

LEGAL AND DEMOCRATIC SERVICES

COUNCIL DECISION SHEET

COUNCIL - 2 WEDNESDAY, 2 MARCH 2016

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

	Item Title	Council Decision	Services Required to take action	Officer to Action
1	<u>Admission of Burgesses</u>	Not applicable		
2	<u>Determination of Exempt Business</u>	<u>The Council resolved:</u> in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of item 9(a) so as to avoid disclosure of exempt information of the class described in paragraph 1 of Schedule 7(A) of the Act.		
3	<u>Requests for Deputations</u> Three requests for deputation have been received in support of item 8(a) from Unite, GMB and UCATT respectively. These requests are not competent as Standing Order 10(1) states that applications must relate to substantive report on the agenda - therefore Standing Orders will require to be suspended if the	<u>The Council resolved:</u> (i) to suspend Standing Order 10(1) to enable the deputations from Unite, GMB and UCATT to be heard in relation to item 8(a), and to hear them as the next item of business; and (ii) to request officers to consider the issue of Standing Orders having to be suspended to hear deputations in relation to notices of motion as part of	Corporate Governance	Fraser Bell/ Martyn Orchard/ Stephanie Dunsmuir

	Item Title	Council Decision	Services Required to take action	Officer to Action
	Council want to hear the deputations.	the governance review.		
4(a)	<u>Minute of Meeting of Aberdeen City Council of 16 December 2015 - for approval (circulated separately)</u>	<u>The Council resolved:</u> to approve the minute.		
4(b)	<u>Minute of Meeting of Urgent Business Committee of 6 January 2016 - for approval</u>	<u>The Council resolved:</u> to approve the minute.		
5(a)	<u>Business Statement</u>	<u>The Council resolved:</u> to note the business statement.		
5(b)	<u>Motions List</u>	<u>The Council resolved:</u> to note the motions list.		
5(c)	<u>Minute of Meeting of Appointment Panel of 13 January 2016 - for approval</u>	<u>The Council resolved:</u> to approve the minute.	Corporate Governance	Emma Parr
6	<u>No referrals</u>			

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7(a)	<u>Appointments</u>	<p><u>The Council resolved:</u></p> <p>(i) to approve the appointment of Councillor Flynn as one of the Council's three representatives on the Management Board of the Strategic Mixed Tenure Housing for Aberdeen City Limited Liability Partnership (LLP), noting that the name of the LLP would be confirmed in due course;</p> <p>(ii) to approve the appointment of Councillor Laing as the Council's representative on the Board of ONE as a director of the company;</p> <p>(iii) to approve the appointment of Councillor Hutchison as a substitute member of the Grampian Valuation Joint Board in place of Councillor Corall;</p> <p>(iv) to approve the appointment of Councillor Donnelly as a representative on the Board of Sport Aberdeen in place of Councillor Boulton; and</p> <p>(v) to approve the appointment of Councillor Reynolds as a member of the Taxi Consultation Group in place of Councillor Boulton.</p>	<p>Office of Chief Executive</p> <p>Corporate Governance</p>	<p>Ciaran Monaghan</p> <p>Martyn Orchard/ Garry Watson/ Kate Lines</p>
7(b)	<u>Standards Commission for Scotland Written Decision</u>	<p><u>The Council resolved:</u></p> <p>(i) to note the content of the written decision and the sanction made by the Standards Commission for Scotland; and</p> <p>(ii) to instruct the Head of Legal and</p>	<p>Office of Chief Executive</p> <p>Corporate</p>	<p>Ciaran Monaghan</p> <p>Fraser Bell</p>

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		Democratic Services to issue a reminder to all members of the importance of due care and consideration when handling information that is of a confidential, exempt or data protected nature.	Governance	
7(c)	<u>Relaxation of Drinking in Public Byelaw for BP Big Screens 2016</u>	<p><u>The Council resolved:</u></p> <p>(i) to instruct the Head of Legal and Democratic Services to carry out the necessary advertising of the proposed suspension; and</p> <p>(ii) to instruct the Head of Legal and Democratic Services to request confirmation from the Scottish Government that the Aberdeen City Council Drinking in Public Places Byelaw 2009 be suspended within the boundaries of the Duthie Park on 14 July 2016 from 1800 to 2300 hours.</p>	Office of Chief Executive Corporate Governance	Kenny Luke Fraser Bell
7(d)	<u>Treasury Management Policy and Strategy - referred by Finance, Policy and Resources Committee of 16 February 2016</u>	<p><u>The Council resolved:</u></p> <p>(i) to approve the Council's Treasury Management Policy Statement for 2016/17 to 2018/19 as detailed at appendix 1 to the report;</p> <p>(ii) to approve the Council's Borrowing and Investment Strategy for 2016/17 to 2018/19 as detailed at appendix 2;</p> <p>(iii) to approve the Counterparty list as detailed at appendix 3;</p> <p>(iv) to note the Council's proposed</p>	Corporate Governance	Neil Stewart

