

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 21 August 2024

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
DEREK DAVIDSON
LEE FAIRFULL
EMMA FARQUHAR
GORDON GRAHAM
ROSS GRANT
MARTIN GREIG

DELL HENRICKSON
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
KAIRIN VAN SWEEDEN
LYNN THOMSON
DEENA TISSERA
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, 21 August 2024

ADMISSION OF BURGESSES

1. 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:-

Sheena Blackhall, Poet, Vocalist and Writer, Aberdeen
Stuart James Clark, Police Inspector, Aberdeen
Dr Tracey Jane Houston Menzies, Solicitor, Aberdeen
Deborah Elizabeth Mitchell, Retired Financial Adviser, Aberdeen

DETERMINATION OF EXEMPT BUSINESS

2. The Council 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:-

11.1 Reinforced Autoclaved Aerated Concrete (RAAC) - Outcome of Options Appraisal August 2024 - 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 item 11.1 so as to avoid disclosure of exempt information of the class described in paragraph 12 of Schedule 7A of the Act.

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

3. The Lord Provost advised that he had connections in relation to agenda item 7.1 (Council Financial Performance - Quarter 4, 2023/24 - Finance and Resources Committee of 8 May 2024) as he was acquainted with Mr Kenny Anderson who was due to make a deputation on the item, and the UCAN unit opened when he was Chairperson of NHS Grampian and he had been involved, 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 item 7.1 as a member of the Integration Joint Board, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Yuill advised that he had a connection in relation to item 7.1 as the Council's appointed member of the Board of NHS Grampian, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Greig advised that he had connections in relation to item 7.1 as a member of the Integration Joint Board and as a member of the Great Western Community Trust,

Council Meeting, Wednesday, 21 August 2024

however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Alphonse declared an interest in relation to item 7.1 as she knew Mr Anderson and she had been working closely with UCAN in relation to a forthcoming event, and advised that she would leave the meeting prior to consideration of the item.

Councillor Cooke advised that he had connections in relation to item 7.1 by virtue of his position of Chairperson of the Integration Joint Board and as a result of his family having a history of prostate cancer, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting. Councillor Cooke further advised that he had a connection in relation to item 9.4 (City Centre and Beach Masterplan Annual Update) as a Council appointed observer to the Board of Sport Aberdeen, however having applied the objective test he did not consider he had an interest and would not be withdrawing from the meeting.

Councillor Radley advised that she had a connection in relation to item 7.1 as a substitute member of the Integration Joint Board, however having applied the objective test she did not consider that she had an interest and would not be withdrawing from the meeting.

Councillor Grant advised that he had a connection in relation to items 9.4 and 9.5 (Aberdeen Market July 2024 Update) by reason of his employment by Aberdeen Inspired, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting for those items.

Councillor Blake advised that she had a connection in relation to item 9.1 (RAAC - Outcome of Options Appraisal August 2024) as a member and volunteer with Aberdeen Climate Action which had written to all elected members in connection with the item, however having applied the objective test she did not consider that she had an interest and would not be withdrawing from the meeting.

Councillor Henrickson advised that he had a connection in relation to item 9.4 as a minor shareholder in Aberdeen Football Club, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Nicoll declared an interest in relation to item 7.2 (Public Sector Equality Duty - Audit, Risk and Scrutiny Committee of 9 May 2024) due to reference being made to his previous role as Council Leader and advised that he would leave the meeting prior to consideration of the item.

Councillor Macdonald advised she had a connection in relation to items 9.1, 9.4 and 9.5 as a Council appointed Director to the Board of Aberdeen Heat and Power Ltd., however having applied the objective test she did not consider that she had an interest and would not be withdrawing from the meeting.

Councillor Fairfull advised that she had a connection in relation to item 7.1 as a member of the Integration Joint Board who was currently on maternity leave, however

Council Meeting, Wednesday, 21 August 2024

having applied the objective test she did not consider that she had an interest and would not be withdrawing from the meeting.

Councillor Thomson advised that she had a connection in relation to item 7.1 as an employee of NHS Grampian, however having applied the objective test she did not consider that she had an interest and would not be withdrawing from the meeting.

Councillor Brooks advised that he had a connection in relation to item 7.3 (Accessing Money Advice Services - Anti-Poverty and Inequality Committee of 12 June 2024) by reason of family members being employees and volunteers with anti-poverty organisations, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting. Councillor Brooks further advised that he had connections in relation to item 9.3 (Scheme of Governance Review - 2024) as he was a Chartered Physicist and a member of the Institute of Physics and had a history of working in nuclear design and nuclear safety, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Hutchison advised that he had a connection in relation to items 9.4 and 9.5 as a Council appointed Director to the Board of Aberdeen Heat and Power Ltd., however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting. Councillor Hutchison further advised that he had a connection in relation to item 9.4 as he was the owner-occupier of a property on George Street which was within the City Centre Masterplan, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Watson advised that he had a connection in relation to item 9.3 as a member of the Campaign for Nuclear Disarmament, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

DEPUTATIONS

4. (A) The Council received a deputation from Ms Gayle Stephen and Mr Kenny Anderson from UCAN in relation to agenda item 7.1. Ms Stephen advised that she was the Office Manager with UCAN, which was a local cancer charity established in 2005 and summarised its aims. She emphasised that one in three men in Scotland diagnosed with a urological cancer were diagnosed too late, and that if urological cancers were caught early, it relieved pressures on other services. She added that UCAN had minimal financial outgoings - she was the organisation's only employee and the Board were all volunteers, and emphasised that every pound raised went directly to front line services.

Mr Anderson advised that he was a Director on the Board of UCAN and he had been diagnosed with prostate cancer in 2018, but having benefited from UCAN's robotic surgery, he was given the all clear, following which he made a donation to UCAN and joined the Board last year. Mr Anderson stated that they were seeking the Council's support to adapt an existing space at Aberdeen Royal Infirmary (Ward 209) to provide a

Council Meeting, Wednesday, 21 August 2024

rapid diagnostic centre, which would provide a one stop diagnostic process for patients, both male and female.

Ms Stephen emphasised that this would help build on the existing success of Aberdeen's robotic surgery and enhance Aberdeen's global reputation as a centre of excellence and provide lifesaving outcomes. Mr Anderson noted that the total cost of the project was £2.5m, with donations received and work under way on funding applications, however they were seeking £250,000 from the Council which would allow them to commence the first phase of the unit, which would start delivering benefits for patients and their families.

Ms Stephen emphasised that they could not wait any longer and begged the Council for their help.

During the course of questions to the deputation, Councillor Yuill advised that he was changing his transparency statement, made within Article 3 of the minute, to a declaration of interest and withdrew from the meeting.

Councillor Blake advised that she had a connection by reason of her husband having had testicular cancer and benefitting from support from UCAN, however having applied the objective test she did not consider that she had an interest and would not be withdrawing from the meeting.

