

ABERDEEN CITY COUNCIL

Town House,  
ABERDEEN, 5 March 2018

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Lord Provost Barney Crockett, Chairperson;  
Depute Provost Alan Donnelly; and

COUNCILLORS

YVONNE ALLAN  
CHRISTIAN ALLARD  
ALISON ALPHONSE  
PHILIP BELL  
MARIE BOULTON  
DAVID CAMERON  
JOHN COOKE  
NEIL COPLAND  
WILLIAM CORMIE  
STEVEN DELANEY  
JACQUELINE DUNBAR  
LESLEY DUNBAR  
SARAH DUNCAN  
STEPHEN FLYNN  
GORDON GRAHAM  
ROSS GRANT  
MARTIN GREIG  
DELL HENRICKSON  
RYAN HOUGHTON  
BRETT HUNT  
MICHAEL HUTCHISON  
CLAIRE IMRIE

FREDDIE JOHN  
JENNIFER LAING  
DOUGLAS LUMSDEN  
SANDRA MACDONALD  
NEIL MacGREGOR  
AVRIL MacKENZIE  
CATRIONA MacKENZIE  
ALEXANDER McLELLAN  
CIARÁN McRAE  
M. TAUQEER MALIK  
THOMAS MASON MSP  
ALEXANDER NICOLL  
JAMES NOBLE  
JOHN REYNOLDS  
GILLIAN SAMARAI  
PHILIP SELLAR  
JENNIFER STEWART  
SANDY STUART  
GORDON TOWNSON  
JOHN WHEELER  
and  
IAN YUILL

Lord Provost Barney Crockett, in the Chair

**The agenda and reports associated with this minute can be found at:-**

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=122&MId=5860&Ver=4>

**Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.**

Council Meeting, Monday, 5 March 2018

## **ANNOUNCEMENTS**

1. (A) The Lord Provost welcomed Mr Andy MacDonald (Director of Customer), Mr Frank McGhee (Director of Commissioning) and Mr Rob Polkinghorne (Chief Operating Officer) to their first Council meeting following their appointment to the new first tier roles, alongside Mr Steve Whyte (Director of Resources). The Lord Provost stated that he was looking forward to working with them and wished them every success.

(B) The Lord Provost thanked all staff who had been working very hard in the inclement weather conditions and emphasised that they had done an exceptional job which the people of Aberdeen welcomed.

### **The Council resolved:-**

to concur with the remarks of the Lord Provost.

## **ADMISSION OF BURGESSES**

2. (A) The persons undermentioned were admitted into the presence of the Council and passed as Burgesses of Guild in respect of their respective Acts of Admission in the Guild Burgess Book:-

Donald Crawford Balance, Retired Oil Executive, Aberdeen  
 Dr David John Cameron, Councillor, Aberdeen  
 Graeme Thompson, Retired Police Officer, Aberdeen  
 Carolyn Welsh, Retired Schoolteacher, Aberdeen

(B) The persons undermentioned were admitted into the presence of the Council and passed as Burgesses of the Burgh of their own craft only:-

Graeme Cheyne, Shoemaker, Aberdeen  
 Iain Hunter, Shoemaker, Aberdeen  
 Peter Murray, Weaver, Aberdeen

## **SUSPENSION OF STANDING ORDERS**

3. The Lord Provost sought the agreement of the Council to suspend Standing Order 37.2 to allow the meeting to continue beyond four hours if required.

### **The Council resolved:-**

to suspend Standing Order 37.2.

## **DETERMINATION OF EXEMPT BUSINESS**

4. The Council was requested to determine that the following item of business, which contained exempt information as described in Schedule 7(A) of the Local Government (Scotland) Act 1973, be taken in private:-

Council Meeting, Monday, 5 March 2018

11(a) Complaints Review Committee - 29 January 2018

**The Council resolved:-**

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.

**DECLARATIONS OF INTEREST**

5. Councillor Nicoll declared an interest in relation to item 9(d) (Bon Accord Care - Annual Performance Report) by virtue of holding power of attorney for a family member who was resident in sheltered housing under the control of Bon Accord Care. Councillor Nicoll did not consider that the nature of his interest required him to leave the meeting.

Councillor Boulton declared an interest in relation to item 9(i) (Outside Bodies) by virtue of her position as a Council appointed Trustee to Aberdeen International Youth Festival. Councillor Boulton considered that the nature of her interest required her to leave the meeting and take no part in the Council's deliberations thereon.

Councillors Bell, Macdonald and Jennifer Stewart declared interests in relation to item 7(a) (Notice of Motion by Councillor Delaney - referred by Communities, Housing and Infrastructure Committee of 16 January 2018) by virtue of being Council appointed members of NESTRANS. Councillors Bell, Macdonald and Jennifer Stewart did not consider that the nature of their interests required them to leave the meeting.

Councillor Yuill declared an interest in relation to item 7(a) by virtue of his position as a Council appointed substitute member of NESTRANS. Councillor Yuill did not consider that the nature of his interest required him to leave the meeting.

Councillor Mason MSP declared a general interest as a Member of the Scottish Parliament for North East Scotland.

**REQUESTS FOR DEPUTATION**

6. The Council had before it a request for a deputation from Torry Development Trust in relation to item 7(b) (Disposal of Former Victoria Road School) which had been submitted in accordance with Standing Order 13.

**The Council resolved:-**

to hear the deputation at the appropriate point on the agenda.

**MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 25 NOVEMBER 2017**

7. The Council had before it the minute of the special meeting of Aberdeen City Council of 25 November 2017.

Council Meeting, Monday, 5 March 2018

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

**MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 11 DECEMBER 2017**

8. The Council had before it the minute of the special meeting of Aberdeen City Council of 11 December 2017.

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

**MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 11 DECEMBER 2017**

9. The Council had before it the minute of meeting of Aberdeen City Council of 11 December 2017.

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

**MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 29 JANUARY 2018**

10. The Council had before it the minute of the special meeting of Aberdeen City Council of 29 January 2018.

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

**MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 21 DECEMBER 2017**

11. The Council had before it the minute of meeting of the Urgent Business Committee of 21 December 2017.

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

**MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 1 FEBRUARY 2018**

12. The Council had before it the minute of meeting of the Urgent Business Committee of 1 February 2018.

Council Meeting, Monday, 5 March 2018

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

**NOTICE OF MOTION BY COUNCILLOR DELANEY - REFERRED BY COMMUNITIES, HOUSING AND INFRASTRUCTURE COMMITTEE OF 16 JANUARY 2018**

13. With reference to Article 12 of the minute of meeting of the Communities, Housing and Infrastructure Committee of 16 January 2018, which had been referred to it for consideration by eight members of the Committee in terms of Standing Order 31.1, the Council had before it a notice of motion by Councillor Delaney in relation to Broad Street; and the decision of the Committee, which was as follows:-

- (i) to agree that changing the Council's policy on Broad Street, before we have seen the impact of buses, cycles and pedestrians using the shared space, will have significant implications for our established transport strategy agreed at the Communities, Housing and Infrastructure Committee on 20 January 2016. To note that there may also be implications for the funding already secured from Sustrans in support of the delivery of the project;
- (ii) to agree that the existing Traffic Regulation Order would have to be amended and any such amendment would require to go through a lengthy legal process. This two stage process is likely to cause delays to the completion of the scheme and it would be May 2018 at the earliest before the legal process could be completed, noting this process would be open to objections, particularly from the public transport operators which may result in the requirement for a Public Hearing, extending the timescale for delivery by a further six to nine months;
- (iii) to agree to proceed with the full implementation of the Broad Street partial pedestrianisation as previously agreed at Council on 29 June 2016; and
- (iv) to instruct the Interim Head of Planning and Sustainable Development to carry out a full review of the Broad Street partial pedestrianisation (one year after opening) on the effectiveness of the scheme, the implications on the city centre network, the City Centre Masterplan and reporting back with recommendations taking into consideration (ii) above to members at the earliest opportunity.

Councillor Delaney moved, seconded by Councillor Hutchison:-

That the Council approve the amended notice of motion as follows -

- (1) to note the decision of Council of 29 June 2016 to permit buses, cyclists and pedestrians to use the "shared surface" proposed for Broad Street;
- (2) to note the concerns raised by people with visual, hearing and mobility loss regarding the safe use of the planned "shared surface" on Broad Street;
- (3) to agree that in the interests of public safety Broad Street should be fully pedestrianised between its junctions with Upperkirkgate and Queen Street and to instruct the Head of Public Infrastructure and Environment to commence the Traffic Regulation Order for this measure with costs for this legal process to be met from contingencies and to report to the appropriate committee in this regard; and that this report identifies a safe segregated cycling route as well as accessibility routes into Marischal College, following consultation with the Disability Equity Partnership;

Council Meeting, Monday, 5 March 2018

- (4) to instruct the Interim Head of Planning and Sustainable Development to explore with Sustrans any funding implications which may arise from this change and to report this to the appropriate committee; and
- (5) to instruct the Interim Director of Communities, Housing and Infrastructure to enter into discussions with bus operators regarding changes to bus routes and stops as a result of a road closure between Upperkirkgate and Queen Street to lessen the impact upon city centre residents seeking to access routes and report back to the relevant committee; and that officers are instructed to review the traffic light sequencing on routes including, but not exclusive to, Union Street, King Street and West North Street to reflect a permanent closure.

Councillor Grant moved as an amendment, seconded by Councillor Boulton:-

That the Council -

- (1) agree that changing the Council's policy on Broad Street before the impact of buses, cycles and pedestrians using the shared space has been seen, will have significant implications for the Council's established transport strategy agreed at the Communities, Housing and Infrastructure Committee on 20 January 2016, and note that there may also be implications for the funding already secured from Sustrans in support of the delivery of the project;
- (2) agree that the existing Traffic Regulation Order would have to be amended and any such amendment would require to go through a lengthy legal process. This two stage process would be likely to cause delays to the completion of the scheme and it would be September 2018 at the earliest before the legal process could be completed, noting that this process would be open to objections, particularly from the public transport operators which may result in the requirement for a public hearing, extending the timescale for delivery by a further six to nine months;
- (3) agree to proceed with the full implementation of the Broad Street partial pedestrianisation as previously agreed at Council on 29 June 2016; and
- (4) instruct the Chief Officer for Strategic Place Planning to:
  - (a) conduct a road safety review of the scheme, with relevant stakeholders including the Disability Equity Partnership, bus companies and the Aberdeen Cycle Forum, six months after opening, and report back with any recommendations at the earliest opportunity to the next available committee; and
  - (b) conduct a full review of the Broad Street partial pedestrianisation, one year after opening, on the effectiveness of the scheme, the implications on the city centre network and the City Centre Masterplan and report back with recommendations, taking into consideration (2) above, to the relevant committee at the earliest opportunity.

