon.**

**Councillors Allan, Donnelly, Hunter and Young declared interests in the following two items of business as Council appointed Governors to the Board of Oakbank School. Councillors Allan, Donnelly, Hunter and Young**

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**considered that the nature of their interests required them to leave the meeting and took no part in the Council's deliberations thereon.**

**9 DEVELOPMENT MANAGEMENT SUB COMMITTEE - 13TH MAY 2010 - OAKBANK SCHOOL SITE, MID STOCKET ROAD, ABERDEEN - OFFICE BUSINESS PARK, SUPPORTING USES AND RESIDENTIAL**

With reference to Article 4 of the minute of meeting of the Development Management Sub Committee of 13<sup>th</sup> May 2010, 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 Head of Planning and Physical Development on the application (090566) for planning permission to demolish the existing buildings on the former Oakbank School site at Mid Stocket Road, Aberdeen, and to develop the site as an office business park with supporting uses and residential properties; and (2) the decision of the Development Management Sub Committee that the application be refused for the reason that the proposal, if implemented, would significantly alter the residential amenity and character of the surrounding area by reason of the scale, massing and form of the buildings proposed, contrary to the provisions of Local Plan Policy 40.

Councillor McCaig moved, seconded by Councillor Cormie:-

That the decision of the Development Management Sub Committee be approved.

Councillor Cassie moved as an amendment, seconded by Councillor Clark:-

That on the basis that the most important material consideration arising in connection with the proposal for the Oakbank site was the economic benefits that the development would bring to the city, the application be supported in accordance with the recommendations contained within the report.

On a division, there voted:-

For the motion (23) - Lord Provost Peter Stephen; Depute Provost Dunbar; and Councillors Boulton, Cooney, Corall, Cormack, Cormie, Farquharson, Greig, Kiddie, Leslie, McCaig, McDonald, Malone, May, Milne, Noble, Jennifer Stewart, Kevin Stewart, Wendy Stuart, John West, Kirsty West and Yuill.

For the amendment (11) - Councillors Adam, Cassie, Clark, Collie, Crockett, Graham, Ironside, Jaffrey, Penny, Reynolds and Wisely.

Absent from the division (7) - Councillors Allan, Dean, Donnelly, Fletcher, Hunter, John Stewart and Young.

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

**10 DEVELOPMENT MANAGEMENT SUB COMMITTEE - 13TH MAY 2010 -  
OAKBANK SCHOOL SITE, MID STOCKET ROAD, ABERDEEN -  
DEMOLITION OF SCHOOL LODGE HOUSE**

With reference to Article 7 of the minute of meeting of the Development Management Sub Committee of 13<sup>th</sup> May 2010, which had been referred to it simpliciter for determination in association with the main application for development on the former Oakbank School site, the Council had before it a report by the Head of Planning and Sustainable Development on the application (090565) for listed building consent to demolish the former Governor's Lodge at the Oakbank School site, Midstocket Road, Aberdeen, which building was graded Category C(s) in the list of buildings of special architectural or historic interest maintained by the Scottish Ministers for the Aberdeen area. The proposal related to the application dealt with earlier in the meeting for detailed planning permission for an office business park to replace the former Oakbank School, a development which, if approved, required the demolition of all the buildings currently on the site.

The report contained a description of the site and surrounding area; contained also the detail of the consultation response received from Historic Scotland which highlighted that there should be a presumption against the demolition of the building; highlighted also that the Lodge, in the view of Historic Scotland, continued to be a building of local interest which served to mark the role of the Oakbank site in the education and welfare of Aberdeen's people in the 19<sup>th</sup> Century; advised of the letters of representation received in respect of the proposal and the views being expressed therein; identified the planning policy considerations arising and against which the application would fall to be assessed; and provided a detailed evaluation of the proposal in light of the policy position and the other material planning considerations to be taken into account. In assessing the application against the criteria set down within Scottish Historic Environment Policy, the report made reference to the need for applicants, when seeking to demolish a listed building, to provide evidence that satisfied at least one of the following criteria, i.e. that the building was not of special interest; that the building was incapable of repair; that demolition was essential to delivering significant benefits to economic growth or the wider community; or that the repair of the building was not economically viable. In the case under consideration, members were advised that the Supporting Planning Statement lodged by the applicants had maintained that the Lodge was not of any special interest and that its demolition was essential to deliver significant benefits to economic growth. The conclusion arrived at by the Head of Planning and Sustainable Development, however, was that there was no compelling case or justification for the demolition proposed in the absence of the approval of the main application for an office business park on the Oakbank site.



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**The report recommended:-**

- (a) that the Development Management Sub Committee indicate a willingness to approve the application on the clear understanding that no demolition whatsoever of the building shall take place unless and until the applicants have submitted to the planning authority evidence of a legally binding contract entered into between the developer and his/her builders in respect of the proposed redevelopment of the larger site in accordance with planning approval 090566 (office business park, dwellinghouses, parking, etc.) with a fixed date for commencement of the works on site and the planning authority has confirmed in writing that such evidence is acceptable for the purposes of this condition; and
- (b) that it be remitted to the Head of Planning and Sustainable Development to forward the application, together with the detail of the Sub Committee's decision thereon, to Historic Scotland for their consideration in terms of paragraph 2(vi) of the Schedule to the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009.

**The Council resolved:-**

to refuse the application as the proposal was contrary to the presumption against (1) the demolition of granite buildings contained in Policy 13 'Retention of Granite Buildings' of the Aberdeen Local Plan; and (2) the demolition of listed buildings contained in Scottish Planning Policy and Scottish Historic Environment Policy (SHEP) and that the applicant had failed to satisfy or demonstrate compliance with any of the criteria set out in SHEP that would justify the demolition of the building.

