

LEGAL AND DEMOCRATIC SERVICES

COMMITTEE DECISION SHEET

CITY GROWTH AND RESOURCES COMMITTEE - THURSDAY, 24 JUNE 2021

Please let the Committee Officer know as soon as possible if you do not agree with any action proposed in this decision sheet. These are decisions of the Committee and there is an expectation that action will be taken. If for any reason it is apparent that you will not be able to act on these instructions in full or in part or that there will be a delay, please let the Committee Officer know as it may be necessary to advise the Committee or seek further instructions from the Committee.

	Item Title	Committee Decision	Services Required to take action	Officer to Action
1.1	<u>Notification of Urgent Business</u>	<u>The Committee resolved:</u> there was no urgent business to be determined.		
2.1	<u>Determination of Exempt Business</u>	<u>The Committee resolved:</u> in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of items 13.1 (Disposal of former Office & Training Centre, Frederick Street), 13.2 (Countesswells Development - Primary School) and 13.3 (Contract Terms and Conditions – Aberdeen Performing Arts).		
3.1	<u>Declarations of Interest</u>	<u>The Committee resolved:</u> the following declarations of interest were intimated:- (1) Councillor Hutchison declared an interest in item 5.1 (Minute of Previous Meeting of 11 May, 2021) and item 6.1 (Committee Planner), by virtue of him being a resident of George Street, given there was references to the street in those documents. He		

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		<p>considered that the nature of his interest did not require him to leave the meeting, therefore he remained in the meeting throughout these items whilst substituting for Councillor Cameron;</p> <p>(2) Councillor Boulton declared an interest in item 13.3 (Contract Terms and Conditions – Aberdeen Performing Arts), by virtue of her being an Aberdeen City Council appointed Board member of Aberdeen Performing Arts. She indicated that a specific exclusion applied in terms of section 5.18.2 (i) of the Councillors Code of Conduct, therefore she remained in the meeting for consideration of the item;</p> <p>(3) Councillor Yuill declared an interest in item 11.1 (Aberdeen Low Emission Zone – Preferred Option), by virtue of him owning a vehicle which did not comply with the emission standards of the proposed LEZ. He considered that the nature of his interest did not require him to leave the meeting and therefore chose to remain in the meeting for consideration of the item; and</p> <p>(4) Councillor Cooke declared an interest in item 11.1 (Aberdeen Low Emission Zone – Preferred Option), by virtue of him owning a vehicle which did not comply with the emission standards of the proposed LEZ. He considered that</p>		

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		the nature of his interest did not require him to leave the meeting and therefore chose to remain in the meeting for consideration of the item.		
4.1	<u>Deputations</u>	<u>The Committee resolved:</u> there were no requests for deputation.		
5.1	<u>Minute of Previous Meeting of 11 May 2021 - For Approval</u>	<u>The Committee resolved:</u> to approve the minute as a correct record.		
6.1	<u>Committee Planner</u>	<u>The Committee resolved:</u> (i) to remove item 4 (Performance Management Framework Report – City Growth and Resources), item 9 (Procurement Workplan and Business Cases – Capital) and item 18 (Aberdeen to Westhill Transport Corridor Study) from the planner for the reasons outlined therein; (ii) to note the reason for the reporting delay in relation to item 5 (Wellington Road STAG Part 2 Appraisal), item 8 (Information Plaques Relating to Slavery and Slavery Products) and item 29 (Denis Law Murals); (iii) in relation to item 60 (Sustainable Drainage System (SUDS) Section 7), to request that the Chief Officer – Operation and Protective Services circulate a progress update to members of the Committee, to include details of when a report would be submitted; and		

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		(vi) to otherwise note the content of the Committee Planner.		
7.1	<p><u>Notice of Motion by Councillor Jennifer Stewart, the Depute Provost - St Joseph's School Nursery</u></p> <p>That the City Growth and Resources Committee:-</p> <p>(1) Notes Aberdeen City Council's Early Learning and Childcare Delivery Plan objectives which help meet the Council's commitment to expand funded early learning and childcare from 600 hours to 1,140 hours across the City;</p> <p>(2) Notes the expansion of ELC requires an investment in our Early Years Estate as well as an investment in staffing to ensure the Council are providing high quality provision that meets the needs of children and families in all localities; and</p> <p>(3) To instruct the Chief Officer – Finance, following consultation with relevant officers, to include within the 2022/23 budget pack an outline business case including the feasibility and capital and revenue costs of increasing the number of full-time places at St Joseph's School Nursery to 47 including possible options including the redevelopment of Bishop's House or an on-site new build.</p>	<p><u>The Committee resolved:</u></p> <p>to adopt the motion.</p>		

