

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 13 December 2023

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Lord Provost David Cameron, Chairperson;
Depute Provost Steve Delaney; and

COUNCILLORS

GILLIAN AL-SAMARAI
NURUL HOQUE ALI
CHRISTIAN ALLARD
ALISON ALPHONSE
KATE BLAKE
JENNIFER BONSELL
MARIE BOULTON
DESMOND BOUSE
RICHARD BROOKS
HAZEL CAMERON
DONNA CLARK
JOHN COOKE
NEIL COPLAND
WILLIAM CORMIE
BARNEY CROCKETT
SARAH CROSS
DEREK DAVIDSON
LEE FAIRFULL
EMMA FARQUHAR
GORDON GRAHAM
ROSS GRANT
MARTIN GREIG

DELL HENRICKSON
RYAN HOUGHTON
MICHAEL HUTCHISON
MICHAEL KUSZNIR
GRAEME LAWRENCE
SANDRA MACDONALD
NEIL MacGREGOR
ALEXANDER McLELLAN
KEN McLEOD
CIARAN McRAE
M. TAUQEER MALIK
DUNCAN MASSEY
JESSICA MENNIE
ALEX NICOLL
MIRANDA RADLEY
MRS JENNIFER STEWART
KAIRIN VAN SWEEDEN
LYNN THOMSON
SIMON WATSON
and
IAN YUILL

Lord Provost David Cameron, in the Chair.

The agenda and reports 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.

Council Meeting, Wednesday, 13 December 2023

ADMISSION OF BURGESSES

1. (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:-

Bryan Alexander MacDonald Storm Hall, Retired Builder, Aberdeen
 Kenneth Charles McHardy, Retired Consultant Hospital Physician, Aberdeen
 Carol Munro, Chair of Archie Foundation, Aberdeen
 Professor Steve Olivier, University Principal/Vice-Chancellor, Aberdeen
 June Waters, Retired Occupational Therapist, Aberdeen
 Ian Watt, Data Scientist/Charity Founder, Aberdeen

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

Richard Cairney, Tailor, Aberdeen
 Mark Paul Lindley-Highfield of Ballumbie Castle, Shoemaker, Aberdeen
 Greig Morrison, Hammerman, Aberdeen
 Tristan Ross, Baker, Aberdeen

ANNOUNCEMENT

2. The Lord Provost advised that in respect of agenda item 9.9 (Petition - United Nations Treaty to Prohibit Nuclear Weapons/Nuclear Free Local Authorities), the petitioner had requested that it be deferred to the Council meeting in February 2024, therefore it would not be considered this day.

DETERMINATION OF EXEMPT BUSINESS

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

- 11.1 Outline Business Case: New Secondary School Provision for Hazlehead and Countesswells - exempt appendices
- 11.2 St Peter's RC School - Long Term Education Provision - exempt appendices

The Council resolved:-

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 11.1 and 11.2 so as to avoid disclosure of exempt information of the class described in paragraph 8 of Schedule 7A of the Act.

Council Meeting, Wednesday, 13 December 2023

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

4. Councillor Blake advised that she had a connection in relation to agenda items 5.1 (Deputation Requests) and 9.1 (Libraries and Bucksburn Swimming Pool Consultation Results) by reason of being a friend and former colleague of Karen Barrett-Ayres who had requested a deputation, however having applied the objective test she did not consider that she had an interest and would not be withdrawing from the meeting.

Following a disturbance in the public gallery, the Lord Provost highlighted Standing Orders 37.3 and 37.4 with regard to behaviour of members of the public during the meeting.

Councillor Blake advised that she had a connection in relation to agenda item 9.4 (Aberdeen Planning Guidance - Energy Transition Zone Draft Masterplan Consultation Responses) as a member of Aberdeen Climate Action which had campaigned to save St Fittick's Park, however she stated that she had no involvement in the campaign and having applied the objective test she did not consider that she had an interest and would not be withdrawing from the meeting.

Councillors Hutchison and Macdonald advised that they had a connection in relation to agenda item 9.3 (Housing Revenue Account Budget 2024/25) as Council appointed Directors of Aberdeen Heat and Power Limited, however having applied the objective test they did not consider that they had an interest and would not be withdrawing from the meeting.