On a division, there voted:-

For the motion (22) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Noble, Samarai, Sandy Stuart, Townson and Yuill.

Council Meeting, Monday, 5 March 2018

For the amendment (23) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Hunt, Imrie, John, Laing, Lumsden, Macdonald, Avril MacKenzie, Malik, Mason MSP, Reynolds, Sellar, Jennifer Stewart and Wheeler.

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

**In terms of Standing Order 29.7, Councillors Delaney, Greig and Yuill intimated their dissent against the foregoing decision.**

### **DISPOSAL OF FORMER VICTORIA ROAD SCHOOL - REFERRED BY FINANCE, POLICY AND RESOURCES COMMITTEE OF 1 FEBRUARY 2018**

**14.** (A) In accordance with Article 6 of this minute, the Council received a deputation from Mr David Fryer, Mr David Murray and Mr Alastair Walker on behalf of Torry Development Trust (TDT).

Mr Fryer advised that TDT was well placed to build upon the Council's agreed policy declaration not to support the demolition of the school buildings at Victoria Road, and that the TDT project aimed to meet local needs which weaved together restoration, innovation and enterprise. He added that the TDT project was based upon reprovisioning the two granite buildings sympathetically coupled with new mixed tenure affordable housing to meet current and future housing needs in Torry.

Mr Fryer emphasised that TDT was not just words - they had an image which was the start of how they were developing their ideas with the aim of creating a new silver green heart for Torry. He highlighted that TDT was a member of the Development Trust Association for Scotland (DTAS) and Scotland's Towns Partnership, with both organisations providing support and a growing number of independent experts advising TDT on a pro-bono basis, who told them what they needed to hear, not what they wanted to hear.

Mr Murray explained that he was an Architect, as well as a Director of TDT, and that he had been supporting the community in Torry since 2013. He referred to the decision of the Finance, Policy and Resources Committee of 1 December 2017, when TDT had been allowed to put together a proposal for the site, with TDT reporting back to the Committee at its meeting of 1 February 2018 with significant progress having been made.

Mr Murray advised that three project opportunities had been identified since 1 February 2018, and that all options were still on the table. He added they were beginning to focus on a project with an emphasis on affordable housing but with other elements as well. He stated that TDT had overseen an inspection of the building with a structural engineer's report submitted. Initial sketch proposals had been prepared but they were not definitive at this stage - Mr Murray stated that they were looking forward to genuine public consultation being undertaken with the community.

Council Meeting, Monday, 5 March 2018

Mr Murray highlighted that DTAS had produced a project specific funding report which identified several different strands of funding that may be available to TDT. He added that a quantity surveyor was currently carrying out an initial cost appraisal, and that discussions had taken place with Aberdeen City Health and Social Care Partnership on the potential for them to be involved in the project. Mr Murray advised that discussions had also taken place with Grampian Housing Association and a draft memorandum was being prepared.

Mr Walker summarised the property market in Aberdeen, which he described as dire, although he acknowledged that there were some green shoots of recovery. He advised that since late 2014 prices had fallen by around 25% in the residential sector. Mr Walker argued against the merits of demolishing the existing granite buildings and rebuilding on the site, claiming that what would be built in their place would be very inferior, would not be sympathetic to the local area and with a low probability of any new build being there in 50 years. He emphasised that property developers would not be in it for the good of the Council or the local community, they would be there to make a profit which meant cutting corners and building as cheaply as possible.

Regarding the prospect of new build flats, Mr Walker anticipated that the demand would not be that great in Torry, particularly with new build prices being 25% above the second-hand market. Mr Walker explained that over 50% of the properties his company managed were buy-to-let not owner occupied, therefore new build flats would lead to a transient population.

Mr Walker underlined that Torry deserved better as an ancient royal burgh and that retention of the existing granite buildings was the best option for the community.

Mr Fryer concluded that TDT were uniquely placed to work with Grampian Housing Association to create a development which would prioritise local housing needs through an agreed local lettings criteria for local families in Torry. Mr Fryer called upon the Council to give TDT 65 days to complete their project within the six months they had asked for on 1 December 2017.

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

## **DECLARATION OF INTEREST**

**At this juncture, Councillor Delaney declared an interest by virtue of his membership of the Board of Grampian Housing Association which had been mentioned by the deputation. Councillor Delaney stated that he had no knowledge of any discussions that may have taken place between TDT and Grampian Housing Association and therefore considered that the nature of his interest did not require him to leave the meeting.**

(B) With reference to Article 22 of the minute of meeting of the Finance, Policy and Resources Committee of 1 February 2018, which had been referred to it for consideration by nine members of the Committee in terms of Standing Order 31.1, the Council had before it (1) a report by the Interim Director of Communities, Housing which



Council Meeting, Monday, 5 March 2018

provided an update on discussions with TDT following the Finance, Policy and Resources Committee meeting on 1 December 2017, and sought approval to market the site with a view to the property being brought back into economic use; and (2) the decision of the Committee which was as follows:-

- (i) to instruct the Head of Land and Property Assets to openly market the site with the aspiration that proposals from interested parties must seek to retain as much of the buildings on the site as possible; and
- (ii) to note that the outcome of the marketing exercise would be brought back to the most appropriate committee before the summer recess.

### **DECLARATION OF INTEREST**

**Councillor Delaney, having earlier declared an interest by virtue of his membership of the Board of Grampian Housing Association, advised that he had reviewed the position and considered that the nature of his interest required him to leave the meeting and take no part in the Council's deliberations thereon.**

Councillor Lumsden moved, seconded by the Depute Provost:-

That the Council -

- (1) instruct the Chief Officer - Corporate Landlord to openly market the site with the aspiration that proposals from interested parties must seek to retain as much of the buildings on the site as possible; and
- (2) note that the outcome of the marketing exercise would be brought back to the appropriate committee after the summer recess.

Councillor Nicoll moved as an amendment, seconded by Councillor Yuill:-

That the Council -

- (1) delay marketing the site meantime; and
- (2) extend the period of discussion with TDT to 1 June 2018, to allow them to bring back proposals to develop the site.

On a division, there voted:-

For the motion (23) - Lord Provost, Depute Provost; and Councillors Allan, Bell, Boulton, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Hunt, Imrie, John, Laing, Lumsden, Macdonald, Avril MacKenzie, Malik, Mason MSP, Reynolds, Sellar, Jennifer Stewart and Wheeler.

For the amendment (21) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Noble, Samarai, Sandy Stuart, Townson and Yuill.

Absent from the division (1) - Councillor Delaney.

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

Council Meeting, Monday, 5 March 2018

## **BUSINESS STATEMENT**

15. The Council had before it a statement of Council business.

**The Council resolved:-**

to note the business statement.

## **MOTIONS LIST**

16. The Council had before it a list of outstanding motions.

**The Council resolved:-**

to note the motions list.

## **TRACKER**

17. The Council had before it a tracker document which identified reports that were due to be considered by the Council at its forthcoming meetings.

**The Council resolved:-**

to note the tracker.

## **MINUTES OF MEETINGS OF APPOINTMENT PANEL OF 27, 28, 29 AND 30 NOVEMBER 2017 AND 1 DECEMBER 2017**

18. The Council had before it the minutes of meetings of the Appointment Panel of 27, 28, 29 and 30 November and 1 December 2017.

**The Council resolved:-**

- (i) to amend the minute of the Appointment Panel meeting of 27 November 2017 to reflect that it was in relation to the Director of Customer and not the Director of Resources; and
- (ii) otherwise to approve the minutes.

## **MINUTES OF MEETINGS OF APPOINTMENT PANEL OF 1, 2, 14, 15, 16 AND 21 FEBRUARY 2018**

19. The Council had before it minutes of meetings of the Appointment Panel of 1, 2, 14, 15, 16 and 21 February 2018.

**The Council resolved:-**

to approve the minutes.

Council Meeting, Monday, 5 March 2018

## **TARGET OPERATING MODEL - SUPPORTING GOVERNANCE FRAMEWORK - OCE/18/025**

**20.** With reference to Article 9 of the minute of its meeting of 11 December 2017, the Council had before it a report by the Chief Executive which proposed a governance framework to support the implementation of the Target Operating Model and considered the portfolios, and position within the interim functional structure, of Governance, City Growth and Strategic Place Planning.

### **The report recommended:-**

that the Council -

- (a) approve Appendix A - Scheme of Governance Introduction;

### **Committee Terms of Reference**

- (b) approve Appendix B - Committee Terms of Reference - with effect from 1 April 2018;
- (c) approve the disestablishment of the Capital Reference Group which would be replaced with the Capital Programme Sub Committee;
- (d) appoint a Convener and Vice Convener to the committees listed in paragraph 4.3.3 of the report as appropriate;
- (e) set a membership number and political composition for each committee listed in paragraph 4.3.3 of the report based on the figures set out in Appendix H and appoint members thereto, on the basis that names can be provided to the Chief Officer - Governance after the meeting and that he be authorised to finalise membership where required;
- (f) approve the remuneration of the Lord Provost and one post of Council Leader and the allocation, and amount in each case, of senior councillor allowances, on the basis of the guidance contained in paragraphs 4.3.20 to 4.3.22 of the report;
- (g) agree the appointment of the current external members to the Operational Delivery Committee as the committee discharging the education function, as set out at paragraph 4.3.7 of the report;
- (h) appoint all elected members on the Operational Delivery Committee, plus two members per political group, to the School Placings and Exclusions Appeal Committee;
- (i) approve the appointment of two named local representatives plus two substitutes from each of the recognised trade unions as advisers to the Staff Governance Committee, as set out in paragraphs 4.3.12 to 4.3.15 of the report; and to note the trade union responses in Appendix I;
- (j) agree that each committee, and thereafter Full Council, consider an annual report against each committee's Terms of Reference in the format of Appendix J;
- (k) approve the diary of meetings from 1 April 2018 to 1 April 2019 attached at Appendix K;

### **Powers Delegated to Officers**

- (l) approve Appendix C - Powers Delegated to Officers - with effect from 1 April 2018, subject to recommendation (m);
- (m) instruct the Chief Officer - Strategic Place Planning to seek approval from the Scottish Ministers to amend the Planning Scheme of Delegation under Section

Council Meeting, Monday, 5 March 2018

43A of the Town and Country Planning (Scotland) Act 1997 (as amended) - which relates to "Local Developments";

### **Standing Orders for Council, Committee and Sub Committee Meetings**

- (n) approve Appendix D - Standing Orders for Council, Committee and Sub Committee Meetings - with effect from 1 April 2018;