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7.2	<u>Urgent Notice of Motion by Councillor Ryan Houghton, Convener - Local Authority Discretionary Fund</u>	<u>The Committee resolved:</u> to adopt the motion.		
8.1	<u>Referrals from Council, Committees or Sub Committees</u>	<u>The Committee resolved:</u> there were no referrals from Council, Committees or Sub Committees.		
9.1	<u>Budgets</u>	There are No Reports Under this Heading		
10.1	<u>Service Delivery</u>	There are No Reports Under this Heading		
11.1	<u>Aberdeen Low Emission Zone - Preferred Option - COM/21/149</u>	<u>The Committee resolved:</u> (i) agree the outcomes of the LEZ option appraisal and that Option 6 (encompassing the proposed LEZ boundary and supporting traffic management requirements as detailed in section 3.1.9) best meets the objectives of the Aberdeen LEZ; (ii) instruct the Chief Officer – Strategic Place Planning to include consideration of access restrictions at the South College Street / Millburn Street junction within the business case development for Phase 2 of the South College Street Junction Improvement project, and to ensure that the business case includes programming considerations for works		

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		<p>delivery in advance of LEZ enforcement commencing;</p> <p>(iii) agree that 2 years is an appropriate grace period to enable residents, businesses and visitors time to comply with LEZ requirements;</p> <p>(iv) instruct the Chief Officer – Strategic Place Planning to undertake a further eight-week period of public and stakeholder consultation and engagement on the proposed LEZ boundary and grace period;</p> <p>(v) delegate authority to the Chief Officer – Strategic Place Planning, in consultation with the Leader of the Council and the Convener of the City Growth and Resources Committee to publish the proposed LEZ scheme following the consultation period, and to formally submit Aberdeen's LEZ proposal to Scottish Ministers; and</p> <p>(vi) instruct the Chief Officer – Strategic Place Planning to submit the full financial model for the LEZ to the Council's budget process for 2022/23.</p>		
11.2	<u>Update on Spaces for People Interventions - COM/21/154</u>	<p><u>The Committee resolved:</u></p> <p>(i) note the outcomes of the survey work and data collection done to date, but that due to lockdown restrictions remaining in place until recently (16th of April for Level 3 and 17th of May Level 2) only limited data was available by the committee report deadline;</p> <p>(ii) note that the data collection has</p>		

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		<p>continued to show increased levels of pedestrians and cyclists using recreational routes and recreational destinations;</p> <p>(iii) note the recommendations from the Director of Public Health for NHS Grampian that due to the improved public health position and significant vaccination coverage that once the city moves to Level 0 of the Scottish Government's route map, that NHS Grampian would support the phasing out of the neighbourhood interventions at Rosemount, Torry and George Street;</p> <p>(iv) note that research is being undertaken by the Scottish Government into the need to maintain physical distancing which is expected to report later in the summer;</p> <p>(v) note continued support from both Police Scotland and Scottish Fire and Rescue in relation to the interventions, in particular that council officers continue to work with the emergency services to ensure that the interventions do not impact on their service provision;</p> <p>(vi) note the instructions from City Growth and Resources in relation to the City Centre Masterplan reviews, the BHS and Market Buildings proposals as well as their relationship with Spaces for People measures, and that these are due to be reported to City Growth</p>		

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		<p>and Resources Committee in August;</p> <p>(vii) note the recommendations of the Low Emission Zone report, presented to this committee;</p> <p>(viii) instruct the Chief Officers of Strategic Place Planning, Capital and Operations and Protective Services that in the context of the above to maintain the current interventions at this time but after the city moves to Level 0 that work commences on removal of the neighbourhood interventions; and</p> <p>(ix) instruct the Chief Officers of Capital and Operations and Protective Services following consultation with the convener of City Growth and Resources, to agree the sequencing of the removals based on the timetable provided below, that timetable being three weeks to initiate works post instruction, and approximately 13 weeks to remove the interventions;</p> <p>(x) note that in relation to current interventions, that the Chief Officer – Operations and Protective Services would investigate the possibility of improving parking in the proximity of the Art Gallery for Blue Badge holders; and</p> <p>(xi) note that officers would engage with local Ward Members prior to the removal of the neighbourhood interventions.</p>		

