

LEGAL AND DEMOCRATIC SERVICES

COUNCIL DECISION SHEET

COUNCIL - WEDNESDAY, 17 AUGUST 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 and Urgent 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 8(a), 8(b), 8(c) and 8(d) so as to avoid disclosure of exempt information of the classes described in paragraphs 1, 4, 5, 6, 8, 9 of Schedule 7(A) of the Act.		
3	<u>Requests for Deputations</u>	None received		
4(a)	<u>Minute of Meeting of Aberdeen City Council of 29 June 2016 - for approval (circulated separately)</u>	<u>The Council resolved:</u> to approve the minute.		

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4(b)	<u>Minute of Meeting of Urgent Business Committee of 1 July 2016 - for approval</u>	<u>The Council resolved:</u> to approve the minute.		
5(a)	<u>Business Statement</u>	<u>The Council resolved:</u> (i) to delete item 12 (Broadford Works); and (ii) to otherwise note the statement.	Corporate Governance	Martyn Orchard
5(b)	<u>Motions List</u>	<u>The Council resolved:</u> to note the motions list.		
6	<u>None to date</u>	No referrals		
7(a)	<u>National Cremation Investigation</u>	<u>The Council resolved:</u> (i) to note and fully accept the findings of both the National Cremation Investigation led by Dame Elish Angiolini and the findings of the Infant Cremation Commission led by Lord Bonomy; (ii) to instruct the Chief Executive to continue to monitor the completion of the remaining actions to be undertaken by the Council, as well as the actions arising from the recent inspection undertaken by the Inspector of Crematoria Scotland and to provide further reports to the Council as necessary; (iii) to instruct the Chief Executive to constitute formally the inter-agency	Office of Chief Executive	Angela Scott

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		<p>(iv) Bereavement Services Group with formal terms of reference and to assume the chairmanship of the group; to note the findings of the Inspector of Crematoria Scotland set out in his recent inspection report and to note that future inspection reports will be submitted to the Communities, Housing and Infrastructure Committee and to note that any complaints being upheld by the Inspector of Crematoria Scotland will be reported to the Audit, Risk and Scrutiny Committee in the same way as complaints upheld by the Scottish Public Services Ombudsman are reported;</p> <p>(v) in light of the legal framework being due to change considerably following the work of the Infant Cremation Commission, to instruct the Chief Executive to arrange an elected members' briefing on the statutory duties to be placed on the Council as a result of the Burial and Cremation (Scotland) Act 2016 (and any regulations made thereunder) once the said provisions are in force;</p> <p>(vi) to instruct the Chief Executive to develop an Assurance Map for the Council in order that a full understanding is developed as to which Council services are subject to independent external inspection;</p> <p>(a) On completion of the Assurance Map, to instruct the Chief Internal Auditor to review it for omissions</p>	Corporate Governance	David Hughes

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		<p>in assurance and to determine how the Internal Audit Workplan could address the gaps;</p> <p>(b) To request the Audit, Risk and Scrutiny Committee to consider any proposed revision of the existing Internal Audit Workplan, following the Chief Internal Auditor's review of the Assurance Map;</p> <p>(c) To instruct the Head of Public Infrastructure and Environment to develop a suite of compliance measures which should be routinely reported to both the Communities, Housing and Infrastructure Committee and the Corporate Health and Safety Committee to evidence continued compliance by the crematorium service, as well as providing a suite of performance measures evidencing comparison with external benchmarks where available; and</p> <p>(d) In order to ensure a more proactive assurance framework across the Council, to instruct each Director to bring to the attention of the appropriate service committee any significant service failures from across Scotland and for each committee to instruct the Director regarding the level of testing of the relevant Aberdeen City Council systems</p>	<p>Corporate Governance</p> <p>Communities, Housing and Infrastructure</p> <p>Corporate Governance</p> <p>All Directors</p>	<p>Karen Rennie (for info)</p> <p>Mark Reilly</p> <p>Emma Parr/ Karen Rennie (for info)</p> <p>Richard Ellis/ Gayle Gorman/ Pete Leonard/ Judith Proctor/ Marc Cole</p>