Councillor Watson advised that he had a connection by reason of his mother having passed away due to bladder cancer, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Ali advised that he had a connection by reason of his wife having had Professor N'Dow as her surgeon, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Kuszniir advised that he had a connection by virtue of Professor N'Dow having been mentioned, as Professor N'Dow was an NHS appointed trustee on a trust that he managed, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

The Council thanked Ms Stephen and Mr Anderson for their deputation.

(B) The Council received a deputation from Ms Hannah Leiper in relation to agenda item 9.1 on behalf of Hannah Chowdhry, who was unable to be in attendance. Ms Leiper advised that Ms Chowdhry was delighted to become a home owner in Torry just four months ago, however her delight soon turned to anxiety and despair when the Council advised that her property was one of many which had been constructed with Reinforced Autoclaved Aerated Concrete (RAAC), which had left her with a bleak and uncertain future.

Council Meeting, Wednesday, 21 August 2024

Ms Leiper stated that the Council's proposal to only offer the current market value for the property was nothing short of a betrayal and she felt the Council was turning its back on the affected citizens, leaving many in financial ruin with no meaningful support. She emphasised that this was not a fair valuation and it was a deeply flawed approach - it was not compensation but a surrender and imposing a forced migration from homes that were loved and the community they were part of.

Ms Leiper urged the Council to look at Clackmannanshire Council which had chosen a different path by offering pre RAAC valuations for affected properties. She called upon the Scottish Government to establish a national fund to support affected homeowners and put in place the necessary legislation to ensure that this could not happen again. Ms Leiper urged Councillors to join their protest and petition to the Scottish Parliament which had attracted over 7,800 signatures.

(C) The Council received a deputation from Mr Wilson Chowdhry, Chair of the UK RAAC Campaign Group, in relation to agenda item 9.1, and also on behalf of his daughter Hannah Chowdhry. Mr Chowdhry referred to numerous sections of the report and emphasised that many homeowners were unaware that the Council was only offering current market value for affected properties and that there was a profound disconnect between the Council's intentions and the public's understanding.

Mr Chowdhry noted that many homeowners would be left in financial ruin and that the Council's approach was exacerbating stress not supporting its citizens. He questioned why the Council was not considering grants, loans and shared equity as other options. Mr Chowdhry stated that he had raised concerns with Council officers in private meetings, however his concerns had not been addressed and homeowners were now having the threat of health and safety legislation used against them if they refused to sell their homes at devalued prices. He emphasised that citizens should be able to trust the Council, however they felt that trust had been betrayed.

Mr Chowdhry queried the extent to which Scottish Government Ministers had been consulted and whether national funding would be made available to help support homeowners. He stated that offering between £10,000 to £30,000 for homes that were previously worth £130,000 was not just unfair, it was an insult to democracy and the principles of fairness; and that homeowners would not be agreeing to sell their homes for those prices. Mr Chowdhry stated that elected members had the power to offer a fairer solution which went beyond the recommendations contained in the report, and urged them to do so.

The Council thanked Ms Leiper and Mr Chowdhry for their deputations and asked questions of Mr Chowdhry on behalf of both deputations.

(D) The Council received a deputation from Ms Paula Fraser in relation to agenda item 9.1. Ms Fraser advised that she represented the Torry Community RAAC Campaign and she was very angry at how things had been handled. She was particularly angry that affected tenants and homeowners had not been notified of the proposal to demolish homes until after the report had been published online. Ms Fraser felt there was a complete lack of understanding by the Council, and those unaffected could not begin to imagine how it felt to have the prospect of your home being demolished.

Council Meeting, Wednesday, 21 August 2024

Ms Fraser emphasised that the financial offers would not even cover current mortgage fees in many cases, never mind pay for somewhere else to live. Many homeowners would be unable, or too old, to secure a mortgage for a new property and may be unable to afford to rent. She underlined that the Council had to offer homeowners a fair price pre RAAC. Ms Fraser highlighted that many faced financial ruin and questioned where was the justice and where was the duty of care from the Council towards those affected.

Ms Fraser stated that this had dragged on for 10 months, however local authorities had been warned about RAAC for decades and had ignored those warnings. She urged Councillors to do the decent thing and find a speedy process that was fair for all - a lot of people had lost trust in the Council and Ms Fraser suggested that perhaps an outside arbiter should be enlisted to assist in the process.

The Council asked questions of Ms Fraser and Mr John Miekjohn, who was in attendance to support Ms Fraser, and thanked Ms Fraser for her deputation.

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 3 JULY 2024

5. The Council had before it the minute of meeting of Aberdeen City Council of 3 July 2024.

The Council resolved:-
to approve the minute.

MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 16 JULY 2024

6. The Council had before it the minute of the special meeting of Aberdeen City Council of 16 July 2024.

The Council resolved:-
to approve the minute.

MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 16 JULY 2024

7. The Council had before it the minute of the special meeting of Aberdeen City Council of 16 July 2024.

The Council resolved:-

- (i) to note that Councillor MacGregor voted for Councillor Yuill's amendment in the second division within Article 2, however due to problems with the electronic voting system his vote had not registered and therefore was not reflected in the minute; and
- (ii) to otherwise approve the minute.

Council Meeting, Wednesday, 21 August 2024

The Lord Provost advised that he was bringing forward agenda item 9.1 to be considered at this point.

REINFORCED AUTOCLAVED AERATED CONCRETE (RAAC) - OUTCOME OF OPTIONS APPRAISAL AUGUST 2024 - CORS/24/233

8. With reference to Article 8 of the minute of its meeting of 3 July 2024, the Council had before it a report by the Chief Officer - Capital which presented the completed options appraisal, an overview of feedback from the recent engagement with Council tenants, homeowners, private tenants and the wider community and associated survey work, and wider contextual information used to help formulate a recommendation for consideration.

The report recommended:-

that the Council -

- (a) note the engagement undertaken over the summer period and thank the community for their participation and contributions to the online engagement and drop-in sessions. In addition, note the planned follow-on engagement with RAAC impacted owners and residents;
- (b) agree that the optimum option is the demolition and rebuild of homes on site and instruct the Chief Officer - Capital to proceed with the demolition aspect of this (Option 4a), and report back to the next appropriate meeting of the Communities, Housing and Public Protection Committee on the initial phasing of demolition and landscape details;
- (c) instruct the Chief Officer - Corporate Landlord in consultation with the Chief Officer - Capital, Chief Officer - Housing, and the Chief Officer - Finance, to assess the 'building new homes' option as alluded to in Option 4b with consideration towards undertaking a detailed masterplanning exercise assuming the site is vacant to determine future redevelopment proposals. For the wider site give consideration to creation of appropriate greenspace, preferred housing mix, opportunities to extend tenure mix and provision for housing for varying need and report this to a future meeting of the Communities, Housing and Public Protection Committee in 2025 (as early as possible);
- (d) approve the funding noted within the Financial Implications section of the recommendations and instruct the Chief Officer - Capital, following consultation with the Convener of the Finance and Resources Committee, and the Chief Officer - Procurement, to procure appropriate works and services, and enter into any contracts necessary for the delivery of the demolition, masterplanning and landscaping works without the need for further approval from any other Committee of the Council subject to due diligence, consistency with the financial model and affordability and regular update on progress of project delivery to the Communities, Housing and Public Protection Committee;
- (e) instruct the Chief Officer - Corporate Landlord to look at a range of delivery options for new housing on the site including opportunities to work with partners to meet the masterplan aspirations, and the requirement of the Housing Revenue Accounts 30 year business plan; reporting this in as part (ii) above;
- (f) instruct the Chief Officer - Corporate Landlord in consultation with the Chief Officer - Finance to take forward negotiations with private owners to acquire their properties voluntarily at Market Value, noting that this would be a valuation of the