Councillor Kuszniir advised that he had a connection in relation to agenda item 9.7 (Governance Review of Trusts) as he worked for a law firm which had involvement with the Institution for Deaf and Dumb, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor van Sweeden declared an interest in relation to agenda item 9.4 as a former Convener of Friends of St Fittick's before she became a Councillor, and indicated that she would withdraw from the meeting for that item.

Councillors Thomson and Yuill advised that they had a connection in relation to agenda item 9.4 as members of Friends of the Earth Scotland, however having applied the objective test they did not consider that they had an interest and would not be withdrawing from the meeting.

Councillor Cooke advised that he had a connection in relation to agenda item 9.1 by reason of his position as an observer to the Board of Sport Aberdeen, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Allard advised that he had a connection in relation to agenda item 9.4 as a Council appointed Director to the Board of Opportunity North East, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Council Meeting, Wednesday, 13 December 2023

The Lord Provost advised that he had a connection in relation to agenda item 9.2 (Budget Protocol: Phase 2 Consultation and Budget Update) as an ACVO Board member in his own right, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

The Lord Provost advised that he was bringing forward agenda item 10.3 (Notice of Motion by Councillor Watson) to be considered at this juncture

NOTICE OF MOTION BY COUNCILLOR WATSON

5. The Council had before it a notice of motion by Councillor Watson in the following terms:-

This Council is proud of its first mission of serving local people, but also of its international solidarity in holding out a helping hand to those in need elsewhere, and hosting many refugees.

The conflict in Palestine / Israel has caused huge suffering over the last 75 years. However, the horrific acts of terror by Hamas on 7th October, and the recent escalation of violence in Gaza has overshadowed the recent past in the deaths of civilians, destruction of schools, hospitals and essential infrastructure, and the blockade of water, food, and fuel. Locally, some citizens of Aberdeen have seen dozens of family members killed in Gaza, and there is a rising danger of Islamophobia and antisemitism.

Aberdeen City Council recognises the need for justice to underly a sustainable peace, and the internationally accepted need for a 2-state solution to be implemented. All human lives should be valued equally, and human rights respected for all.

We call for an immediate ceasefire of all hostilities in Palestine / Israel, the immediate release of hostages, and for international support for huge and urgent UN-led humanitarian relief for citizens of Gaza.

Councillor Houghton advised that the Conservative Group could not support the notice of motion as foreign policy was reserved to the UK Government and was not a matter for local authorities.

Councillor Boulton and Councillor Mrs Stewart advised that they could not support the notice of motion as they did not believe it was a matter for the Council.

The Council resolved:-

to approve the notice of motion.

Council Meeting, Wednesday, 13 December 2023

DEPUTATION REQUESTS

6. (A) The Council received a deputation from Karen Barrett-Ayres with regard to agenda item 9.1 - Libraries and Bucksburn Swimming Pool Consultation Results.

Ms Barrett-Ayres reminded the Council of the events that had led to this stage, which included the judicial review. She highlighted a number of deficiencies with the consultation process - it had happened too late, in a hurry and without proper public spaces to host it in (like a library) with limited reach. Reliance on social media excluded much of the public who do not use social media. There was also confusion as it ran in tandem with other library consultations and it required people to provide their full names which put many people off from participating. Despite these issues, Ms Barrett-Ayres highlighted that the consultation had garnered more responses than the budget consultation.

Ms Barrett-Ayres questioned the reliance on consultation responses to characterise local communities and suggested that Councillors should look at census data to determine those figures more accurately. She added that she would welcome if Councillors could re-examine existing data held for each of the closed libraries to assess whether there were more elderly or disabled users for a particular library and use that data to inform the decision.

Ms Barrett-Ayres stated that she had read the revised impact assessment and noted with interest that some protected characteristics had been increased in level from low impact to medium impact. She added that she would like to ask for an outline of what types of mitigations had been put in place that specifically addressed the needs of those with disabilities, mobility issues and the elderly who cannot get to an alternative library that is too far away.

Ms Barrett-Ayres drew on her own experience as a person with a disability who had been a frequent user of Ferryhill Library prior to its closure. She had since tried going to the Central Library with her child but found it too tiring so had registered with the home delivery service. Although the home delivery service was very efficient, it was not the same experience of visiting a library in person and choosing books. Her child's experience had also been diminished as their school library did not provide access to books and the home library service was not suitable for their needs. Although she was happy to buy books for her child, many children from disadvantaged backgrounds were not in the same position.

Ms Barrett-Ayres referred to research by the Scottish Book Trust, as well as Scottish Government guidance and the city's Local Outcome Improvement Plan and stated that the Council's actions did not align with its ambitions.