**At this juncture all officers affected by the proposals contained within the following item of business left the meeting in accordance with Standing Order 25.**

**DECLARATIONS OF INTEREST**

**Prior to the consideration of the following item of business, a number of members declared interests as follows:-**

**Depute Provost Dunbar and Councillors Dean, Fletcher, McCaig and John West declared interests as members of the Appeals Committee, left the meeting and took no part in the Council's deliberations thereon. Councillor Cormack declared an interest as Convener of the Appeals Committee, left the meeting and took no part in the Council's deliberations thereon.**

**A number of members declared interests and chose not to withdraw from the meeting, namely Councillor Crockett (as a member of the Appeals**

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**Committee and Unite (who formed part of the deputation before the Council)); Councillor Farquharson (as a member of the Appeals Committee); Councillor Graham (as a member of Unite); Councillors Ironside, Kevin Stewart and Yuill (as members of Unison (who formed part of the deputation before the Council)); and Councillor Kiddie (as a retired member of Unison).**

**11 FINANCE AND RESOURCES COMMITTEE - 17TH JUNE 2010 -  
EMPLOYMENT COSTS - CG/10/128**

With reference to Article 6 of the minute of meeting of the Finance and Resources Committee of 17<sup>th</sup> June 2010, which had been referred to it for consideration by five members of that Committee, the Council had before it (1) a report by the Director of Corporate Governance which outlined the outcome of a period of consultation with trade unions and the wider workforce since the 2010/11 budget speech, which indicated a requirement to save £4.5million from employment costs; and (2) the decision of the Finance and Resources Committee, to approve the recommendations contained within the report, namely (a) that the Committee agree that given the abnormal financial pressures facing the Council, the increment that was due to paid from 1<sup>st</sup> April 2010 to relevant staff employed under the SJC for Local Government Employees, be deferred until 1<sup>st</sup> April 2011; and (b) that officers enter into further discussions with trade unions with a view to reviewing employment costs, including conditions of service, for all employment groups.

In terms of Standing Order 10(2), the Council received a deputation from Karen Maxfield, Secretary of the local Unison branch, Mike Middleton, GMB Convener, and Tommy Campbell of TGWU/Unite, with the first two members speaking. They highlighted the moral and legal issues arising from the proposal before the Council and suggested that it was discriminatory given the high proportion of female staff affected who had already made sacrifices to avoid redundancies, and unfair as it would not affect teachers. The deputation emphasised the inevitability of industrial appeals in response to the action, all of which would involve costs to the Council, and questioned the robustness of the legal advice upon which the proposal was based given that the unions had received advice that led them to believe they would win. The resultant effect on industrial relations generally was also raised as was the likely impact on the Council's reputation given the comments made by the Accounts Commission in 2008 about low morale amongst staff.

Members then asked questions of the deputation and thanked them for their contribution.

Councillor Kevin Stewart moved, seconded by Councillor John Stewart:-

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That the Council (1) defer until its meeting on 18<sup>th</sup> August 2010, consideration of the deferral until 1<sup>st</sup> April 2011 of the increment that was due to be paid from 1<sup>st</sup> April 2010 to relevant staff employed under the SJC for Local Government employees; and (2) instruct officers to enter into further discussions with trade unions with a view to reviewing employment costs, including conditions of service, for all employment groups.

Councillor Crockett moved as an amendment, seconded by Councillor Graham:-

- (1) That the Council recognise that Aberdeen City Council has a loyal and dedicated workforce and agrees to honour its contractual agreement with employees to pay the salary increment as it has done in each preceding year, with costs arising to be met from reserves; and
- (2) That officers enter into further discussions with trade unions with a view to reviewing employment costs, including conditions of service, for all employment groups.

On a division, there voted:-

For the motion (25) - Lord Provost Peter Stephen; and Councillors Boulton, Clark, Corall, Cormie, Donnelly, Farquharson, Greig, Jaffrey, Kiddie, Leslie, McDonald, Malone, May, Milne, Noble, Penny, Reynolds, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

For the amendment (10) - Councillors Adam, Allan, Cassie, Collie, Cooney, Crockett, Graham, Hunter, Ironside and Young.

Absent from the division (6) - Depute Provost Dunbar; and Councillors Cormack, Dean, Fletcher, McCaig and John West.

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

**In terms of Standing Order 15(6), Councillors Adam, Allan, Cassie, Collie, Cooney, Crockett, Graham, Hunter, Ironside and Young intimated their dissent against the foregoing decision.**

## 12 LEADERSHIP BOARD UPDATE

The Council heard an oral report by the Chief Executive providing an update on the actions taken by the Leadership Board to address the findings and recommendations of the Accounts Commission for Scotland on *Aberdeen City Council: Reports by the Controller of Audit on the Audit of Best Value and Community Planning and on the Property Sales Investigation*.

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The Chief Executive advised that the Council's Shared Risk Assessment had been considered by Audit Scotland and that a report thereon would be submitted to the Corporate Policy and Performance Committee after the summer recess. The Chief Executive expressed her thanks to the Burgesses of Guild, in particular Fred Dalgarno, Colin Taylor and Charles Henderson for agreeing to join the Board of Sport Aberdeen.

The Chief Executive made reference to recent press coverage in connection with a CMT away day in Peterhead and emphasised that the event had been very cost effective and an excellent way to maximise the number of working hours available between herself and her Directors. The Chief Executive added that the Leadership Board had received a presentation on behalf of the Muslim community regarding the building of a new mosque and that discussions were ongoing in this regard.

Lastly, the Chief Executive highlighted that the Office of Chief Executive had taken on a modern apprentice as part of an initiative to assist disadvantaged young people and that other Directorates would be following suit in due course.

**The Council resolved:-**

to note the Chief Executive's remarks.

**13 COUNCIL DIARY 2011 - CG/10/118**

The Council had before it a report by the Director of Corporate Governance which appended the proposed Council diary for 2011.

**The Council resolved:-**

- (i) to move the Council meeting from 5<sup>th</sup> to 6<sup>th</sup> October 2011 to avoid clashing with the Conservative Party conference; and
- (ii) otherwise to approve the Council diary for 2011.

**14 REVIEW OF THE SCHEME OF DELEGATED POWERS - CG/10/131**

The Council had before it a report by the Director of Corporate Governance which made amendments to the Council's Scheme of Delegated Powers to take account of the new management and committee structure and suggested additional delegated powers designed to streamline Council processes.

The report explained that the Council's Scheme of Delegated Powers was last revised in February 2008, and that since then the Council had agreed and implemented a new management and committee structure, as well having approved a revised version of its Standing Orders. Officers within Legal and Democratic Services had updated the

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Scheme making changes in order that it aligned to the new structures, as well as adding additional delegated powers that had been granted since February 2008. Revised versions pertaining to each Directorate were sent to Directors asking if there were any additional powers that they required and/or if there were any powers that were in place that were no longer required or needed to be modified. In conjunction with this work, a benchmarking exercise was undertaken which compared Aberdeen City Council's Scheme with that of three high performing Scottish local authorities, namely East Dunbartonshire Council, Glasgow City Council and West Lothian Council.

The report appended the draft Scheme of Delegated Powers and summarised the extent of the changes within each Directorate or section.