### **Financial Regulations**

- (o) approve Appendix E - Financial Regulations - with effect from 1 April 2018;

### **Procurement Regulations**

- (p) approve Appendix F - Procurement Regulations - with effect from 1 April 2018, subject to recommendations (q) and (r);
- (q) approve the revised procurement thresholds referred to in paragraph 4.7 of the report and set out within the Procurement Regulations in accordance with the workforce design to empower staff; and agree that the revised thresholds shall take effect from 1 July 2018 and the current procurement thresholds shall remain in place until 30 June 2018;
- (r) instruct the Chief Operating Officer, the Directors of Resources, Commissioning and Customer, the Chief Officer - Governance, Chief Officer - Strategic Place Planning and the Chief Officer - City Growth to report to the Strategic Commissioning Committee:
  - (1) on 19 June 2018 with procurement workplans detailing all contracts expected to be procured for the remainder of 2018/19 involving expenditure in excess of £50,000 for supplies/services contracts and £250,000 for works contracts to support implementation of the revised procurement thresholds as per recommendation (q); and
  - (2) prior to the start of each financial year thereafter, a workplan for the full year ahead;

### **Member Officer Relations Protocol**

- (s) approve Appendix G - Member Officer Relations Protocol - with effect from 1 April 2018;

### **Civic Leadership**

- (t) endorse the values and principles of civic leadership and engagement as set out in Appendix L, noting their alignment with the Target Operating Model Design Principles, agreed by Council in August 2017;
- (u) refer the development of models for civic leadership and engagement to the appropriate committees in order that they might give active consideration to how civic leadership and collaborative decision making could be strengthened within the areas of their responsibility;

### **Implementation and Monitoring**

## Council Meeting, Monday, 5 March 2018

- (v) agree the delivery of training and development on the Scheme of Governance:
  - (1) for elected members, on the weeks commencing 16 and 23 March 2018 and over the following 12 months; and
  - (2) for officers, commencing with an event to the third tier on 16 March on the Committee Terms of Reference, in order to embed the revised governance framework in all services;
- (w) instruct the Chief Officer - Governance to report back to Council within 12 months on the operation of the Scheme of Governance documents;

**Urban Governance**

- (x) note the wider consultation on the development of a new leadership framework for considering the place and people implications of the economic performance of the city;
- (y) approve, in principle, the creation of the co-ordinating structures as follows:
  - (1) Infrastructure Group;
  - (2) Inclusive Economic Growth Group;
  - (3) Internationalisation Group - Export and Trade;
  - (4) Internationalisation Group - Inward Investment;
  - (5) Energy Hub;
  - (6) Smarter Aberdeen (Digital);
  - (7) Public Protection; and
  - (8) Water, Sewerage and Flood;
- (z) instruct the Chief Officer - City Growth to co-design a 'terms of reference' for each group set out in recommendation (y) with the proposed members of each group and to report back to Full Council in August 2018 with proposed 'terms of reference; and

**Organisational Design**

- (aa) agree that the portfolios and position within the organisational structure of Governance, City Growth, City Planning and the City Centre Masterplan will be as described at section 6 of the report.

Councillor Laing moved, seconded by Councillor Lumsden:-

That the Council -

- (1) approve Appendix A - Scheme of Governance Introduction, subject to the Scheme becoming effective from 6 March 2018;

**Committee Terms of Reference**

- (2) approve amended Committee Terms of Reference, as circulated;
- (3) agree to amend the Terms of Reference for the City Centre Masterplan Reference Group to 5 elected members one from each group;
- (4) approve the disestablishment of the Capital Reference Group which will be subsumed by the Capital Programme Committee;
- (5) appoint a Convener and Vice Convener, as appropriate, to the committees set out in the Terms of Reference, as appended;
- (6) agree option one set as out in Appendix H (compositions) with the exception of:

## Council Meeting, Monday, 5 March 2018

- a. the Operational Delivery Committee which will have 13 members;
  - b. the Education Operational Delivery Committee which will have 20 members - 13 elected members and 7 external members;
  - c. the Appeals Sub Committee which will have 5 members;
  - d. the Integration Joint Board which will be amended to 3 administration Councillors and 1 opposition Councillor;
  - e. the Strategic Commissioning Committee will be amended to 3 Conservatives, 2 Labour, 3 SNP and 1 Liberal Democrat;
  - f. the Planning Development Management Committee will be amended to 2 Independent, 1 Conservative, 2 Labour, 3 SNP and 1 Liberal Democrat;
  - g. the Staff Governance Committee will be amended to 3 Labour, 1 Conservative, 1 Independent, 3 SNP and 1 Liberal Democrat;
  - h. Councillor Wheeler replaces Councillor Donnelly as Baillie;
- (7) note that the Strategic Transformation Committee will remain as the 5 Group Leaders;
  - (8) agree to appoint members to (6) above;
  - (9) approve the remuneration of the Lord Provost and one post of Council Leader and the allocation, and amount in each case, of senior councillor allowances, on the basis of the guidance contained in paragraphs 4.3.20 - 4.3.22 of the report;
  - (10) agree the appointment of the current external Education representatives to the Education Operational Delivery Committee as the committee discharging the education function, as set out at paragraph 4.3.7 of the report;
  - (11) appoint all elected members of Council to the pool from which School Placings and Exclusions Appeal Committee members are drawn;
  - (12) approve the appointment of two named local representatives plus two substitutes from each of the recognised trade unions as advisers to the Staff Governance Committee, as set out in paragraphs 4.3.12 - 4.3.15 of the report;
  - (13) agree that each committee and thereafter Full Council considers an annual report against each committee's terms of reference in the format of appendix J;
  - (14) approve the diary of meetings from 1 April 2018 to 1 April 2019 attached at Appendix K, as amended to take account of changes above;

**Powers Delegated to Officers**

- (15) approve amended Powers Delegated to Officers, as appended and set out in Annex A, subject to (16) below;
- (16) instruct the Chief Officer - Strategic Place Planning to seek approval from the Scottish Ministers to amend the Planning Scheme of Delegation under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) - which relates to "Local Developments";

**Standing Orders for Council, Committee and Sub Committee Meetings**

- (17) approve amended Standing Orders for Council, Committee and Sub Committee Meetings, as appended and set out in Annex A;

Council Meeting, Monday, 5 March 2018

- (18) approve the appointment of a Business Manager and Depute Business Manager;

### **Financial Regulations**

- (19) approve amended Financial Regulations, as appended and set out in Annex A;

### **Procurement Regulations**

- (20) approve amended Procurement Regulations, as appended and set out in Annex A, subject to (21);
- (21) instruct the Chief Operating Officer, the Directors of Resources, Commissioning and Customer, the Chief Officer - Governance, Chief Officer - Strategic Place Planning and the Chief Officer - City Growth to report to the appropriate meeting of the Strategic Commissioning Committee:
- (a) in 2018/19, with procurement workplans detailing all contracts expected to be procured for the remainder of 2018/2019 involving expenditure in excess of £50,000 for supplies/services contracts and £250,000 for works contracts; and
  - (b) prior to the start of each financial year thereafter, a workplan for the full year ahead;

### **Member Officer Relations Protocol**

- (22) approve Appendix G - Member Officer Relations Protocol;

### **Implementation and Monitoring**

- (23) agrees the delivery of training and development on the Scheme of Governance:
- (a) for elected members, on the weeks commencing 16 and 23 March 2018 and over the following 12 months; and
  - (b) for officers, commencing with an event to the third tier on 16 March on the Committee Terms of Reference, in order to embed the revised governance framework in all services;
- (24) instruct the Chief Officer - Governance to report back to Council within 12 months on the operation of the Scheme of Governance documents;

### **Civic Leadership and Urban Governance**

- (25) endorse the values and principles of civic leadership and engagement as set out in Appendix L, noting their alignment with the Target Operating Model Design Principles, agreed by Council in August 2017;
- (26) note the wider consultation on the development of a new leadership framework for considering the place and people implications of the economic performance of the city;
- (27) approve, in principle, the creation of the coordinating structures as follows:  
Infrastructure Group;

Council Meeting, Monday, 5 March 2018

- Inclusive Economic Growth Group;  
 Internationalisation Group - Export and Trade;  
 Internationalisation Group - Inward Investment;  
 Energy Hub;  
 Smarter Aberdeen (Digital);  
 Public Protection; and  
 Water, Sewerage and Flood;
- (28) instruct the Chief Officer - City Growth to co-design a 'terms of reference' for each group set out in (27) above taking into consideration how Civic Leadership and Urban Governance can help our city to build a future - prosperous and successful, which makes a real difference to the everyday lives of all its citizens, with a report back to Full Council in December 2018 with proposed 'terms of reference' and proposed members of each group;

### **Organisational Design**

- (29) agree that the portfolios and position within the organisational structure of Governance, City Growth, City Planning and the City Centre Masterplan will be as described at section 6 of the report; and
- (30) (a) note the decision of the Strategic Transformation Committee on 9 February 2018 regarding migration to the transitional Target Operating Model;  
 (b) reaffirm the Administration's continuing commitment to no compulsory redundancies; and  
 (c) instructs the Chief Executive to communicate with all employees confirming the position outlined in (b) above.