Ms Barrett-Ayres concluded by questioning why the libraries were being lumped together as a job lot - they should be assessed individually, it should not be all or nothing. Ms Barrett-Ayres also questioned why the decision was being taken at this stage when the more detailed review of future library provision was awaited - the decision should be put on hold until that report was available. Nevertheless, Ms Barrett-Ayres emphasised that Councillors had the power to vote for option 2 - to reverse the

Council Meeting, Wednesday, 13 December 2023

decision, to recommission the libraries, stave off further legal action and save their tarnished reputation in the process.

Members asked questions of Ms Barrett-Ayres and thanked her for her deputation.

(B) The Council received a deputation from Laurie Mackay also with regard to agenda item 9.1.

Ms Mackay advised that many of the points she had intended to make had been made by Ms Barrett-Ayres. She thanked library staff for their work in carrying out the impossible task of overseeing the consultation, however she emphasised that the consultation should have been carried out while the libraries were still open, rather than after decisions had been taken to close them.

Ms Mackay referred to data contained within the report and information within the Integrated Impact Assessments. It was noted that library usage figures had increased, however she felt that the figures would have been even higher had the six libraries remained open, with Ferryhill and Cults libraries having enjoyed comparatively high levels of footfall prior to closure. Ms Mackay highlighted that the report referred to libraries within schools, however not all schools had libraries and lack of space was an issue that had been cited - she underlined that a book shelf in a classroom was not the same as a library.

Ms Mackay stated that she was very worried about the impact the library closures had on people from disadvantaged backgrounds and those with protected characteristics - people had made themselves ill trying to get the Council to listen to them. She added that the attitude of the Council to those who were disadvantaged was very worrying.

Ms Mackay highlighted flaws with statistics within the report - for example there was no average footfall pre-pandemic; there were geographical differences between the libraries which needed to be taken into account; and many people with protected characteristics would have been less able to take part in the consultation - for example due to lack of access to a computer. In addition the focus groups that had taken place during the day had taken place during the school holidays when many parents would not have had access to childcare to allow them to attend.

Ms Mackay urged Councillors to consider a third option, which was the reopening of some of the libraries, however prior to that she asked the Council to pause taking its decision until all Councillors, not just those Councillors on the Communities, Housing and Public Protection Committee, could consider the report on the review of the library service in January 2024.

Members asked questions of Ms Mackay and thanked her for her deputation.

(C) The Council received a deputation from Alasdair Ross (ACVO) with regard to agenda item 9.2 - Budget Protocol: Phase 2 Consultation and Budget Update.

Mr Ross explained the purpose of Aberdeen Council of Voluntary Organisations (ACVO) and their considerable experience of working with and representing the third sector in Aberdeen. He advised that in November, voluntary organisations discussed

Council Meeting, Wednesday, 13 December 2023

the impact of proposals in Aberdeen City Council's budget consultation, which led to the production of a report which had been shared with elected members. In addition, elected members had also received a letter with regard to Fairer Aberdeen Funding and the impact cuts would have on organisations.

Mr Ross emphasised that there was a real absence of a comprehensive assessment of the repercussions of the proposals on organisations, individuals and communities, which was a huge worry to the third sector. He added that loss of services would lead to pressures on other services, including statutory services as a provider of last resort. Furthermore, there would be an increase in social isolation and an increased toll on the mental health of staff and volunteers in the third sector, as well as an inevitable loss of jobs. This would lead to a ripple effect throughout the community resulting in communities being at greater risk of harm.

Mr Ross highlighted that the third sector had considered mitigations and this required a multi-faceted approach - working together to provide sustainable solutions was essential. He added that there needed to be a shift towards diverseness and preventive services, with an emphasis on sustainability rather than short term fixes - the integral role of the third sector must be recognised in financial planning.

Mr Ross concluded by calling upon the Council to take immediate and decisive action. It was vital that measures were implemented to safeguard the most vulnerable individuals in our city. The preservation of the Fairer Aberdeen Fund was critical for maintaining a lifeline for essential services and must be a priority in the Council's considerations. He implored the Council to sign the Volunteer Charter and emphasised that collaboration with ACVO was essential, which was recognised as a policy commitment for the Council. Mr Ross underlined that ACVO wanted to work with the Council on fair funding and to explore opportunities that existed. He stressed that meaningful engagement with the third sector was crucial, however it must extend beyond mere consultation. Mr Ross urged members to consider ACVO's report and accept its conclusions.

