

URGENT BUSINESS COMMITTEE

ABERDEEN, 30 June 2020. Minute of Meeting of the URGENT BUSINESS COMMITTEE. Present:- Councillor Laing, Convener; Councillor Lumsden, Vice Convener (for all articles with the exception of article 6); and Councillors Bell (as substitute for Councillor Lumsden for article 6), Boulton (for all articles with the exception of articles 6 and 17), Cooke (as substitute for Councillor Alex Nicoll for article 6), Delaney (as substitute for Councillor Yuill for article 6), Malik (as substitute for Councillor Boulton for articles 6 and 17), Alex Nicoll (for all articles with the exception of article 6) and Yuill (for all articles with the exception of article 6).

The agenda associated with this minute can be found [here](#).

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.

DETERMINATION OF URGENT BUSINESS

1. In terms of Section 1.3 of the Committee Remit and in accordance with Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Committee was informed that it had to determine (1) that the items on the agenda were of an urgent nature; and (2) that the Committee required to consider the items and take decisions thereon.

The Committee resolved:

to agree that the items of business listed on the agenda were of an urgent nature and required to be considered this day to enable the Committee to consider the matters at the earliest available opportunity and take decisions thereon.

DETERMINATION OF EXEMPT BUSINESS

2. The Committee was requested to determine that the items of business below, which had been identified as containing exempt information as described in Schedule 7A to the Local Government (Scotland) Act 1973, be considered in private.

- Workplans and Business Cases - Exempt appendices (Item 8.1)

The Committee 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 8.1 so as to avoid disclosure of exempt information of the class described in paragraph 8 of Schedule 7A of the Act.

AGENDA RUNNING ORDER

3. The Convener intimated that it was her intention to take the four Notices of Motion on the agenda (items 6.1 to 6.4) as the final items of business prior to

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consideration of the exempt item on the agenda. She also indicated that items 7.2 (External Audit Annual Audit Report) and 7.3 (Audited Annual Accounts 2019/20) would be taken together on the agenda.

The Committee resolved:-

to note the decision of the Convener.

DECLARATIONS OF INTEREST

4. Councillor Yuill declared an interest in item 7.5 (Spaces for People) on the agenda by virtue of his role as a Governor of Robert Gordon's College which was one of the properties which would be impacted by the measures, but did not consider that the nature of his interest required him to leave the meeting.

MINUTE OF PREVIOUS MEETING

5. The Committee had before it the minute of its previous meeting of 6 May 2020 for approval.

The Committee resolved:-

to approve the minute as a correct record.

NESPF UNAUDITED ANNUAL REPORT AND ACCOUNTS 2019/20 - RES/20/093

6. The Committee had before it a report by the Director of Resources which presented the unaudited Annual Report and Accounts for the North East Scotland Pension Fund and the Aberdeen City Council Transport Fund for consideration.

The report recommended:-

that Committee review and consider the unaudited Annual Report and Accounts for the North East Scotland Pension Fund and the Aberdeen City Council Pension Fund.

Councillor Malik, seconded by Councillor Bell, moved:-

That the Committee agree the unaudited Annual Report and Accounts for the North East Scotland Pension Fund and the Aberdeen City Council Transport Fund, noting:

The COVID-19 crisis and the public health response to control the virus has already had an enormous economic impact on global economies.

In 2020 we have so far seen significant volatility and uncertainty in markets around the world in relation to the COVID-19 pandemic. Agrees this potentially has far-reaching consequences in terms of funding and risk, and these will be

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considered as part of the 2020 valuation process, including considering what changes (if any) should be made to contributions.

For the best part of year 2019/20 investment returns were actually very strong and the Fund continued to re-balance and fold in investment gains made. However, towards the end of the period the unforeseeable impact of the COVID-19 pandemic struck and investment performance turned significantly, ending negatively across most asset classes.

The objective of the investment strategy is to deliver long term returns which are greater than the growth in expenditure to be paid out in pensions. The investment strategy is monitored on an ongoing basis by the Pensions Committee and Pension Board, focusing on long term investment with consideration given to short term tactical considerations if appropriate.

Councillor Cooke, seconded by Councillor Delaney, moved as an amendment:-

That the Committee:-

- (i) review and consider the unaudited Annual Report and Accounts for the North East Scotland Pension Fund and the Aberdeen City Council Transport Fund; and
- (ii) agree that in developing training programmes, the Fund should take account of the need to minimise travel and accommodation costs, the need to reduce our carbon footprint, and the need to support the local economy.

On a division, there voted:- for the motion (3) – the Convener; and Councillors Bell and Malik; for the amendment (2) – Councillors Cooke and Delaney.

The Committee resolved:-

- (i) to thank officials for all their hard work in bringing forward the pension fund accounts and annual report;
- (ii) to note that the Chief Officer – Finance would amend the figures on page 58 of the report in respect of the Local Authority Pension Fund Forum (LAPFF);
- (iii) to note that the Chief Officer – Finance could circulate figures on the current funding position once they were audited, and that the audited accounts would be presented to the Pensions Committee in September as scheduled; and
- (iv) to adopt the motion.

