

LEGAL AND DEMOCRATIC SERVICES

COUNCIL DECISION SHEET

COUNCIL - WEDNESDAY, 11 MAY 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 items 9(a) to 9(d) so as to avoid disclosure of exempt information of the classes described in paragraphs 6, 7 and 9 of Schedule 7(A) of the Act.		
3	<u>Requests for Deputations</u>	<u>The Council resolved:</u> to hear the deputations.		
3(a)	<u>Request from Mr Davidson in relation to item 6a</u>	<u>The Council resolved:</u> to hear the deputation.		
3(b)	<u>Request from First Aberdeen Ltd and Stagecoach in relation to item 7j</u>	<u>The Council resolved:</u> to hear the deputation.		

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3(c)	<u>Request from Aberdeen and Grampian Chamber of Commerce in relation to item 7j</u>	The Council resolved: to hear the deputation.		
3(d)	<u>Request from Unite in relation to item 6(a)</u>	The Council resolved: to hear the deputation.		
3(e)	<u>Request from Mr Graeme McColl (Aberdeen Taxi Centre) in relation to item 6(a)</u>	The Council resolved: to hear the deputation.		
3(f)	<u>Request from Mr Graeme McColl (Aberdeen Taxi Centre) in relation to item 7(a)</u>	The Council resolved: to hear the deputation.		
3(g)	<u>Request from Mr Gary Craig (Aberdeen Inspired) in relation to item 7(j)</u>	Withdrawn		
4(a)	<u>Minute of Meeting of Aberdeen City Council of 25 February 2016 - for approval (circulated separately)</u>	The Council resolved: to approve the minute.		
4(b)	<u>Minute of Meeting of Aberdeen City Council of 2 March 2016 - for approval (circulated separately)</u>	The Council resolved: to approve the minute.		
4(c)	<u>Minute of Meeting of Urgent Business Committee of 18 March 2016 - for approval</u>	The Council resolved: to approve the minute.		

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4(d)	<u>Minute of the Appointments Panel meeting - Head of Planning and Sustainable Development Interviews of 31 March 2016 - for approval</u>	<u>The Council resolved:</u> to approve the minute.	Corporate Governance	Emma Parr
5(a)	<u>Business Statement</u>	<u>The Council resolved:</u> (i) to remove item 10 (Director of Corporate Governance - recruitment); (ii) to note that the Director of Communities, Housing and Infrastructure would respond to Councillor Noble with regard to progress in terms of item 11 (Broadford Works); and (iii) to otherwise note the business statement.	Corporate Governance Communities, Housing and Infrastructure	Martyn Orchard Pete Leonard
5(b)	<u>Motions List</u>	<u>The Council resolved:</u> to note the motions list.		
6(a)	<u>Review of Accessible Vehicles Policy - referred by Licensing Committee of 6 April 2016</u>	<u>The Council resolved:</u> (i) to note the UK Transport Minister's expressed intentions to implement the remaining provisions of part 12 of the Equality Act 2010; (ii) to approve the decision of the Licensing Committee of 6 April 2016 subject to an amendment to delay the implementation date of the policy from 6 June 2017 to 6 June 2018; (iii) to instruct the Head of Legal and Democratic Services to write to the UK Transport Minister in order to seek further clarity on any proposed	Corporate Governance	Fraser Bell/ Ruth O'Hare/ Allison Swanson

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		<p>implementation date for the remaining provisions of part 12 of the Equality Act 2010;</p> <p>(iv) to instruct the Head of Legal and Democratic Services to report back to the Licensing Committee upon receipt of the UK Transport Minister's response to (iii) above with a view on whether further consultation is required; and</p> <p>(v) to instruct the Head of Legal and Democratic Services to write to the Chief Executive of Dundee City Council seeking clarity in and around their mixed fleet policy and report back to the Licensing Committee with their response.</p>		
7(a)	<p><u>Age of Vehicles - Clarification of Policy - referred simpliciter by Licensing Committee of 6 April 2016</u></p>	<p><u>The Council resolved:</u></p> <p>(i) to approve the proposed new policy on Age of Vehicles as set out in the report;</p> <p>(ii) to instruct the Head of Legal and Democratic Services to publish the new policy on Age of Vehicles; and</p> <p>(iii) to instruct the Head of Legal and Democratic Services to review the policy on Age of Vehicles following the implementation of the accessible vehicle policy on 6 June 2018 and report back to the Licensing Committee with recommendations as appropriate twelve months after the accessible vehicle policy has been implemented.</p>	Corporate Governance	Fraser Bell/ Ruth O'Hare/ Allison Swanson