Councillor Flynn moved as an amendment, seconded by Councillor Jackie Dunbar:-

That the Council -

- (1) approve Appendix A - Scheme of Governance Introduction, subject to (2) - (11) below;

### **Committee Terms of Reference**

- (2) (a) note Appendix B - Committee Terms of Reference;  
 (b) regret the proposed removal of an Education Committee and does not believe that the proposed Operational Delivery Committee represents an appropriate forum for decision making on the future of Aberdeen's children;  
 (c) express concern that the Operational Delivery Committee Terms of Reference indicate that its scope may ultimately be greater than that of the current Communities, Housing and Infrastructure Committee;  
 (d) further note that at page 4, point 13 of Appendix B, all committees are subject to the overarching remit of the Strategic Transformation Committee, regret that just five elected members sit on this Committee, agree that this remit should rest with Council itself and accordingly agree to disband that Committee with immediate effect;  
 (e) welcome the establishment of the proposed Staff Governance Committee, Public Protection Committee and Capital Programme Sub Committee;



## Council Meeting, Monday, 5 March 2018

- (f) agree to continue the existing committee structure for one further cycle, with dates of meetings to be agreed by the Chief Officer - Governance, following consultation with Group Leaders; and
- (g) instruct the Chief Executive to develop Terms of Reference for the Committee structure below and report these for approval to the next meeting of Full Council, the date of which will be determined by the Chief Officer - Governance:-
1. Audit, Risk and Scrutiny Committee;
  2. Education Committee:
    - to have powers deriving from those proposed for the Strategic Commissioning Committee and the Operational Delivery Committee, and to instruct the Chief Executive to report to the next meeting of Full Council on the appointment of a pupil representative to the Committee, to be selected by Aberdeen Pupil Voice; and
    - on this basis, to instruct the Chief Officer - Governance, when identifying dates/times for meetings of the structure which would be reported to the next meeting of Full Council as per (2)(g) above, to consult with the Group Leaders on the date/time of the Education Committee to ensure the meetings proposed facilitated the attendance of the Pupil Voice representative at no detriment to their schooling;
  3. Housing and Communities Committee;
  4. Infrastructure and Environment Committee;
  5. Licensing Committee;
  6. Licensing Sub Committee;
  7. Planning Development Management Committee;
  8. Pensions Committee;
  9. Public Protection;
  10. Staff Governance;
  11. Appeals Sub Committee;
  12. Strategic Policy and Resources Committee;
  13. Capital Programme Sub Committee;
  14. Urgent Business Committee;
  15. Aberdeen City Region Deal Joint Committee.
    - With the remit of the proposed Strategic Commissioning Committee being allocated to the above committees as appropriate.
- (3) approve the disestablishment of the Capital Reference Group which will be replaced with the Capital Programme Sub Committee;
- (4) defer appointments of Convener and Vice Conveners to the next meeting of Full Council as per (2)(g) above and agree that the current Conveners and Vice Conveners remain for a further cycle at the existing remuneration;
- (5) agree the following membership numbers for committees and sub committees:-
1. Education - 15 plus 7 external members, with the option that a pupil representative be added subject to the report at (2)(g) above;
  2. Infrastructure and Environment - 15;
  3. Housing and Communities - 15;
  4. Strategic Policy and Resources - 15;

## Council Meeting, Monday, 5 March 2018

5. Audit, Risk and Scrutiny - 15;
6. Licensing - 15;
7. Planning Development Management - 15;
8. Staff Governance - 11 plus 12 advisers, being the two representatives for each recognised trade union as set out at recommendation (i) within the report;
9. Public Protection - 11;
10. Pensions - 11;
11. Urgent Business - 11;
12. Capital Programme Sub - 9;
13. Appeals Sub - 9;
14. Licensing Sub - 9; and
15. Aberdeen City Region Deal Joint Committee - 3

based on the figures set out in Appendix H and appoint members thereto, on the basis that names can be provided to the Chief Officer - Governance after the meeting and that he be authorised to finalise membership where required;

- (6) defer making a decision on the remuneration of the Lord Provost and one post of Council Leader and the allocation, and amount in each case, of senior councillor allowances until the next meeting of Full Council subject to (2)(g) above;
- (7) agree, when established, the appointment of the current external Education representatives to the Education Committee referred to at (2)(g) above as the committee discharging the education function, as set out at paragraph 4.3.7 of the report;
- (8) appoint, when established, all elected members of the Education Committee, plus two members per political group, to the pool from which members of the School Placings and Exclusions Appeal Committee are drawn and that the status quo remain meantime;
- (9) approve the appointment of two named local representatives plus two substitutes from each of the recognised trade unions as advisers to the Staff Governance Committee, as set out in paragraphs 4.3.12 - 4.3.15 of the report; and to note the trade union responses in Appendix I;
- (10) does not believe that an annual report against each committee's Terms of Reference as proposed in Appendix J is required as it simply creates an unnecessary layer of administration and therefore does not approve its production;
- (11) does not approve the diary of meetings from 1 April 2018 to 1 April 2019 attached at Appendix K; and instruct the Chief Officer - Governance to submit a revised diary on the basis of the committee structure outlined at (2)(g) above to the next meeting of Full Council alongside the Terms of Reference;

### **Powers Delegated to Officers**

- (12) approve Appendix C - Powers Delegated to Officers - with effect from 1 April 2018, subject to the following amendments:
  - a. delete the following powers from the Powers Delegated to Officers and revert to status quo:
    1. General Delegations - powers 23, 38, 39;

Council Meeting, Monday, 5 March 2018

2. Chief Officer - Corporate Landlord - power 14 - page 251 of the report;
  - b. delete Chief Officer - Corporate Landlord - power 40 on page 254 of the report;
  - c. amend General Delegations power 20 (page 215), to add in "to facilitate Council policy" following the word guidance;
  - d. amend General Delegations power 30 (page 215), to the following "To appoint persons to act up as Chief Officers - internal appointees only";
  - e. amend General Delegations power 32 (page 215), to the remove "including, but not";
  - f. amend Chief Officer - Early Intervention and Community Empowerment power 2 (page 220), to insert after "information service"...following consultation with ward members and Group Leaders"; and
  - g. amend Chief Officer - Governance power 17 (page 264), to add in "limited to IJB/NHS staff only";
- (13) instruct the Chief Officer - Strategic Place Planning to seek approval from the Scottish Ministers to amend the Planning Scheme of Delegation under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) - which relates to "Local Developments";

### **Standing Orders for Council, Committee and Sub Committee Meetings**

- (14) approve Appendix D - Standing Orders for Council, Committee and Sub Committee Meetings - with effect from 1 April 2018, subject to deleting Standing Order 30.1 as it stands and replacing it with the following:
- 30.1 After four Members from the Administration and four Members from the Opposition have spoken (including the movers and seconders of motions and amendments), any Member who has not spoken can move as a Procedural Motion that no further debate take place;

### **Financial Regulations**

- (15) approves Appendix E - Financial Regulations - with effect from 1 April 2018;

### **Procurement Regulations**

- (16) approve Appendix F - Procurement Regulations - with effect from 1 April 2018, subject to the proposed procurement thresholds referred to in paragraph 4.7 being deleted and the current procurement thresholds remaining in place;
- (17) instruct the Chief Operating Officer, the Directors of Resources, Commissioning and Customer, the Chief Officer - Governance, Chief Officer - Strategic Place Planning and the Chief Officer - City Growth to report in due course to the relevant Committees as outlined at (2)(g) above as appropriate:

Council Meeting, Monday, 5 March 2018

- (a) with procurement workplans relevant to each particular Committee detailing all contracts expected to be procured for the remainder of 2018/2019 involving expenditure in excess of £50,000 for supplies/services contracts and £250,000 for works contracts; and
- (b) prior to the start of each financial year thereafter, a workplan for the full year ahead;

### **Member Officer Relations Protocol**

- (18) approve Appendix G - Member Officer Relations Protocol - with effect from 1 April 2018;

### **Civic Leadership**

- (19) agree with the values and principles detailed in Appendix L, noting that a greater dialogue between the people of Aberdeen and Aberdeen City Council is welcome;
- (20) further believe that the Council Co-Leaders and Conveners of all committees should attend an open public meeting to be held at least every quarter of the calendar year to afford the public the opportunity to question their elected representatives in an open and fully accessible forum;
- (21) note with concern that an overlap appears to exist between the role of the political leadership of the Council, being the Co-Leaders, and the civic leadership of the Council, being the Lord Provost;
- (22) further note that at point 4.9.2 of the report that (1) Civic leadership should be led by community and business representatives; (2) Political Leadership should be led by elected representatives; and (3) Executive Leadership by organisational/management leaders, therefore agree that all future Civic Leadership delivery involving the Council will have the elected political leadership of the Council at its fore, rather than the civic leadership of the Council;

### **Implementation and Monitoring**

- (23) agree the delivery of training and development for elected members and officers on the Scheme of Governance;
- (24) instruct the Chief Officer - Governance to report back to Council within 12 months from the implementation of the new committee structure on the operation of the Scheme of Governance documents;

### **Urban Governance**

- (25) note the wider consultation on the development of a new leadership framework for considering the place and people implications of the economic performance of the city;
- (26) approve, in principle, the creation of the coordinating structures as follows, noting that the composition is not exhaustive:
  - a. Infrastructure Group;
  - b. Inclusive Economic Growth Group;
  - c. Internationalisation Group - Export and Trade;

Council Meeting, Monday, 5 March 2018

- d. Internationalisation Group - Inward Investment;
  - e. Energy Hub;
  - f. Smarter Aberdeen (Digital);
  - g. Public Protection; and
  - h. Water, Sewerage and Flood;
- (27) instruct the Chief Officer - City Growth to co-design a 'terms of reference' for each group set out in (26) above with the proposed members of each group, including third sector organisations, and to report back to Full Council in two cycles with proposed 'terms of reference';

### **Organisational Design**

- (28) agree that the portfolios and position within the organisational structure of Governance, City Growth and City Planning will be as described at section 6 of the report; and
- (29) agree that the City Centre Masterplan Reference Group be retained on the basis of its existing Terms of Reference and membership as approved by Council on 23 August 2017.

Councillor Yuill moved as a second amendment, seconded by Councillor Delaney:-

That the Council -

- (1) approve Appendix A - Scheme of Governance Introduction, subject to (2), (3) and (24) below;

### **Committee Terms of Reference**

- (2) does not approve Appendix B - Committee Terms of Reference - and instructs the Chief Executive to extend the existing committee structure for one further cycle, with dates of meetings to be confirmed by the Chief Officer - Governance following consultation with Group Leaders;
- (3) instruct the Chief Executive to report to the next Council meeting providing remits, and amended Scheme of Governance documents as appropriate, based on a committee structure comprising:-

- Policy and Resources Committee (with Staff Governance Sub Committee, Appeals Sub Committee and Capital Programme Sub Committee);
- Education Committee;
- Environment, Transport and Housing Committee;
- Audit, Risk and Scrutiny Committee;
- Public Protection Committee;
- Planning Development Management Committee;
- Licensing Committee (with Licensing Sub Committee);
- Pensions Committee;
- Urgent Business Committee; and
- Aberdeen City Region Deal Joint Committee

with the remits of the proposed Strategic Commissioning Committee being allocated to the above committees as appropriate and the remit of the Strategic Transformation Committee transferring to the Policy and Resources Committee;

## Council Meeting, Monday, 5 March 2018

- (4) defer meantime;
- (5) defer meantime;
- (6) defer meantime;
- (7) agree the appointment, when established, of the current external members to the Education Committee, as set out at paragraph 4.3.7 of the report;
- (8) appoint, when established, all elected members on the Education Committee, plus two members per political group, to the pool from which members of the School Placings and Exclusions Appeal Committee are drawn;
- (9) approve, when established, the appointment of two named local representatives plus two substitutes from each of the recognised trade unions as advisers to the Staff Governance Sub Committee, as set out in paragraphs 4.3.12 - 4.3.15 of the report; and to note the trade union responses in Appendix I;
- (10) agree that each committee, and thereafter Full Council, consider an annual report against each committee's Terms of Reference in the format of Appendix J;
- (11) instruct the Chief Executive to report to the next Council meeting setting out a diary of meetings for 2018/19 for the committee structure referred to at (3) above;

**Powers Delegated to Officers**

- (12) approve Appendix C - Powers Delegated to Officers - with effect from 1 April 2018, subject to (13) except that procurement thresholds remain unchanged;
- (13) instruct the Chief Officer - Strategic Place Planning to seek approval from the Scottish Ministers to amend the Planning Scheme of Delegation under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) - which relates to "Local Developments";

**Standing Orders for Council, Committee and Sub Committee Meetings**

- (14) approve Appendix D - Standing Orders for Council, Committee and Sub Committee Meetings - with effect from 1 April 2018, except as follows:

**39. Length of Meetings**

- 39.1 The Convener can call a break in proceedings at any time.
- 39.2 Meetings will last no longer than six hours and in any event will cease at 6.30pm.
  - 39.2.1 For the avoidance of doubt, the calculation of six hours will include any adjournments.
- 39.3 Any procedural motion to suspend Standing Order 39.2 must specify the time at which the meeting will conclude.
  - 39.3.1 It will be competent before that time to propose a further extension.