EXTERNAL AUDIT ANNUAL AUDIT REPORT

7. In accordance with the decision taken at article 3, this item was considered jointly with the Audited Annual Accounts (item 7.3).

AUDITED ANNUAL ACCOUNTS 2019/20 - RES/20/097

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8. The Committee had before it (a) the annual report for the audit by the External Auditor for the year ending 31 March 2020 and (b) a report by the Director of Resources which provided an overview of the Council's 2019/20 audited Annual Accounts. The report also provided the audited Annual Accounts for those registered charities where the Council was the sole trustee and was subject to statutory requirements for separate accounts and audit opinions.

The Committee heard from Mr Michael Wilkie, External Audit, and the Chief Officer – Finance.

The report recommended:-

that the Committee –

- (a) approve the Council's audited Annual Accounts for the financial year 2019/20 as presented, subject to the final amendments being agreed with external auditors as highlighted in their report, following consultation with the Chief Executive and five political group leaders; and
- (b) approve the audited Annual Accounts 2019/20, as stated at paragraph 2.1, for those registered charities where the Council is the sole trustee and nominate a trustee to sign the accounts.

The Committee resolved:-

- (i) to thank the Chief Officer – Finance, the External Auditor and their teams for their efforts in ensuring the annual accounts were brought before Committee for consideration;
- (ii) having considered the External Auditors draft 2019/20 Annual Audit Report, to approve the Council's audited Annual Accounts for the financial year 2019/20 as presented, subject to any final amendments being agreed between the Chief Officer – Finance and the External Auditors, following consultation with the Chief Executive and the five political group leaders; and
- (iii) to approve the audited Annual Accounts 2019/20, as stated at paragraph 2.1, for those registered charities where the Council was the sole trustee and to nominate Councillor Douglas Lumsden to sign the accounts.

FINANCIAL RESILIENCE RECOVERY PLAN - RES/20/101

9. With reference to article 5 of the minute of its previous meeting, the Committee had before it a report by the Director of Resources which provided a proposed recovery plan to the current financial challenges the Council faced in maintaining a balanced budget position for the financial year 2020/21 and the actions required to achieve that position.

The report recommended:-

that Committee –

- (a) note the updated financial position contained within the report;

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- (b) note the requirement of the Council to make arrangements for the proper administration of its financial affairs, including the maintenance of a balanced budget;
- (c) agree that using uncommitted usable General Fund reserves was not an appropriate solution to the immediate costs highlighted in the report, and that the Council must maintain its uncommitted reserves to meet future costs that are unknown, the likes of which have been highlighted by the World Health Organisations, detailed in Appendix 9;
- (d) agree that Capital Receipts receivable continue to be set aside to fund Voluntary Severance / Early Retirement costs in line with the permissions granted by Scottish Government that end on 31 March 2021;
- (e) agree that the initial estimate for the impact of the Covid-19 pandemic on the Council's capital financing requirement offers no opportunity to borrow for revenue purposes, even where permission has been granted by the Scottish Government;
- (f) agree, in light of the removal of the statutory obligation to deliver 1,140 hours of early learning and childcare from August 2020, the Council takes steps to offset Covid-19 related costs to the value of £8m to support children and families by using the flexibility in the ELC Expansion specific grant funding;
- (g) having regard to the equality and human rights impact assessments, incorporating the Fairer Scotland Duty, as set out in background papers, approve the revised commissioning intentions and service standards as described in Appendix 6, the related proposals at Appendix 7 and the revision to fees and charges set out in Appendix 8, to address the financial outturn position for 2020/21 and maintain a balanced budget, as summarised in paragraph 3.53;
- (h) agree to the balance (£6.6m) of uncommitted ELC Expansion specific grant being held as a contingency against further Covid-19 related costs the Council is financially exposed to during the remainder of the financial year, and that the use of this contingency is delegated to the Chief Officer – Finance, following consultation with the Chief Executive and Convener of City Growth and Resources Committee;
- (i) agree that in the event of future costs exceeding £6.6m and no further funding being receivable by the Council to cover those costs then instruct the Chief Officer – Finance to report the situation to the City Growth & Resources Committee or an Urgent Business Committee if required;
- (j) note the current position of the IJB and instructs the Chief Officer - Finance to report the details of the IJB recovery plan to the City Growth & Resources Committee on 28 October 2020;
- (k) note the financial risk at Section 6 and acknowledges that the decision on 20 March 2020 to defer and limit collection and recovery action by the Council for Council debts cannot continue indefinitely, and agrees to recommence collection and recovery processes for all debts, with effect from 1 July 2020, and to continue to consider situations of hardship on a case by case basis;
- (l) agree, in light of the financial situations presented by the Covid-19 pandemic described in the report, that in line with terms and conditions, the Council will not make any refunds for services altered as a result of its response to the pandemic;

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- (m) note the initial financial impact assessment on the General Fund Capital Programme for financial years 2020/21 to 2024/25, as set out in paragraph 3.115 and agrees to receive the reprofiled capital programmes as part of the Quarter 2 financial reporting;
- (n) agree that the next scheduled report on financial performance will be the Quarter 2 report to City Growth & Resources Committee on 28 October 2020, with an earlier meeting of the Committee being requested by the Chief Officer – Finance, to present an interim report, if the circumstances require it;
- (o) note the forecast outturn for the 2020/21 Housing Revenue Account as set out in Appendix 10; and
- (p) note the forecast outturn for the 2020/21 Common Good as set out in Appendix 11.

