

## LEGAL AND DEMOCRATIC SERVICES

### COUNCIL DECISION SHEET

### COUNCIL - WEDNESDAY, 23 AUGUST 2017

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(a)	<b><u>Admission of Burgesses</u></b>	Not applicable		
2(a)	<b><u>No urgent business at this stage</u></b>	<b><u>The Council resolved:</u></b> to note that the Lord Provost had accepted item 10(a) onto the agenda as a matter of urgency in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, and to agree that the matter was urgent.		
3(a)	<b><u>Members are requested to determine that the exempt business be considered with the press and public excluded</u></b>	<b><u>The Council resolved:</u></b> 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 11(a) so as to avoid disclosure of exempt information of the classes described in paragraphs 1 and 3 of Schedule 7(A) of the Act.		
4(a)	<b><u>Declarations of Interest</u></b>	<b><u>The Council resolved:</u></b> to note the various declarations of interest which will be recorded in the minute.		

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5(a)	<p><b><u>Requests for Deputations</u></b></p> <p>1) Mr Lewis Macleod, Aberdeen University Students' Association  2) Mr Dewi Morgan, Old Aberdeen Community Council  3) Mr Martin Wilson</p>	<p><b><u>The Council resolved:</u></b>  to accept the requests from Mr Macleod, Mr Morgan and Mr Wilson and hear the deputations immediately prior to the HMO report which would be brought forward as the first item of general business.</p>		
6(a)	<p><b><u>Minute of Meeting of Aberdeen City Council of 21 June 2017 - for approval</u></b></p>	<p><b><u>The Council resolved:</u></b>  to approve the minute.</p>		
6(b)	<p><b><u>Minute of Meeting of Urgent Business Committee of 3 July 2017 - for approval</u></b></p>	<p><b><u>The Council resolved:</u></b>  to approve the minute.</p>		
7(a)	<p><b><u>No referrals at this stage</u></b></p>	<p>No referrals</p>		
8(a)	<p><b><u>Business Statement</u></b></p>	<p><b><u>The Council resolved:</u></b>  to note the business statement.</p>		
8(b)	<p><b><u>Motions List</u></b></p>	<p><b><u>The Council resolved:</u></b>  to note the motions list.</p>		
8(c)	<p><b><u>Tracker</u></b></p>	<p><b><u>The Council resolved:</u></b>  to note the tracker.</p>		

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8(d)	<b><u>Minute of Meeting of City Centre Masterplan Reference Group of 28 June 2017</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to ratify the appointment of Councillor Boulton as Chairperson of the Reference Group and agree that the Terms of Reference be amended to reflect this, as well as the composition of the Reference Group now comprising 6 members based on 1 Conservative, 1 Labour, 1 Independent Alliance, 2 SNP and 1 Liberal Democrat, as opposed to the previous composition of the Convener of the Finance, Policy and Resources Committee and the five Group Leaders; and</p> <p>(ii) to otherwise note the minute.</p>	Corporate Governance	Lynsey McBain
9(a)	<b><u>Co-Leadership - CG/17/085</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to approve the amendment of the Council's Standing Orders as set out in Appendix 1 with immediate effect; and</p> <p>(ii) to appoint Councillor Lumsden as Co-Leader of Aberdeen City Council with immediate effect, at which point Councillor Laing would also be known as Co-Leader, noting that there was no requirement to change the previously agreed arrangement in respect of remuneration of members.</p>	Corporate Governance	Roddy MacBeath
9(b)	<b><u>Policy Statement - OCE/17/017</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to agree Stronger Together - Prosperity for Aberdeen 2017-2022, the Aberdeen City Council</p>	Office of Chief Executive	Angela Scott/ Ciaran Monaghan