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7(b)	<u>Appointments</u>	<p><u>The Council resolved:</u></p> <p>(i) to approve the appointment of Councillor Flynn as Convener of the Audit, Risk and Scrutiny Committee replacing Councillor Jackie Dunbar;</p> <p>(ii) to approve the appointment of Councillor Cameron as a member of the Integration Joint Board for Health and Social Care replacing Councillor Samarai;</p> <p>(iii) to approve the appointment of Councillor Dickson as a member of the NESTRANS Board replacing Councillor Jackie Dunbar;</p> <p>(iv) to approve the appointment of Councillor Samarai as a representative on Grampian Racial Equality Council replacing Councillor Copland;</p> <p>(v) to approve the appointment of Councillor Cameron as a representative on the Alcohol and Drugs Partnership replacing Councillor Samarai;</p> <p>(vi) to approve the revised composition of both the Licensing Urgent Business Sub Committee and the Licensing Evidential Hearings Sub Committee as 3 Labour, 2 SNP, 1 Liberal Democrat and 1 Independent Alliance for each;</p> <p>(vii) to approve the appointment of Councillor Donnelly as Vice Convener of the Finance, Policy and Resources Committee replacing Councillor Thomson MSP;</p> <p>(viii) to approve the appointment of Councillor Crockett as a member of the</p>	<p>Office of Chief Executive</p> <p>Corporate Governance</p>	<p>Ciaran Monaghan</p> <p>Martyn Orchard/ Karen Rennie/ Iain Robertson/ Emma Parr/ Allison Swanson/ Mark Masson/ Garry Watson</p> <p>Steve Whyte/ Margaret Murray (allowances)</p>

	Item Title	Council Decision	Services Required to take action	Officer to Action
		<p>Finance, Policy and Resources Committee replacing Councillor Thomson MSP;</p> <p>(ix) that the Property Sub Committee be disbanded with immediate effect and that its business transfer to the Finance, Policy and Resources Committee;</p> <p>(x) to approve the appointment of Councillor Carle as Vice Convener of the Education and Children's Services Committee replacing Councillor Donnelly;</p> <p>(xi) to note that Councillor Graham had resigned his position on the Aberdeen Safer Community Trust; and</p> <p>(xii) to note that the agreed Senior Councillors listing available separately.</p>		
7(c)	<p><u>Governance Review Programme - Establishment of Working Group</u></p>	<p><u>The Council resolved:</u></p> <p>(i) to note the progress made so far in establishing arrangements for a governance review and note the purpose of the review including intended outcomes, outputs and governance arrangements;</p> <p>(ii) to agree to establish a Governance Reference Group as a forum for consultation with elected members on the governance review, prior to the presentation of proposals to Council or the appropriate Committee; agree a membership of seven members, namely 2 Labour members (Councillors Ironside and Young), 2</p>	Corporate Governance	Vikki Cuthbert

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		<p>SNP members (Councillors Dickson and Flynn), 1 Liberal Democrat member (Councillor Yuill), 1 Conservative member (Councillor Donnelly) and 1 Independent member (Councillor Reynolds); and</p> <p>(iii) to instruct the Interim Director of Corporate Governance to make arrangements for the Reference Group to meet and receive the necessary level of support, with the first meeting to be scheduled for the end of May and thereafter once per committee cycle.</p>		
7(d)	<u>Council Diary</u>	<p><u>The Council resolved:</u> to approve the diary appended to the report subject to the Licensing Board meeting being changed from 28 March to 21 March 2017.</p>	Corporate Governance	Lynsey McBain
7(e)	<u>Living Wage Accreditation</u>	<p><u>The Council resolved:</u></p> <p>(i) to approve the application of the Scottish Government Guidelines as detailed in the Scottish Procurement Policy;</p> <p>(ii) to approve the application of the Living Wage (as publicised by The Poverty Alliance) as a minimum hourly rate for agency workers; and</p> <p>(iii) to instruct the Interim Director of Corporate Governance to proceed with an application for accreditation on that basis.</p>	Corporate Governance	Karen Templeton