Council Meeting, Wednesday, 21 August 2024

- property at the current date and be on the same basis as the CPO process. In addition to Market Value the Council would be willing to meet reasonable legal and professional costs along with home loss and disturbance payments;
- (g) instruct the Chief Officer - Corporate Landlord in consultation with the Chief Officer - Housing as part of the negotiations with private owners to assess the housing options available for each individual owner to identify any support that can be offered in rehoming;
 - (h) instruct the Chief Officer - Corporate Landlord in consultation with the Chief Officer - Governance to bring back a report to Council in late 2024/early 2025 on options available to the Council to compulsorily acquire private properties to assist the delivery of the agreed option where required;
 - (i) instruct the Chief Officer - Housing to continue the re-homing process and report progress to the Communities, Housing and Public Protection Committee on a regular basis, noting that there may be requirements to commence legal proceedings under the Scottish Tenancy Agreements, where tenants refused to move to alternative accommodation having received reasonable offers of alternative accommodation to ensure that tenant safety remains the Council's primary objective;
 - (j) note that the Chief Officer - Housing ensured a continued offering of support to impacted individuals and families as they go through the rehoming process, and settle into their new homes and communities;
 - (k) note that the Chief Officer - Housing and Chief Officer - Corporate Landlord would continue to engage with the Scottish Housing Regulator regarding progress with the delivery of the preferred option to ensure that any impact on our wider housing performance standards was taken into account, during regulation and consideration of the Council's performance;
 - (l) note that any private tenants (as well as private owners) can be added to the RAAC Impact housing list as per the decision of the Urgent Business Committee held on 29 February 2024;
 - (m) note the approved £3m budget as reported at the Urgent Business Committee on 29 February 2024 including but not limited to, additional staffing costs, specialist consultant fees, contractors costs for access and works, rehoming costs, temporary accommodation, school transport, utilities connections and security costs for the wider site. To note the spend to date in relation to the rehoming programme as identified within paragraph 4.2;
 - (n) approve the virement of £4m within the HRA Capital Programme Budget as described in section 4 to set aside the initial funds needed to progress the approved works;
 - (o) instruct the Chief Officer - Finance to include the financial consequences of the report within the 30 year business plan for the HRA, which was due to be reported in September 2024;
 - (p) note that ongoing dialogue with Scottish Government officials and Housing Minister regarding financial implications, including financial flexibilities, and future housing need, meant the Council may request that the Scottish Government consider a statutory dispensation to permit the Council certain flexibilities, and instruct the Chief Officer - Finance to request that dispensation, where required; and
 - (q) note the Chief Officer - Finance would determine the accounting treatment for any expenditure incurred to address the RAAC situation, taking account of legislation, proper accounting practice, statutory guidance issued by Scottish

Council Meeting, Wednesday, 21 August 2024

Ministers, flexibilities approved by Scottish Ministers and, in the event of funding being made available to the Council, how that would be treated. Note that early engagement with external audit would take place as part of determining the accounting treatment to be applied.

Councillor Radley moved, seconded by Councillor Henrickson:-

That the Council -

- (1) approve the recommendations contained within the report; and
- (2) instruct the Chief Executive to formally advise both the UK and Scottish Government of the Council's decision on the preferred option, the financial impact for the Council and private owners, and request a joint meeting with both the relevant UK and Scottish Government Ministers to discuss funding support for the short-term costs and longer-term housing development requirements.

Councillor Watson moved, seconded by Councillor Malik:-

That the Council -

- (1) note the contents of the report;
- (2) note the Labour amendment supported by the Conservatives but opposed by the SNP and Lib Dems at the Urgent Business meeting on 29th February 2024, where the administration rushed into a decision that now has serious consequences for the Council, tenants and owner occupiers of the affected properties;
- (3) note Councillor Radley's comments in the Press and Journal regarding increasing Council rents to pay for RAAC to all tenants and agrees if this is proposed in the budget the Council should call this increase the Radley tax. Believes that it is a duty of the administration to be accountable for their decisions, and if the handling of the RAAC issue leads to eviction of Council tenants, then the Council co-leaders should be personally present at each one;
- (4) agree members should be under no illusions that officers are recommending an option without members being in full possession of the financial burden as set out on page 20 under Risk which states the following "*The current financial burden to mitigate the RAAC impact is currently unknown and still to be quantified.*" Therefore, agrees that Council should not make a definitive decision today until it is in possession of the financial burden;
- (5) given the community and local economic benefit of retaining and refurbishing the existing properties, officers are instructed to prepare a report for the next Council meeting on the whole cost to the HRA of each option and the economic and community benefits of each;
- (6) agree Audit Scotland Following the public pound states "The main tenet of 'following the public pound' is that the principles of good governance apply in decisions concerning public money, agreeing to a decision today without knowing the full financial burden on the Council is folly and irresponsible;
- (7) agree to obtain a legal opinion from Kings Counsel on the likelihood of the Council being in a position to use CPO legislation, given it forced the issue by taking forward an Urgent Business Committee meeting in February - when this matter would have been better dealt with at Council 6 days later -

Council Meeting, Wednesday, 21 August 2024

- but has not used any of the powers it possesses under the Building (Scotland) Act 2003;
- (8) instruct the Chief Executive to write to members to explain why this matter was treated as urgent given the Council's inability or unwillingness to use the powers outlined within the exempt report;
 - (9) agree that minutes of all meetings and correspondence with the Scottish Government on this issue should be shared with elected members; and
 - (10) agree that a meeting should be set up with all Group leaders, the First Minister and Housing minister to discuss the seriousness of this matter and the effect it will have on the tenants of Aberdeen City Council.

Councillor Kuszniir moved as a further amendment, seconded by Councillor Brooks:-

That the Council -

- (1) raises concern and condemns the actions of the Convener of Communities, Housing and Public Protection and her ill-considered comments to The Press & Journal on 16 August 2024, which suggested that tenants will face rent increases to pay for RAAC repairs;
- (2) considers that not only is this an unrealistic way of funding the repairs but that the Convener (Councillor Radley) and the Administration would be better spending their time properly representing the City of Aberdeen to ensure we secure Scottish Government funding support rather than further frightening Council tenants with unwise media comment;
- (3) therefore, instructs the Chief Executive to write to the Minister for Housing, Paul McLennan MSP, updating him on the decision of Council and reiterating the request for financial support in handling RAAC.

