

GOVERNANCE

COMMITTEE DECISION SHEET

CITY GROWTH AND RESOURCES COMMITTEE - THURSDAY, 3 FEBRUARY 2022

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
2.1	<u>Determination of Exempt Business</u>	<u>The Committee resolved:</u> in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of items 14.1 (Aberdeen Hydrogen Hub Strategic Partnership - Contract Award/Approval of Joint Venture - Exempt Appendices, 14.2 (Community Asset Transfer Requests Received for the Tillydrone Community Centre - Exempt Appendix), 14.3 (Disposal of the Former Braeside School and Lodge Site - Exempt Appendix) and 14.4 (Disposal of the Former Cordyce School Site - Exempt Appendix.		
3.1	<u>Declarations of Interest</u>	<u>The Committee resolved:</u> there were no declarations of interest intimated.		
5.1	<u>Minutes of Previous Meetings of 10 and 12 November 2021 - For Approval</u>	<u>The Committee resolved:</u> to approve the minutes as correct records.		
6.1	<u>Committee Planner</u>	<u>The Committee resolved:</u>		

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		<ul style="list-style-type: none"> (i) to remove item 5 (Procurement Workplan and Business Cases – Capital) from the planner for the reasons outlined therein; (ii) to transfer item 10 (Aberdeen International Market Progress), item 16 (Public Realm Improvements – Progress), item 17 (Beachfront Projects), item 18 (Joint Integrated Mortuary Project), item 32 (City Centre and Beach - Transport Management Plan Progress), item 33 (George Street and Former John Lewis Building), item 34 (Queen Street Development), item 35 (Beachfront Projects), item 53 (City Centre Design Development - Business Case) to the Council Business Planner, for the reasons outlined therein; (iii) to note the reason for the reporting delay in relation to item 4 (Local Authority Bus Services/Controlled Bus Companies), item 6 (City Centre Multi Storey Blocks – Option Appraisal), item 7 (Developer Obligations - Asset Plans), item 9 (Sustainable Drainage System (SUDS) Section 7), item 12 (Prosperity Fund), item 14 (Freeport/Greenport update) and item 15 (Aberdeen Community Wealth Building); and (iv) to otherwise note the content of the Committee Planner. 		
9.1	<u>Council Financial Performance</u> -	<u>The Committee resolved:</u>		

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	<p><u>Quarter 3, 2021/22 - RES/22/037</u></p>	<p>(i) to note the positive cash position that has been achieved for the General Fund and HRA to the end of Quarter 3 as detailed in Appendix 1;</p> <p>(ii) to note the Common Good financial performance to the end of Quarter 3 as detailed in Appendix 3;</p> <p>(iii) to note that the General Fund full year forecast position, as detailed in Appendix 2, has improved compared to the forecast at Quarter 2 and it is still expected to show a balanced position overall for 2021/22 through the mitigations contained within the report;</p> <p>(iv) to instruct the Chief Officer – Finance, in consultation with the Chief Officer – Operations and Protective Services, to quantify and immediately set aside a sum from the General Fund Contingency budget, for the Council to deal with the storm damage caused by Storms Arwen, Malik and Corrie, and instruct the Chief Officer – Finance to (a) at the financial year end, to earmark in the General Fund Reserve any unused portion of that sum to enable the work to continue next financial year; and (b) pursue any Scottish Government or external funding that may become available to assist Local Authorities with the additional pressures brought on them by the storms;</p> <p>(v) to note that the HRA full year forecast</p>		

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		<p>position, as detailed in Appendix 2, is on target to achieve the approved budget, making a contribution to HRA reserves for 2021/22;</p> <p>(vi) to note that the forecast for General Fund capital expenditure is that there will be lower spend than has been profiled for 2021/22, and for Housing capital expenditure this will be on budget, as described in Appendix 2; and</p> <p>(vii) to note that the council and the IJB continues to rely on Ministerial commitment to fund all of the identified mobilisation costs.</p>		
9.2	<u>Credit Rating Annual Review - RES/22/043</u>	<p>The Committee resolved: to note the outcome of the annual review was affirmation of the A1 rating, with an economic outlook of 'stable', in line with the recent changes to the UK's rating.</p>		
10.1	<u>Chanonry Grounds Plaque - COM/22/012</u>	<p>The Committee resolved: to approve the erection of a plaque commemorating Chanonry Grounds, home ground of the Aberdeen Association Football Club from 1888 to 1898, at its location within the current Cruikshank Botanic Garden, University of Aberdeen.</p>		
10.2	<u>Performance Management Framework Report - City Growth and Resources Functions - CUS/22/007</u>	<p>The Committee resolved: to note the report and the performance information contained within the Appendix.</p>		
11.1	<u>Ellon Park & Ride to Garthdee</u>	<p>The Committee resolved:</p>		