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		<p>Conservative and Unionist Party, Aberdeen Labour and Independent Alliance Group Programme for Aberdeen City Council 2017-2022; and</p> <p>(ii) to instruct the Chief Executive to review the Council's Strategic Business Plan in light of the commitments set out in the Programme and to report to the next meeting of the Council with a revised Strategic Business Plan.</p>		
9(c)	<p><b><u>Convention of Scottish Local Authorities (COSLA) - OCE/17/016</u></b></p>	<p><b>The Council resolved:</b></p> <p>(i) to agree to re-join COSLA;</p> <p>(ii) to agree that 1 Conservative and Unionist, 1 Aberdeen Labour, 1 Independent Alliance, 1 SNP and 1 Liberal Democrat member shall take the Council's places on the Convention; and</p> <p>(iii) to agree that the Council nominees for the four COSLA Boards are:-</p> <ul style="list-style-type: none"> <li>• Children and Young People - Councillor Wheeler</li> <li>• Health and Social Care - Councillor Duncan</li> <li>• Environment and Economy - Councillor Donnelly</li> <li>• Community Wellbeing - Councillor Lesley Dunbar</li> </ul>	Office of Chief Executive	Ciaran Monaghan

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9(d)	<b><u>Council Target Operating Model - OCE/17/015</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>(i) <u>Target Operating Model</u></p> <p>(a) to agree the realignment of the key functions of the Council for the proposed Target Operating Model as detailed in section 5 of Appendix A, namely:-</p> <ul style="list-style-type: none"> <li>• Customer</li> <li>• Commissioning</li> <li>• Operations</li> <li>• Resource Management;</li> </ul> <p>(b) to note that a programme of engagement with stakeholders, both within and outwith the Council, including trades unions, ALEOs and other partners would be undertaken as the detail of the Target Operating Model was developed;</p> <p>(ii) <u>Organisational Structure</u></p> <p>(a) to agree the First Tier structure for the Target Operating Model as proposed in section 5 of Appendix A, namely:-</p> <ul style="list-style-type: none"> <li>• Director of Customer</li> <li>• Director of Commissioning</li> <li>• Chief Operating Officer</li> <li>• Director of Resources;</li> </ul> <p>(b) to agree the proposed job profile and salary for each Director post as proposed in Appendix B;</p> <p>(c) noting that responsibilities had only been identified under each proposed Director post at this stage, to instruct the Chief</p>	Office of Chief Executive	Angela Scott

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		<p>Executive to develop further the senior management structure and report to Council at its meeting in December 2017 with recommendations for proposed portfolios and posts as appropriate;</p> <p>(d) to agree the revised recruitment and selection process outlined in paragraph 5.5 of the report for the appointments to the Director posts, with a view to the posts being filled on a permanent basis by 1 April 2018, on the basis that the final decision on appointments will be taken by an Appointment Panel, to be chaired by the Convener of the Finance, Policy and Resources Committee, comprising the members of the Strategic Transformation Committee in consultation with the Chief Executive;</p> <p>(iii) <u>Transformational Portfolio</u></p> <p>(a) to agree the Transformation Portfolio, set out in Appendix C to address the three objectives of delivering up to £125million of benefits realisation (or savings) over five years (2018/19 to 2022/23); delivering the Council's digital strategy and delivering the Council's Target Operating Model by 2020/21;</p> <p>(b) to agree the establishment of the</p>		

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		<p>Strategic Transformation Committee, to be chaired by Councillor Laing, with the proposed Terms of Reference and membership detailed in Appendix D and delegate authority to that committee in terms of the same;</p> <p>(c) so as to facilitate (iii)(b) above, to provide the Head of Legal and Democratic Services with delegated authority to update the Committee Orders of Reference, as he deems necessary, to provide for the establishment of the Strategic Transformation Committee and to set a timetable of monthly meetings for the Strategic Transformation Committee;</p> <p>(d) to agree the establishment of a Transformation Fund through the release of £15million from the Council's reserves as outlined in paragraph 6.2 of the report and that its use be reported to the Finance, Policy and Resources Committee as part of the Council's financial statements each financial quarter;</p> <p>(e) to agree that the Council's reserves be restored as part of the future medium term financial strategy, as stated in paragraph 6.2 of the report, within a 5 year period;</p>	Corporate Governance	Fraser Bell