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		(v) Prudential Indicators for 2016/17 to 2020/21 as detailed at appendix 4; and to note the progress against the actions from the recent Audit Scotland report on Borrowing and Treasury Management in Councils as detailed at appendix 5.		
7(e)	<u>Powers Delegated to Integration Joint Board for Health and Social Care</u>	<p><u>The Council resolved:</u></p> <p>(i) to note the powers being delegated under legislation;</p> <p>(ii) to note the total budget to be delegated to the Integration Joint Board (IJB) for Health and Social Care of £88.157million;</p> <p>(iii) to authorise the Chief Officer to facilitate and implement any directions issued by the IJB; and</p> <p>(iv) to instruct the Chief Executive to provide an update report to members on matters relating to the IJB that she considers to be of interest to them at the Council meetings of 17 August and 14 December 2016 and quarterly thereafter, such reports including financial monitoring information in relation to the IJB.</p>	<p>Corporate Governance</p> <p>Aberdeen City Health and Social Care Partnership</p> <p>Office of Chief Executive</p>	<p>Roddy MacBeath/ Paul Dixon</p> <p>Judith Proctor</p> <p>Angela Scott</p>
7(f)	<u>Aberdeen Inspired - BID Ballot</u>	<p><u>The Council resolved:</u></p> <p>to vote to renew the Aberdeen BID for a five year second term.</p>	Communities, Housing and Infrastructure	Richard Sweetnam

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7(g)	<u>Transport Implications - City Centre Masterplan Projects</u>	<p><u>The Council resolved:</u></p> <p>(i) to note the content of the report, and thank officers for their efforts in bringing forward the report;</p> <p>(ii) to instruct officers to remit the designs as detailed in the report for options for Broad Street to the wider transport implications of the City Centre Masterplan assessment to ensure full details and implications of all options are available prior to going out to public consultation; and</p> <p>(iii) to instruct officers to report back to Council with the full assessment in May 2016.</p>	<p>Communities, Housing and Infrastructure</p> <p>City Centre Director</p>	<p>Joanna Murray/ Louise MacSween</p> <p>Marc Cole</p>
7(h)	<u>Twinning and International Partnerships</u>	<p><u>The Council resolved:</u></p> <p>to refer the report to the next meeting of the Bulawayo Trust for further consideration with a view to a decision being taken at the meeting of the Finance, Policy and Resources Committee on 19 April 2016.</p>	<p>Office of Chief Executive</p> <p>Corporate Governance</p>	<p>Laura Paterson</p> <p>Lynsey McBain/ Mark Masson</p>
7(i)	<u>Devolution of Additional Powers to the Council</u>	<p><u>The Council resolved:</u></p> <p>(i) to note the content of the report; and</p> <p>(ii) to instruct the Head of Economic Development to provide an 'options appraisal' of the devolution of existing and proposed (via the Scotland Bill) powers and the different levers that could be available to the Council, and report to the Council meeting on 17 August 2016.</p>	<p>Corporate Governance</p> <p>Communities, Housing and Infrastructure</p>	<p>Sandra Buthlay</p> <p>Richard Sweetnam</p>

	Item Title	Council Decision	Services Required to take action	Officer to Action
8(a)	<p><u>Motion by Councillor Laing</u></p> <p>“Council notes the Conservative Government is proposing a Trade Union Bill that will restrict the ability of this Council to engage in good industrial relations practices with our workforce and their representatives.</p> <p>Council believes the collection of union dues through the check-off arrangement, from which the Council receives income, is part of the Council’s collective and contractual arrangements with the trades unions, which the Council will defend and support.</p> <p>Council commits not to use agency staff to break or weaken industrial action and to continue to support arrangements that afford trade union representatives sufficient resources to enable them to carry out their functions to ensure the continuation of good industrial relations.</p> <p>Council instructs the Chief Executive to write to the Secretary of State for Business, Innovation and Skills stating the Council’s opposition to this Bill and any attacks on facility time or check off.”</p>	<p><u>The Council resolved:</u></p> <p>(i) to approve the terms of the joint motion by Councillors Laing and Jackie Dunbar in the following terms:-</p> <p>“Council notes the Conservative Government is proposing a Trade Union Bill that will restrict the ability of this Council to engage in good industrial relations practices with our workforce and their representatives.</p> <p>Council believes the collection of union dues through the check-off arrangement, from which the Council receives income, is part of the Council’s collective and contractual arrangements with the trades unions, which the Council will defend and support.</p> <p>Council commits not to use agency staff to break or weaken industrial action and to continue to support arrangements that afford trade union representatives sufficient resources to enable them to carry out their functions to ensure the continuation of good industrial relations.</p> <p>Council instructs the Chief Executive to write to the Secretary of State for Business, Innovation and Skills stating the Council’s</p>	Office of Chief Executive	Angela Scott/ Ciaran Monaghan