Members asked questions of Mr Ross and thanked him for his contribution.

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 11 OCTOBER 2023

7. The Council had before it the minute of meeting of Aberdeen City Council of 11 October 2023.

The Council resolved:-

to approve the minute.

MINUTE OF ADJOURNED MEETING OF ABERDEEN CITY COUNCIL OF 3 NOVEMBER 2023

8. The Council had before it the minute of the adjourned meeting of Aberdeen City Council of 3 November 2023.

Council Meeting, Wednesday, 13 December 2023

The Council resolved:-

to approve the minute.

MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 30 OCTOBER 2023

9. The Council had before it the minute of meeting of the Urgent Business Committee of 30 October 2023.

The Council resolved:-

to approve the minute.

PROCEDURAL MOTION

10. At this juncture, Councillor Malik raised a Point of Order regarding the availability and accessibility of the Integrated Impact Assessment in relation to agenda item 9.3 - Housing Revenue Account Budget 2024/25. Officers responded that an Integrated Impact Assessment had been prepared and was available online.

Councillor Malik moved as a procedural motion, seconded by Councillor Ali:-
That the report be deferred until January 2024.

On a division, there voted:-

For the procedural motion (20) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Cross, Farquhar, Graham, Grant, Houghton, Kusznr, Lawrence, Macdonald, McLeod, Malik, Massey, Mrs Stewart, Thomson and Watson.

Against the procedural motion (24) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Nicoll, Radley, van Sweeden and Yuill.

The Council resolved:-

to reject the procedural motion.

OUTLINE BUSINESS CASE: NEW SECONDARY SCHOOL PROVISION FOR HAZLEHEAD AND COUNTESSWELLS - RES/23/366 - FINANCE AND RESOURCES COMMITTEE OF 22 NOVEMBER 2023

11. With reference to Article 9 of the minute of meeting of the Finance and Resources Committee of 22 November 2023, the Council had before it a report by the Director of Resources, which had been referred to it by five members of the Committee in accordance with Standing Order 34.1.

The report recommended:-

that the Finance and Resources Committee -

Council Meeting, Wednesday, 13 December 2023

- (a) approve in principle the recommended option within the Outline Business Case (OBC) to construct a new 1600 pupil campus on the current Hazlehead Academy playing fields to provide secondary school provision for Hazlehead and Countesswells ASGs, subject to the outcome of a statutory consultation;
- (b) instruct the Chief Officer - Capital to refer the proposals for the project to the Budget process in 2024/25; and
- (c) subject to the outcomes of the statutory consultation and any decision taken at the budget meeting of March 2024 approves in principle the use of resources for the implementation of the project from 2024.

The Finance and Resources Committee resolved to approve the recommendations contained within the report.

Councillor Greig moved, seconded by Councillor Mennie:-

That the Council approve the decision of the Finance and Resources Committee.

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

That the Council:-

- (1) note the decision of both the Education and Children's Services Committee on 21 November 2023 and the Finance and Resources Committee on 22 November 2023 and agree that the proposals noted below best support the community of Hazlehead and Countesswells;
- (2) note the recommended option within the OBC and instruct the Chief Officer - Corporate Landlord to carry out the statutory public consultation on the proposal to establish a new campus on the Hazlehead Academy playing field;
- (3) instruct the Chief Officer - Corporate Landlord to carry out a separate statutory public consultation to specifically address the option of Kingswells primary remaining zoned for the Bucksburn Academy ASG;
- (4) instruct the Chief Officer - Corporate Landlord to provide members of the Education and Children's Services Committee with written confirmation of the terms and scope of the LEIP funding allocation which was confirmed on 30 October 2023;
- (5) instruct the Chief Officer - Corporate Landlord to report back to the Committee on the outcomes of the consultation on the Hazlehead Academy proposal at its next available meeting following the conclusion of the consultation process, in July 2024, and to bring forward a report on the provision of a new Secondary School for Countesswells;
- (6) agree Council must not make the same mistake as the SNP made with the 3Rs Bucksburn Secondary School which was built without taking into consideration the increased capacity required for the area, therefore agree the report shows there is a need for a separate Secondary School for Countesswells and in not providing it Councillors today are just making complications for a future generation of Councillors with this proposal;
- (7) approve in principle the recommended option within the OBC to construct a new campus to provide secondary school provision for Hazlehead subject to the outcome of a statutory consultation and instruct the Chief Officer - Corporate Landlord to provide an OBC for a new Secondary School at Countesswells;