Amendment (*italics*) to Recommendations

2.1 unchanged

2.2 *Correction:* Agrees that the optimum option is the demolition and rebuild of homes on site and instructs the Chief Officer - Capital to proceed with the demolition aspect of this (*Option 4b*), and to report back to the next appropriate meeting of Communities, Housing and Public Protection Committee on the initial phasing of demolition and landscape details.

2.3 unchanged

2.4 *Instruct the Chief Officer - Capital, following consultation with the Convener of the Finance and Resources Committee, and the Chief Officer - Procurement, to present-for-approval a masterplan option to the Communities, Housing and Public Protection Committee.*

~~2.4~~ 2.5 unchanged

~~2.5~~ 2.6 *unchanged*

~~2.6~~ 2.7 Instruct the Chief Officer - Corporate Landlord in consultation with the Chief Officer - Finance and Chief Officer - Governance to report to the next full Council meeting on the implications of acquiring the properties of private

Council Meeting, Wednesday, 21 August 2024

owners, voluntarily at a Value reflecting the historic Market Value of the properties at (say) 1st April 2023. In addition to this agreed Value the council will consider meeting the reasonable legal and professional costs properly incurred by homeowners together with home loss and disturbance payments.

~~2.7~~ 2.8 Unchanged

~~2.8~~ 2.9 Instruct the Chief Officer - Corporate Landlord *not to proceed with CPO at any stage of this process without prior agreement from Council*; and in consultation with the Chief Officer - Governance to bring back a report to Council in late 2024/early 2025 on options available to the Council to compulsorily acquire private properties to assist the delivery of the recommended option where required.

~~2.9~~ 2.10 Instruct the Chief Officer - Housing to continue the re-homing process and report progress to the Communities, Housing and Public Protection Committee on a regular basis. ~~noting that there may be requirements to commence legal proceedings under the Scottish Tenancy Agreements, where tenants have refused to move to alternative accommodation having received reasonable offers of alternative accommodation to ensure that tenant safety remains the Council's primary objective. Where tenants have refused to move to alternative accommodation, a confidential report summarising each case will be presented to the Communities, Housing and Public Protection Committee to confirm that all "reasonable and practicable measures" have been taken prior to any legal proceedings being advanced.~~

~~2.10-2.17~~ 2.11-2.18 Unchanged

At this juncture, the Council agreed to suspend Standing Order 40.2 to allow the meeting to continue beyond six hours.

There being a motion and two amendments, the Council first divided between the two amendments.

On a division, there voted:-

For the amendment by Councillor Watson (12) - Councillors Ali, Blake, Bonsell, Crockett, Graham, Grant, Lawrence, Macdonald, Malik, Thomson, Tissera and Watson.

For the amendment by Councillor Kuszniir (6) - Councillors Boulton, Brooks, Farquhar, Kuszniir, McLeod and Massey.

Declined to vote (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.

Council Meeting, Wednesday, 21 August 2024

The Council then divided between the motion and the amendment by Councillor Watson.

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 by Councillor Watson (12) - Councillors Ali, Blake, Bonsell, Crockett, Graham, Grant, Lawrence, Macdonald, Malik, Thomson, Tissera and Watson.

Declined to vote (5) - Councillors Brooks, Farquhar, Kuznir, McLeod and Massey.

Absent from the division (1) - Councillor Boulton.

The Council resolved:-

- (i) to adopt the motion; and
- (ii) to request that future reports include correspondence from the Scottish and UK Governments by way of background information.

In accordance with Articles 3 and 4 of the minute, Councillors Alphonse and Yuill left the meeting for the following item of business having declared interests.

COUNCIL FINANCIAL PERFORMANCE - QUARTER 4, 2023/24 - FINANCE AND RESOURCES COMMITTEE OF 8 MAY 2024

9. With reference to Article 5 of the minute of meeting of the Finance and Resources Committee of 8 May 2024, the Council had before it a report by the Executive Director of Corporate Services which provided details of the full year actual financial position of the Council against budget for the financial year 2023/24, and which had been referred to it by four members of the Committee in accordance with Standing Order 34.1.

The report recommended:-

that the Finance and Resources Committee -

- (a) note the unaudited final outturn position for the financial year 2023/24 as detailed in Appendix 1;
- (b) note that the General Fund has recorded a balanced operational position for the year 2023/24. The uncommitted General Fund reserve remains in line with the approved Reserves Policy;
- (c) note that the Housing Revenue Account has recorded a deficit of £1.525m for the year, and this will have to be funded from the uncommitted HRA reserve;
- (d) note that the Common Good has recorded an operating surplus of £1.814m for the year, which is better than the approved use of cash reserves. After

Council Meeting, Wednesday, 21 August 2024

- investment valuation changes and capital receipts are included, cash balances increased by £1.614m and remain in line with recommended levels;
- (e) approve the various transfers for 2023/24, between Council Reserves and Earmarked sums for the General Fund, Housing Revenue Account, Common Good and Statutory Funds as of 31 March 2024, as detailed in Appendix 1;
 - (f) approve the reprofiling of the 2024/25 - 2027/28 capital programmes to take account of the year end position and that the outcome of this is incorporated into the 2024/25 Quarter 1 reporting; and
 - (g) note that the unaudited Annual Accounts for 2023/25 will be presented to Audit, Risk and Scrutiny Committee on 9 May 2024, including the Annual Governance Statement and Remuneration Report for the year.

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

Councillor McLellan moved, seconded by Councillor Bouse:-

That the Council -

- (1) approve the recommendations contained within the report;
- (2) note that following the meeting of the Finance and Resources Committee of 4 May 2024, the Convener and Vice Convener wrote to UCAN to make them aware that Aberdeen City Council's External Funding Team would be able to assist them with any funding applications; and
- (3) understand that UCAN had since engaged with the External Funding Team to assist them in securing funding of £2.5m towards a urological Rapid Diagnostic Centre.

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

That the Council -

- (1) note the changes in balances of uncommitted funds from Q4 to Q1 reporting, and the cash balances reported at both periods;
- (2) note that on 25 April UCAN (Scottish Charity SC036638, and a company limited by guarantee with the Registrar of Companies as UCAN (Grampian), company number 286333) launched a second fundraising round to support the next chapter of its support for its ongoing provision of care for urological related cancers affecting those in the NHS Grampian catchment area and further afield;
- (3) note that per the Scottish Public Health Observatory data, prostate cancer accounts for 22.6% of all cancers diagnosed in men and further that prostate cancer is the second most common cause of death from cancer in men;
- (4) commend the work of the staff and volunteers of UCAN;
- (5) having considered the Public Sector Equality Duty, agree to commit in principle an amount of £250,000 from cash balances referred to in point (1) of this amendment;
- (6) instruct the Chief Officer - Finance to carry out due diligence in line with the Council's Following the Public Pound Policy, and where satisfied, following consultation with all Political Group Leaders, make payment to UCAN as set out in point (5); and
- (7) instruct the Chief Executive to write to Council Chief Executives in Aberdeenshire, Moray, Highland, Orkney, Shetland and Western Isles

Council Meeting, Wednesday, 21 August 2024

confirming our grant and asking them to contribute to UCAN fundraising efforts recognising that cancer does not distinguish between local authority boundaries.