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		<p>opposition to this Bill, any attacks on facility time or check off and to demand that the income which will be lost to the Council, should this draconian Bill be passed, is reimbursed.”; and</p> <p>(ii) to further instruct the Chief Executive to write to the spokespersons for Business, Innovation and Skills of all political parties within the UK Parliament in the terms outlined above.</p>		
8(b)	<p><u>Motion by Councillor Nicoll</u></p> <p>“That officers identify and implement a system of work whereby areas currently identified in the Local Development Plan for development are circulated to the Directorates of the Council with a view to them identifying and commenting on possible developer obligations those Directorates consider may be appropriate or may become appropriate should any request be received from a developer to progress a specific development.</p> <p>Instruct senior officers in Aberdeen City Council Directorates to keep under review possible planning obligations that may be sought from a developer should an area identified in the Local Development Plan as suitable for development be progressed.”</p>	<p><u>The Council resolved:</u> to refer the motion to the meeting of the Communities, Housing and Infrastructure Committee on 17 May 2016.</p>	<p>Communities, Housing and Infrastructure</p> <p>Corporate Governance</p>	<p>Pete Leonard/ John Lynch</p> <p>Emma Parr</p>

	Item Title	Council Decision	Services Required to take action	Officer to Action
8(c)	<p><u>Motion by Councillor Jackie Dunbar</u></p> <p>“Council values the excellent and mutually respectful working relationship which it has with both the workforce and their Trade Unions.</p> <p>Council considers this positive relationship to be one which benefits both workers and the city alike and respects the need for Trade Union representatives to use facility time to conduct their legitimate business. Council supports the collection of dues through the check-off arrangement, from which the Council receives income, and defends these Trade Union arrangements.</p> <p>Council believes that the Trade Union Bill, proposed by the current Conservative UK Government, but not yet law, will restrict the ability of this Council to engage in good industrial relations practices with our workforce and their Trade Union representatives.</p> <p>Council commits not to use agency staff to break or weaken industrial action in relation to this matter, 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 willingly co-operate with any attacks on facility time or check-off and to demand that the income which will be lost to the Council, should this draconian bill be passed, is reimbursed.”</p>	Please refer to the decision at item 8(a)		

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8(d)	<p><u>Motion by Councillor Thomson</u></p> <p>“Council notes that Aberdeen is home to two award winning and world class universities in the University of Aberdeen and Robert Gordon University. Both universities offer outstanding opportunities for graduate employment.</p> <p>Recognises that Aberdeen University is internationally renowned for its world leading research capability including a strong track record in bio and life sciences. Further that Robert Gordon University has achieved international recognition for delivering quality professional education and has a track record of fostering innovation and enterprise.</p> <p>Notes that the SNP Scottish Government is intent with pressing ahead with damaging university reforms as part of the Higher education Governance Bill which will politicise and undermine the effective working of our higher education institutions.</p> <p>Council further notes that Jennifer Crow, Chair of the Board at Robert Gordon University, and Moir Lockhead, Senior Governor at the University of Aberdeen, have joined 16 other Scottish University chairs in writing an open letter to the Scottish Government warning them of the most serious consequences of the Bill.</p>	<p><u>The Council resolved:</u> to approve the terms of the motion.</p>	<p>Office of Chief Executive</p>	<p>Angela Scott/ Ciaran Monaghan</p>

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	<p>Council believes that this open letter is a significant intervention by some of the most high profile and respected figures in the worlds of law, media, education, banking, religion, business, health and government.</p> <p>Council agrees that the proposed changes will “reverse the excellent progress that has been made towards achieving equality and diversity” within the very important role of chairing a governing body.</p> <p>Agrees that the Scottish Government has still produced no evidence to support why it considers the bill to be necessary and, at the same time, it has dismissed all the evidence from those in the sector who would be asked to deliver the changes.</p> <p>Council instructs the Chief Executive to write to the Cabinet Secretary for Education and Lifelong Learning stating the Council’s opposition to the Scottish Government’s proposal to introduce new elected chairs of University courts further stating that instead of a one size fits all approach Ministers should respect the autonomy and diversity of the sector.”</p>			

	Item Title	Council Decision	Services Required to take action	Officer to Action
9(a)	<u>Minute of Meeting of Social Work Complaints Review Committee of 21 January 2016 - for approval</u>	<u>The Council resolved:</u> (i) to approve the recommendations; and (ii) otherwise to note the Director of Education and Children's Services comments in the foreword.	Corporate Governance	Iain Robertson

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