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		<p>(iv) <u>Supporting Governance Framework</u></p> <p>(a) to note the proposals for a supporting governance structure to underpin the Target Operating Model as outlined in section 6 of Appendix A;</p> <p>(b) to instruct the Head of Legal and Democratic Services to report to the Council by its meeting in March 2018 seeking the necessary approvals for a governance framework to support the implementation of the Target Operating Model; this will include a Scheme of Governance setting out the Terms of Reference for the Council, its revised committees and sub-committees and appropriate delegations to officers within the revised structure and a revised Council diary for 2018/19; and</p> <p>(c) to agree the distributive leadership principles set out in the Urban Governance discussion document within Appendix A and instruct the Chief Executive, the Council Leader and the Lord Provost, as the Council's senior executive, political and civic leaders to consult and engage with relevant stakeholders and partners, including Aberdeenshire Council, the UK Government and the Scottish Government with a view</p>	Corporate Governance	Fraser Bell

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		<p>to the Chief Executive reporting back to the Council by its meeting in March 2018 with proposals in relation to:</p> <ul style="list-style-type: none"> <li>• co-ordinating Council civic, political and executive leadership structures;</li> <li>• establishing revised regional structures for discussion and interaction; and</li> <li>• developing partnership models with both governments and other stakeholders offering interaction at executive team level within the Council.</li> </ul>		
9(e)	<p><b><u>Committee Governance - Council Diary 2018 and Committee Changes - CG/17/091</u></b></p>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to approve the amended diary for the period to 31 March 2018 as appended;</p> <p>(ii) to note that this means that Council meetings would now be held on Mondays and agree to change the date of the Council meeting scheduled for 13 December 2017 to Monday 11 December 2017;</p> <p>(iii) to note that the Planning Development Management Committee (Visits) meetings would revert to Thursdays;</p> <p>(iv) to agree that Councillor Boulton replace Councillor Avril MacKenzie on the Board of Aberdeen Performing Arts;</p>	Corporate Governance	Stephanie Dunsmuir/ Committee Services

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		<p>(v) to note that a new committee structure was expected to be effective from 1 April 2018 and that a calendar of meetings for April to December 2018 would be reported to Council in December 2017;</p> <p>(vi) to approve the change of composition to the Pensions Committee as set out in paragraph 3.5 of the report;</p> <p>(vii) to agree that Councillor Jennifer Stewart replace Councillor Donnelly, the Depute Provost, as Convener of the Pensions Committee;</p> <p>(viii) to note that Councillor John would replace Councillor Hunt on the Communities, Housing and Infrastructure Committee;</p> <p>(ix) to agree that Councillor John replace Councillor Hunt as Vice Convener of the Communities, Housing and Infrastructure Committee; and</p> <p>(x) to note that Councillor Donnelly would replace Councillor John as the Aberdeen City Council representative on the Pensions Board.</p>		
9(f)	<p><b><u>Governance Review - Update on Outside Bodies Policy - CG/17/083</u></b></p>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to approve the draft Policy on the Appointment of Elected Members to Outside Bodies as set out at Appendix 1 to the report;</p> <p>(ii) to proceed with the appointments of Elected Members to the Outside Bodies as shaded in green in Appendix 2 to the report;</p>	Corporate Governance	Alan Thomson