**The report recommended:-**

that the Council -

- (a) approve the Scheme of Delegated Powers appended to the report subject to any amendments, deletions or additions; and
- (b) instruct the Corporate Management Team to review the Scheme of Delegated Powers on a regular basis, reporting to Council annually with any proposed amendments, deletions or additions requiring approval.

**The Council resolved:-**

to approve the recommendations.

**15 AMENDMENT TO STANDING ORDERS RELATING TO CONTRACTS AND PROCUREMENT - CG/10/130**

With reference to Article 10 of the minute of its meeting of 18<sup>th</sup> November 2009, the Council had before it a report by the Director of Corporate Governance which sought approval of minor amendments to the Standing Orders relating to Contracts and Procurement following feedback that had been received from officers during the roll-out training and due to legislative changes.

The report stated that the amendments to the Standing Orders took account of all current legislation pertaining to contracts and procurement, including changes made to the Public Contracts (Scotland) Regulations 2006 by the Public Contracts and Utilities Contracts (Scotland) Amendment Regulations 2009, implementing the EC Remedies Directive. In addition, changes to the internal structure of the Council required changes to be made to certain job titles referred to in the Standing Orders, namely the Head of Legal and Democratic Services and the Head of Finance. The amended Standing Orders were appended to the report.

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**The report recommended:-**

that the Council approve the amended Standing Orders relating to Contracts and Procurement appended to the report, to come into force with immediate effect, replacing the Standing Orders relating to Contracts and Procurement that were approved by Council on 18<sup>th</sup> November 2009.

**The Council resolved:-**

to approve the recommendation.

**16 THE CITY GARDEN PROJECT - NEXT STEPS - EP1/10/184**

(A) In terms of Standing Order 10(2), the Council received a deputation from Mr Mike Shepherd of Friends of Union Terrace Gardens.

Mr Shepherd questioned the items that were included in the cost estimate of £120-140million for the City Garden Project and how VAT would be recovered for expenditure on the project, then stated that the proposed funding formula to bridge the £70million gap could leave Aberdeen in debt for up to 25 years. Mr Shepherd highlighted that the Tax Increment Funding (TIF) sums depended on 22 new commercial projects being completed and fully rate paying within five years of the project having been completed and questioned the feasibility therein.

Mr Shepherd questioned whether the Council would cover any overspend associated with the project as an ACSEF representative speaking at a public meeting earlier in the year had asserted that any overspend would be picked up by the Council. Mr Shepherd drew comparison with the Edinburgh tram project, which left Edinburgh City Council having to borrow £55million to cover the cost of the project overspend and cautioned that Aberdeen City Council could find itself in a similar position. In Mr Shepherd's opinion, the project was extremely risky and was effectively the privatisation of a Council park.

Members asked questions of Mr Shepherd and thanked him for his contribution.

(B) The Council then received a deputation from Mr Steven Bothwell.

Mr Bothwell called upon the Council to keep Union Terrace Gardens within its control by rejecting Sir Ian Wood's offer and channelling any monies generated by initiatives such as TIF back into the communities of Aberdeen. Mr Bothwell emphasised the high quality of life within Aberdeen and the mix of activities that existed for its citizens, many of whom were against the City Garden Project, as had been demonstrated in the public consultation exercise.

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Mr Bothwell underlined that there was no evidence of the economic benefit the proposed project would bring to the city and that establishing a Special Purpose Vehicle to progress the project was tantamount to selling off the family silver. Mr Bothwell intimated that the Council had been led up the garden path on this issue and that Sir Ian Wood's offer of £50million was now being called an investment and no longer a gift to the city.

Members asked questions of Mr Bothwell and thanked him for his contribution.

(C) With reference to Article 13 of the minute of its meeting of 19<sup>th</sup> May 2010, the Council had before it a report by the Chief Executive and Corporate Management Team which advised of the proposed next steps to ensure the delivery of the City Garden Project.

The report reminded members of the content of the report presented to Council on 19<sup>th</sup> May 2010 and the subsequent decision. The report advised that various meetings had been held since 19<sup>th</sup> May between ACSEF, the Wood Family Trust, Council officials, the Scottish Futures Trust and Scottish Enterprise to agree the next steps that needed to be taken in order to move the project forward.

The report then set out the 23 next steps in tabular form, with the responsible party or parties, start date, end date, status and budget, which included the establishment of a Project Management Board and Project Implementation Team.

The report explained that the Project Management Board would be a strategic decision making body during the initial phase of the project and would manage the whole process until the establishment of a Special Purpose Vehicle to take the project to completion. The proposed composition of the Project Management Board was as follows:-

- Aberdeen City Council Chairperson + 1 + advisers
- ACSEF + 2
- Wood Family Trust
- Scottish Enterprise
- Aberdeen and Grampian Chamber of Commerce
- Aberdeen City Centre Association
- Owners' representative
- Community representative
- Youth Council representative

The report stated that the Project Implementation Team would be established comprising representatives and officers from the project's main sponsors. The Project Implementation Team would also be disbanded once a Special Purpose Vehicle was established to manage the planning and construction phases of the project. The proposed composition of the Project Implementation Team was as follows:-

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- ACSEF Chairperson + 2
- Aberdeen City Council + 2
- Wood Family Trust
- Scottish Enterprise
- Creative Scotland
- Nestrans

The report went on to discuss the proposed management support structure, suggesting that administrative/secretarial support be provided by the Council. The report emphasised that the appointment of an external management company to manage all processes associated with the international design competition was regarded as an essential component of the management control structure.

In terms of immediate actions, in order to launch the international design competition as soon as possible, the report proposed that the Council issue the tender documentation in respect of the appointment of the Design Competition Management Company to run the competition, and the Communications and Community Engagement Company to provide the Project Management Board and Project Implementation Team with advice and assistance in these areas over the next three years. Immediate work would begin on a cash flow forecast for the first phase of the activity and the establishment of a suspense account through which to administer the project costs. The report stated that the cost of both contracts would be met from funds made available to the Project Management Board by the Wood Family Trust and the private sector via ACSEF.

The report acknowledged the position of Peacock Visual Arts not to take any part in the Union Terrace Gardens development and stated that the Council would continue to work with Peacock Visual Arts to support them where possible in securing a sustainable future.

The report appended a project planning schedule pertaining to the next steps that had been identified in relation to the project.