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		<p>they require;</p> <p>(vii) to note that at the instigation of the Chief Executive, a process is underway to consider how operational and strategic responsibility had been managed in relation to Aberdeen Crematorium and that she is considering what action, if any, should flow from this;</p> <p>(viii) to note the Chief Executive's engagement with a number of affected families and to request the Chief Executive to continue to engage with affected families where requested, offering them as much support as possible;</p> <p>(ix) to note the Chief Executive's engagement with faith and non-faith groups, bereavement charities and a number of families to determine the form of an appropriate memorial, accepting that the Council must never forget the pain and upset it has caused grieving families;</p> <p>(x) to support the Chief Executive's efforts to shape the culture of the organisation positively; and</p> <p>(xi) to note that the Chief Executive will share the report and the Council's decisions in relation to it with the Scottish Government Minister for Public Health.</p>		

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7(b)	<u>Annual Audit, Risk and Scrutiny Committee Report - referred by Audit, Risk and Scrutiny Committee of 27 June 2016</u>	<u>The Council resolved:</u> to approve the annual report for its interest.	Office of Chief Executive	Martin Murchie
7(c)	<u>Aberdeen City Integration Joint Board</u>	<u>The Council resolved:</u> (i) to note the content of the report; (ii) to recommend that the Chairs of the Audit Committees of Aberdeen City Council, NHS Grampian and the Integration Joint Board come together to avoid duplication of effort, whilst ensuring that both parent bodies receive necessary assurances; (iii) to agree to receive regular updates on the governance arrangements relating to the Integration Joint Board; and (iv) to note that the Chief Executive would notify all members of the timescales involved with the independent review in relation to the functions of the Chief Social Work Officer around adult and child protection arrangements in light of the new delivery arrangements created by the formation of the Integration Joint Board.	Office of Chief Executive	Angela Scott/ Martin Murchie
7(d)	<u>Gaelic Language Plan</u>	<u>The Council resolved:</u> to approve the content of the revised Gaelic Language Plan.	Office of Chief Executive	Ciaran Monaghan

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7(e)	<u>EU Referendum</u>	<p><u>The Council resolved:</u></p> <p>(i) to note the detail of the report;</p> <p>(ii) to note the correspondence received from the Secretary of State for Exiting the European Union; and</p> <p>(iii) to agree that further reports on emerging issues be submitted to the appropriate Council committees as required.</p>	Office of Chief Executive	Martin Murchie
7(f)	<u>Scottish Benefits Agency</u>	<p><u>The Council resolved:</u></p> <p>to note the correspondence received from the Scottish Government.</p>	Office of Chief Executive	Ciaran Monaghan
7(g)	<u>Fishing Industry Memorial Working Group</u>	<p><u>The Council resolved:</u></p> <p>(i) to establish the Fishing Industry Memorial Working Group comprising four people:- the Lord Provost, the Cultural Policy and Partnership Manager and two industry experts;</p> <p>(ii) to approve the remit for the working group as being to agree (a) a budget for the commission and installation of the works; (b) the preferred site for the piece; (c) the commissioning process, shortlisting and selection of the artist and art form; (d) the timescale for completion; and (e) any formal opening event, including the invitation of dignitaries; and</p> <p>(iii) to agree that the working group meet cyclically, or more frequently as required, on the understanding that during the construction of the piece, if</p>	<p>Education and Children's Services</p> <p>Corporate Governance</p>	<p>Lesley Thomson</p> <p>Roddy MacBeath</p>