The Convener moved, seconded by Councillor Boulton:-

That the Committee:-

- (i) approve recommendations (a) to (n) as set out above;
- (ii) note the initial forecast outturn for the 2020/21 Housing Revenue Account as set out in Appendix 10;
- (iii) note the initial forecast outturn for the 2020/21 Common Good as set out in Appendix 11;
- (iv) note that each local authority has been asked to administer a number of “grants” on behalf of the Scottish Government. Agrees the UK government has passported funds to the Scottish Government who have in turn provided the funding to support the actual payments to businesses and newly self-employed individuals, noting with disappointment however, no additional funding has been provided to cover the cost of administering them. Noting there has, however, been a cost to the Council as a range of staff have been diverted from their normal roles to support the payment processes;
- (v) agree statistics from SPICe have revealed that, since 2013-2014, the SNP Scottish Government has cut the local government revenue budget at more than twice the rate that the Scottish Government’s own budget was cut in real terms;
- (vi) note that research from the BBC shared data unit, that Covid-19 has left Aberdeen City Council as the second most disadvantaged Council in Scotland with a financial shortfall equivalent to £359 per resident;
- (vii) agree to remove the Director of Commissioning post from this year’s budget only, thus saving £79,000 whilst remaining committed to the Target Operating Model and maintaining the existing interim arrangements for the remainder of the year;
- (viii) agree that through the surplus noted at paragraph 3.53 of the report and the saving achieved from (vii) above, £141,000 is set aside to support implementation of the actions within the Socio-Economic Rescue Plan; and
- (ix) agree in light of recommendation (j) above there is a requirement for substantial extra investment by the Scottish Government in social care as a matter of urgency. Notes Bon Accord Care’s successes are being undermined by lack of Scottish Government grant and calls upon the Scottish Government to properly finance social care in order that Council can invest in their workforce whilst

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targeting levels of current unmet need; and agrees this recommendation be referred to the Integration Joint Board for them to consider further action.

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

That the Committee:-

- (i) thank Council staff, key workers and others for the work they have been doing during the pandemic;
- (ii) recognise that responding to the pandemic has and will put significant additional financial pressure on the Council;
- (iii) believe that in these exceptional circumstances the cost to the Council of the pandemic response should be fully funded by government;
- (iv) welcome the action being taken by the Finance Secretary in seeking permission from the UK Government to borrow up to £500 million to help meet the costs of the pandemic response;
- (v) agree to contact the Scottish Government seeking the funding necessary to meet the financial shortfall of £9.536 million in 2020/21 identified in this report;
- (vi) believe that, in this instance, decisions of the scale sought in the recommendations in this report should be made by the full Council and not an Urgent Business Committee comprising only five members; and
- (vii) therefore agree to remit this report to a special meeting of the Council to be held no later than 14th July 2020.

On a division, there voted:- for the motion (3) – the Convener; the Vice Convener; and Councillor Boulton; for the amendment (2) – Councillors Alex Nicoll and Yuill.

The Committee resolved:-

- (i) to thank all staff for their efforts as a result of COVID-19, and for the work undertaken to present the options before Committee for consideration; and
- (ii) to adopt the motion.

SPACES FOR PEOPLE - COM/20/095

10. With reference to article 5 of the minute of its previous meeting, the Committee had before it a report by the Chief Officer – Strategic Place Planning which provided an update on the outcome of a bid to the ‘Spaces for People’ Fund.

The report recommended:-

that Committee –

- (a) note that, in relation to the Financial Resilience report RES/20/091 and as requested at the Urgent Business Committee on 6 May 2020, 100% funding was successfully secured through the Council’s bid to the ‘Spaces for People’ fund;
- (b) note the progress to date in delivering the Council’s proposed Spaces for People programme;
- (c) agree that the Chief Officer Strategic Place Planning update Members

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through Members briefings on the continued progress of delivery, review, adjustment, monitoring and public feedback; and

- (d) note that, in relation to the Socio-Economic Rescue Plan 2020/21 report COM/20/098 on this agenda, delivery of this programme is a priority action that supports the Plan.

The Committee resolved:-

- (i) to thank the Chief Officer – Strategic Place Planning and her team, and colleagues from NHS Grampian for the work undertaken to date;
- (ii) to approve the recommendations contained in the report;
- (iii) to note that these are temporary, flexible active travel infrastructure measures to better enable people and businesses to comply with physical distancing requirements during the Covid-19 public health emergency, and to encourage people back into the city centre and neighbourhood shopping districts by providing a safe environment for all;
- (iv) to note the uncertainty of how long physical distancing will remain a key part of life as lockdown restrictions are eased and that this will be determined by NHS and Scottish Government guidance;
- (v) to note that a week-long consultation has been launched on the Beach Active Travel Corridor to allow members of the public to help shape plans for that area; and
- (vi) to note the high level cost estimate of developing, implementing and maintaining the temporary measures (excluding schools and public buildings) and instruct the Chief Officer - Strategic Place Planning, following consultation with the Chief Officer - Corporate Landlord, Chief Officer – Finance and the Chief Education Officer, to submit a bid or bids, as appropriate, to the Spaces for People fund to cover costs associated with maintaining existing measures over a longer period of time, adding further required measures to allow safe access to public building and facilities (particularly when schools return), and removing measures as and when they are no longer required.