**The report recommended:-**

that the Council -

- (a) note the planned next steps as outlined in the report and instruct officers to expedite these in accordance with the proposed timetable;
- (b) note the suggested composition of the Project Management Board and ask the Chief Executive to determine who should be invited to become a member of this Board, in consultation with project partners and stakeholders;
- (c) give specific approval to the issuing of tender documentation relating to the selection of a Design Competition Management Company to run the international design competition on the understanding that the cost of this to the Council



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- would be fully reimbursed from funds made available to the project by the Wood Family Trust and the private sector;
- (d) give specific approval to the issuing of tender documentation relating to the selection of a Communications and Community Engagement Company to provide the Project Management Board and Project Implementation Team with appropriate advice and assistance in these areas on the understanding that the cost of this to the Council would be fully reimbursed from funds made available to the project by the Wood Family Trust and the private sector;
  - (e) nominate two representatives to sit on the Project Management Board;
  - (f) support the provision of administrative/secretarial support and senior officers to support the Project Management Board and Project Implementation Team; and
  - (g) note that progress would be reported to Council quarterly.

Councillor John Stewart moved, seconded by Councillor Kevin Stewart:-

That the Council approve the recommendations contained within the report subject to the following amendments:-

- (1) to reduce the number of ACSEF places on the Project Management Board by one;
- (2) to instruct officers to submit a report on TIF to the next meeting of the Finance and Resources Committee, as well organising further briefings for elected members;
- (3) to instruct officers to submit a report to Council on 6<sup>th</sup> October 2010 on the key decision gateways, including who would be involved in the shortlisting of the design proposals;
- (4) to agree to establish an elected member working group comprising seven members on a 2+2+1+1+1 basis;
- (5) to agree that Councillor John Stewart would chair the Project Management Board as Council Leader, with Councillor Kevin Stewart as the second Council member;
- (6) to delegate authority to the Chief Executive, in consultation with the Head of Finance and the Head of Legal and Democratic Services, to approve expenditure in relation to the project; and
- (7) to request that ACSEF report regularly to The Aberdeen City Alliance as their work was governed by the structure of community planning.

Councillor Greig moved as an amendment, seconded by Councillor Jennifer Stewart:-

That the Council:-

- (1) note the proposed "next steps" on the future of the Council owned, public asset of Union Terrace Gardens as outlined in paragraph 6.6 of the report;
- (2) to identify the priorities for future use and improvements to the gardens, agree a "Project Management Board" comprising only members of Aberdeen City Council reflecting Council composition in the usual way, and an advisory consultative users group;

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- (3) following current good examples of community involvement in Sunnybank Park and Duthie Park, explore community involvement to increase use of and access to the existing gardens as public recreational space;
- (4) agree a "Project Implementation Team" with majority Council involvement;
- (5) agree to the issuing of tender documentation to follow after Stage 2 of the TIF study and which will select a Design Competition Management Company to run an open and unrestricted design competition with the costs provided upfront to the Council by the Wood Family Trust and the private sector;
- (6) given that TIF is an unknown and high risk commercial undertaking, agree in advance of the design competition, a full report on TIF identifying and confirming the costs, funding sources, VAT liabilities, forecast growth rates in business tax revenue, loan costs, loan period, loan repayment and servicing arrangements. The report will also include a consideration of how TIF can benefit the Council's capital programme;
- (7) given that TIF requires the Council to incur borrowing on behalf of development projects, agree that the Council will not be liable at any time in the future for any overspends in the City Garden Project or its successor projects;
- (8) agree to the issuing of tender documentation to select a Communications and Community Engagement Company to provide the Project Management Board and Project Implementation Team with appropriate advice and assistance in these areas, the costs to be provided to the Council by the Wood Family Trust and the private sector;
- (9) agree that all Council time, administrative, secretarial and professional expertise in implementation of the "next steps", including work on the Project Management Board, Project Implementation Team, TIF study etc, will be itemised and the costs provided to the Council by the Wood Family Trust and the private sector; and
- (10) agree that progress will be reported to each Council meeting.

Councillor Crockett moved as a further amendment, seconded by Councillor Young:-  
That the Council take no further action.

In terms of Standing Order 12(9), the Council divided between the motion by Councillor John Stewart and the amendment by Councillor Crockett, as the latter implied mere negation of a decision.

On a division, there voted:-

For the motion by Councillor John Stewart (25) - Lord Provost Peter Stephen; Depute Provost Dunbar; and Councillors Boulton, Clark, Corall, Cormack, Cormie, Dean, Donnelly, Farquharson, Fletcher, Kiddie, McCaig, McDonald, Malone, Milne, Noble,

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Penny, Reynolds, John Stewart, Kevin Stewart, Wendy Stuart, John West, Kirsty West and Wisely.

For the amendment by Councillor Crockett (15) - Councillors Adam, Allan, Cassie, Collie, Cooney, Crockett, Graham, Greig, Hunter, Ironside, Jaffrey, Leslie, Jennifer Stewart, Young and Yuill.

Absent from the division (1) - Councillor May.

The Council then divided between the motion by Councillor John Stewart and the amendment by Councillor Greig.

On a division, there voted:-

For the motion by Councillor John Stewart (22) - Lord Provost Peter Stephen; Depute Provost Dunbar; and Councillors Clark, Corall, Cormack, Cormie, Dean, Donnelly, Fletcher, Kiddie, McCaig, McDonald, Malone, Milne, Noble, Penny, Reynolds, John Stewart, Kevin Stewart, John West, Kirsty West and Wisely.

For the amendment by Councillor Greig (7) - Councillors Boulton, Farquharson, Greig, Jaffrey, Jennifer Stewart, Wendy Stuart and Yuill.

Declined to vote (11) - Councillors Adam, Allan, Cassie, Collie, Cooney, Crockett, Graham, Hunter, Ironside, Leslie and Young.

Absent from the division (1) - Councillor May.

**The Council resolved:-**

- (i) to adopt the motion by Councillor John Stewart; and
- (ii) to instruct the Chief Executive to write to David Blackwood, ACSEF, reiterating that the Council would not cover any overspend in relation to the project, as he had apparently stated at a public meeting organised by Councillor Boulton.

**17 HOMELESSNESS SERVICE PROVISION - H&E/10/092**

The Council had before it a report by the Director of Housing and Environment which outlined (1) proposals for action to tackle the immediate pressures in relation to temporary accommodation; (2) issues identified from the Homelessness and Resettlement Strategy, the Temporary Accommodation Strategy, internally and from external partners that required action; and (3) proposals for the implementation of Housing Access Service (Homelessness) developments, as outlined in the report to the Housing and Environment Committee of 11<sup>th</sup> January 2010.