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		<p>(iii) to proceed with the appointments of Elected Members to the Outside Bodies shaded in orange in Appendix 2 to the report;</p> <p>(iv) to appoint the following Elected Members to the outside bodies shaded in green in Appendix 3 to the report:-</p> <ul style="list-style-type: none"> <li>• Enterprise North East Trust Ltd. - Councillor Reynolds</li> <li>• Governors of Oakbank School Trust - 5 Administration members and 4 Opposition members. Administration members - Councillors Allan, Boulton, Donnelly, Laing and Lumsden</li> <li>• Middlefield Community Project Management Committee - three local members (Councillors Jackie Dunbar, Graham and McRae)</li> <li>• Mitchell's Hospital Trust - 1 Administration member and 1 Opposition member. Administration member - Councillor Grant; and</li> </ul> <p>(v) to agree to make no appointment to the Outside Bodies shaded in red and blue in Appendix 3 to the report and note that these Outside Bodies will be removed from the Outside Bodies Register until they have provided information required as per the Policy on the Appointment of Elected Members to Outside Bodies.</p>		

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9(g)	<b><u>Governance Review - Trusts Update - CG/17/082</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>(i) acting in their capacity as trustees, to instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to take the necessary legal actions to reorganise the City of Aberdeen Council Guildry and Mortification Funds (charity number SC011857);</p> <p>(ii) acting in their capacity as trustees of the Bridge of Dee Trust (charity number SC021297) and Bridge of Don Fund (charity number SC018551), to agree to wind up the Bridge of Dee Trust and amalgamate its funds with the Bridge of Don Fund, and instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to ensure that the necessary documentation was completed;</p> <p>(iii) acting in their capacity as trustees of the Bridge of Don Fund, to approve the making of a grant of £36,216 from the Bridge of Don Fund to Aberdeen City Council for use by Aberdeen City Archives, with the University of Aberdeen, for the transcription of late medieval burgh records project as detailed in Appendix B, and instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to ensure that the necessary documentation was implemented;</p> <p>(iv) acting in their capacity as trustees of</p>	Corporate Governance	Kundai Phute/ Alan Thomson/ Fraser Bell

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		<p>the Lands of Skene (charity number SC018533) and Lands of Torry (charity number SC021299), to instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to take necessary legal actions to prepare constitutional documents for the Lands of Skene and Lands of Torry;</p> <p>(v) to note the ongoing progress in winding up the Jack Wood Trust;</p> <p>(vi) to instruct the Head of Legal and Democratic Services following consultation with the Head of Finance, to investigate the various options for Phase 2 of the trust review which would involve the rationalisation of the Education Endowments Investment Fund (EEIF);</p> <p>(vii) to instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to review the remaining Trusts on the trust register and bring the Phase 3 proposals on winding up or amalgamating these to Council; and</p> <p>(viii) to instruct the Head of Legal and Democratic Services to (a) recirculate Appendix A to members highlighting the 16 funds within the EEIF which had been registered as charities, however noting that these were identified as SC025063; and (b) check with Aberdeen City Archives whether they held any information on the Corporation Prize Fund and why it had</p>		

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		not been used.		
9(h)	<b><u>Appointment of a Chairperson to the Sport Aberdeen Board - CG/17/092</u></b>	<b><u>The Council resolved:</u></b> (i) to note the resignation of Mr Fred Dalgarno as a Director and Chairperson of the Sport Aberdeen Board and to pay tribute to him for the work he had carried out; and (ii) to approve the appointment of Mr Colin Taylor as the new Chairperson of Sport Aberdeen.	Corporate Governance	Iain Robertson
9(i)	<b><u>Audit, Risk and Scrutiny Committee Annual Report - referred by Audit, Risk and Scrutiny Committee of 27 June 2017 - OCE/17/007</u></b>	<b><u>The Council resolved:</u></b> to note the annual report of the Audit, Risk and Scrutiny Committee.	Office of Chief Executive	Martin Murchie
9(j)	<b><u>Treasury Management Policy &amp; Strategy - referred by Finance, Policy and Resources Committee of 29 June 2017 - CG/17/047</u></b>	<b><u>The Council resolved:</u></b> to note the Treasury Management activities undertaken in the 2016/17 financial year.	Corporate Governance	Neil Stewart
9(k)	<b><u>Council Financial Performance - Quarter 1, 2017/18 - CG/17/084</u></b>	<b><u>The Council resolved:</u></b> (i) to note the following:- (a) General Fund and HRA financial performance as detailed in Appendix 1; (b) Common Good financial performance as detailed in Appendix 3; (c) General Fund forecast revenue	Corporate Governance	Sandra Buthlay