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7(f)	<u>Investors in Young People Accreditation</u>	<u>The Council resolved:</u> to approve assessment by Investors in People for the purposes of attaining the Investors in Young People accreditation.	Corporate Governance	David Forman
7(g)	<u>Powering Aberdeen: Aberdeen's Sustainable Energy Action Plan - Draft for Public Consultation</u>	<u>The Council resolved:</u> (i) to approve the draft Powering Aberdeen and associated impact assessments for public consultation; (ii) to act as enabler across the city, being ambassadors for the projects under Powering Aberdeen's umbrella; (iii) to agree to immediate implementation of Powering Aberdeen's governance structure; (iv) to instruct officers to report back with (a) an update on implementation of the governance structure; and (b) a final draft of Powering Aberdeen for approval, including the findings of the public consultation; and (v) to acknowledge the strategic importance of Powering Aberdeen within future city wide decision making.	Communities, Housing and Infrastructure	Amy Gray/ Terri Vogt
7(h)	<u>Planning Application - National Development comprising construction of new infrastructure to facilitate the creation of a new deep water harbour, including new roads, parking and means of access, temporary construction and fabrication areas and other associated development which</u>	<u>The Council resolved:</u> to approve the application for planning permission in principle subject to conditions specified in the report ensuring restoration and reinstatement of all temporary working/manufacturing areas; and requiring submission of precise details relating to all aspects of road design, realignment and off-	Communities, Housing and Infrastructure	Garfield Prentice/ Gareth Allison

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	<u>may include public realm areas, paths, lighting and signage - P151742</u>	road cycle path improvements.		
7(i)	<u>Roads Hierarchy</u>	<p><u>The Council resolved:</u></p> <p>(i) to note the contents of the report;</p> <p>(ii) to note the proposed principles for the future distribution and management of traffic across the city, following the opening of the Aberdeen Western Peripheral Route; and</p> <p>(iii) to instruct officers to engage with stakeholders on the proposed framework and intended hierarchy including an online consultation with stakeholders and the public, and report back to the appropriate Committee after the summer recess.</p>	<p>Communities, Housing and Infrastructure</p> <p>Corporate Governance</p>	<p>Mark Wilkie</p> <p>Emma Parr</p>
7(j)	<u>Transport Implications - City Centre Masterplan Projects</u>	<p><u>The Council resolved:</u></p> <p>(i) to note the contents of the report, and especially the optimum phasing of key transport proposals;</p> <p>(ii) to agree that the wider transportation impact of the City Centre Masterplan can be accommodated on the road network subject to suitable enabling measures being introduced;</p> <p>(iii) to agree the design concepts for options for Broad Street for public consultation; and</p> <p>(iv) to instruct officers to report back to Council in June 2016 on the responses to the Broad Street options public consultation.</p>	<p>Communities, Housing and Infrastructure</p>	<p>Ken Neil/ Louise MacSween</p>

	Item Title	Council Decision	Services Required to take action	Officer to Action
7(k)	<u>Berryden Corridor Improvements</u>	<p><u>The Council resolved:</u></p> <ul style="list-style-type: none"> (i) to note the content of the report; (ii) to instruct officers to proceed with public engagement on the current draft design and to report back on the public response to the various options after the summer recess, anticipated to be the August Council meeting, with the preferred design option and land requirements for inclusion in the Compulsory Purchase Order (CPO); (iii) to instruct officers, following due process, to arrange for the advanced demolition of any relevant property under Aberdeen City Council ownership in advance of the main scheme where there is justification to do so subject to the approval of any contract by the relevant committee; (iv) to instruct the Director of Communities, Housing and Infrastructure, in consultation with the Head of Legal and Democratic Services and the Convener of the Finance, Policy and Resources Committee, to enter into negotiations with the developers of the Cornhill site to explore the possibility of incorporating advanced roadworks for the Berryden scheme within the proposed development site access; and (v) to instruct the Director of Communities, Housing and Infrastructure to report the outcome of these negotiations to the Communities, Housing and Infrastructure Committee on 25 August 	<p>Communities, Housing and Infrastructure</p> <p>Corporate Governance</p>	<p>Mike Matheson</p> <p>Fraser Bell</p> <p>Emma Parr</p>