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The report summarised the current situation with regard to the Council's Homelessness Service, emphasising that the demand for temporary accommodation was greatly exceeding supply. The provision of additional temporary accommodation at Aberdon House had been planned as an interim measure, which would have relieved some of the pressure, however the Council's Licensing Committee had refused an HMO licence for the property at its meeting of 20<sup>th</sup> May 2010. An appeal against that decision was currently being prepared.

The report stated that it now seemed unlikely that the Council would be able to provide the requisite number of temporary accommodation places within the timescales that had previously been planned, however the following actions were intended to maintain and improve current provision as quickly as possible:-

- Fully utilise the quota of flats for temporary accommodation;
- Develop an in-house Private Sector Leasing Scheme rather than commission externally;
- Put a full-time manager into 165 Crown Street and re-apply for a licence;
- Urgently take forward the proposals for prevention work;
- Consider the purchase of a Bed and Breakfast establishment; and
- Not insist on an HMO licence for the Bed and Breakfast establishments used by the Council.

The report went on to provide detailed information on each of the above possible actions, as well as other options. The report concluded by highlighting other initiatives that were being progressed within the service, such as closer integration with Social Care and Wellbeing; the move towards prevention being incorporated within a wider change in the culture of the service; the service being renamed Housing Access Service based on a Housing First approach; the relocation of the service to Upperkirkgate; and proposals to use the site at Victoria House, West North Street, to provide further temporary accommodation, more intensely supported accommodation and an office base for the service.

**The report recommended:-**

that the Council -

- (a) delegate authority to the Director of Housing and Environment, in conjunction with the Convener of the Housing and Environment Committee and the Convener of the Finance and Resources Committee, to finalise and implement the temporary accommodation options outlined in the report, including establishing an in-house Private Sector Leasing Scheme, extending the provision of temporary accommodation flats and basing an additional manager at 165 Crown Street;
- (b) delegate authority to the Director of Housing and Environment, in conjunction with the Convener of the Housing and Environment Committee and the Convener of the Finance and Resources Committee, to give further

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- consideration to, finalise and implement, the use of other properties for temporary accommodation or purchase of other accommodation establishments;
- (c) delegate authority to the Director of Housing and Environment, in conjunction with the Convener of the Housing and Environment Committee and the Convener of the Finance and Resources Committee, to finalise and implement the establishment of a prevention team within the service within current budgets in accordance with Council policies and procedures;
  - (d) agree to the re-procurement of existing services/procurement of new services within current budgets in line with the new procurement Standing Orders for temporary accommodation (including bed and breakfast and winter care); furniture storage; advocacy/user involvement; additional support needs; and improving employability/social networks, and delegate authority to the Director of Housing and Environment, in conjunction with the Convener of the Housing and Environment Committee and the Convener of the Finance and Resources Committee, to finalise the operational priorities;
  - (e) delegate authority to the Director of Housing and Environment, in conjunction with the Convener of the Housing and Environment Committee and the Convener of the Finance and Resources Committee, to establish corporate pilot initiatives; and
  - (f) instruct officers to submit further reports to the Housing and Environment Committee outlining the actions taken forward under the delegated authority requested above.

Councillor Malone moved, seconded by Councillor McDonald:-

That the Council approve the recommendations contained within the report subject to the following amendments:-

- (1) that the delegated authority within recommendation (a) be to the Director of Housing and Environment in consultation with the Head of Finance and Head of Legal and Democratic Services, and in conjunction with the Convener of the Housing and Environment Committee and the Convener of the Finance and Resources Committee;
- (2) that the Council do not give authority to change the practice of any bed and breakfast accommodation and continue with the practice that all establishments used must hold an HMO licence; and
- (3) that it be clarified that the delegations included authority to approve expenditure.

Councillor Hunter moved as an amendment, seconded by Councillor Cooney:-

That the Council refer the report to the Housing and Environment Committee for consideration.

On a division, there voted:-

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For the motion (28) - Lord Provost Peter Stephen; Depute Provost Dunbar; and Councillors Boulton, Clark, Corall, Cormack, Cormie, Dean, Donnelly, Farquharson, Fletcher, Greig, Kiddie, Leslie, McCaig, McDonald, Malone, Noble, Penny, Reynolds, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, John West, Kirsty West, Wisely and Yuill.

For the amendment (10) - Councillors Adam, Allan, Cassie, Collie, Cooney, Crockett, Graham, Hunter, Ironside and Young.

Absent from the division (3) - Councillors Jaffrey, May and Milne.

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

### DECLARATIONS OF INTERESTS

**Councillors Dean, Fletcher, Ironside, Malone, Milne, Reynolds, Jennifer Stewart and Kirsty West declared interests in the following item of business as members of the Board of Aberdeen Exhibition and Conference Centre. None of the members felt it necessary to leave the meeting during the Council's deliberations.**

### **18 UNCONVENTIONAL OIL AND GAS CONFERENCE IN ABERDEEN - EPI/10/185**

The Council had before it a report by the Director of Enterprise, Planning and Infrastructure which sought approval to co-organise a conference in Aberdeen in December 2010 on opportunities for companies in the unconventional oil and gas sector.

The report highlighted that there was significant and burgeoning global industry interest in the unconventional oil and gas sector, and that, to date, Aberdeen had not sought to exploit this for the benefit of local companies. The report explained that unconventional oil and gas referred to tight gas, shale gas, coal bed methane and heavy oil, produced or extracted using techniques other than the traditional oil well method. The report added that unconventional methods of extracting hydrocarbons were experiencing unprecedented growth worldwide due to increasing scarcity of conventional supplies, increasing global demand over the long-term and security of supply issues often related to geopolitical factors such as gas supply routes.

The report proposed that a two day conference on the unconventional gas market be held at Aberdeen Exhibition and Conference Centre on 1<sup>st</sup> and 2<sup>nd</sup> December 2010. The event would showcase the latest and forthcoming developments in unconventional

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oil and gas in the three key geographical areas of Eastern Europe, North America and Australia. The report advised that the event was being held in partnership with the Industry Technology Facilitator, a not for profit organisation owned by 23 major global operators and service companies, however in order to proceed with the conference booking, it was necessary to underwrite the event in case of unforeseen circumstances leading to late cancellation. This cost could range from £15,990, if cancelled prior to 1<sup>st</sup> September, to a maximum of £27,480, depending on the date of cancellation.