SOCIO-ECONOMIC RESCUE PLAN 2020/2021 - COM/20/098

11. With reference to article 5 of the minute of its previous meeting, the Committee had before it a report by the Chief Officer – City Growth which set out a proposal for a Socio-Economic Rescue Plan 2020/21, and Implementation Group and associated governance arrangements in response to the impact of Covid-19. The report also set out a proposal for taking forward the delivery of an Aberdeen City Council Business Charter.

The report recommended:-

that Committee –

- (a) approve the Socio-Economic Rescue Plan 2020/21 in Appendix 2 and as summarised in the report, including an Aberdeen City Council Business Charter;
- (b) agree that a short life Socio-Economic Rescue Plan – Implementation Group should be established with the proposed membership and remit as set out at

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- sections 6.6 and 6.7 and that this sits within the existing Community Planning Aberdeen structure and instructs the Chief Officer City Growth to (i) invite organisations (as listed in Table 2) to participate in the Group; and (ii) make appointments to the Group;
- (c) instruct the Chief Officer City Growth to update the CPA Board on 1 July 2020 on the agreed approach;
 - (d) agree that the Chief Officer City Growth would report back to the Community Planning Aberdeen Board and the Council's City Growth & Resources Committee with regular updates on the progress of the Socio-Economic Action Plan, via the Implementation Group, if approved;
 - (e) instruct the Chief Officer City Growth, following consultation with the Chief Officer Customer Experience, to take all actions necessary in order to implement the ACC Business Charter working with the relevant Council services and business network representatives; instructs the relevant Chief Officers to monitor performance in delivering the charter; and report back to the Council's City Growth & Resources Committee; and
 - (f) note the level of the response and support by the community to the crisis and instructs the Chief Officer Early Intervention and Community Empowerment to explore how the present level of volunteering that has been experienced can be sustained across the city.

The Committee resolved:-

- (i) to approve the recommendations contained in the report;
- (ii) within the rescue plan, to instruct the Chief Executive, following consultation with the Chief Officer - City Growth to procure using our inhouse team video content that promotes the city's assets, including investments by Aberdeen City Council, that will be the foundation from which future recovery, the Net Zero Vision and new investment will be secured; and agrees to promote the video extensively, within Aberdeen on social media platforms using existing budgets and Invest Aberdeen resources. The promotional video will be shown at the next City Growth and Resources Committee;
- (iii) to instruct the Chief Officer – Early Intervention and Community Empowerment to investigate the feasibility of the Council working in partnership with businesses, existing Co-ops, Co-operative UK and social enterprise, and local citizens to set up or enable citizens, communities' entrepreneurs, social enterprise and others to set up Community Benefit Societies and Co-operatives within Aberdeen; and report back to the appropriate Committee;
- (iv) to agree to redistribute the £75,000 from the Co-op development fund to bring forward the initiative set out in paragraph 8 above and instruct the Chief Officer – Early Intervention and Community Empowerment to report to the City Growth and Resources Committee within 2 cycles and thereafter for the report to be forwarded to the Community Planning Partnership; and
- (v) to agree the proposed inclusive economic growth approach, outlined in the Socio-Economic Rescue Plan.

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NET ZERO VISION AND INFRASTRUCTURE PLAN GOVERNANCE - COM/20/099

12. With reference to article 9 of the minute of its previous meeting, the Committee had before it a report by the Chief Officer – City Growth which presented the proposed governance model for the delivery of Aberdeen’s climate change ambitions as articulated through the Net Zero Vision for Aberdeen, and the Strategic Infrastructure Plan – Energy Transition.

The report recommended:-

that Committee –

- (a) approve the Terms of Reference and proposed membership for the Net Zero Vision Leadership Board as outlined in the report and instruct the Chief Officer City Growth to continue the approach to proposed members;
- (b) approve the Terms of Reference and proposed membership for the supporting Delivery Unit and instruct the Chief Officer City Growth to continue the approach to proposed members; and
- (c) note that updates on progress would be provided by the Chief Officer City Growth to the City Growth and Resources Committee and also as part of the Council’s existing statutory annual Climate Change Report.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) to agree the dates for the first meeting of the Leadership Board and the supporting Delivery Unit be convened as soon as possible and by the end of September 2020.

COVID-19 GOVERNANCE ARRANGEMENTS UPDATE - COM/20/094

13. With reference to article 5 of the minute of its meeting of 20 March 2020, the Committee had before it a report by the Chief Officer – Governance which provided an update on the governance arrangements put in place to facilitate decision-making during the Covid-19 pandemic.