Council Meeting, Wednesday, 13 December 2023

- (8) instruct the Chief Officer – Capital to refer the proposals for the projects to the Budget process in 2024/25;
- (9) note section 4.2 of the report and that the S75 agreement currently does not allow for the Council to use the likely £18m of 'Secondary School Contribution' from Countesswells towards a new Hazlehead Academy and agree that failure to build a new school at Countesswells may open the Council to legal challenge as well as having to pay back developers' contributions; and
- (10) subject to the outcomes of the statutory consultation and any decision taken at the budget meeting of March 2024, approve in principle the use of resources for the implementation of the project from 2024.

On a division, there voted:-

For the motion (24) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Nicoll, Radley, van Sweeden and Yuill.

For the amendment (20) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Cross, Farquhar, Graham, Grant, Houghton, Kuszniir, Lawrence, Macdonald, McLeod, Malik, Massey, Mrs Stewart, Thomson and Watson.

The Council resolved:-
to adopt the motion.

ST PETER'S RC SCHOOL - LONG TERM EDUCATION PROVISION - RES/23/365 - FINANCE AND RESOURCES COMMITTEE OF 22 NOVEMBER 2023

12. With reference to Article 10 of the minute of meeting of the Finance and Resources Committee of 22 November 2023, the Council had before it a report by the Director of Resources, which had been referred to it by five members of the Committee in accordance with Standing Order 34.1.

The report recommended:-

that the Finance and Resources Committee -

- (a) note and approve the recommended option to refurbish Old Aberdeen House with the addition of new build provision to deliver a 21st century learning environment for St Peter's RC school;
- (b) approve the use of resources for the implementation of the proposed improvement works to Old Aberdeen House with new build provision;
- (c) instruct the Chief Officer - Capital to refer the proposals for the project to the Budget process in 2024; and
- (d) instruct the Chief Officer - Capital to report back to a future meeting of the Finance and Resources Committee in 2024 with a progress update report.

The Finance and Resources Committee resolved to approve the recommendations contained within the report.

Council Meeting, Wednesday, 13 December 2023

Councillor Greig moved, seconded by Councillor McLellan:-

That the Council approve the decision of the Finance and Resources Committee.

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

That the Council -

- (1) note the decision of the Education and Children's Services Committee on 21 November 2023 and the Finance and Resources Committee on 22 November 2023, and agree the proposals noted below best supports the community of Tillydrone and Old Aberdeen;
- (2) note the contents of the options appraisal and the officer recommendation to proceed with Option C;
- (3) note the Education Scotland report, prepared in April 2019 by the HMIE, titled "Report by Education Scotland addressing educational aspects of the proposal by Aberdeen City Council to relocate St Peter's RC Primary School to the existing Riverbank school building..." concluded that the proposal to relocate St Peter's RC to a refurbished school at the current Riverbank school site, "has clear educational benefits for children who currently attend St Peter's RC Primary School and who would have access to a more flexible, modern and healthy living environment, with improved outdoor learning spaces and early learning and childcare facilities";
- (4) note that the same HMIE report stated, "There will also be improved outdoor learning spaces with opportunities for physical education. There is significantly more outdoor space available around the Riverbank building, with more than ten times the amount of hard landscaping and nearly 80 times more soft landscaping than is available at the St Peter's site";
- (5) note that the options appraisal sets out the significant disparity in the "total site area" of each option where Riverbank is currently 15,816sqm compared with St Peter's RC which is only 7,940sqm and agree that the additional open space in the former presents a significant opportunity for future generations of St Peter's RC pupils to benefit from significantly better outdoor space;
- (6) note that the options appraisal sets out a rationale to develop a school that will accommodate a school roll of up to 434 pupils to cope with possible increased demand and suggests the school roll could be double its current size;
- (7) agree that, if St Peter's RC were to double in size in the coming years, there is not nearly enough space on the existing St Peter's RC site in order to create an outdoor learning environment that pupils and staff deserve and that therefore Option C does not offer maximum educational benefit for the school community;
- (8) agree that, to continue to progress work on Option B with any remaining preparatory work outstanding to be programmed and progressed as much as practical prior to the decant of Riverbank Primary School into new build which is scheduled to open in summer 2024;
- (9) instruct the Chief Officer - Capital to refer the proposals for the project to the Budget process in 2024; and
- (10) instruct the Chief Officer - Capital to report back to a future meeting of the Finance and Resources Committee in 2024 with a progress update report.