On a division, there voted:-

For the motion (22) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Nicoll, Radley and van Sweeden.

For the amendment (16) - Councillors Ali, Blake, Bonsell, Brooks, Crockett, Farquhar, Graham, Kuszniir, Lawrence, Macdonald, McLeod, Malik, Massey, Thomson, Tissera and Watson.

Absent from the division (4) - Councillors Alphonse, Boulton, Grant and Yuill.

The Council resolved:-
to adopt the motion.

In accordance with Article 3 of the minute, Councillor Nicoll left the meeting for the following item of business having declared an interest.

PUBLIC SECTOR EQUALITY DUTY - AUDIT, RISK AND SCRUTINY COMMITTEE OF 9 MAY 2024

10. With reference to Article 14 of the minute of meeting of the Audit, Risk and Scrutiny Committee of 9 May 2024, the Council had before it a report by the Executive Director of Corporate Services which provided management assurance on the Council's compliance with its statutory duties under the Equality Act 2010, specifically in relation to the Public Sector Equality Duty, and which had been referred to it by four members of the Committee in accordance with Standing Order 34.1.

The report recommended:-

that the Audit, Risk and Scrutiny Committee -

- (a) note the management assurance on the controls in place for managing the Council's compliance with the Public Sector Equality Duty; and
- (b) note that the Annual Governance Statement, reported to the Audit, Risk and Scrutiny Committee as part of the annual accounts audited by Audit Scotland, will assess the effectiveness of our controls in this area, any residual risk and how we manage it, and that this will be reported to the Committee in April.

The Audit, Risk and Scrutiny Committee resolved:-
to approve the recommendations contained within the report.

Councillor Yuill moved, seconded by Councillor Allard:-

That the Council approve the recommendations contained within the report.

Council Meeting, Wednesday, 21 August 2024

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

That the Council -

- (1) approve the recommendations contained within the report; and
- (2) note that a review of matters by the Depute Monitoring Officer concluded in respect of Bucksburn Pool "*The Joint Statement* [between Aberdeen City Council and Sport Aberdeen] *was not accurate in stating that the site of the Pool was needed to create space for additional school building*", in other words the press release was untrue, therefore agrees that there requires to be an investigation by Internal Audit into why the Council authorised the release of this joint statement, when the Council first became aware the statement was untrue and why officers never reported the facts to elected members of this untrue statement when they first became aware it was untrue.

On a division, there voted:-

For the motion (22) - 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, van Sweeden and Yuill.

For the amendment (16) - Councillors Ali, Blake, Bonsell, Brooks, Crockett, Farquhar, Graham, Kuszniir, Lawrence, Macdonald, McLeod, Malik, Massey, Thomson, Tissera and Watson.

Absent from the division (4) - Councillors Boulton, Grant, Nicoll and Radley.

The Council resolved:-

to adopt the motion.

ACCESSING MONEY ADVICE SERVICES - ANTI-POVERTY AND INEQUALITY COMMITTEE OF 12 JUNE 2024

11. With reference to Article 10 of the minute of meeting of the Anti-Poverty and Inequality Committee of 12 June 2024, the Council had before it a report by the Executive Director of Corporate Services which presented the work undertaken to determine issues faced by people in poverty in relation to accessing advice services and financial services, and which had had been referred to it by four members of the Committee in accordance with Standing Order 34.1.

The report recommended:-

that the Anti-Poverty and Inequality Committee note the recommendations at section 3.12 of the report to support the development of access to money advice services in Aberdeen.

The Anti-Poverty and Inequality Committee resolved:-

- (i) to instruct the Executive Director of Corporate Services to bring a report to a future committee to consider with partners the provisions of other advisory services in the city; and

Council Meeting, Wednesday, 21 August 2024

(ii) to otherwise approve the recommendation.

Councillor Allard moved, seconded by Councillor Bouse:-

That the Council -

- (1) note the recommendations at section 3.12 of the report to support the development of access to money advice services in Aberdeen; and
- (2) note that the Executive Director of Corporate Services had submitted a report to the next Anti-Poverty and Inequality Committee meeting which considered the provision of other advisory services in the city with partners.

Councillor Watson moved as an amendment, seconded by Councillor Tissera:-

That the Council:-

- (1) agree the recommendation contained within the report;
- (2) agree the SNP give a whole new meaning to dither, delay and defer given the Committee instructed a report on 30 August 2023, with the report due no later than summer 2024, noting that there are no specific recommendations contained within the report on the actual issues faced by people in poverty in relation to accessing advice services and financial services and the impact this had; on the services available in Aberdeen; on the unmet need; and no specific recommendations for Council services and other organisations to address this unmet need; and
- (3) instruct the Executive Director - Corporate Services to bring a report to the next Anti-Poverty and Inequality Committee detailing exactly what was asked for on 30 August 2023 in order to give confidence to those who may need help in this matter.

On a division, there voted:-

For the motion (23) - Lord 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 (15) - Councillors Ali, Blake, Bonsell, Brooks, Crockett, Farquhar, Graham, Kuszniir, Lawrence, Macdonald, McLeod, Malik, Thomson, Tissera and Watson.

Absent from the division (4) - Depute Provost; and Councillors Boulton, Grant and Massey.

The Council resolved:-

to adopt the motion.

COUNCIL BUSINESS PLANNER

12. The Council had before it the business planner as prepared by the Chief Office - Governance.

The Council resolved:-

Council Meeting, Wednesday, 21 August 2024

- (i) to note the reason for the delay to item 5 (Medium Term Financial Strategy) and that it would be reported to the October Council meeting; and
- (ii) to otherwise note the business planner.

B999/SHIELHILL ROAD JUNCTION IMPROVEMENT - COMPULSORY PURCHASE ORDER - CR&E/24/211

13. The Council had before it a report by the Chief Officer - Capital which provided an update on the progression of the B999/Shielhill Road Junction Improvements project.

The report recommended:-

that the Council -

- (a) note the progress made on the B999/Shielhill Road Junction Improvement project and the updates to the programme milestones; and
- (b) resolve to make a Compulsory Purchase Order (CPO) in respect of the land identified in the CPO Map (comprising 1 sheet) contained in Appendix 2 and instruct the Chief Officer - Governance to implement the statutory procedures following on from the making of the Order and continue to pursue voluntary acquisition in parallel with the compulsory purchase process.