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		there is no business for consideration, progress reports will be sent to each member of the group.		
7(h)	<u>Draft Aberdeen City Local Outcome Improvement Plan 2016-26 and Approach to Locality Planning</u>	The Council resolved: (i) to endorse the Draft Aberdeen City Local Outcome Improvement Plan (LOIP) 2016-26 at appendix 1 to the report; (ii) to note that the Draft LOIP will be considered by the Community Planning Partnership on 22 August 2016; (iii) to note that the planned approach to locality planning set out in section 7 of the report will be considered by the Community Planning Partnership on 22 August 2016; and (iv) to note the planned community engagement events detailed in paragraph 7.6 of the report.	Communities, Housing and Infrastructure	Michelle Cochlan/ Neil Carnegie
7(i)	<u>Governance Review - Bridge of Don Trust and Other Trust Reorganisations</u>	The Council resolved: (i) to adopt the constitution at appendix A to the report for the future operation of the Bridge of Don Trust; (ii) as trustee of the Bridge of Don Trust, to agree to make a grant of £150,000 from Trust funds to Thomas Glover House; (iii) to confirm the appointment of the Head of Finance as treasurer and the Head of Legal and Democratic Services as secretary to the Bridge of Don Trust;	Corporate Governance	James Hashmi/ Steve Whyte Fraser Bell

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		<p>and</p> <p>(iv) to instruct that officers continue to work with the Office of the Scottish Charity Regulator on the reorganisation of the charitable trusts.</p>		
7(j)	<u>Corporate Parenting: Annual Update 2015-16</u>	<p><u>The Council resolved:</u></p> <p>(i) to note the action plan for the development of the Champions Board;</p> <p>(ii) to instruct officers to report back on the further implementation of the corporate parenting responsibility to Council in 2017;</p> <p>(iii) to continue to be proactive in promoting the corporate parenting agenda in Council business; and</p> <p>(iv) to continue to support and invest in the Council's Family Firm opportunities.</p>	Education and Children's Services	Maggie Cruickshank/ David Bliss
7(k)	<u>Energy Services Company</u>	<p><u>The Council resolved:</u></p> <p>(i) to instruct the Director of Communities, Housing and Infrastructure to proceed with developing a detailed business plan for a strategic Energy Services Company (ESCo), as an arms-length external organisation (ALEO) wholly owned by the Council to manage all energy related activity undertaken by the Council with the option to expand and develop energy related services over time. This would include proposals for the following:-</p> <ul style="list-style-type: none"> • A legal structure for the organisation 	Communities, Housing and Infrastructure	Pete Leonard/ Terri Vogt

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7(m)	<u>Additional Powers</u>	<p><u>The Council resolved:</u></p> <p>(i) to note the Empowering Scotland's Cities - Empowering City Government analysis undertaken by Scotland's seven cities calling for a new way of working with the UK and Scottish Governments, and agree it will provide a framework within which further discussions are progressed;</p> <p>(ii) to note the analysis of additional non-fiscal and fiscal powers the Council could seek to pursue (outlined in the appendix to the report) and the potential 'costs' and 'benefits' of these;</p> <p>(iii) based on this analysis, to note the priority leavers outlined in the report, and instruct officers to assess the implications on the Council's finances and the economy of Aberdeen if these were to be devolved to the Council;</p> <p>(iv) to instruct the Chief Executive to send a copy of the report to the Secretary of State for Scotland at the UK Government;</p> <p>(v) to instruct the Chief Executive to send a copy of the report to the First Minister and the Cabinet Secretary for the Economy, Jobs and Fair Work at the Scottish Government; and</p> <p>(vi) to instruct the Chief Executive to send a copy of the report to the other 31 Local Authority Leaders in Scotland, the Chief Executives of COSLA, ONE, Visit Aberdeenshire, the Aberdeen and Grampian Chamber of Commerce, and the Scottish Council for Development</p>	<p>Communities, Housing and Infrastructure</p> <p>Office of Chief Executive</p>	<p>Richard Sweetnam</p> <p>Angela Scott/ Ciaran Monaghan</p>