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		<p>2016 (with the flexibility to report to a meeting of the Urgent Business Committee if necessary) in order to seek approval to enter into agreement to pay for works where they would minimise network disruption and be economically advantageous for the delivery of the overall scheme.</p>		
8(a)	<p><u>Motion by Councillor Taylor</u></p> <p>“This Council wishes to congratulate Team Zariba, a local Ice Skating Team, who represented Great Britain at the prestigious World Synchronised Skating Championships in Budapest on 6th - 9th April 2016.</p> <p>Governing body, NISA (National Ice Skating Association), unanimously agreed that the Aberdeen team should represent Great Britain at the competition which hosted some of the world’s best Synchronised Skating Teams.</p> <p>This accolade comes after a highly successful season for the squad, who are based at the Linx Ice Arena. Prior to representing Great Britain, they clinched the Scottish, Welsh and British Championships.</p> <p>Weeks of intense preparation and practice for Team Zariba took place prior to the Championships, and they were supported</p>	<p><u>The Council resolved:</u> to approve the terms of the motion.</p>		

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	<p>by Sport Aberdeen who assisted by arranging more time on the ice for the club.</p> <p>The team achieved an overall score of 80.36 and a ranking of 23rd in the world.”</p>			
8(b)	<p><u>Motion by Councillor Laing</u></p> <p>“Council notes the upcoming referendum on the United Kingdom’s membership of the European Union and agrees that Aberdeen is stronger now and will be stronger in the future - economically, politically, and socially - as a partner within the European Union.”</p>	<p><u>The Council resolved:</u> to approve the terms of the motion.</p>		
8(c)	<p><u>Motion by Councillor Corall</u></p> <p>“The Aberdeen Hydrogen Showcase hosted in the AECC in March was described by delegates as the best in the UK. It was organised by Aberdeen City Council at the request of the Scottish Hydrogen and Fuel Cell Association (SHFCA). The event showcased several of the leading hydrogen and fuel cell projects currently active in Scotland, making the link between renewable energy and transport with use of hydrogen as a clean fuel with zero emissions at the tailpipe.</p> <p>This Council recognises the sterling work</p>	<p><u>The Council resolved:</u> to approve the terms of the motion subject to its amendment to also recognise the sterling work carried out by the Partnerships and Funding Teams in addition to the City Development Team.</p>		

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	carried out by the City Development Team to promote and develop the use of hydrogen and fuel cell technologies in the North East of Scotland and beyond.”			
8(d)	<p><u>Motion by Councillor Kiddie</u></p> <p>“Council congratulates the National Theatre of Scotland on its recent fantastic production of “Granite” performed in the Quadrangle of Marischal College. Council further recognises the local talent employed in the preparation and performance of the production and is pleased to note the richness and diversity of the Arts scene in Aberdeen.”</p>	<p><u>The Council resolved:</u></p> <p>(i) to suspend Standing Order 21(4) to enable the motion to be considered in Councillor Kiddie’s absence; and</p> <p>(ii) to approve the terms of the motion.</p>		
8(e)	<p><u>Motion by Councillor Boulton</u></p> <p>“Council agrees that the Chief Executive of Aberdeen City Council writes on behalf of the people of Aberdeen in support of our NHS partners to the First Minister imploring the Scottish Government to secure the lifesaving, pioneering Trauma Centre at ARI.”</p>	<p><u>The Council resolved:</u></p> <p>to approve the terms of the revised motion as follows:-</p> <p>Council notes that over 3,500 citizens signed a petition demanding that the ARI in Aberdeen must be one of Scotland’s major trauma centres to guarantee that it will remain at the cutting edge of modern medicine.</p> <p>Acknowledges the words of Nicola Sturgeon to the BBC on 4 May 2016 that “there is no dubiety there will be a major trauma centre in Aberdeen”.</p> <p>Agrees that the Chief Executive of</p>	Office of Chief Executive	Angela Scott/ Ciaran Monaghan