The report recommended:-

that Committee –

- (a) note that the governance arrangements put in place were positively contributing to the Council’s response to the Covid-19 pandemic;
- (b) note the Scottish Government’s advice for the easing of restrictions as contained within its Covid-19 Framework for Decision Making;
- (c) note that at the meeting of the Urgent Business Committee on 20 March 2020, the Committee agreed to review the retention or otherwise of the temporary Standing Order providing for remote participation and whether Full Council, committee, sub-committee and working group meetings should proceed from 24 August 2020;
- (d) approve the proposed diary of meetings for the remainder of 2020 and 2021 (Appendix 1 to the report);

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- (e) determine whether or not to continue with the current membership of the Urgent Business Committee;
- (f) determine whether or not to maintain the Standing Order providing for remote participation;
- (g) approve the amendments to the Aberdeen City Region Deal Joint Committee Standing Orders as set out in paragraph 5.2 of the report; and
- (h) appoint one elected member as the Council's representative on KIMO with immediate effect.

The Convener moved, seconded by the Vice Convener:-

That the Committee -

- (i) note that the governance arrangements put in place were positively contributing to the Council's response to the Covid-19 pandemic;
- (ii) note the Scottish Government's advice for the easing of restrictions as contained within its Covid-19 Framework for Decision Making;
- (iii) agree that Full Council, Committee, Sub Committee and Working group meetings should commence with the approval of the diary at (vii) below;
- (iv) agree that Pre-application Forums should restart with immediate effect and that the Chief Officer – Governance arrange such meetings following consultation with the Chief Officer Strategic Place Planning and the Convener of Planning Development Management Committee;
- (v) agree that all Committee, Sub Committee and Working Group meetings should be held in the Council Chamber with effect from week commencing 10 August 2020, and where access cannot be provided to the public and media, that meetings be webcast, where possible within the confines of the current webcasting contract, and to delegate authority to the Chief Officer - Governance, following consultation with Conveners, to move meetings back to committee rooms when government guidance allows;
- (vi) note section 4.12 of the report and agrees to cancel the meeting of Full Council scheduled for 24 August 2020;
- (vii) subject to part (vi) above, approves the proposed diary of meetings for the remainder of 2020 and 2021 (Appendix 1);
- (viii) agree the membership of the Urgent Business Committee to be 9 in line with the Council's agreed position on 20th March pre Covid 19 restrictions and the previous composition;
- (ix) agree to delete Standing Order 16;
- (x) approve the amendments to the Aberdeen City Region Deal Joint Committee Standing Orders as set out in paragraph 5.2 of the report; and
- (xi) appoint Councillor Wheeler as the Council's representative on KIMO with immediate effect.

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

That the Committee:-

- (i) note the Scottish Government's advice for the easing of restrictions as contained within its Covid-19 Framework for Decision Making;

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- (ii) note that at the meeting of the Urgent Business Committee on 20 March 2020, the Committee agreed to review the retention or otherwise of the temporary Standing Order providing for remote participation and whether Full Council, committee, sub-committee and working group meetings should proceed from 24 August 2020;
- (iii) approve the proposed diary of meetings for the remainder of 2020 and 2021 contained in Appendix 1, and that the Full Council meeting on 24 August 2020 go ahead as scheduled;
- (iv) determine with effect from 1st July 2020 membership of the Urgent Business Committee shall revert to nine members as previously agreed representing each political group in the Council;
- (v) agree to maintain the Standing Order providing for remote participation;
- (vi) approve the amendments to the Aberdeen City Region Deal Joint Committee Standing Orders as set out in paragraph 5.2 of the report; and
- (vii) appoint one elected member as the Council's representative on KIMO with immediate effect.

On a division, there voted:- for the motion (3) – the Convener; the Vice Convener; and Councillor Boulton; for the amendment (2) - Councillors Alex Nicoll and Yuill.

The Committee resolved:-

to adopt the motion.

WORKPLANS AND BUSINESS CASES - COM/20/096

14. The Committee had before it a report by the Chief Operating Officer which presented procurement workplans where expenditure was included for the Resources Function for review and sought approval of the total estimated expenditure for the proposed contracts as contained in the Procurement Business Cases at item 8.1 of the agenda.

The list of procurement business cases was as follows:-

Reference	Cluster	Business Case
RES032	Corporate Landlord	Emergency Generator Maintenance and Repairs
RES035	Corporate Landlord	Bird Hazard Management (TECA)
RES036	Corporate Landlord	Cyclical Maintenance – Public Buildings

The report recommended:-

that Committee –

- (a) review the workplans as detailed in the Appendices;
- (b) approve the procurement business cases, including the total estimated expenditure for the proposed contracts; and

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- (c) approve the direct awards of contract where there are special circumstances outlined in each of the respective procurement business cases which justify not issuing a tender or calling off from a framework agreement.

The Committee resolved:-

to approve the recommendations.