Council Meeting, Monday, 5 March 2018

- 39.4 If the meeting is adjourned to another date, the Convener, following consultation with the Clerk, will determine the time and date that the meeting will resume;

### **Financial Regulations**

- (15) approve Appendix E - Financial Regulations - with effect from 1 April 2018, except that financial thresholds delegated to officers remain unchanged;

### **Procurement Regulations**

- (16) approve Appendix F - Procurement Regulations - with effect from 1 April 2018, subject to (17), (18) and (19) below;
- (17) does not approve the revised procurement thresholds referred to in paragraph 4.7 of the report;
- (18) instruct the Chief Operating Officer, the Directors of Resources, Commissioning and Customer, the Chief Officer - Governance, Chief Officer - Strategic Place Planning and the Chief Officer - City Growth to:
- (19) report to the most appropriate committee meetings with procurement workplans detailing all contracts;

### **Member Officer Relations Protocol**

- (20) approve Appendix G - Member Officer Relations Protocol - with effect from 1 April 2018;

### **Civic Leadership**

- (21) endorse the values and principles of civic leadership and engagement as set out in Appendix L, noting their alignment with the Target Operating Model Design Principles, agreed by Council in August 2017, reaffirm that the Lord Provost is a civic role and not a governance one, and instruct that the Urban Governance and Leadership framework reflects this;
- (22) refer the development of models for civic leadership and engagement to the appropriate committees in order that they might give active consideration to how civic leadership and collaborative decision making could be strengthened within the areas of their responsibility;

### **Implementation and Monitoring**

- (23) agree the delivery of training and development for members the Scheme of Governance on dates to be agreed following approval of the committee structure at (3) above;
- (24) instruct the Chief Officer - Governance to report back to Council within 12 months on the operation of the Scheme of Governance documents;

### **Urban Governance**

Council Meeting, Monday, 5 March 2018

- (25) note the wider consultation on the development of a new leadership framework for considering the place and people implications of the economic performance of the city;
- (26) approve, in principle, the creation of the coordinating structures as follows:
- a. Infrastructure Group;
  - b. Inclusive Economic Growth Group;
  - c. Internationalisation Group - Export and Trade;
  - d. Internationalisation Group - Inward Investment;
  - e. Energy Hub;
  - f. Smarter Aberdeen (Digital);
  - g. Public Protection; and
  - h. Water, Sewerage and Flood.
- (27) instruct the Chief Officer - City Growth to co-design a 'terms of reference' for each group set out in (26) with the proposed members of each group and to report back to Full Council in August 2018 with proposed 'terms of reference' and a recommendation on how each Group will link to the Council's democratic structure; and

### **Organisational Design**

- (28) agree that the portfolios and position within the organisational structure of Governance, City Growth, City Planning and the City Centre Masterplan will be as described at section 6 of the report.

There being a motion and two amendments, the Council first divided between the amendment by Councillor Flynn and the amendment by Councillor Yuill.

On a division, there voted:-

For the amendment by Councillor Flynn (19) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Jackie Dunbar, Flynn, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Noble, Samarai, Sandy Stuart and Townson.

For the amendment by Councillor Yuill (3) - Councillors Delaney, Greig and Yuill.

Declined to vote (22) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Hunt, Imrie, John, Laing, Lumsden, Macdonald, Avril MacKenzie, Malik, Mason MSP, Reynolds, Sellar and Jennifer Stewart.

Absent from the division (1) - Councillor Wheeler.

The Council then divided between the motion and the amendment by Councillor Flynn.

On a division, there voted:-

For the motion (23) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Hunt, Imrie, John, Laing,



Council Meeting, Monday, 5 March 2018

Lumsden, Macdonald, Avril MacKenzie, Malik, Mason MSP, Reynolds, Sellar, Jennifer Stewart and Wheeler.

For the amendment by Councillor Flynn (22) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Noble, Samarai, Sandy Stuart, Townson and Yuill.

**The Council resolved:-**

to adopt the motion.

**In terms of Standing Order 29.7, Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Noble, Samarai, Sandy Stuart, Townson and Yuill intimated their dissent against the foregoing decision.**

**FAIRER ABERDEEN FUND ANNUAL REPORT 2016-17 - CHI/17/278**

**21.** With reference to Article 12 of the minute of its meeting of 11 December 2017, when the meeting concluded after four hours in accordance with Standing Order 37.2 with all remaining business to be considered at a later date, the Council had before it a report by the Interim Director of Communities, Housing and Infrastructure which provided the 2016/17 annual report for the Fairer Aberdeen Fund programme.

**The report recommended:-**

that the Council -

- (a) note the annual report for 2016/17 at appendix 1 to the report, and instruct the Interim Director of Communities, Housing and Infrastructure to report the Council's feedback to the Fairer Aberdeen Board as appropriate; and
- (b) note that the Fairer Aberdeen Board would be carrying out a further Participatory Budgeting event during 2017/18.

**The Council resolved:-**

- (i) to note the annual report for 2016/17 and thank staff and volunteers involved with the Fairer Aberdeen Board for their work;
- (ii) to note that the Fairer Aberdeen Board would be carrying out a further Participatory Budgeting event during 2017/18; and
- (iii) to request the Chief Officer - Early Intervention and Community Empowerment to ensure that future reports contain a table detailing project spend for each project with an explanation of the impact it has had in terms of the programme.

**ADOPTION OF SUPPLEMENTARY GUIDANCE IN SUPPORT OF THE LOCAL DEVELOPMENT PLAN - GREENFERNS DEVELOPMENT FRAMEWORK - CHI/17/234**

**22.** With reference to Article 12 of the minute of its meeting of 11 December 2017, when the meeting concluded after four hours in accordance with Standing Order 37.2

Council Meeting, Monday, 5 March 2018

with all remaining business to be considered at a later date, the Council had before it a report by the Interim Director of Communities, Housing and Infrastructure which presented a summary of the representations received, officers' responses to those representations and any resulting action for the Greenferns Development Framework.

**The report recommended:-**

that the Council -

- (a) note the representations received for the sites OP28 and OP33 Greenferns Development Framework;
- (b) approve Appendix 1 to the report, which included officers' responses to representations received and any necessary actions; and
- (c) approve the Development Framework as Interim Planning Advice and instruct officers in Planning and Sustainable Development to implement the process to ratify the Framework as Supplementary Guidance.

**The Council resolved:-**

to approve the recommendations.

**BON ACCORD CARE - ANNUAL PERFORMANCE REPORT - HSCP/17/094**

23. With reference to Article 12 of the minute of its meeting of 11 December 2017, when the meeting concluded after four hours in accordance with Standing Order 37.2 with all remaining business to be considered at a later date, the Council had before it a report by the Chief Officer for Aberdeen City Health and Social Care Partnership which presented Bon Accord Care's annual performance report for 2016/17.

**The report recommended:-**

that the Council note Bon Accord Care's annual performance report as at Appendix A to the report.

**The Council resolved:-**

to defer consideration of the report to the next Council meeting in the absence of representation from Bon Accord Care.

**CHIEF SOCIAL WORK OFFICER'S ANNUAL REPORT - ECS/17/065**

24. With reference to Article 12 of the minute of its meeting of 11 December 2017, when the meeting concluded after four hours in accordance with Standing Order 37.2 with all remaining business to be considered at a later date, the Council had before it a report by the Chief Officer - Integrated Children's and Family Services which presented the Chief Social Work Officer's annual report for 2016/17.

**The report recommended:-**

that the Council note the content of the annual report as at Appendix 1 to the report.

**The Council resolved:-**

- (i) to approve the recommendation;
- (ii) to congratulate staff for their efforts in light of the very positive report;

Council Meeting, Monday, 5 March 2018

- (iii) to request the Chief Officer - Integrated Children's and Family Services to provide members with a breakdown of life expectancy for each of the regeneration areas compared to the rest of the city; and
- (iv) to request the Chief Officer of the Aberdeen City Health and Social Care Partnership, on behalf of the Alcohol and Drugs Partnership, to provide members with information in relation to alcohol related hospital admissions in Aberdeen being statistically higher than Scotland overall.

#### **ABERDEEN CITY INTEGRATION JOINT BOARD - OCE/18/024**

**25.** The Council had before it a report by the Chief Executive which provided details of the arrangements that had been put in place for governance of the Integration Joint Board.

**The report recommended:-**

that the Council note the content of the report.

**The Council resolved:-**

to approve the recommendation.

#### **ABERDEEN CITY HEALTH AND SOCIAL CARE PARTNERSHIP INTEGRATION SCHEME - HSCP/17/125**

**26.** The Council had before it a report by the Chief Officer of the Aberdeen City Health and Social Care Partnership which sought approval for revisions to the Aberdeen City Health and Social Care Integration Scheme and to agree its submission to the Scottish Government.

**The report recommended:-**

that the Council -

- (a) consider and agree the revisions to the Health and Social Care Integration Scheme for Aberdeen City, a summary of which was detailed in the report;
- (b) note that once agreed by both Aberdeen City Council and the Health Board, the Revised Integration Schemes would be submitted to the Scottish Government for approval; and
- (c) delegate authority to the Chief Executive to agree any minor changes proposed by the Scottish Government for the Revised Integration Schemes to be approved.

**The Council resolved:-**

- (i) to agree the revisions to the Health and Social Care Integration Scheme for Aberdeen City, a summary of which was detailed in the report; and
- (ii) to approve recommendations (b) and (c).