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	<u>Transport Corridor Study (Bus Partnership Fund) - COM/22/017</u>	<ul style="list-style-type: none"> (i) to agree the outcomes of the study have merit in contributing to a cohesive transport network on the corridor; (ii) to agree that work to further develop the options package measures outlined in Table 1 below be progressed to an Outline Business Case and instruct the Chief Officer – Strategic Place Planning to develop the Outline Business Case in accordance with the Transport Scotland governance decisions on the gateways for the Bus Partnership Fund; and (iii) to instruct the Chief Officer - Strategic Place Planning to report back to this Committee with the Outline Business case and next steps by December 2023. 		
11.2	<u>Bus Partnership Fund Update - COM/22/018</u>	<p>The Committee resolved:</p> <ul style="list-style-type: none"> (i) to note the progress of the delivery of this grant; (ii) to note that officers will continue to work with partners to deliver the projects in accordance with the grant conditions; and (iii) to instruct the Chief Officer - Strategic Place Planning, given the long term nature of the project, to bring back update reports on a quarterly basis. 		
11.3	<u>Aberdeen Hydrogen Hub Strategic Partnership - Contract Award/Approval of Joint Venture - COM/22/031</u>	<p>The Committee resolved:</p> <p><u>Contract Award / Approval of Joint Venture</u></p> <ul style="list-style-type: none"> (i) subject to compliance with subsidy 		

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	<p>Exempt appendices are contained within the Exempt Appendices Section of this agenda below.</p>	<p>control legislation, an ongoing analysis of which is currently being undertaken, to approve the appointment of BP International Limited (“bp”) as Joint Venture partner to deliver the Aberdeen Hydrogen Hub Strategic Partnership following a public procurement procedure, and subject to the budget approval in (iv);</p> <p>(ii) to authorise the Chief Officer - Governance following consultation with the Head of Commercial and Procurement to conclude and sign the Legal Agreements (as detailed in Appendix D) with bp, and to negotiate and agree any changes to them they consider to be necessary or desirable, subject to the budget approval in (iv);</p> <p>(iii) to authorise the Head of Commercial and Procurement following consultation with the Chief Officer - Governance to undertake or instruct any other actions, and the entering into of any other contracts and/or documentation, that they consider to be necessary or desirable in connection with the setting up and operation of the Joint Venture;</p> <p><u>Finance</u></p> <p>(iv) to approve the Business Case for the Strategic Partnership included at Appendix B, and notes the Council’s share of the estimated capital investment in the Joint Venture relating to Phase 1 of the AHH, and</p>		

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		<p>the seed funding investment to support the delivery of community benefits, supply chain development and training and skills and refers this to the Council's budget process;</p> <p>(v) to authorise the Head of Commercial and Procurement to spend up to £160k in 2021/22 in support of Recommendation (iii), to be funded from the underspend on the 2021/22 General Fund Capital Programme;</p> <p><u>Governance</u></p> <p>(vi) to note the Joint Venture structure in Appendix D and approve the proposed name of the separate legal entity to be incorporated and registered with Companies House;</p> <p>(vii) to note the summary of obligations of the Council in relation to the Joint Venture in Appendix D;</p> <p>(viii) to note the summary of the key provisions of the Joint Venture Legal Agreements in Appendix D in relation to Council Shareholder approvals and delegates authority to the Director of Resources to discharge the Shareholder Reserved Matters stated in Appendix D on behalf of the Council;</p> <p>(ix) to note that the Shareholder Reserved Matters not included in the Recommendation (viii) above and that would require to be referred back to Committee for a decision include:-</p> <p>(a) changing the share capital and</p>		