NOTICE OF MOTION BY COUNCILLOR ALEX NICOLL

15. The Committee had before it the following Notice of Motion by Councillor Alex Nicoll:-

“That the Committee

1. notes that at the COSLA group leaders meeting of 15 May 2020, Councillor Lumsden moved a motion calling on the group leaders to reject the funding formula being proposed for the distribution of the £155M Barnett Formula Consequentials to local government arising from the Covid-19 pandemic on Council budgets and to consider instead distributing the monies on a pro rata basis in line with the predicted costs to Councils of the Covid-19 pandemic reported to COSLA on 24th April 2020;
2. notes that reports in the media suggest this motion failed to attract support and was defeated by 31 votes to 1;
3. notes that the costs of managing the effects of the Covid-19 pandemic and the related loss of revenue to individual Councils vary considerably across the country;
4. instructs the Chief Officer - Finance to write to his colleagues responsible for finance in each of the other 31 local authorities in Scotland, together with the leaders or co leaders of each local authority outlining the disproportionate effect the use of the GAE formula has had on individual local authorities and requesting they consider supporting any future grant from the UK Government or Scottish Government to mitigate the effects of Covid-19 on Council budgets be distributed in a manner which takes full cognisance of the existing payments which have been made and the need in future to make any payments to the disproportionately affected Councils such as will allow them to be reimbursed for the total financial impact of the Covid-19 pandemic on an equitable basis, in line with the costs Councils have identified to COSLA; and
5. instructs the Chief Officer - Finance to report back at the earliest opportunity to the appropriate committee with details of any progress.”

Councillor Alex Nicoll, seconded by Councillor Yuill, moved that the Committee approve the Notice of Motion.

The Vice Convener, seconded by Councillor Boulton, moved as an amendment:-

That the Committee:-

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1. notes that at the COSLA group leaders meeting of 15 May 2020, Councillor Lumsden moved a motion calling on the group leaders to reject the funding formula being proposed for the distribution of the £155M Barnett Formula Consequentials to local government arising from the Covid-19 pandemic on Council budgets and to consider instead distributing the monies on a pro rata basis in line with the predicted costs to Councils of the Covid-19 pandemic reported to COSLA on 24th April 2020;
2. agrees the minutes from COSLA show Councillor Lumsden's motion was defeated by 30 votes to 1 with 1 no vote;
3. agrees that the costs of managing the effects of the Covid-19 pandemic and the related loss of revenue to individual Councils vary considerably across the country;
4. agrees it is for elected members to lead and for officials to carry out instructions from those leaders, therefore, acknowledges it would be inappropriate to write to the Chief Officer – Finance's colleagues responsible for finance in each of the 31 Local Authorities in Scotland, therefore instructs the Director of Resources to write to the 31 leaders or co leaders of each local authority outlining the disproportionate effect the use of the GAE formula has had on individual local authorities and requesting they consider supporting any future grant from the Scottish Government to mitigate the effects of Covid-19 on Council budgets be distributed in a manner which takes full cognisance of the existing payments which have been made and the need in future to make any payments to the disproportionately affected Councils such as will allow them to be reimbursed for the total financial impact of the Covid-19 pandemic on an equitable basis, in line with the costs Councils have identified to COSLA;
5. instructs the Director of Resources to write to the Local Government and Housing Minister Kevin Stewart MSP asking the Scottish Government to support his SNP colleague Councillor Nicoll and the Administration to ensure any future grant from the Scottish Government to mitigate the effects of Covid-19 on Council budgets be distributed in a manner which takes full cognisance of the existing payments which have been made and the need in future to make any payments to the disproportionately affected Councils such as will allow them to be reimbursed for the total financial impact of the Covid-19 pandemic on an equitable basis;
6. agrees on the basis of 4 above that the Group Leaders send the attached letter (set out below) to the Depute First Minister and Cabinet Secretary for Education and Skills to ensure that Aberdeen City Council gets its fair share of the £100m of funding over two years to help children return to school and recover any lost ground; and
7. instructs the Chief Officer - Finance to report back to the City Growth and Resources Committee, 28 October 2020, with details of any progress on 4 and 5 above, as part of the Q2 financial performance report.

Dear Mr. Swinney,

Funding request from Aberdeen City Council following your announcement to fund Councils with £100m over the next two years following Covid-19

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At the Urgent Business Committee on the 30th June the 5 Group Leaders at Aberdeen City Council, debated a motion from Councillor Alex Nicoll, SNP Group Leader.

The main basis for the motion was to ensure that Aberdeen City Council is not further disadvantaged by COSLA when it comes to receiving additional Covid-19 funding. The debated motion included, amongst other things, an instruction to the Chief Officer - Finance to write to the Leaders of the other 31 local authorities in Scotland outlining the disproportionate effect the use of the GAE formula has had on individual local authorities. He was further instructed to include a request that they consider supporting the proposal that any future grant funding received from the Scottish Government to mitigate the effects of Covid-19 on council budgets should be distributed in a manner which takes full cognisance of the previous payments made and the actual costs which councils have incurred and identified to COSLA.

The Committee further instructed the Director of Resources, to write to the Local Government and Housing Minister, Kevin Stewart MSP, asking the Scottish Government to support their SNP colleague, Councillor Nicoll, and the Administration in their quest to ensure that any future grant funding allocated by the Scottish Government to mitigate the effects of Covid-19 on council budgets is distributed in a fair manner which takes full cognisance of the previous payments made and the actual costs each council has incurred as a result of the Covid-19 crisis.