Council Meeting, Wednesday, 13 December 2023

On a division, there voted:-

For the motion (33) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Boulton, Bouse, Brooks, Hazel Cameron, Clark, Cooke, Copland, Cormie, Cross, Davidson, Fairfull, Farquhar, Greig, Henrickson, Houghton, Hutchison, Kuszniir, MacGregor, McLellan, McLeod, McRae, Massey, Mennie, Nicoll, Radley, Mrs Stewart, van Sweeden and Yuill.

For the amendment (11) - Councillors Ali, Blake, Bonsell, Crockett, Graham, Grant, Lawrence, Macdonald, Malik, Thomson and Watson.

The Council resolved:-
to adopt the motion.

COUNCIL BUSINESS PLANNER

13. The Council had before it the business planner as prepared by the Interim Chief Officer - Governance (Assurance).

The Council resolved:-
to note the business planner.

The Lord Provost advised that he was bringing forward various items of business in a different order from the agenda

COMMITTEE PLACES AND APPOINTMENT OF EXTERNAL MEMBER TO THE EDUCATION AND CHILDREN'S SERVICES COMMITTEE - COM/23/379

14. The Council had before it a report by the Interim Chief Officer - Governance (Assurance) which considered (1) the allocation of committee places following the resignation of Councillor van Sweeden from the SNP group; and (2) a request from some of the Independent members to reallocate their committee places amongst themselves. The report also sought approval for the appointment of a new secondary teacher representative on the Education and Children's Services Committee.

The report recommended:-
that the Council -

- (a) agree that three Partnership committee places transfer to Councillor van Sweeden and determine those committees;
- (b) consider the request from Councillor Boulton regarding swapping of committee places, as contained in paragraph 3.6 of the report; and
- (c) agree the appointment of Jacqueline Munro as the new secondary teacher representative on the Education and Children's Services Committee with immediate effect.

Council Meeting, Wednesday, 13 December 2023

The Council resolved:-

- (i) to agree that three Partnership committee places transfer to Councillor van Sweeden - Finance and Resources, Education and Children's Services and Pensions;
- (ii) to agree the request from Councillor Boulton regarding swapping of committee places, as contained in paragraph 3.6 of the report;
- (iii) to agree the appointment of Jacqueline Munro as the new secondary teacher representative on the Education and Children's Services Committee with immediate effect; and
- (iv) to appoint Councillor MacGregor as a Baillie.

GOVERNANCE REVIEW OF TRUSTS - 2023 UPDATE - COM/23/383

15. The Council had before it a report by the Interim Chief Officer - Governance (Legal) which provided an update on activity in relation to trusts to which the Council was connected and sought approval of appointments to an external body.

The report recommended:-

that the Council -

- (a) note the activity, as detailed in the report, undertaken in relation to trusts to which the Council was connected;
- (b) approve the appointment of two or more individuals (whether officers and/or elected members) as directors of Glover House Trustees Ltd and instruct the Chief Officer - Governance to take any necessary action to give effect to this decision; and
- (c) instruct the Chief Officer - Governance to, as appropriate, bring a report to Council and/or provide a service update to elected members no later than December 2024 on future activity in relation to trusts to which the Council was connected.

The Council resolved:-

- (i) to note the activity, as detailed in the report, undertaken in relation to trusts to which the Council was connected;
- (ii) to approve the appointment of Councillor David Cameron, Councillor Alison Alphonse and the Chief Officer - Corporate Landlord as directors of Glover House Trustees Ltd and instruct the Chief Officer - Governance to take any necessary action to give effect to this decision; and
- (iii) to instruct the Chief Officer - Governance to, as appropriate, bring a report to Council and/or provide a service update to elected members no later than December 2024 on future activity in relation to trusts to which the Council was connected.

TREASURY MANAGEMENT STRATEGY - MID-YEAR REVIEW - RES/23/381

16. The Council had before it a report by the Chief Officer - Finance which provided an update on the treasury management activities undertaken to date during financial year 2023/24.

Council Meeting, Wednesday, 13 December 2023

The report recommended:-

that the Council note the treasury management activities undertaken to date in the 2023/24 financial year as detailed in the report.