Council Meeting, Monday, 5 March 2018

## **COMMUNITY PLANNING ABERDEEN - ANNUAL OUTCOME IMPROVEMENT REPORT 2016/17 - OCE/18/001**

27. The Council had before it a report by the Chief Executive which presented the first annual report against the Aberdeen City Local Outcome Improvement Plan 2016-26.

### **The report recommended:-**

that the Council endorse the report.

### **The Council resolved:-**

to approve the recommendation.

## **DECLARATION OF INTEREST**

**In accordance with Article 5 of this minute, Councillor Boulton left the meeting prior to consideration of the following item of business.**

## **OUTSIDE BODIES - CG/18/033**

28. The Council had before it a report by the Chief Officer - Governance which sought appointments to outside bodies with unfilled positions for Council representatives and approval for one change to an existing appointment.

### **The report recommended:-**

that the Council -

- (a) approve the appointment of Councillor Lumsden as the Council's representative on Opportunity North East Ltd (ONE); and
- (b) consider appointing members to the vacant positions on the following bodies:-
  - (i) Aberdeen International Youth Festival (four vacancies);
  - (ii) Mitchell's Hospital Trust (one vacancy); and
  - (iii) Robb's Trust (one vacancy).

The Senior Democratic Services Manager advised the Council that the report stated that there were four vacancies on Aberdeen International Youth Festival when there were actually six vacancies; therefore recommendation (b)(i) required to be corrected.

Councillor Lumsden moved, seconded by Councillor Malik:-

That the Council -

- (1) approve the appointment of Councillor Lumsden as the Council's representative on Opportunity North East Ltd (ONE);
- (2) appoint Councillor Imrie as a member of Sport Aberdeen in place of Councillor Hunt;
- (3) appoint Councillor Wheeler as a member of Community Planning Aberdeen in place of Councillor Graham;
- (4) nominate six members of the opposition to the Aberdeen International Youth Festival to fill the vacant positions;

Council Meeting, Monday, 5 March 2018

- (5) appoint a member of the opposition to fill the vacant position on Mitchell's Hospital Trust; and
- (6) appoint a member of the opposition to fill the vacant position on Robb's Trust.

Councillor Flynn moved as an amendment, seconded by Councillor Jackie Dunbar:-

That the Council -

- (1) approve the appointment of Councillor Lumsden as the Council's representative on Opportunity North East Ltd (ONE);
- (2) consider appointing members to the vacant positions on the following bodies:-
  - (i) Mitchell's Hospital Trust (one vacancy)
  - (ii) Robb's Trust (one vacancy);
- (3) instruct the Chief Executive to:-
  - (i) write to Aberdeen International Youth Festival (AIYF) (a) stating that Aberdeen City Council is content for its membership of AIYF to be reduced to a single member; (b) informing AIYF that this decision is being intimated by Aberdeen City Council to OSCR; (c) requesting that AIYF write to OSCR in order that this change to the Trust Deed be facilitated as soon as possible so that AIYF can be quorate; and (d) requesting that AIYF take such steps as are necessary to facilitate this change to the Trust Deed; and
  - (ii) write to OSCR providing details of the above letter to AIYF;
- (4) appoint Councillor Imrie as a member of Sport Aberdeen in place of Councillor Hunt; and
- (5) appoint Councillor Wheeler as a member of Community Planning Aberdeen in place of Councillor Graham;

During the course of debate, Councillors Flynn and Yuill advised that no opposition members were willing to fill the vacancies on the Aberdeen International Youth Festival, Mitchell's Hospital Trust or Robb's Trust.

On a division, there voted:-

For the motion (22) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Hunt, Imrie, John, Laing, Lumsden, Macdonald, Avril MacKenzie, Malik, Mason MSP, Reynolds, Sellar, Jennifer Stewart and Wheeler.

For the amendment (22) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Noble, Samarai, Sandy Stuart, Townson and Yuill.

Absent from the division (1) - Councillor Boulton.

There being an equality of votes, in terms of Standing Order 29.6, the Lord Provost exercised his casting vote in favour of the motion.

Council Meeting, Monday, 5 March 2018

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

### **TREASURY MANAGEMENT POLICY AND STRATEGY - CG/17/152**

**29.** The Council had before it a report by the Director of Resources which sought approval for the Treasury Management Policy and Strategy for 2018/19 to 2020/21.

**The report recommended:-**  
that the Council -

- (a) approve the Council's Treasury Management Policy Statement for 2018/19 to 2020/21 as detailed at Appendix 1;
- (b) approve the Council's Borrowing Strategy for 2018/19 to 2020/21 as detailed at Appendix 2;
- (c) approve the Council's Investment Strategy for 2018/19 to 2020/21 as detailed at Appendix 3;
- (d) approve the Council's Counterparty list as detailed at Appendix 4;
- (e) delegate authority to the Chief Officer - Finance following consultation with the Head of Commercial and Procurement Services, to undertake a tender process for the procurement and thereafter award of a contract for the provision of banking services for the duration of up to five years;
- (f) delegate authority to the Head of Commercial and Procurement Services to conclude a contract with the successful bidder; and
- (g) approve the total estimated expenditure of £75,000 per annum as detailed in the report.

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

### **EQUALITY FIGURES - PROGRESS ON ACTIONS - CG/18/026**

**30.** With reference to Article 12 of the minute of its meeting of 11 October 2017, the Council had before it a report by the Interim Chief Officer - People and Organisation which provided an update on progress with a number of actions in relation to equality figures.

**The report recommended:-**  
that the Council note the progress with the identified actions from the Council meeting of 11 October 2017.

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

Council Meeting, Monday, 5 March 2018

### **RELAXATION OF DRINKING IN PUBLIC PLACES BYELAW FOR BP BIG SCREENS 2018 - CHI/18/010**

**31.** The Council had before it a report by the Interim Director of Communities, Housing and Infrastructure which sought approval to approach the Scottish Government to confirm the suspension of the Aberdeen City Council Drinking in Public Places Byelaw 2009 for BP Big Screens, Verdi's "La Boheme" on 26 June 2018 in the Duthie Park.

**The report recommended:-**

that the Council -

- (a) instruct the Chief Officer - Governance to carry out the necessary advertising of the proposed suspension; and
- (b) instruct the Chief Officer - Governance 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 Tuesday 26 June 2018 from 1700 to 2300 hours.

**The Council resolved:-**

to approve the recommendations.

### **THE 'FINAL STRAW' - CAMPAIGN TO BAN PLASTIC DRINKING STRAWS IN SCOTLAND - CHI/18/012**

**32.** The Council had before it a report by the Interim Director of Communities, Housing and Infrastructure which highlighted the Final Straw campaign, which aimed to achieve the banning of plastic drinking straws in Scotland.

**The report recommended:-**

that the Council -

- (a) instruct the Head of Commercial and Procurement Services to undertake an audit across services and across the Council's Arm's Length External Organisations (ALEOs) in so far as the Council's contractual and governance relationships with its ALEOs allows it to do so, to identify all outlets where plastic drinking straws are made available for consuming drinks;
- (b) instruct the Head of Commercial and Procurement Services to work with Scotland Excel and the supply chain to source products which either require no drinking straw or with bio-degradable drinking straws where they are necessary;
- (c) instruct the Head of Land and Property Assets, following consultation with the Head of Commercial and Procurement Services, to remove plastic drinking straws from points of sale and from drinks provided as part of school meals, where this is easily immediately achievable; and
- (d) agree to receive a report back on progress in two committee cycles recommending whether or not the Council can at that stage commit to backing the Final Straw campaign.

**The Council resolved:-**

- (i) to approve the recommendations subject to the audit in recommendation (a) also looking at other single use plastic disposable items such as cups; and

Council Meeting, Monday, 5 March 2018

- (ii) to note that concerns about a complete ban on plastic straws have been expressed by disability advocacy groups, including One in Five, because some disabled people require a fully flexible drinking straw and many easily available non-plastic alternatives are not suitable, and therefore instruct the Head of Commercial and Procurement Services to consult with the Disability Equity Partnership and relevant officers from the Aberdeen City Health and Social Care Partnership to ensure that no disabled person is disadvantaged by any proposals brought forward to implement the recommendations.

### **WORLD ENERGY CITIES PARTNERSHIP AND INTERNATIONAL TRADE OPPORTUNITIES - CHI/18/014**

**33.** The Council had before it a report by the Interim Director of Communities, Housing and Infrastructure which sought approval for international travel related to trade opportunities and the World Energy Cities Partnership (WECP).

**The report recommended:-**

that the Council approve the travel and associated costs of attending the trade and WECP events as set out in section 3 of the report, subject to the Council's budget setting process for 2018/19.

**The Council resolved:-**

to approve the recommendation.

### **NOTICE OF MOTION BY COUNCILLOR MCRAE**

**34.** With reference to Article 12 of the minute of its meeting of 11 December 2017, when the meeting concluded after four hours in accordance with Standing Order 37.2 with all remaining business to be considered at a later date, the Council had before it the following notice of motion by Councillor McRae:-

“That Council -

1. Agrees that Aberdeen City Council is committed to improving the health and wellbeing of our citizens by having access to clean air in our city.
2. Notes Glasgow City Council's proactive approach through the implementation of a trial period of the 'City Tree' to help with the reduction of vehicle emissions. This self-contained unit works to the equivalent of around 275 trees and removes 240t of carbon per year. Glasgow City Council have already seen a noticeable difference in the air quality surrounding these units and have been largely welcomed by the city's residents. The City Tree is free standing and approximately 4m (h) x 3m (l) with bench seating on either side for residents to use. The installation is largely a self-maintaining system powered via solar panels on the top of the installation. Special moss cultures filter pollutants such as particulate matter, nitrogen oxide, this makes them ideal air purifiers.
3. Instructs the Interim Director of Communities, Housing and Infrastructure (or equivalent) to bring forward a business case to a future meeting of the Communities, Housing and Infrastructure Committee (or equivalent), based on



Council Meeting, Monday, 5 March 2018

the viability of locating City Tree(s), or other solutions, in key locations in the city where immediate improvements in air quality are deemed necessary.”

**The Council resolved:-**

- (i) to approve the notice of motion; and
- (ii) to instruct the Director of Resources to investigate the opportunity to create a “living wall” on the St Nicholas Centre elevation of Flourmill Lane, working with relevant partners to identify costs to create, deliver and maintain a living wall, funding streams available, consents from building owners, the health and other benefits of a living wall and to report back to the appropriate committee.