It was further agreed that the Group Leaders would send a letter to the Depute First Minister and Cabinet Secretary for Education and Skills, to try and ensure Aberdeen City Council gets its fair share of the £100m of funding which will be distributed to councils over the next two years to help children return to school and recover any lost ground. We feel it is necessary to contact you as we believe that, to date, the distribution method used to allocate Covid-19 funding to councils has seriously disadvantaged Aberdeen City Council, despite us being one of the worst affected councils in Scotland. Indeed, despite identifying Covid-19 costs totalling £22m in April the amount we were allocated by COSLA from the £155m Barnett Consequentials provided to combat this shortfall was a lamentable £5.448m.

Given the significant challenges we continue to face the Group Leaders are resolute in our determination to do all in our power to receive our fair share of the £100m education funding. Therefore we request that you either direct COSLA to distribute the proposed £100m on a fair and equitable basis using a formula that takes account of actual costs being incurred by individual councils, rather than on GAE plus SINA which clearly disadvantages councils such as Aberdeen, or you negotiate directly with individual councils to ensure the funding is distributed in a fair and equitable manner.

We trust you will respond positively to our request and we await hearing from you.

Yours

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On a division, there voted:- for the motion (2) – Councillors Alex Nicoll and Yuill; for the amendment (3) – the Convener; the Vice Convener; and Councillor Boulton.

The Committee resolved:-

to adopt the amendment.

NOTICE OF MOTION BY COUNCILLOR ALEX NICOLL

16. The Committee had before it the following Notice of Motion by Councillor Alex Nicoll:-

That the Committee:-

1. notes with concern the announcement by Aberdeen Harbour Board that the contractor for the Aberdeen South Harbour development, Dragados UK, has withdrawn from the contract with effect from 15th June 2020;
2. notes the significant challenges Aberdeen Harbour Board are facing as a result of Ferry, Cruise and Energy Sector Operators reducing activity in response to COVID-19 and the wider impact of reduced oil and gas prices;
3. notes Aberdeen Harbour Board's concerns the impact of these challenges may have on the future delivery of the harbour expansion project;
4. notes the strategic importance of the Aberdeen South Harbour development; and
5. instructs the Chief Officer City Growth to bring a report to the next meeting of either the Urgent Business Committee or City Growth and Resources Committee, whichever is sitting first, detailing the progress Aberdeen Harbour Board have made in securing a new contractor, the impact on the completion date and the wider impact of any delay in delivery of economic growth to the wider local economy.

Councillor Alex Nicoll moved, seconded by Councillor Yuill:-

That the Committee approve the Notice of Motion.

The Convener, moved as an amendment, seconded by the Vice Convener:-

That the Committee:-

1. notes Aberdeen Harbour Board are a separate entity from Aberdeen City Council with its own Board of Directors who have autonomous powers to make decisions for Aberdeen Harbour Board without the need to consult Aberdeen City Council;
2. notes the announcement by Aberdeen Harbour Board that the contractor for the Aberdeen South Harbour development, Dragados UK, has withdrawn from the contract with effect from 15th June 2020;
3. notes the COVID-19 crisis and the public health response to control the virus has already had a detrimental economic impact on Aberdeen and global economies;

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4. notes Aberdeen Harbour Board has written to the Scottish Government to ask for the opportunity to explore how business support measures might be applied to reduce the impact COVID-19 will have on the future of the Aberdeen South Harbour expansion project;
5. notes Aberdeen Harbour Board's concern, regarding the impact these challenges may have on the future delivery of the Aberdeen harbour expansion project and the impact this will have on the Scottish economy given the Aberdeen Harbour Extension is estimated to delivery approximately £1billion GVA for the Scottish Economy by 2035;
6. notes the strategic importance of the Aberdeen South Harbour development as the project is recognised as a cornerstone to the development of Aberdeen as the Energy Transition capital of Europe;
7. agrees the proposed Energy Transition Zone promotes and bolsters the Scottish Government's four-step economic plan – response, reset, restart and recover for the Scottish economy post-crisis and the pathway to achieving it, which includes support for near-term growth and employment as part of the pathway;
8. notes the Scottish Government's response to the letter sent by the Chief Executive following the last Urgent Business Committee meeting which stated, amongst other things, that the £62m Scottish Government investment clearly compliments and support the positive ambitions laid out in the Net Zero Vision and corresponding Strategic Infrastructure Plan focussed on Energy Transition;
9. notes the Scottish Government welcomes the effort made by the Administration Budget in March 2020 to take carefully planned and deliberate action to contribute to the Scottish Governments net zero targets;
10. notes the Co-Leaders of the Council and Officials have set up a conference call with the UK government to discuss the Council's Net Zero Vision and corresponding Strategic Infrastructure Plan focussed on Energy Transition; and
11. instructs the Chief Executive to forward the letter set out below to the Scottish Government asking them to explore direct financial support measures for Aberdeen Harbour Board given the difficulties described above, and thereafter upon reply from the Scottish Government to bring a report to the City Growth and Resources Committee, detailing the progress Aberdeen Harbour Board have made in securing funding from the Scottish Government, securing a new contractor, the impact on the completion date and the wider impact of any delay in delivery of economic growth to the wider UK and local economy.