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		<p>position as detailed in Appendix 2;</p> <p>(d) HRA forecast revenue position as detailed in Appendix 2;</p> <p>(e) General Fund five year capital position as detailed in Appendix 2;</p> <p>(f) HRA forecast capital position as detailed in Appendix 2; and</p> <p>(g) Common Good forecast revenue position as detailed in Appendix 1;</p> <p>(ii) to approve the following, further details of which are provided in Appendix 2:  <u>General Fund Revenue</u></p> <p>(h) the allocation of £130,000 from the Contingency budget to fund additional resources to respond to the Scottish Child Abuse Inquiry;</p> <p>(i) the allocation of £50,000, initially from the Contingency budget, to fund the reburial of human remains at Mither Kirk on the understanding that other sources of funding would be investigated and if identified used to reimburse the General Fund;</p> <p>(j) further to the confirmation by Council on 29 June 2017 of its commitment to the project, to agree to the use of the “De-Risk the Council” earmarked reserve to provide a £2million loan to Aberdeen Performing Arts for the redevelopment of the Music Hall</p>	<p>Corporate Governance</p>	<p>Fraser Bell</p>





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		<p>Council, and with delegated authority to the Head of Legal and Democratic Services, in consultation with the Head of Finance to agree the terms associated with the funding; and</p> <p>(iii) to request the Head of Finance to clarify the difference between the developer contributions of £11.7million referred to on page 213 of the report and developer contributions of £18.393million referred to on page 219 of the report and respond to Councillor Nicoll accordingly.</p>	Corporate Governance	Steve Whyte
9(l)	<b><u>Recruitment to Aberdeen Economic Policy Panel - CHI/17/199</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to approve the appointment of the three preferred candidates to the Panel as outlined in the report and note the immediate working priorities of the Panel; and</p> <p>(ii) to agree that the Panel's annual economic report be forwarded to the Scottish Government Council of Economic Advisors who advise Ministers on how best to position Scotland amongst the world's most competitive economies for information purposes.</p>	Communities, Housing and Infrastructure	Matt Lockley
9(m)	<b><u>HMO Overprovision Policy - Report on Public Consultation - CHI/17/113</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to note the responses received to the public consultation on the draft Housings in Multiple Occupation</p>	Communities, Housing and Infrastructure	Graeme Stuart/ Derek McGowan/ Bernadette Marjoram

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		<p>(HMO) Overprovision policy;</p> <p>(ii) to note that it was not possible at the moment to assess suitably the need for HMOs in localities to an extent that would enable an overprovision policy to be properly formed under the Housing (Scotland) Act 2006;</p> <p>(iii) to not introduce an overprovision policy at this time; and</p> <p>(iv) to instruct the Interim Director of Communities, Housing and Infrastructure in consultation with the Head of Legal and Democratic Services to work with the Convener of the Planning Development Management Committee and the Convener of the Licensing Committee to review the options available to facilitate mixed/balanced communities and report back to the Communities, Housing and Infrastructure Committee in January 2018.</p>	Corporate Governance	Emma Parr/ Iain Robertson (business statement)
9(n)	<p><b><u>Update on Negotiations with Places for People (Shaping Aberdeen Housing LLP Approved Business Plan) - CHI/16/326</u></b></p>	<p><b><u>The Council resolved:</u></b> to approve the further 103 affordable homes in addition to the 897 proposed within the Shaping Aberdeen Housing LLP Business Plan reported and approved by Council on 15 March 2017 and the mechanism of how this would be achieved.</p>	Communities, Housing and Infrastructure	Paul Genoe