**NOTICE OF MOTION BY COUNCILLOR DELANEY**

**35.** With reference to Article 12 of the minute of its meeting of 11 December 2017, when the meeting concluded after four hours in accordance with Standing Order 37.2 with all remaining business to be considered at a later date, the Council had before it the following notice of motion by Councillor Delaney:-

“That Council -

1. Acknowledges the difficulties faced by residents who cannot get out of their driveways as a result of people parking in such a manner as to block their exit.
2. Acknowledges Police Scotland are the appropriate enforcement authority in respect of enforcement.
3. Recognises Police Scotland are not always in a position to attend such offences as a result of resourcing and prioritisation of calls.
4. Recognises that City Wardens may be better placed to assist in such circumstances if they had the power to do so.
5. Instructs the Chief Executive to write to the Transport Minister requesting that the offence of obstruction of a dropped kerb which provides private access to a driveway be decriminalised and future enforcement be the responsibility of Council officers in line with Decriminalised Parking Enforcement.”

Councillor Delaney moved, seconded by Councillor Greig:-

That the Council approve the notice of motion.

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

That the Council take no action in respect of the notice of motion.

On a division, there voted:-

For the motion (3) - Councillors Delaney, Greig and Yuill.

For the amendment (41) - Lord Provost; Depute Provost; and Councillors Allan, Allard, Alphonse, Bell, Boulton, Cameron, Cooke, Copland, Cormie, Jackie Dunbar, Duncan, Flynn, Graham, Grant, Henrickson, Houghton, Hunt, Hutchison, Imrie, John, Laing, Lumsden, Macdonald, MacGregor, Avril MacKenzie, Catriona MacKenzie, McLellan, McRae, Malik, Mason MSP, Nicoll, Noble, Reynolds, Samarai, Sellar, Jennifer Stewart, Sandy Stuart, Townson and Wheeler.

Council Meeting, Monday, 5 March 2018

Absent from the division (1) - Councillor Lesley Dunbar.

**The Council resolved:-**

to adopt the amendment.

**NOTICE OF MOTION BY COUNCILLOR FLYNN**

36. With reference to Article 12 of the minute of its meeting of 11 December 2017, when the meeting concluded after four hours in accordance with Standing Order 37.2 with all remaining business to be considered at a later date, the Council had before it the following notice of motion by Councillor Flynn:-

“That Council instructs the Interim Director of Communities, Housing and Infrastructure (or equivalent) to look into extending the requirement to make affordable housing contributions to dedicated student accommodation and to report back to the relevant committee.”

**The Council resolved:-**

to note the issue raised in the notice of motion and agree that this be considered within the Main Issues Report of the next Local Development Plan which will be prepared within the next twelve months.

**NOTICE OF MOTION BY COUNCILLORS FLYNN AND NICOLL**

37. With reference to Article 12 of the minute of its meeting of 11 December 2017, when the meeting concluded after four hours in accordance with Standing Order 37.2 with all remaining business to be considered at a later date, the Council had before it the following joint notice of motion by Councillors Flynn and Nicoll:-

“That Council -

- (1) notes the hard work and endeavours of Cove residents to develop and promote and continue to deliver the Cove Woodland Walk for the benefit of the community and their commitment to improving community facilities still further with the creation of the Cove Woodland Trust SCIO.
- (2) congratulates the membership of the Cove Woodland Trust SCIO, on their ongoing work and commitment to secure funding to facilitate the purchase of approximately 16 acres of additional land in the area of the Cove Woodland Walk that would allow for the development of the area into a County Park for the benefit of the community.
- (3) notes that the Cove Woodland Trust SCIO at present has insufficient funding available to complete the purchase of land necessary to expand the existing Cove Woodland Walk.
- (4) instructs the Interim Director of Communities, Housing and Infrastructure (or equivalent) to work with members of the Cove Woodland Walk SCIO to ascertain what funding streams may be available to support the charity in securing the necessary funding:-
  - (a) to purchase the necessary land to bring it within the trust’s ownership and control; and

Council Meeting, Monday, 5 March 2018

- (b) that would allow for development of the land into a community controlled Country Park.”

**The Council resolved:-**

- (i) to approve parts (1) and (2) of the notice of motion;
- (ii) to note that the Cove Woodland Trust SCIO at present has insufficient funding available to expand the existing Cove Woodland Walk;
- (iii) to instruct officers to work with members of the Cove Woodland Walk SCIO to ascertain what funding streams may be available to support the charity in securing the necessary funding:-
  - (a) to upgrade and improve the current Core Path Number 78 to allow improved access to and along the existing Cove Woodland Walk; and
  - (b) that would allow for development of the land being purchased by the Cove Woodland Trust SCIO into a community controlled Country Park; and
- (iv) to commend Crowdfund Aberdeen for contributing £2,000 towards the funding raised by the Cove Woodland Trust SCIO.

**NOTICE OF MOTION BY COUNCILLOR YUILL**

**38.** The Council had before it the following notice of motion by Councillor Yuill:-

“That this Council:

1. Thanks all staff involved in carrying out winter maintenance (gritting and snow clearing) during the recent cold weather;
2. Recognises that many people expressed concern at the slippery condition of many pavements for lengthy periods during the recent cold weather;
3. Expresses concern that over 400 requests from residents and community groups for one tonne bags of salt remained unfulfilled at the end of January and that people are now being told they will not receive these bags of salt until winter 2018/19;
4. Notes that officers will be reporting to the appropriate committee on 2017/18 Winter Maintenance Operations;
5. Instructs officers to report by October 2018 on how winter maintenance operations could be improved by:
  - a. Considering whether additional pavement ploughs / grit spreaders are required and advising on the financial and staffing implications of that.
  - b. How an appropriate network of grit bins could be provided across Aberdeen.
  - c. A review of the mechanism for providing one tonne bags of salt to individuals and community groups to ensure these are provided timeously.
  - d. Considering how best to provide residents and community groups with bulk bags of salt smaller than one tonne in size.
  - e. Considering how appropriate snow clearing equipment could be provided to community and residents’ groups who wish to make use of such equipment.”

Councillor Yuill moved, seconded by Councillor Delaney:-  
That the Council approve the notice of motion.

Council Meeting, Monday, 5 March 2018

Councillor Grant moved as an amendment, seconded by Councillor Houghton:-

That the Council:-

- (1) approve parts 1 to 4 of the notice of motion; and
- (2) refer part 5 to the budget process.

On a division, there voted:-

For the motion (22) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Noble, Samarai, Sandy Stuart, Townson and Yuill.

For the amendment (23) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Hunt, Imrie, John, Laing, Lumsden, Macdonald, Avril MacKenzie, Malik, Mason MSP, Reynolds, Sellar, Jennifer Stewart and Wheeler.

**The Council resolved:-**

to adopt the amendment.

#### **NOTICE OF MOTION BY COUNCILLOR JOHN**

**39.** The Council had before it the following notice of motion by Councillor John:-

"That this Council congratulates Mr Eddie Stevenson on raising over £10,000 with his final Christmas lights display, and notes that after 35 years of providing Christmas lights displays in aid of charity, Mr Stevenson has raised over £137,000 in total. Council further notes that not only has this money been donated to local charities which support children but the displays themselves have brought joy to many local children and families over the years. That the Council thanks Mr Stevenson for his hard work and dedication to charity and wishes him all the best for the future."

**The Council resolved:-**

to approve the notice of motion.

**In accordance with the decision recorded under Article 4 of this minute, the following item was considered with the press and public excluded.**

#### **COMPLAINTS REVIEW COMMITTEE - 29 JANUARY 2018 - CG/18/029**

**40.** The Council had before it a report by the Chief Officer - Governance which presented the recommendations and minute of the Social Work Complaints Review Committee meeting of 29 January 2018.

**The report recommended:-**

Council Meeting, Monday, 5 March 2018

that the Council approve the recommendations and note the minute of the Social Work Complaints Review Committee meeting of 29 January 2018.

**The Council resolved:-**

to approve the recommendation.

- **BARNEY CROCKETT, Lord Provost.**

**ANNEX A****Standing Orders for Council, Committees and Sub Committees**

- 2.2.3 Appointment of a Business Manager and Depute Business Manager;
- 2.5 In the absence of the Business Manager, the Depute Business Manager will fulfil the duties of the Business Manager.
- 2.6 There will be no more than one appointment made to the roles of:
- Lord Provost;
  - Depute Provost;
  - Depute Leader (if appointed);
  - Business Manager;
  - Depute Business Manager; and
  - Convener.
- 2.7 The Convener and Vice Convener of the Audit, Risk and Scrutiny Committee must be a member of the opposition.
- 5.1 Any Member elected or appointed as Lord Provost, Depute Provost, Leader or Co-Leaders of the Council, Depute Leader of the Council, Business Manager or Depute Business Manager, or as Convener or Vice Convener can only be removed from office by a resolution by Full Council following a Notice of Motion submitted at least three weeks prior to the Council meeting in accordance with Standing Order 12.
- 5.4 Following debate, a proposal as to whether to remove from office the office bearers detailed at Standing Order 5.1 will be voted on and decided by simple majority.
- 12.5 Prior to a Notice of Motion appearing on an agenda, the Convener will determine competency.
- 12.17 Any motion proposing a nomination for Freedom of the City must be signed by at least 23 Members of the Council.
- 13.2.5 Administration Leaders
- 13.2.8 Business Manager
- 13.12 Any officer listed under Standing Order 13.1 will have the authority to withdraw his/her report from the agenda, following consultation with the Business Manager.
- 14.6 Competency in respect of Standing Order 14.5 will be determined by the Convener.
- 14.12 Competency in respect of Standing Order 14.11 will be determined by the Convener.

## Council Meeting, Monday, 5 March 2018

- 28.3.3** the Council is meeting to consider its annual revenue budget, in which case the Convener of the City Growth and Resources Committee will have the prior right to the motion. Following the moving of each budget, the spokesperson of the biggest Opposition Group will have the right to propose an amendment.
- 28.13.1** In respect of the motion which proposes any element of the Council annual budget, the Council Leader will have the right to sum up.
- 29.7** Summing up a Council budget - 10 minutes
- 30.2.1** In respect of the motion which proposes any element of the Council annual budget, the Council Leader will have the right to sum up.
- 31.2** A Member can move that an alternative method of voting is used, such as roll call or show of hands, by means of a Procedural Motion.
- 33.1** Immediately following a vote at Committee or Sub Committee, one third of the membership of the Committee or Sub Committee may refer the matter to the Council, a Committee or Sub Committee for a decision, unless the Convener determines otherwise (see Glossary for calculation).

Original Standing Order 33.3 deleted due to rewording of 33.1 above

- 39.2** Meetings will last no longer than six hours.
- 39.2.1** If a meeting continues beyond six hours, and where there has been no break in proceedings, the Convener must call a twenty minute break in proceedings in line with the Working Time Regulations 1998.
- 42.1** Non-material amendments can be made to the Standing Orders by the Chief Officer - Governance, following consultation with the Business Manager, without the requirement to report to Council.