The Council resolved:-

to approve the recommendations.

SCHEME OF GOVERNANCE REVIEW - 2024 - CORS/24/234

14. The Council had before it a report by the Interim Chief Officer - Governance which met the Council's instruction to report on the operation of the Scheme of Governance annually and make recommendations for improvement. The report also presented the proposed Council Diary for 2025.

The report recommended:-

that the Council -

- (a) approve Appendix C, Committee Terms of Reference, with effect from 26 August 2024, notes that a further review will be reported to Council in February 2025 following consideration of committee structures by the Governance Reference Group, and instruct the Interim Chief Officer - Governance to schedule a series of meetings from September for the Group to undertake this review;
- (b) approve Appendix D, Powers Delegated to Officers, with immediate effect, and delegate authority to the Interim Chief Officer - Governance to make any further changes to Appendix 1 of that document which are necessary to reflect such approval;
- (c) approve the revisions to the Standing Orders for Council, Committee and Sub-Committee Meetings as set out in Appendix B, with effect from 26 August 2024;
- (d) approve the revisions to the Financial Regulations as set out in Appendix B, with effect from 26 August 2024;
- (e) approve the revisions to the Procurement Regulations as set out in Appendix B, with effect from 26 August 2024;

Council Meeting, Wednesday, 21 August 2024

- (f) approve Appendix E, Member - Officer Relations Protocol, with effect from 26 August 2024;
- (g) approve Appendix F, the Local Code of Corporate Governance, with effect from 26 August 2024;
- (h) note the minutes of the Governance Reference Group of 20 March, 29 April, 9 May, 29 May, 3 June, 20 June and 2 August 2024, as contained at Appendix A;
- (i) instruct the Interim Chief Officer - Governance to, following consultation with the Co-Leaders, make all other amendments to the Scheme of Governance which are necessary to reflect the decisions taken by the Council at this meeting in relation to this report;
- (j) instruct the Interim Chief Officer - Governance to undertake a comparison of scrutiny models available, to report on these to the Governance Reference Group, including the Convener of the Audit, Risk and Scrutiny Committee, and to make recommendations for enhanced scrutiny within the report on Committee Terms of Reference to be presented to Council in February 2025;
- (k) instruct the Interim Chief Officer - Governance to produce (and update and revise from time to time as necessary) a guidance note for Conveners concerning member behaviour in meetings, such note to include reference to relevant provisions in the Standing Orders, Member - Officer Relations Protocol and Councillors' Code of Conduct;
- (l) note the current arrangements for cross-party working and that no additional groups are being proposed at this time;
- (m) ratify the appointment of Mr Doug Haywood to the Education and Children's Services Committee with immediate effect;
- (n) approve the Council Diary for 2025 as contained at Appendix G; and
- (o) consider the information regarding Nuclear Free Local Authorities contained within the report, and at Appendix H, and determines whether to join that organisation.

The Council also had before it an additional appendix which set out addendums to the recommendations as follows:-

1. Recommendation (b) is replaced with the following (the amendments shown in red):

Approves Appendix D, Powers Delegated to Officers, with immediate effect, **with the exception of the changes to Appendix 2 (Scheme of Delegation for dealing with Planning Applications for Local Developments) and the changes to the delegated powers of the Chief Officer - Strategic Place Planning, which two categories of changes the Council agrees shall come into effect immediately upon the changes to Appendix 2 being approved by the Scottish Ministers;** and delegates authority to the Interim Chief Officer - Governance to make any further changes to Appendix 1 (**Proper Officers and Statutory Appointees**) ~~of that document~~ which are necessary to reflect such approvals;

2. The entry in Appendix B (Scheme of Governance Review 2024 - Summary of Proposed Changes) to the above report, relating to proposed Standing Order 2.10, is replaced with the following amended entry (the wording in bold showing the extent of the amendment):

REF.	CHANGE	RATIONALE
2.10	The Lord Dean of Guild of the Burgesses	To mention the Lord

Council Meeting, Wednesday, 21 August 2024

	<p>of the City and Royal Burgh of Aberdeen attends public parts of meetings of the Council on behalf of the Guildry of Burgesses and is expected to comply with the Councillors' Code of Conduct.</p>	<p>Dean.</p>
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3. The proposed Chief Officer - Governance power in Appendix B and Appendix D (Powers Delegated to Officers) to the above report is replaced with the following amended power (the scored-out wording showing the extent of the amendment):

To make corrections or minor amendments to a trust deed or to amend it as required by law or as required or recommended by the Office of the Scottish Charity Regulator (OSCR), following consultation with the Chief Officer - Finance and any officer who is the lead Council officer in respect of the trust in question, but only where the trust deed relates to a trust in respect of which the Council is sole trustee ~~or the only trustees are elected members of the Council.~~

with that scored-out wording also deleted where it elsewhere occurs in the Powers Delegated to Officers and the Committee Terms of Reference.

Councillor Radley moved, seconded by Councillor Greig:-

That the Council -

- (1) approve the recommendations contained within the report and the addendums, with the exception of the inclusion of 'public parts of' in Standing Order 2.10 relating to the Lord Dean of Guild's attendance at Council meetings, subject to the following:-
- (2) instruct the Interim Chief Officer - Governance to include all members of the Planning Development Management Committee on the rota for the Local Review Body and to have a pool of substitutes who could be used should they be required, subject to the necessary planning training;
- (3) approve that the remainder of the decision made by Full Council on 26 April 2023 in relation to Local Review Body membership remain;
- (4) in relation to Standing Order 16.1, insert the following additional wording as shown in italics; "Subject to Standing Orders 12.14, 16.2 and 16.3 any Member will be entitled to attend any Committee or Sub Committee meeting of which they are not a member and will be entitled to ask questions and address the meeting *for a maximum of 5 minutes*";
- (5) in relation to Standing Order 34.1, insert the following additional wording as shown in italics; "Immediately following a vote at Committee or Sub Committee, at least one third of the membership of the Committee or Sub Committee may refer the matter to the Council, a Committee or Sub Committee for a decision (see Glossary for calculation), *provided that they state a reason for referral; but subject always to the right of the Convener of the Committee or Sub Committee first mentioned to determine that the matter may not be so referred*"; and
- (6) refer to the budget process the decision regarding whether to join the Nuclear Free Local Authorities.

Council Meeting, Wednesday, 21 August 2024

Councillor Malik moved as an amendment, seconded by Councillor Ali:-
That the Council -

2.1 approves Appendix C, Committee Terms of Reference, **as amended**, with effect from 26 August 2024, **with the addition of amending the remit of the Anti-Poverty and Inequality Committee under External Advisers, add bullet point “1 Trade Union Advisor representing workers in Aberdeen”**, notes that a further review will be reported to Council in February 2025 following consideration of committee structures by the Governance Reference Group, and instructs the Interim Chief Officer - Governance to schedule a series of meetings from September for the Group to undertake this review;

2.2 approves Appendix D, Powers Delegated to Officers, **as amended**, with immediate effect, and delegates authority to the Interim Chief Officer - Governance to make any further changes to Appendix 1 of that document which are necessary to reflect such approval.