Dear

At the Urgent Business Committee on the 30th June leaders from Aberdeen City Council debated a motion from Councillor Alex Nicoll the SNP group Leader at Aberdeen City Council. I enclose a copy of the amendment which was agreed at Committee.

While Aberdeen Harbour Board is a completely separate entity from Aberdeen City Council, Councillors have been approached by the Harbour Board following the announcement that the contractor for the Aberdeen South Harbour development, Dragados UK, has withdrawn from the contract with effect from 15th June 2020. The

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Committee were aware that Aberdeen Harbour Board has written to the Scottish Government to ask for the opportunity to explore how business support measures might be applied to reduce the impact COVID-19 will have on the future of the Aberdeen South Harbour expansion project.

The Committee noted the COVID-19 crisis and the public health response to control the virus has already had a detrimental economic impact on Aberdeen and global economies.

The Committee were concerned the impact these challenges may have on the future delivery of the Aberdeen harbour expansion project and the impact this will have on the Scottish economy given the Aberdeen Harbour Extension is estimated to delivery approximately £1billion GVA for the Scottish Economy by 2035.

Councillors noted the Scottish Government's announcement with regard to the £62m to help achieve with our ambitious net zero targets as well as for the proposed Energy Transition Zone.

The Council endorses the Scottish Government's four-step economic plan – response, reset, restart and recover for the Scottish economy post-crisis and the pathway to achieving it, which includes support for near-term growth and employment as part of the pathway. The Committee agreed that if the Scottish Government are serious about achieving this four-step economic plan then direct financial support measures must be considered by the Scottish Government to ensure the Aberdeen Harbour extension project delivers economic growth and jobs for Aberdeen Scotland and the United Kingdom.

We trust you will consider the approach you have had from Aberdeen Harbour Board and from ourselves and consider making the necessary financial arrangements to secure the viability of this worthwhile project.

cc Aberdeen Harbour Board

On a division, there voted:- for the motion (2) – Councillors Alex Nicoll and Yuill; for the amendment (3) – the Convener; the Vice Convener; and Councillor Boulton.

The Committee resolved:-

- (i) to thank Aberdeen Harbour Board for continuing to keep Aberdeen City Council and local Members informed on the project; and
- (ii) to adopt the amendment.

NOTICE OF MOTION BY COUNCILLOR MALIK

17. The Committee had before it the following Notice of Motion by Councillor Malik.

That the Committee:-

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1. notes the Black Lives Matter protests across the United Kingdom following the death of George Floyd in the United States of America;
2. notes the tragic case of Sheku Bayoh who died whilst being arrested by Police Scotland;
3. notes activists in Aberdeen played their part in the Black Lives Matter campaign with a special poster protest across the city and by holding a non-violent Black Lives Matter protest march in the city centre on Saturday 13th June;
4. agrees to work with the organisers of the Black Lives Matter poster protest and other race equality organisations in the city to mount an exhibition on the antislavery abolition movement in Aberdeen when public health restrictions are lifted;
5. agrees Aberdeen City Council understands there is also a problem with racial inequality and prejudice within Scotland and the wider UK;
6. agrees Black Lives Matter and instructs the Chief Executive to write to the Ambassador of the United States to the Court of St James condemning the use of force by Police Officers on George Floyd which resulted in his unfortunate death; and
7. agrees Black Lives Matter and instructs the Chief Executive to write to the Cabinet Secretary for Justice at the Scottish Government, providing a copy of this motion and requests details of any proposed legislation the Scottish Government intend to introduce as a result of the BLM movement.

The Committee resolved:-

to approve the Notice of Motion.

NOTICE OF MOTION BY COUNCILLORS LAING, LUMSDEN AND BOULTON

18. The Committee had before it a joint Notice of Motion by Councillors Laing, Lumsden and Boulton as follows:-

That the Committee:-

1. agrees Aberdeen City Council recognises all involved in protecting the public during the coronavirus pandemic as public service champions, whether they are NHS and emergency services staff working directly with patients; cleaners, caterers, carers and teachers keeping our hospitals, care homes and schools going; council staff providing crucial support to our communities in this crisis; and all those who have contributed so much to delivering vital public and support services during Covid-19 and on behalf of the City of Aberdeen we extend our unequivocal gratitude and thanks; and
2. instructs the Chief Executive to form a working group consisting of the Lord Provost, Depute Provost, the President of the Aberdeen Trade Union Council, along with The Seven Incorporated Trades of Aberdeen and The Burgesses of Guild of the City and Royal Burgh of Aberdeen to bring forward a suitable costed event to show Aberdeen City Council's gratitude to everybody involved in providing vital public and support services during Covid-19.

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The Committee resolved:-

to approve the Notice of Motion.

In accordance with the decision recorded under Article 2 of this minute, the following items of business were considered with the press and public excluded.

WORKPLANS AND BUSINESS CASES - COM/20/096 - EXEMPT APPENDICES

19. The Committee had before it exempt appendices relating to the Workplans and Business Cases Revenue report on the agenda (article 14 of this minute refers).

The Committee resolved:-

to note the exempt appendices.

- **COUNCILLOR JENNIFER LAING, Convener**