	Item Title	Council Decision	Services Required to take action	Officer to Action
		<p>(vi) to instruct the Chief Executive to write to the Scottish Government's Social Security Minister Jeane Freeman forwarding a copy of the report and the Council's anti-poverty strategy "towards a fairer Aberdeen that prospers for all" seeking clarity from the Minister around points 3.3.3, 3.4.3 and 3.4.4 in the report, specifically around what mitigation and help, if any, the Scottish Government intend to provide to claimants now that the Scottish Government has devolved powers over Welfare Reform; and</p> <p>(vii) to agree that due to the beneficiaries having to wait a minimum of 6 weeks for their first Universal Credit Payment that this Council gives them assurances that (a) while their application is being processed that this Council will not actively pursue them for any rent or Council Tax arrears; and (b) instead the Council will use this time to actively support them and work with them to put in place manageable measures to address those arrears.</p>	Office of Chief Executive	Angela Scott/ Ciaran Monaghan
9(p)	<b><u>Corporate Parenting: Annual Update 2016-17 - ECS/17/040</u></b>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to agree that all Councillors should commit to attending a corporate parenting training session within the next twelve months;</p> <p>(ii) to note the Action Plan for the development of the Champions Board;</p> <p>(iii) to instruct the Lead Officer for</p>	Education and Children's Services	Maggie Cruickshank/ Dave Bliss

	Item Title	Council Decision	Services Required to take action	Officer to Action
		<p>Corporate Parenting to report back to Council in 2018 - this would ensure that all Councillors have a broad overview of the activities undertaken to ensure Aberdeen City Council is meeting its Corporate Parenting responsibilities ahead of the first report due to the Scottish Government; and</p> <p>(iv) to agree to continue to promote the corporate parenting agenda in Council business by raising awareness of the issues affecting care experienced young people and encouraging sustainable change for the benefit of our care experienced young people in the city.</p>		
9(q)	<p><b><u>Big Noise Torry Evaluation Report by Glasgow Centre for Population Health - ECS/17/039</u></b></p>	<p><b><u>The Council resolved:</u></b></p> <p>(i) to note the content of the report for information and assurance;</p> <p>(ii) to endorse the conclusions determined by Glasgow Centre of Population Health on the analysis of the evaluation; and</p> <p>(iii) to agree that future Big Noise Torry progress be reported within a service update.</p>	Education and Children's Services	Fiona Clark
9(r)	<p><b><u>Unison Ethical Care Charter - HSCP/17/079</u></b></p>	<p><b><u>The Council resolved:</u></b></p> <p>to note the ongoing and planned work in relation to the implementation of the Ethical Care Charter.</p>	Health and Social Care Partnership	Claire Duncan

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10(a)	<p><b><u>Councillor Hutchison</u></b></p> <p>“Council notes that a barrier to the lane between 42 and 44/48 King’s Crescent has been erected since late 2015 and that this was done without permission of the Council who are the land owners.</p> <p>Council instructs the Interim Director of Communities, Housing and Infrastructure:-</p> <ul style="list-style-type: none"> <li>(1) that no attempt should be made to sell the lane between 42 and 44/48 King’s Crescent;</li> <li>(2) that proceedings to have the barrier removed from the lane should be commenced; and</li> <li>(3) that a report should be brought forward to the relevant committee on the possibility of this lane being adopted into the public road network or other options to improve the lane to an ‘adoptable’ standard.”</li> </ul>	<p><b><u>The Council resolved:</u></b> to approve the notice of motion.</p>	<p>Communities, Housing and Infrastructure</p> <p>Corporate Governance</p>	<p>John Quinn/ Stephen Booth/ Mark Reilly</p> <p>Emma Parr/ Iain Robertson (motions list)</p>
11(a)	<p><b><u>Complaints Review Committee - 31 May and 13 July 2017 - CG/17/081</u></b></p>	<p><b><u>The Council resolved:</u></b> to approve the recommendations and note the minutes of the Social Work Complaints Review Committee meetings of 31 May and 13 July 2017.</p>	<p>Corporate Governance</p>	<p>Emma Parr/ Lynsey McBain</p>

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