The report emphasised that cancellation of the event was low risk, whereas based on the initial response obtained from potential sponsors and the level of interest from key industry groups, it was believed that there was a greater than 80% probability of a profit being made from the event. If, as was expected, the event generated a profit, the report proposed that the total net sum be reinvested in trade development activities in the unconventional oil and gas sector for the benefit of the Aberdeen economy.

**The report recommended:-**

that the Council -

- (a) approve the Council's involvement, as detailed in the report, in organising a conference in December 2010 on opportunities for companies in the unconventional oil and gas sector;
- (b) approve the Council's underwriting of the conference, as detailed in the report, up to a maximum value of £27,480 in the event of cancellation; and
- (c) approve the reinvestment of any profit from the event in trade development activities related to the unconventional oil and gas sector, for the benefit of the Aberdeen economy.

**The Council resolved:-**

to approve the recommendations.

**19 DRAFT FINANCIAL STATEMENTS 2009/10 - CG/10/132**

The Council had before it (1) a report by the Head of Finance which explained the background to the preparation of the Council's draft Financial Statements for the financial year 2009/10; and (2) a copy of the draft Financial Statements.

The report explained that the Council was required by statute to annually present a set of draft accounts to Audit Scotland by 30<sup>th</sup> June, and that elected members should receive a copy of these accounts by that date.

The report explained that the General Fund had increased in value by £4.008million and this had been created as a result of three significant factors (1) an operational

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budget surplus of £9.141million; (2) non-recurring funding streams of £10.633million; and (3) the use of earmarked sums to the value of £15.766million.

The report stated that the operational budget surplus reflected an improvement of £5.756million when compared to the estimated position reported to the Finance and Resources Committee on 6<sup>th</sup> May 2010. The report explained that the favourable movement was due to increased grant income, reduced costs associated with the delivery of the social work service, further savings achieved against capital financing costs, a review of insurance provision/funds held, reduced costs to be set against contingencies and the inclusion of provisions for Council Tax/Housing Benefit Subsidy assessments by the Department of Works and Pensions.

The report stated that in analysing the final unaudited position compared to budget, significant elements that made up the movement had, to a large extent, been identified and explained throughout the year within the regular monitoring reports to the Finance and Resources Committee.

The report also provided information in relation to the Housing Revenue Account, Capital Expenditure and the Common Good. The report concluded that the outturn for the Common Good was better than had been budgeted and forecast, principally because of rising asset valuations. The Housing Revenue Account had a surplus of £1.896million. Total capital expenditure in 2009/10 was £105.472million, of which £48.547million had been spent on the Housing Revenue Account programme and £52.417million on the Non-Housing programme. A further £4.508million related to Consent to Borrow granted during the year by the Scottish Government to fund specific costs in relation to equal pay.

**The report recommended:-**

that the Council -

- (a) note the draft accounts, which would be submitted to Audit Scotland by 30<sup>th</sup> June 2010;
- (b) note that the audited Financial Statements would be presented to the Audit and Risk Committee, along with the external auditor's report to members in the autumn, and would come back to a Council meeting thereafter;
- (c) note the actual position and the better than projected outturn on the General Fund;
- (d) note the position on the Housing Revenue Account;
- (e) note the capital expenditure levels for the year and the means by which this was funded;
- (f) note the favourable movement in the Common Good;
- (g) note that under the Internal Trading Account requirements all of the services classified as significant trading operations, with the exception of Property Letting, had achieved a cumulative surplus on an aggregate rolling basis over the three year period from 1<sup>st</sup> April 2007;



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- (h) note and approve, as detailed in the report, the earmarked sums and commitments and the consequential uncommitted working balances remaining, for the General Fund, the Housing Revenue Account and Common Good, based on the outlined commitments;
- (i) note that in accordance with the strategy to restore revenue balances, there was an improved reserves and balances position at the year end; and
- (j) note that a fuller analysis of financial outturn against budget would be presented to individual service committees and the Finance and Resources Committee in due course.

**The Council resolved:-**

- (i) to approve the recommendations; and
- (ii) to thank all staff involved in achieving the improved financial position.

**20 APPOINTMENT OF VICE CONVENER OF FINANCE AND RESOURCES COMMITTEE**

The Council was requested to appoint a Vice Convener to the Finance and Resources Committee following the resignation of Councillor Fletcher.

**The Council resolved:-**

to appoint Councillor Yuill as Vice Convener of the Finance and Resources Committee.

**21 QUESTIONS**

The Council had before it eleven questions, of which due notice had been given in terms of Standing Order 20(2), which had been placed on the agenda as the questioners had indicated they were unhappy with the responses.

Councillor McDonald

QUESTION -

To the Convener of the Audit and Risk Committee

“To ask the Convener of Audit and Risk what he sees as the key risks for the Council in meeting its statutory duty with regard to temporary accommodation for homeless people.”

ANSWER (by Councillor Crockett) -

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**1. THE SUPPLY OF TEMPORARY ACCOMMODATION IS NOT ADEQUATE TO MEET DUTY**

- 1.1. The number of homelessness presentations actually fell in 2009 - 2010 but they are still, at 2459, 60% higher than five years ago. Overall the rise in presentations in Scotland was 0% and 14% in Aberdeenshire.
- 1.2. An average of 216 households per month presented to the Homelessness Service 2009/2010. 251 in April 2009, 308 in April 2010, up 23%.
- 1.3. One of the particular areas of concern has been the Council's ability to provide temporary accommodation. In 2009 - 2010, 469 or 40 per month were not provided with such accommodation despite the Council increasing provision by around 50 places.
- 1.4. Throughout Scotland the use of temporary accommodation has increased by 56% from 6,445 to 10,053 households at any one time in the last five years. Aberdeen City had 0.25% of all households in temporary accommodation at 31 December 2009 compared with the Scottish average of 0.44%.
- 1.5. The initiative to provide 75% of lets to homeless households has ensured that all families are getting offers of housing fairly quickly. However, the main problem exists in re-housing single person households. Officers are currently looking to the housing associations to assist with this.
- 1.6. The Council is struggling to meet the demand. The increased presentations mean longer waiting times for interviews. This in turn increases the number of lost contacts, repeat homelessness cases and our overall homelessness journey time has increased to over 100 days. The decrease in the number of voids has also adversely affected the availability of houses.
- 1.7. Officers are trying to secure additional temporary accommodation although the refusal of the licence for Aberdon House was a setback to this strategy.
- 1.8. Officers are current taking forward proposals for:
  - A Private Sector Leasing Scheme which will provide access to between 100 - 300 properties
  - Further extension of the use of flats for temporary accommodation. Currently 180 properties and this will increase incrementally to 300 properties by June 2011
  - Establishing a Prevention Team
  - Putting a full time manager into 165 Crown Street and re-apply for a

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licence

- Considering purchase of a current B&B establishment
- Not insisting on an HMO licence for B&B establishments that we use

1.9. Overall, the Council has a Temporary Accommodation Strategy and Resettlement & Homelessness Strategy in place which are monitored by the Council's Homelessness Strategy Working Group.