	Item Title	Council Decision	Services Required to take action	Officer to Action
		Aberdeen City Council writes on behalf of the people of Aberdeen in support of our NHS partners to the incoming First Minister asking the First Minister to confirm her guarantee to the people of Aberdeen that there is no dubiety there will be a major trauma centre in Aberdeen.		
8(f)	<p><u>Motion by Councillor Jennifer Stewart</u></p> <p>“To instruct officers to investigate the possibility of extending the remit of the Blue Badge Enforcement Officer to include Enforcement of misuse of residents and business parking permits and report back to the appropriate committee.”</p>	<p><u>The Council resolved:</u></p> <p>(iii) to suspend Standing Order 21(4) to enable the motion to be considered in Councillor Jennifer Stewart’s absence; and</p> <p>(iv) to refer the motion to the Communities, Housing and Infrastructure Committee.</p>	<p>Communities, Housing and Infrastructure</p> <p>Corporate Governance</p>	<p>Pete Leonard</p> <p>Emma Parr</p>
9(a)	<p><u>Berryden Corridor Improvements Appendix</u></p>	<p><u>The Council resolved:</u></p> <p>to note the appendix.</p>		
9(b)	<p><u>Decisions and minute of the Social Work Complaints Review Committee 7 April 2016</u></p>	<p><u>The Council resolved:</u></p> <p>(i) to approve the minute of the Social Work Complaints Review Committee meeting of 7 April 2016 and the recommendations; and</p> <p>(ii) otherwise to note the Director of Education and Children’s Services comments in the foreword.</p>	<p>Corporate Governance</p>	<p>Emma Parr</p>

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9(c)	<u>New Aberdeen Exhibition and Conference Centre (AECC) Financial Investor</u>	<p>The Council resolved:</p> <ul style="list-style-type: none"> (i) to approve and note the reduction in Aberdeen City Council's financial exposure over the 35 year period for the new AECC development; (ii) to approve the preferred funding mechanism as detailed in the report; (iii) to delegate authority to the Head of Legal and Democratic Services to negotiate and approve the financial and legal contract documents (to also include any grant funding agreements available during the course of the project) to enable and minimise the construction programme in line with the mechanisms outlined in the report; (iv) to delegate authority to the Head of Finance to release funding to the project up to a maximum of £30.5million in year 1 to enable the project to be "cash-flowed" as detailed in the report; (v) to delegate authority to the Head of Finance to release up to a total of £65.97million, being the Council's contribution to the project; and (vi) to delegate authority to the Head of Finance to continue negotiations with external funders to determine the funder to be used, and once finalised for the Head of Legal and Democratic Services to enter into the agreement. 	<p>Corporate Governance</p> <p>Communities, Housing and Infrastructure</p>	<p>Steve Whyte/ Fraser Bell</p> <p>Scott Ramsay/ Andrew Win</p>

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9(d)	<u>National Housing Trust - Agreement to Dispose of 85 Properties</u>	<p><u>The Council resolved:</u></p> <p>(i) to agree that it would be in the best interests of the Council, as a partner in the LLPs, for the LLPs to sell all of their units in a single transaction to LAR Housing Trust and to instruct the Director of Communities, Housing and Infrastructure, who is the Council's representative on the Boards, to vote accordingly and enter into the resolution letters; and</p> <p>(ii) to instruct, on full repayment of the Council's loans, that the Head of Legal and Democratic Services enter into any additional agreements required to implement the decision of the LLP to sell the units to LAR Housing Trust which shall include but not be limited to discharge of any securities held by the Council over these units.</p>	<p>Communities, Housing and Infrastructure</p> <p>Corporate Governance</p>	<p>Graeme Stuart</p> <p>Fraser Bell</p>

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