POWERS DELEGATED TO OFFICERS	
References to “officers”, “staff” and “employees” mean those of the Council, except where the context otherwise requires. References to the Lord Provost, the Leader (or Co-Leaders) of the Council, Conveners and other elected members include references to their nominees. For the avoidance of any doubt, such nominees must be elected members of the Council. References to the Leader of the Council include reference to Co- Leaders, if such are appointed. Where consultation with the Leader is required, consultation must take place with the Leader who receives the salary for such position.	Clarification To stop officers from dividing the co leaders

Principle 6

The Council shall exercise all its powers and duties in accordance with the law and the Council’s constitutional documents. In particular, the exercise of any power contained within this Powers Delegated to Officers document shall be in accordance with the provisions of the Scheme of Governance and shall be subject to there being sufficient funding available to cover the costs of exercising that power. In exercising such a power, the relevant officers shall have due regard to relevant Council and relevant Integration Joint Board policy.

In **considering the possible exercising of** such a power, the relevant officers should be mindful of **any** potential for political sensitivity or controversy and, where appropriate, **must** consider consulting with elected members or referring the matter to Council or one of its Committees or Sub-Committees. **The officer must keep a record of their decision where doing so would be appropriate as part of good governance.** Some of the powers contained herein expressly require consultation with elected members. **An officer is under no obligation to use Powers Delegated to Officers.**

CO - Corp Landlord 22	Following consultation with the Chief Officer - Governance, the Chief Officer - Finance and the Chief Officer - City Development & Regeneration, to alter/waive	Requirement for additional consultation.
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Council Meeting, Wednesday, 21 August 2024

(in whole or in part) commercial rents in response to economic downturn subject to the Disposal of Land by Local Authorities (Scotland) Regulations 2010 and to report any use of this power to the Finance and Resources Committee .	
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Chief Officer - Corporate Landlord - Proposed to move from Chief Officer - Housing

To grant or decline future applications from organisations to lease Council-owned HRA properties and to report any use of this power to the **Communities, Housing and Public Protection Committee**

2.3 approves the revisions to the Standing Orders for Council, Committee and Sub- Committee Meetings as set out in Appendix B, **as amended**, with effect from 26 August 2024;

STANDING ORDERS

2.10	The Lord Dean of Guild of the Burgesses of the City and Royal Burgh of Aberdeen attends meetings of the Council on behalf of the Guildry of Burgesses, but must leave the chamber for the parts of such meetings which are not open to the public.	To mention the Lord Dean.
13.13	Where the Council, a Committee or a Sub-Committee has instructed the bringing of a report to a particular meeting, the relevant Director may postpone same to the next available meeting where the original date cannot be met, provided the relevant Convener has been consulted. The reason for the delay and the later meeting date shall be minuted at the meeting to which the instruction related. Questions to the relevant officer as to the reason for the delay can be asked by Members.	Responds to member feedback and enables Directors to balance the workload pressures on officers with operational demands.

29.1	Where a motion and amendments are proposed in relation to a Council, Committee or Sub Committee meeting, Members should provide a copy of the proposed wording to the Clerk as soon as reasonably practicable and, if possible , by 12 noon on the working day prior to the meeting.	To make this timescale mandatory. New Standing Orders proposed at 29.1.1, 29.1.2 and 29.1.3 below to provide greater clarity.
New with numbering adjusted	29.4 Motions and amendments submitted in accordance with Standing Order 29.1 and 29.2 will be circulated to all Members (of Council, the Committee or Sub	Remove DO NOT ACCEPT as not all motions or amendments will be used until officers have been asked questions and the

Council Meeting, Wednesday, 21 August 2024

thereafter	Committee) at least one hour prior to the relevant meeting, providing they have been finalised.	administration have moved its position. An amendment is against the motion not officers' recommendations.
32.10 NEW	It is acknowledged that Members may from time to time, at their own discretion, enter arrangements with one another to take account of the situation of Members who are on maternity, paternity, shared-parental or adoption leave and who are therefore unable to vote at Council meetings. Such arrangements are not governed by these Standing Orders or any other part of the Council's Scheme of Governance and will not be monitored or enforced by Council officers.	REMOVE IRRELEVANT TO STANDING ORDERS AS NO STATUTORY BASIS

4.2	34.2 Subject to Standing Orders 34.3 and 34.4, should the matter be referred in terms of Standing Order 34.1, the Clerk will then arrange for the matter to be referred to the next ordinary meeting of the Council, or the relevant Committee or Sub Committee, for determination. For referrals to Council, where the next Council meeting is in the opinion of Council the Leader too late for the	To provide greater clarity.
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	matter to be appropriately dealt with, the matter can instead be considered at a meeting of the Urgent Business Committee. Matters may not be referred to special meetings of the Council, Committees or Sub-Committees.	
34.3	Standing Orders 34.1 and 34.2 [Referrals] will not apply to any proceedings relating to:-... 34.3.10 legal matters which would, in the opinion of the Legal Officer be prejudiced or inappropriately interfered with, delayed, or interrupted by such referral.	To reduce the risk of adverse consequences flowing from referrals.
37.2	All Members are bound by the Councillors' Code of Conduct and are responsible for complying with it at all times, including regulating their own behaviour. Members will also be expected to observe the Member-Officer Relations Protocol. Officers are bound by section 5 of the Ethical Standards in Public Life Etc (Scotland) act 2000 and are expected to a) promote the observance by its councillors of high standards of conduct; and b) assist them	To respond to Member feedback.

Council Meeting, Wednesday, 21 August 2024

to observe the councillors' code

2.4 approves the revisions to the Financial Regulations as set out in Appendix B, with effect from 26 August 2024.

2.5 approves the revisions to the Procurement Regulations as set out in Appendix B, with effect from 26 August 2024.

2.6 approves Appendix E, Member - Officer Relations Protocol, as amended with effect from 26 August 2024;

MEMBER/OFFICER PROTOCOL

7.5 As members, we acknowledge that it is the individual responsibility of each member to regulate their own behaviour under the Councillors' Code of Conduct. We note that it is the role of the Council to support members in doing so.

8.Trust (Accountability)

8.7 As officers, we will ensure we are aware of and understand our responsibilities (including ensuring the Council does not issue misleading and false Press Releases) if we hold a politically restricted post.

2.7 approves Appendix F, the Local Code of Corporate Governance, as amended with effect from 26 August 2024;

Local code of corporate governance

ADD Core Principle H

Ensure complete transparency when dealing with Elected Member

1 Trust No more false Press Releases

2 Leadership Officers to agree to meet opposition and not cite being busy as an excuse for not agreeing to meet. Bearing in mind all councillors are equal.