**2. THE FINANCIAL COSTS TO THE COUNCIL DO NOT REPRESENT BEST VALUE**

2.1. The cost of making provision available through bed and breakfast establishments/hotels is significant.

2.2. The total expenditure in 2009 - 2010 was £993,966 with subsidy of £336,947 received from the DWP. The net cost to the Council was £657,019.

2.3. Taking £40 per night as the average cost of bed and breakfast provision, the annual cost to the Council of each additional place is approximately £8,500. An additional 40 spaces would, therefore, cost £342,000.

**3. THE REPUTATION OF THE COUNCIL COULD BE ADVERSELY AFFECTED**

3.1. Audit Scotland/Aberdeen City Council Shared Risk Assessment - Assurance and Improvement Plan 2010 - 2013 outlined significant concerns and that focused activity was needed to gain a better understanding of performance in homelessness.

3.2. These concerns were linked to previous concerns raised by the Scottish Housing Regulator in the 2005 inspection.

3.3. Failures in relation to what is expected of the Council are normally picked up and reported on by the media.

In accordance with Standing Order 20(4), the Lord Provost ruled that the question had been answered satisfactorily.

**The Council resolved:-**

- (i) to note the details; and

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- (ii) that any specific reasons provided by elected members in terms of why they were not satisfied with the response to their question be recorded within the agenda.

Councillor Farquharson

QUESTION -

To the Chief Executive

“To ask the Chief Executive at what stage in the Aberdeen Local Development Plan implementation process will a detailed risk analysis be carried out into the proposed Plan and will members be fully apprised of any potential financial concerns arising from negative infrastructure issues emanating from the Plan’s implementation.”

ANSWER (by the Chief Executive) -

From an early stage in the plan preparation process, the Local Development Plan Team have been working with colleagues and partners involved in the planning and delivery of infrastructure, through a group known as the Future Infrastructure Requirements for Services Group. This group has helped to identify the infrastructure required to support new development proposed in the Plan. The findings of the group will be set out in a list of infrastructure requirements to be published in late June, and also in the Proposed Plan later in 2010.

New development will need to provide, or make a financial contribution towards, the infrastructure identified. This will be in scale and kind with the proposed development. Further work is on-going to determine the costs of providing such infrastructure and the level of funding that may be required from the Council. These requirements will be subject to scrutiny by Full Council when the Proposed Plan is considered in August.

**The Council resolved:-**

to note the details.

Councillor Young

QUESTION -

To the Convener of the Finance and Resources Committee

“To ask the Convener for Finance and Resources to provide Council with details of the monetary cost associated with Court action for evicting travellers from unauthorised encampments and to provide Council with the monetary costs associated with cleaning up sites including costs associated with repairing sites after travellers have left or been evicted for the following years 2008, 2009 and 2010 so far.”

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ANSWER (by Councillor Kevin Stewart) -

Legal Costs -

2008 - £2096.66

2009 - £3558.61

2010 - £1941.06

Clean Up Costs -

2008 - £27,121

2009 - £10,015

2010 - £700

Clean up costs do not include general litter picking or disposal costs for the waste uplifted.

In accordance with Standing Order 20(4), the Lord Provost ruled that the question had been answered satisfactorily.

**The Council resolved:-**

to note the details.

QUESTION -

To the Convener of Finance and Resources

“To ask the Convener for Finance and Resources to provide Council with the monetary value which has been recovered following legal action from travellers who have been evicted from unauthorised encampments including any amount recovered for cleaning up sites after travellers have left or been evicted for the following years 2008, 2009 and 2010 so far.”

ANSWER (by Councillor Kevin Stewart) -

2008 - None

2009 - None

2010 - None

In accordance with Standing Order 20(4), the Lord Provost ruled that the question had been answered satisfactorily.

**The Council resolved:-**

to note the details.

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QUESTION -

To the Chief Executive

“To ask the Chief Executive to provide Council with details of all elected members if any who have been or currently are members of the Pension Panel since 2007 who have participated in foreign travel (outside of the UK) by means of conference attendance or for any other purpose associated with Pension Panel business.”

ANSWER (by the Chief Executive) -

Councillor Fletcher is the only Councillor to have travelled abroad on behalf of the Pension Fund, he attended a Harbourvest Fund Manager meeting in Boston from 17th - 20th May 2010.

In accordance with Standing Order 20(4), the Lord Provost ruled that the question had been answered satisfactorily.

**The Council resolved:-**

to note the details.

QUESTION -

To the Chief Executive

“To ask the Chief Executive to provide Council with the detailed costs including cost of travel costs relating to all other benefits including those received in kind by elected members if any whether or not Council paid for these. Details of who paid for any benefits in kind if any including all hotel costs and costs associated with conference or any other purpose of all elected members if any who have been or currently are members of the Pension Panel since 2007 who have participated in foreign travel (outside of UK) by means of conference attendance or for any other purpose associated with Pension Panel business.”

ANSWER (by the Chief Executive) -

Details of costs are displayed below:-

Flights = £598.20

Hotel costs Boston = £434.76 at today's rate of conversion as not through credit card bill yet.

Hotel cost London = £86.60

The hotel costs for one night in Boston (£209.58) and the cost of the hotel in London (£86.60) were incurred due to the British Airways (BA) strike and we are seeking compensation for these but have had no response from BA as yet.

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The pension fund is paying for the equivalent of Councillor Fletcher attending the annual pension conference at the Belfry Birmingham at the rate of £511.86, with Councillor Fletcher repaying any additional costs himself. The amount he is to repay has not yet been finalised due to the hotel costs not being through the credit card statement and also until we get a response from BA.

In accordance with Standing Order 20(4), the Lord Provost ruled that the question had been answered satisfactorily.

**The Council resolved:-**  
to note the details.

QUESTION -  
To the Chief Executive

“To ask the Chief Executive to provide Council with a detailed account of all elected members if any excluding the Lord Provost who went to the Offshore Technology Conference in Houston USA in May 2010 and to further ask the Chief Executive to provide Council with the elected members’, if any, costs associated with travel and accommodation breaking this down by elected member, if any, if the Council paid or contributed for any travel and/or accommodation.”