## **45. Member Access to Documents**

- 45.1** The additional rights of access to documents for Members are as set out in Appendix 5 to the Standing Orders.

### **Glossary**

#### **Business Manager**

A Councillor appointed by Council to liaise with Chief Officers and Members of all parties in respect of Council business and governance matters.

#### **Depute Business Manager**

A Councillor appointed by Council who acts as Business Manager in the absence of the Business Manager.

### **Appendix 3**

Council Meeting, Monday, 5 March 2018

- 1.2 The Panel will be chaired by the Convener of the City Growth and Resources Committee unless otherwise agreed by the Members on the Appointment Panel.

#### **Appendix 4**

7. The Convener of the Staff Governance Committee and Leader of the Council, whom failing the Business Manager, will be entitled to attend all meetings of the joint negotiating bodies responsible for the negotiation of conditions of service for the Council's employees.

#### **Appendix 5**

New Appendix 5 - Member Access to Documents

#### **Financial Regulations**

##### **5.3.4 Uncollectable/Bad Debt and Write Off of Debt**

The Chief Officer - Finance has authority to write off debts up to £25,000.

#### **Procurement Regulations**

##### **Reg 3.9(e)**

Add "subject to Procurement Regulation 4.1.1.3" after the word "Council".

##### **Reg 4.1.1.2**

Delete "up to £1,000,000 (both supplies/services and works)" from the heading.

Delete "up to £1,000,000 (both supplies/services and works) shall be listed on the workplan to be submitted by the relevant Director or Chief Officer in accordance with Procurement Regulation 14.6. Each individual contract will also require a Business Case (conforming to a template approved by the Head of Commercial and Procurement Services) seeking authority to conduct a procurement for the purchase of supplies, services or works to be submitted by the relevant Chief Officer to the Head of Commercial and Procurement Services and the approval of the Head of Commercial and Procurement Services, prior to procurement being undertaken"

And replace with "shall be listed on the workplan to be submitted by the relevant Director or Chief Officer in accordance with Procurement Regulation 14.6. Each individual contract will also require a Business Case (conforming to a template approved by the Head of Commercial and Procurement Services) to be submitted by the relevant Chief Officer to the Strategic Commissioning Committee and the approval of that Committee prior to the procurement being undertaken."

##### **Reg 4.1.1.3**



Council Meeting, Monday, 5 March 2018

Delete and replace with new Procurement Reg 4.1.1.3: -

Contracts above £5,000 for consultancy and accountancy services and services provided by Advocates and QCs

Where the estimated value of a contract or appointment for: -

- a) Business and management consultancy and related services;
- b) Financial consultancy and accountancy related services; or
- c) Services provided by Advocates or QCs;

exceeds £5,000, the relevant Chief Officer may only give authority to engage the services following consultation with the Leader of the Council.

In determining the estimated contract value of any contract or appointment covered by this Regulation 4.1.1.3, each individual contract or appointment shall be considered separately and there shall be no aggregation of separate contracts or appointments for the purposes of arriving at an estimated expenditure.”

**Reg 4.1.1.4 (iv)**

Delete “£1 million” on the 2<sup>nd</sup> line and replace with “the thresholds stated in Procurement Regulation 4.1.1.2”.

Delete “of expenditure of £1 million” in the 5<sup>th</sup> line and replace with “the applicable thresholds”.

**Reg 8.7.1**

After “sub-contractors” in the 1<sup>st</sup> line, add “shall be done in accordance with Procurement Regulation 4.1.1.3. Such appointments”

**Reg 14.6**

In the 3<sup>rd</sup> and 4<sup>th</sup> lines replace “Head of Commercial and Procurement Services” with “Strategic Commissioning Committee”.

**Reg 15.2(iii)**

In the 1<sup>st</sup> column delete “up to £1 million” and replace with “and above”.

In the 3<sup>rd</sup> column delete “Submission of a Business Case by the relevant Chief Officer to the Chief Officer of the Integrated Health & Social Care Partnership, and approval by the Chief Officer of the Integrated Health & Social Care Partnership, prior to procurement being undertaken”

and replace with “Submission of a Business Case by the relevant Chief Officer to the IJB or, if applicable, the Strategic Commissioning Committee and approval by the IJB or the Strategic Commissioning Committee prior to the procurement being undertaken.”

**Reg 15.2(iv)**

Delete (i.e. the 4<sup>th</sup> row in the table)

**Reg 15.5.2**

Council Meeting, Monday, 5 March 2018

After “approved by” add “the IJB or, if applicable, the Strategic Commissioning Committee in advance of the procurement being undertaken”

### **Reg 15.5.3**

Delete.

### **Powers Delegated to Officers**

General Delegation 6 - reference to outwith the United Kingdom deleted.

General Delegation 24 - amended to reflect that where the Chief Officer proposes to refuse an application it must be referred to the appropriate committee.

General Delegation 26 - addition of “which has been hereby delegated, and in compliance with the ACC Procurement Regulations.

General Delegation 34 - replacement of the relevant Committee Convener(s) with the Business Manager.

General Delegation 37 - reworded to “Following consultation with the Leader of the Council, to submit a Council response to an external consultation on an operational matter, thereafter to inform the relevant Convener and Vice Convener and notify all Group Leaders that the response has been submitted.”

General Delegation 38 (responding to an external consultation on a policy matter) - deleted.

Chief Executive 3 - revised wording:- “Following consultation with the Chief Officer - Governance and the Chief Officer - People and Organisation, to authorise a settlement agreement with an employee below Tier 3, including in relation to his/her leaving the Council’s employment. Settlement agreements with employees at Tier 3 and above can only be authorised following consultation with the Chief Officer - People and Organisation, the Chief Officer - Governance and the Leader of the Council.”

Chief Officer - Early Intervention and Community Empowerment. Libraries 2 – delete reference to opening hours and refer any changes to City Growth and Resources Committee for approval.

Chief Officer - Capital - 5 - Leader of the Council added in terms of consultation and Convener of the City Growth and Resources Committee specified.

Chief Officer - People and Organisation - 5 - revised wording:- “Following consultation with the Chief Executive, to approve applications for Voluntary Severance and Early Retirement for officers below Tier 3. Applications from officers at Tier 3 and above should only be approved following consultation with the Chief Executive and the Leader of the Council.”

Chief Officer - People and Organisation - 9 - revised wording:- “Following consultation with the Chief Executive and Chief Officer - Governance, to authorise a settlement

Council Meeting, Monday, 5 March 2018

agreement with an employee below Tier 3, including in relation to his/her leaving the Council's employment. Settlement agreements with employees at Tier 3 and above can only be authorised following consultation with the Chief Executive, Chief Officer - Governance and the Leader of the Council."

Chief Officer - Corporate Landlord - 13 - Leader of the Council added in terms of consultation.

Chief Officer - Corporate Landlord - 14 - £1million reduced to £250,000.

Chief Officer - Strategic Place Planning - 2(d) deleted - determine applications for Modifications or Discharge of Planning Obligations etc.

Chief Officer - Strategic Place Planning - 3 - Convener of the relevant Committee changed to Convener of the Planning Development Management Committee and Business Manager added.

Chief Officer - Governance - 1 - Lord Provost replaced with Business Manager in terms of consultation.

Chief Officer - Governance - 38 - replacement wording:- "To authorise the Lord Provost whom failing the Depute Provost to incur expenditure to meet the expenses of his/her office on the provision of reasonable hospitality, whether within or outwith the city, to representatives of other authorities, organisations, members of the Council or others."

## Council Meeting, Monday, 5 March 2018

<b>Post</b>	<b>Appointee</b>	<b>Remuneration</b>
Lord Provost	Councillor Crockett	£29,624
Council Leader and Convener of Strategic Commissioning	Councillor Laing	£39,497
Depute Provost	Councillor Donnelly	£22,217
Vice Convener, Strategic Commissioning	Councillor John	£22,217
Convener, Operational Delivery	Councillor Wheeler	£29,624
Vice Convener, Operational Delivery and Regeneration and Transport spokesperson	Councillor Grant	£22,217
Vice Convener, Operational Delivery and Environmental spokesperson	Councillor Bell	£22,217
Convener, City Growth and Resources	Councillor Lumsden	£29,624
Vice Convener, City Growth and Resources	Councillor Graham	£22,217
Convener, Education Operational Delivery	Councillor Wheeler	
Vice Convener, Education Operational Delivery	Councillor Lesley Dunbar	£22,217
Convener, Capital Programme and Culture Spokesperson	Councillor Boulton	£29,624
Vice Convener, Capital Programme	Councillor Lumsden	
NHS/Social Care Integration Joint Board and Social Care Spokesperson	Councillor Duncan	£22,217
Convener, Public Protection	Councillor Jennifer Stewart	£29,624

## Council Meeting, Monday, 5 March 2018

<b>Post</b>	<b>Appointee</b>	<b>Remuneration</b>
Vice Convener, Public Protection	Councillor Lesley Dunbar	
Convener, Staff Governance	Councillor Allan	£29,624
Vice Convener, Staff Governance	Councillor Houghton	
Mental Health Spokesperson	Councillor Imrie	£22,217
Convener, Planning Development Management	Councillor Boulton	
Vice Convener, Planning Development Management	Councillor Jennifer Stewart	
Convener, Licensing Committee	Councillor Reynolds	£29,624
Vice Convener, Licensing Committee	Councillor Malik	
Convener, Appeals Committee	Councillor Allan	
Convener, Audit, Risk and Scrutiny	Councillor Flynn	£29,624
Vice Convener, Audit, Risk and Scrutiny	Councillor Yuill	£22,217
Convener, Urgent Business Committee	Councillor Laing	
Vice Convener, Urgent Business Committee	Councillor Lumsden	
Convener, Pensions Committee	Councillor Malik	
Vice Convener, Pensions Committee	Councillor Reynolds	
Convener, Aberdeen City Region Deal	Councillor Laing	

## Council Meeting, Monday, 5 March 2018

<b>Post</b>	<b>Appointee</b>	<b>Remuneration</b>
Convener, Licensing Board	Councillor Lesley Dunbar	
Convener, Strategic Transformation	Councillor Laing	
Vice Convener, Strategic Transformation	Councillor Lumsden	
Business Manager	Councillor Houghton	£29,624
Housing Spokesperson	Councillor Macdonald	
Depute Business Manager	Councillor Malik	
<b>Senior Councillor Totals</b>		<b>£436,945</b>
<b>Maximum allowed</b>	<b>18</b>	<b>£442,215</b>