3 Reports to be factual and to represent the council when it comes to appointment for Committees or allowances not just assume it's a done deal to suit the administration.

2.8 notes the minutes of the Governance Reference Group of 20 March, 29 April, 9 May, 29 May, 3 June, 20 June and 2 August 2024, as contained at Appendix A;

2.9 instructs the Interim Chief Officer - Governance to, following consultation with the Co-Leaders, make all other amendments to the Scheme of Governance which are necessary to reflect the decisions taken by the Council at this meeting in relation to this report.

2.10 instructs the Interim Chief Officer - Governance to undertake a comparison of scrutiny models available, to report on these to the Governance Reference Group, including the Convener and Vice Convener of the Audit, Risk and Scrutiny Committee, and to make recommendations for enhanced scrutiny within

Council Meeting, Wednesday, 21 August 2024

the report on Committee Terms of Reference to be presented to Council in February 2025;

2.11 **Delete in its entirety** instructs the Interim Chief Officer - Governance to produce (and update and revise from time to time as necessary) a guidance note for Conveners concerning member behaviour in meetings, such note to include reference to relevant provisions in the Standing Orders, Member - Officer Relations Protocol and Councillors' Code of Conduct.

2.12 notes the current arrangements for cross-party working and that no additional groups are being proposed currently.

2.13 ratifies the appointment of Mr Doug Haywood to the Education and Children's Services Committee with immediate effect.

2.14 approves the Council Diary for 2025 as contained at Appendix G; and

2.15 considers the information regarding Nuclear Free Local Authorities contained within the report, and at Appendix H, and determines whether to join that organisation.

Councillor Brooks moved as a further amendment, seconded by Councillor Farquhar:-
That the Council -

With Respect to Purpose of Report 1.1

Standing Order 32.10, page 447

1. Notes that the governance review's aim was to seek further clarity and relevance of standing orders.
2. Notes that this new Standing Order 32.10 is neither prescriptive or definitive. It is therefore, not considered a valid Standing Order.
3. Declines to approve proposed Standing Order 32.10.

Furthermore:-

With respect to Purpose of Report 1.2

1. Notes para 1.2 "Furthermore, the report meets the instruction from Council at its meeting on 7 February 2024 to the Chief Officer - Governance to report back to Council on the implications of joining 'Nuclear Free Local Authorities', as a result of the petition that had been received."
2. Notes that the Recommendation (para 2.15) does not make a recommendation on whether or not to join. It states: "considers the information regarding Nuclear Free Local Authorities contained within the report, and at Appendix H, and determines whether to join that organisation."
3. Notes that despite NFLA rhetoric portraying the opposite, scientifically, nuclear energy produces hardly any CO2 emissions and is proven to be one of the most, if not the greenest reliable-medium of power generation in the world, producing low-carbon electricity, which is currently responsible for meeting around 20% of our UK electricity demand.
4. Therefore, within the current context, agrees no further action with respect to joining the NFLA at this time, noting that the annual cost of membership is grossly disproportionate to any perceived benefit to Aberdeen City.

Council Meeting, Wednesday, 21 August 2024

There being a motion and two amendments, the Council first divided between the two amendments.

On a division, there voted:-

For the amendment by Councillor Malik (10) - Councillors Ali, Blake, Bonsell, Crockett, Lawrence, Macdonald, Malik, Thomson, Tissera and Watson.

For the amendment by Councillor Brooks (4) - Councillors Boulton, Brooks, Farquhar and McLeod.

Declined to vote (23) - Lord 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.

Absent from the division (5) - Depute Provost; and Councillors Graham, Grant, Kusznir and Massey.

The Council then divided between the motion and the amendment by Councillor Malik.

On a division, there voted:-

For the motion (24) - Lord Provost; and Councillors Al-Samarai, Allard, Alphonse, Boulton, 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 by Councillor Malik (10) - Councillors Ali, Blake, Bonsell, Crockett, Lawrence, Macdonald, Malik, Thomson, Tissera and Watson.

Declined to vote (3) - Councillors Brooks, Farquhar and McLeod.

Absent from the division (5) - Depute Provost; and Councillors Graham, Grant, Kusznir and Massey.

The Council resolved:-
to adopt the motion.

**CITY CENTRE AND BEACH MASTERPLAN - ANNUAL UPDATE - CR&E/24/231
AND ABERDEEN MARKET JULY 2024 UPDATE - F&C/24/207**

15. Councillor Yuill moved as a procedural motion, seconded by Councillor McLellan:-

That agenda items 9.4 and 9.5, as abovementioned, be referred to the Finance and Resources Committee.

Council Meeting, Wednesday, 21 August 2024

On a division, there voted:-

For the procedural motion (23) - Lord 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.

Against the procedural motion (13) - Councillors Ali, Blake, Bonsell, Brooks, Crockett, Farquhar, Lawrence, Macdonald, McLeod, Malik, Thomson, Tissera and Watson.

Declined to vote (1) - Councillor Boulton.

Absent from the division (5) - Depute Provost; and Councillors Graham, Grant, Kusznir and Massey.

The Council resolved:-

to adopt the procedural motion.

In terms of Standing Order 32.8, Councillors Crockett, Macdonald and Malik intimated their dissent against the foregoing decision.

PERFORMANCE MANAGEMENT FRAMEWORK 2024/25 UPDATE - CORS/24/232

16. The Council had before it a report by the Chief Officer - Data Insights which presented a revised Performance Management Framework 2024/25 reflecting proposals for the capture, scrutiny and reporting of Council performance, aligning with the Council's commissioning intentions, Service Standards, and approach to evidencing and evaluating improvements as outlined within the Council Delivery Plan 2024/25.

The report recommended:-

that the Council approve the revised Performance Management Framework for 2024-25 as detailed in Appendix A.

The Council resolved:-

to approve the recommendation.

NOTICE OF MOTION BY COUNCILLOR BOULTON

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

“To instruct the Executive Director of Families and Communities to investigate, with urgency, the opportunity for post offices that are closing to be set up in our local libraries and to report back to the Communities, Housing and Public Protection Committee as soon as possible. With the closure of both Culter and Culps post offices recently, this leaves a huge number of people without a post office facility.”

Council Meeting, Wednesday, 21 August 2024

The Council resolved:-

to approve the notice of motion.

In accordance with Article 2 of the minute, the Council considered the following item of business with the press and public excluded.

REINFORCED AUTOCLAVED AERATED CONCRETE (RAAC) - OUTCOME OF OPTIONS APPRAISAL AUGUST 2024 - CORS/24/233 - EXEMPT APPENDICES

18. With reference to Article 2 of this minute, the Council had before it exempt appendices relating to the abovementioned report.

The Council resolved:-

to note the exempt appendices.

The Lord Provost advised that the meeting would end at this juncture and that the remaining item of business (item 9.7 - Diversity in Recruitment Update) would be considered at a later date.

- DAVID CAMERON, Lord Provost.