ANSWER (by the Chief Executive) -

Councillors who attended the OTC conference in May 2010 other than the Lord Provost were Councillor John Stewart and Councillor Neil Fletcher, who attended as partner of Councillor Stewart. Costs are detailed below.

Councillor Stewart - Munro’s Package (flights and accommodation) = £2,220  
Subsistence = £420.57

Councillor Fletcher - Additional cost to Munro’s Package to be repaid by Councillor Fletcher = £63.00

In accordance with Standing Order 20(4), the Lord Provost ruled that the question had been answered satisfactorily.

**The Council resolved:-**  
to note the details.

Councillor Ironside

QUESTIONS -  
To the Convener of the Finance and Resources Committee

(1) “To ask the Convener for Finance and Resources why has the Council reneged on its promise to the users of Summerhill Community Centre, that

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- new replacement facilities for the community would be in place before the building was sold?”
- (2) “To ask the Convener for Finance and Resources what is to happen to all the groups who use the Summerhill Community Centre now the building is up for sale and when will the community users be told where their facilities will be?”
- (3) “To ask the Convener for Finance and Resources does this Council not respect the views of the local Community Council, the decisions of the Full Council to protect these facilities, and the Council taxpayers and residents of Summerhill, Mastrick and Sheddocksley?”

ANSWER (by Councillor Kevin Stewart) -

Officers have been progressing a range of options to secure the suitable relocation of all the community activities and services which are presently delivered at Summerhill. Officers are particularly seeking to secure suitable accommodation which provides best value for the Council and optimises the use of other Council properties, where spare capacity exists.

Activities that are located within Summerhill through lets are being relocated to other suitable facilities through the letting process. This work co-incides with the launch of the new bookings and lettings scheme, which allows greater flexibility to relocate activities across a wider range of educational, sports and community facilities. Letters of comfort are being sent to all current Summerhill lettings users to explain that officers are looking into options for alternative accommodation. These will be followed up over the next month by offers of accommodation for each group.

Officers have met with Mastrick and Sheddocksley Community Council and are in regular dialogue with the Chairperson to keep them informed of progress. The Community Council appears to be satisfied with the Council’s work to relocate current community activities while acknowledging the provision of any replacement facilities cannot be considered until the outcome of the sale of the site is known.

Community Learning activities are similarly being relocated to other Education, Culture and Sport properties where suitable accommodation is available. Progress to date is as follows:

<b>Group</b>	<b>Relocation Arrangements</b>
Sugar Craft	Mastrick Community Centre from summer 2010
Ramblers	Mastrick Community Centre from summer 2010
Sequence Dancers	Mastrick Community Centre from summer 2010
Bowlers	Mastrick Community Centre from summer 2010



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Local History	Northfield Community Centre from summer 2010
Crafty Sew & Sews	Northfield Community Centre from summer 2010
Keep Fit	Northfield Community Centre from summer 2010
Ceramics	Northfield Community Centre from summer 2010

In addition, officers are considering options to relocate some services to non-Education, Culture and Sport properties. For example, officers are in discussion with colleagues in Social Care and Wellbeing and Asset Management to consider the option of relocating the Mastrick Young People's Project services to the previous Hillyland Disabled Living Centre. This is dependent on Social Care and Wellbeing declaring this property surplus to requirements and may also be dependent on the actual capital receipt secured from the sale of the Summerhill site and other demands on the Council's capital programme.

Officers are working closely with MASCOT to address their unique situation. The dialogue has been constructive so far and it is hoped that a mutually agreeable solution can be achieved. The social programme of activities organised through MASCOT can be transferred to Mastrick Community Centre, a viable location for the shop has still to be identified.

All current lets for use of the swimming pool are being honoured. The pool will close and be decommissioned over the summer. All existing users are being relocated to other pools in the city through the letting process and groups will again be receiving letters of comfort, followed by offers of alternative pool facilities over the next few weeks.

The planned final deadline for the vacation of all the community activity from Summerhill is August 2011. However, as advised above, officers are working to relocate service as swiftly as possible, particularly where suitable alternative accommodation is presently available. This will avoid the risk of delaying any relocations until into 2011 when there may not be the same choice of properties and accommodation.

**The Council resolved:-**  
to note the details.

## 22 MOTIONS - COUNCILLOR MCCAIG

Councillor McCaig, pursuant to notice, moved:-

"Council recognises the benefits that can be gained from small scale investment in local areas and agrees to investigate the establishment of a city wide 'community fund' from which community groups, including community councils,

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can bid for money from to fund specific projects in their local area. Requests that officers report back on potential funding levels and streams with consideration given to this proposal as an alternative to ward budgets.”

**The Council resolved:-**

to refer the motion to the Finance and Resources Committee.

**23 COUNCILLOR YOUNG**

Councillor Young, pursuant to notice, moved:-

“This Council believes that knife crime takes an unacceptable toll on communities across Scotland, including Aberdeen; notes that crimes of handling an offensive weapon across Scotland increased by three per cent between 2007/08 and 2008/09; notes that murders involving knives reached a new high last year, accounting for a record 58 per cent of all murders across Scotland in 2008/09; notes recent estimates that knife crime in Scotland costs the NHS some £500 million every year; notes that the number of beds in NHS Grampian occupied as a result of knife attacks more than doubled last year from 70 in 2006/07 to 149 in 2008/09; notes with that 70 per cent of those convicted of handling an offensive weapon criminals currently do not receive custodial sentence; believe the introduction of a mandatory minimum custodial sentence for handling an offensive weapon would send a clear message that it is never acceptable to carry a knife; supports efforts to introduce such mandatory sentences by Scottish Labour through an amendment to the Criminal Justice and Licensing (Scotland) Bill currently being considered by the Scottish Parliament.”

**The Council resolved:-**

to refer the motion to the Corporate Policy and Performance Committee.

**24 COUNCILLOR COONEY**

Councillor Cooney, pursuant to notice, moved:-

“That this Council recognises the need to respond to the unacceptable situation facing Aberdeen’s citizens in terms of unauthorised Travellers sites. Instructs officers to contact other Local Authorities to seek ideas for better management, asks for a report on the measures needed to secure areas subjected to regular unauthorised encampments and asks Council to issue a statement guaranteeing that all of Aberdeen’s citizens have equal rights with travellers of whatever ethnic group.”

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**The Council resolved:-**

to refer the motion to the Housing and Environment Committee.

- **PETER STEPHEN, Lord Provost.**