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		<p>distributions;</p> <p>(b) changes outside normal course of JVCo business;</p> <p>(c) funding approval for Projects not already included in the Council budget;</p> <p>(d) winding up the JVco;</p> <p>(x) to note the key provisions of the Joint Venture Legal Agreements in Appendix D in relation to Council Director approvals and approves the appointment of the Director of Resources, and the Director of Commissioning as Directors of the JVCo to undertake the Director functions stated in Appendix D;</p> <p>(xi) to note that the Council's investment in JVCo expected to commence in 2021/22 will be incorporated into the Council's Group Accounts and subject to the statutory Annual Accounts and Audit process;</p> <p>(xii) to instruct the Director of Resources and Director of Commissioning to continue discussions with Aberdeen Heat and Power regarding future opportunities for integrating hydrogen into District Heating and report the outcomes to a future meeting of this Committee;</p> <p><u>Site Selection</u></p> <p>(xiii) to note in principle the proposed sites in Appendix E (together with the associated planning risks) for the solar park array and the hydrogen</p>		

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		<p>production and refuelling facility and instructs the Chief Officer City Growth, in consultation with the Chief Officer Corporate Landlord to provide an update on Site Selection and any associated commercial terms at the next meeting of this Committee; and</p> <p>(xiv) to agree that the Scottish Government have reneged on their commitment to set up a Scottish Energy Company, notes that at the Aberdeen City Council Budget meeting in 2016 the Administration brought forward proposals for the creation of a council owned Energy Company and that this was not progressed because of the Scottish Government's commitment to create a Scottish Energy Company. Agrees that hard working Aberdeen citizens are now suffering fuel poverty following the Scottish Government's failure to establish a Scottish Energy Company.</p>		
12.1	<p><u>Community Asset Transfer Requests Received for the Tillydrone Community Centre - RES/22/027</u></p> <p>An Exempt Appendix is contained within the Exempt Appendices Section of this Agenda Below.</p>	<p><u>The Committee resolved:</u></p> <p>(i) to note the three community asset transfer requests submitted for the Tillydrone Community Centre;</p> <p>(ii) to accept the recommendation as outlined in Appendix 1 to progress the asset transfer request; and</p> <p>(iii) to instruct the Chief Officer – Governance to conclude missives for the transfer of the property incorporating various terms and conditions as are necessary to protect</p>		

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		the Council's interest, together with any other matters as are required to complete the transaction.		
12.2	<p><u>Disposal of the Former Braeside School and Lodge Site - RES/22/014</u></p> <p>An Exempt Appendix is contained within the Exempt Appendices Section of the Agenda below.</p>	<p><u>The Committee resolved:</u></p> <p>(i) to accept the recommended offer to purchase the site as outlined in Appendix 2; and</p> <p>(ii) to instruct the Chief Officer – Governance to conclude missives for the disposal 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 transaction.</p>		
12.3	<p><u>Disposal of the Former Cordyce School Site - RES/22/013</u></p> <p>An Exempt Appendix is contained within the Exempt Appendices Section of this Agenda below.</p>	<p><u>The Committee resolved:</u></p> <p>(i) to accept the recommended offer to purchase the site as outlined in Appendix 2; and</p> <p>(ii) to instruct the Chief Officer – Governance to conclude missives for the disposal 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 transaction.</p>		
14.1	<p><u>Aberdeen Hydrogen Hub Strategic Partnership - Contract Award/Approval of Joint Venture - Exempt Appendices</u></p>	<p><u>The Committee resolved:</u></p> <p>to note the information contained within the exempt appendices.</p>		
14.2	<p><u>Community Asset Transfer Requests</u></p>	<p><u>The Committee resolved:</u></p>		

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	<u>Received for the Tillydrone Community Centre - Exempt Appendix</u>	to note the information contained within the exempt appendix.		
14.3	<u>Disposal of the Former Braeside School and Lodge Site - Exempt Appendix</u>	<u>The Committee resolved:</u> to note the information contained within the exempt appendix.		
14.4	<u>Disposal of the Former Cordyce School Site - Exempt Appendix</u>	<u>The Committee resolved:</u> to note the information contained within the exempt appendix.		

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