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		and Industry, and the secretariats of the Scottish Local Government Partnership and the Seven Cities Alliance, and any other partners that the Chief Executive considers would benefit from oversight of the report.		
7(n)	<u>Affordable Housing Delivery</u>	<p><u>The Council resolved:</u></p> <p>(i) to note the content of the report; and</p> <p>(ii) to instruct the Chief Executive to develop specific actions to accelerate the delivery of housing in the city and report any actions which need agreement by Council to its meeting in December 2016.</p>	<p>Communities, Housing and Infrastructure</p> <p>Office of Chief Executive</p>	<p>Graeme Stuart</p> <p>Angela Scott</p>
8(a)	<u>Decisions and Minutes of Meetings of Social Work Complaints Review Committee of 16, 22 and 30 June and 6 July 2016</u>	<p><u>The Council resolved:</u></p> <p>(i) to approve the minutes of the Social Work Complaints Review Committee meetings of 16, 22 and 30 June and 6 July 2016 and the recommendations contained therein; and</p> <p>(ii) to note the Director of Education and Children's Services comments in the forewords.</p>	Corporate Governance	Allison Swanson/ Stephanie Dunsmuir/ Martyn Orchard/ Emma Parr/ Mark Masson
8(b)	<u>Conservation Area Regeneration Scheme - Appendix</u>	<p><u>The Council resolved:</u></p> <p>to note the appendix.</p>		

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8(c)	<u>Strategic Mixed Tenure Housing for Aberdeen City: Progress Report</u>	<u>The Council resolved:</u> to note the content of the report and the progress achieved.	Communities, Housing and Infrastructure	Paul Genoe
8(d)	<u>Berryden Corridor Improvements</u>	<u>The Council resolved:</u> (i) to note the content of the report; (ii) to adopt option 5 as the preferred option for the Caroline Place junction and instruct officers to progress the detailed design on this basis to enable the Compulsory Purchase Order to come to the October meeting of the Council; and (iii) to delegate authority to the Head of Land and Property Assets to purchase property and land on behalf of the Council that he deems necessary to progress the scheme based upon the preferred option subject to a maximum price (as detailed in the report), in consultation with the Head of Legal and Democratic Services, the Transportation Manager and the Convener of the Finance, Policy and Resources Committee.	Communities, Housing and Infrastructure	Mike Matheson/ John Quinn
8(e)	<u>AECC Financing</u> This item has been renamed and moved to item 9(b) as a confidential item of business to follow	Please refer to item 9(b).		

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9(a)	<u>City Deal Agreement</u>	<p><u>The Council resolved:</u></p> <p>(i) to approve the Aberdeen City Region Deal Agreement (appendix 1), Implementation Plan (appendix 2), Financial Plan (appendix 3) and the Assurance Framework (appendix 4), subject to:</p> <ul style="list-style-type: none"> a. approval of the Deal by Aberdeenshire Council; b. approval of the Deal by the Board of Opportunity North East Limited, (SC520110), a company limited by guarantee; and c. approval of the Deal by the UK Government and the Scottish Government; <p>(ii) to authorise the Chief Executive in consultation with the Head of Legal and Democratic Services and the Head of Finance to agree non-material amendments as required due to any changes requested by the parties in 2(i) to the agreement or any amendments which would improve or further safeguard the Council's position, prior to signature;</p> <p>(iii) to approve the Aberdeen City Council contribution of £10million to the overall Aberdeen City Region Deal programme, to be funded from the Council's Capital Fund, subject to the satisfactory approval of all relevant business cases by the City Region Deal Joint Committee, the UK Government and the Scottish</p>	<p>Communities, Housing and Infrastructure</p> <p>Office of Chief Executive</p>	<p>Richard Sweetnam</p> <p>Angela Scott</p>

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		(iv) Government; and to approve that Aberdeenshire Council will act as the lead accountable body for the City Region Deal Joint Committee.		
9(b)	<u>Financing Strategy for the Capital Programmes</u>	<u>The Council resolved:</u> to within the report together with one additional recommendation. approve the recommendations contained	Corporate Governance	Richard Ellis/ Steve Whyte/ Fraser Bell/ Carlo Grilli/ Neil Stewart

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