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11.3	<u>Investor Ready Propositions - COM/21/155</u>	The Committee resolved: <ul style="list-style-type: none"> (i) note the key projects outlined in this report that are likely to be developed as investment proposals for the city; (ii) note the four-phase approach that is employed to develop and bring investor ready propositions to market; and (iii) instruct the Chief Officer - City Growth to work with the Director of Resources to develop propositions for promotion by the Council and, Invest Aberdeen, to the Department for International Trade (DIT), Scottish Development International (SDI) and private sector investor events. 		
11.4	<u>Feasibility of a Food & Crafts Market - Rubislaw Terrace Gardens - COM/21/159</u>	The Committee resolved: <ul style="list-style-type: none"> (i) note the findings of the work to date on the feasibility of a local food and crafts market in the vicinity of Rubislaw Terrace Gardens in Summer 2021; (ii) agree that a market in Summer 2021 may not be feasible for the reasons noted in Section 4 of this report; (iii) instruct the Chief Officer - City Growth to continue to work with local partners to explore the possibility of Rubislaw Terrace Gardens as a potential location for markets in the near future and provide any information, advice or guidance to in response to any confirmed demand from businesses/ producers; and (iv) instruct the Chief Officer – City Growth 		

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		to investigate who would be liable for grass reinstatement works, following the removal of marquee infrastructure (e.g. on Queens Terrace Gardens) and that details be issued to all members of the Committee.		
12.1	<u>Property and Estates</u>	There are No Reports Under this Heading		
13.1	<u>Disposal of Former Office and Training Centre, Frederick Street - RES/21/148</u>	<u>The Committee resolved:</u> (i) accept the recommendation as detailed in paragraph 3.5 of this report; and (ii) instruct the Chief Officer – Governance to conclude missives for the sale of the property incorporating various qualifications as are necessary to protect the Council's interest, together with any other matters as are required to complete the sale.		
13.2	<u>Countesswells Development - Primary School (1) - RES/21/156</u>	<u>The Committee resolved:</u> (i) note the position in relation to the payment of Developer contributions across the Countesswells Development; (ii) instruct the Chief Officer - Capital to progress with the construction of the new primary school in accordance with previous council instructions; (iii) instruct the Chief Officer - Finance to amend the Capital Plan to reflect the risk around developer contributions at this development;		

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		<p>(iv) note that Countesswells Development Limited (CDL) are £3,276,609 behind in Developers obligations whilst all other developers that are liable for making Developer Obligation payments are either up to date with their obligation or have made advanced payments;</p> <p>(v) note that payments of s75 obligations are monitored by the Development Obligations Team Leader and that high-level meetings have taken place with CDL and officers for payments to be brought up to date however as at today's date CDL are the only developer at Countesswells who remain behind on their Developers Obligation payments;</p> <p>(vi) agree that CDL are in breach of their Developer Obligations as set out in their agreement with the Council and instruct Chief Officer – Strategic Place Planning to give CDL 30 days notice to bring their Developer Obligations up to date;</p> <p>(vii) agree to instruct the Chief Officer - Governance to consider the legal remedies open to the Council, to ensure CDL bring their developer obligations up to date including whether there are any remedies to stop development on site until payments are brought up to date; and</p> <p>(viii) agree that the Chief Officer - Governance following consultation</p>		

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		with group leaders, will take necessary action to best protect the Councils' interest to ensure CDL bring their payments up to date in order to safeguard the Council.		
13.3	<u>Contracts, Terms and Conditions - Aberdeen Performing Arts - RES/21/153</u>	<u>The Committee resolved:</u> to approve the recommendation contained within the exempt report.		

If you require any further information about this decision sheet, please contact Mark Masson, email mmasson@aberdeencity.gov.uk, or telephone 01224 522989