The Council resolved:-

to approve the recommendation.

NOTICE OF MOTION BY COUNCILLOR KUSZNIR

17. The Council had before it a notice of motion by Councillor Kuzsnir in the following terms:-

That the Council:

1. Instructs the Chief Officer - Corporate Landlord, following consultation with the Chief Officer - People and Organisational Development, to develop a separate or single-sex space policy for Aberdeen City Council that ensures the protection of separate or single sex spaces in Council owned and operated buildings;
2. Further instructs the Chief Officer - Corporate Landlord to submit said policy to a 2024 Council meeting for consideration and approval; and
3. Believes that consideration should be given to applying the policy to the following:
 - 3.1 toilets;
 - 3.2 domestic violence refuges; and
 - 3.3 changing rooms.

The Council resolved:-

to refer the notice of motion to the Communities, Housing and Public Protection Committee.

NOTICE OF MOTION BY COUNCILLOR THOMSON

18. The Council had before it a notice of motion by Councillor Thomson in the following terms:-

Council notes that:

1. The pressure on organisations to pay the right amount of tax in the right place at the right time has never been stronger.
2. Polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the clear number one concern of the British public when it comes to business conduct.
3. More than two-thirds (68%) of the Scottish public agree that the Government and local councils should consider a company’s ethics and how they pay their tax as well as value for money and quality of service provided, when undertaking procurement.
4. Around 15% of public contracts in Scotland have been won by companies with links to tax havens.

Council Meeting, Wednesday, 13 December 2023

5. It has been conservatively estimated that losses from multinational profit-shifting (just one form of tax avoidance) could be costing the UK some £17bn per annum in lost corporation tax revenues.
6. The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by wide range of businesses across the UK, including FTSE-listed PLCs, co-operatives, social enterprises and large private businesses.

Council believes that:

1. Paying tax is often presented as a burden, but it shouldn't be.
2. Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.
3. As recipients of significant public funding, local authorities should take the lead in the promotion of exemplary tax conduct; be that by ensuring contractors are paying their proper share of tax, or by refusing to go along with offshore tax dodging when buying land and property.
4. Where substantive stakes are held in private enterprises, then influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned - e.g. no use of marketed schemes requiring disclosure under DOTAS regulations (Disclosure Of Tax Avoidance Schemes) or arrangements that might fall foul of the General Anti-Abuse Rule.
5. More action is needed, however, as current law significantly restricts councils' ability to either penalise poor tax conduct or reward good tax conduct, when buying goods or services.
6. UK cities, counties and towns can and should stand up for responsible tax conduct - doing what they can within existing frameworks and pledging to do more given the opportunity, as active supporters of international tax justice.

Council resolves to:

1. Approve the Councils for Fair Tax Declaration.
2. Lead by example and demonstrate good practice in our tax conduct, right across our activities.
3. Ensure contractors implement IR35 robustly and pay a fair share of employment taxes.
4. Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
5. Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately as an artificial device to reduce the payment of tax and business rates.
6. Demand clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position.
7. Promote Fair Tax Mark certification to any business in which we have a significant stake and where corporation tax is due.
8. Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses who say what they pay with pride.
9. Support calls for urgent reform of EU, UK and Scots law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.

Council Meeting, Wednesday, 13 December 2023

The Council resolved:-

to refer the notice of motion to the Finance and Resources Committee.

In accordance with Article 3 of the minute, the Council considered the following items of business with the press and public excluded

OUTLINE BUSINESS CASE: NEW SECONDARY SCHOOL PROVISION FOR HAZLEHEAD AND COUNTESSWELLS - RES/23/366 - EXEMPT APPENDICES

19. With reference to Article 11 of this minute, the Council had before it exempt appendices relating to the Outline Business Case: New Secondary School Provision for Hazlehead and Countesswells report.

The Council resolved:-

to note the exempt appendices.

ST PETER'S RC SCHOOL - LONG TERM EDUCATION PROVISION - RES/23/365 - EXEMPT APPENDICES

20. With reference to Article 12 of this minute, the Council had before it exempt appendices relating to the St Peter's RC School - Long Term Education Provision report.

The Council resolved:-

to note the exempt appendices.

The Lord Provost advised that the meeting was being adjourned in terms of Standing Order 40.3 and that the remainder of the business would be considered on 14 December 2023 as previously notified.

- DAVID CAMERON, Lord Provost.