

URGENT BUSINESS COMMITTEE

ABERDEEN, 30 October 2023. Minute of Meeting of the URGENT BUSINESS COMMITTEE. Present:- Councillor Yuill, Convener; Councillor Allard, Vice-Convener; and Councillors Blake, Greig, Malik, Massey (as substitute for Councillor Houghton) and Radley.

Also in attendance:- Councillors Bonsell, Hutchison, McLellan, McRae and Nicoll.

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 Council 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 50(4)(b) of the Local Government (Scotland) Act 1973, the Committee was advised 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 were of an urgent nature and required to be considered this day for the following reasons:-

- 2023 Review of UK Parliament Constituencies - the report required to be determined by the end of October 2023 as the new boundaries were expected to come into force in November 2023 and national guidance from the Electoral Management Board stated that October was the latest date the Returning Officer should get the report approved. Without having the approved polling districts within the new constituency boundaries, there would be a risk that if a snap General Election was called between now and December 2023, officers would be unable to run the election.
- Aberdeen Hydrogen Hub (AHH) Joint Venture Partnership - the AHH Joint Venture Partnership had advised the Council that the report needed to be considered before 31 October in order for the Joint Venture to take a final investment decision on phase 1 of the AHH. Any delay could have a negative impact on the award of external grant funding or the shareholder investment case.

DETERMINATION OF EXEMPT BUSINESS

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

7. Aberdeen Hydrogen Hub - Joint Venture Partnership Phase 1 Business Case Approval - exempt appendices

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The Committee 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 item 7 so as to avoid disclosure of exempt information of the classes described in paragraphs 6, 8 and 9 of Schedule 7A of the Act.

2023 REVIEW OF UK PARLIAMENT CONSTITUENCIES - COM/23/300

3. The Committee had before it a report by the Chief Executive which sought approval for changes to polling districts in response to the Boundary Commission for Scotland's 2023 Review of UK Parliament Constituencies.

The report recommended:-

that the Committee -

- (a) note that, once the UK Parliament approved the Boundary Commission for Scotland's final recommendations, the new parliamentary constituency boundaries would come into effect at the next UK Parliamentary General Election; and
- (b) approve the recommended changes to polling districts as outlined in section 3 of the report.

The Committee resolved:-

to approve the recommendations.

**ABERDEEN HYDROGEN HUB - JOINT VENTURE PARTNERSHIP PHASE 1
BUSINESS CASE APPROVAL - COM/23/342**

4. The Committee had before it a report by the Chief Executive which sought a range of approvals to progress Phase 1 of the Aberdeen Hydrogen Hub (AHH).

The report recommended:-

that the Committee -

- (a) approve the revised Business Case contained in Appendix A, noting the funds to be provided by the Council in support of a positive final investment decision (FID) for Phase 1 of the AHH were to be drawn from the Council's General Fund Capital programme; and
- (b) note the list of Project Contracts in Appendix B that would be entered into by bp Aberdeen Hydrogen Energy Limited to deliver Phase 1 of the AHH and authorise the Chief Officer - Governance following consultation with the Chief Officer - Commercial and Procurement, the Chief Officer - Finance, and the Chief Officer - Corporate Landlord, to discharge the Council's shareholder function in relation to the approval of such Project Contracts and authorise the entering into of them and any other Project Contracts and/or documentation, that they consider to be

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necessary or desirable in connection with the delivery of Phase 1 of the AHH, subject to the budget approval in recommendation (a) above.

The Chief Officer - Commercial and Procurement introduced the report by way of a short video and presentation. There followed questions from members, and answers from officers, some of which required the Committee to exclude the press and public in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 so as to avoid disclosure of exempt information of the classes described in paragraphs 6, 8 and 9 of Schedule 7A of the Act.

The Vice Convener moved, seconded by Councillor Greig:-

That the Committee approve the recommendations contained within the report.

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

That the Committee -

- (1) agree this decision could have been made by Full Council or a special meeting of Council but the Administration have decided to hide behind an Urgent Business Committee thus restricting 38 elected members from being involved in the decision-making process;
- (2) agree to refer this matter to Audit Scotland and CIPFA as proof of doubtful governance;
- (3) approve the revised Business Case contained in Appendix A, noting that once again this is another project started by the previous Administration, as part of the Council's Green Strategic Infrastructure Plan Energy Transition 2020 that contributes to the Net Zero Aberdeen Routemap;
- (4) note the Risks and Assumption as outlined in the Outline/Full Business Case which includes but are not limited to risk and reward on Council funds invested;
- (5) note the report indicates for the JCVO financial investment* the JCVO expects to receive only a certain figure* in return by the end of 2035 (*figures redacted);
- (6) note the list of Project Contracts in Appendix B that will be entered into by bp Aberdeen Hydrogen Energy Limited to deliver Phase 1 of the AHH and authorise the Chief Officer - Governance following consultation with the Chief Officer - Commercial and Procurement, the Chief Officer - Finance and the Chief Officer - Corporate Landlord, to discharge the Council's shareholder function in relation to the approval of such Project Contracts to authorise the entering into of them; and
- (7) agree not to delegate authority to enter into any Project Contracts and/or documentation, that they consider to be necessary or desirable in connection with the delivery of Phase 1 of the AHH, subject to the budget approval in recommendation (a) above as this delegation is too broad and too wide. Agree that any request of this nature should come back for Council approval.

At this juncture, the Committee agreed to debate the matter and consider the remainder of the business with the press and public excluded.

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On a division, there voted:- for the motion (5) - Convener; Vice Convener; and Councillors Greig, Massey and Radley; for the amendment (2) - Councillors Blake and Malik.

The Committee resolved:-

- (i) to adopt the motion; and
- (ii) to note that the Chief Executive would liaise with the Chief Education Officer and Interim Chief Officer - City Growth with regard to Councillor Blake's query around skills assessment work and passport for skills for workers in oil and gas transitioning to the renewable sector, and provide an update to members of the committee following the meeting.

**ABERDEEN HYDROGEN HUB - JOINT VENTURE PARTNERSHIP PHASE 1
BUSINESS CASE APPROVAL - COM/23/342 - EXEMPT APPENDICES**

5. With reference to Article 4 of this minute, the Committee had before it exempt appendices relating to the Aberdeen Hydrogen Hub.

The Committee resolved:-

to refer to the decision at Article 4 of the minute.

- IAN YUILL, **Convener**.