

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 16 April 2025

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
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
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.

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WELCOME

1. The Lord Provost welcomed Anne MacDonald (Audit Scotland) to the meeting, who would be observing proceedings in her role as the Council's External Auditor.

The Lord Provost advised that he planned to change the order of the agenda and that it was his intention to bring forward item 9.4 - Scheme of Governance Review 2025 - as the first item of General Business, and that other items may be brought forward later in the meeting as required.

ADMISSION OF BURGESSES

2. (A) The person undermentioned was admitted into the presence of the Council and passed as a Burgess of Guild in respect of his Act of Admission in the Guild Burgess Book:-

Michael Melvin, Volunteering Services Manager, Aberdeen

- (B) The person undermentioned was admitted into the presence of the Council and passed as a Burgess of Guild by right of their father's/mother's status as a Free Burgess:-

James Edward Maitland, Transformation Programme Manager, Aberdeen

NOTIFICATION OF URGENT BUSINESS

3. The Lord Provost advised that he had accepted an urgent notice of motion by Councillor Boulton onto the agenda as a matter of urgency in terms of Section 50B(4)(b) of the Local Government (Scotland) Act 1973.

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 5 FEBRUARY 2025

4. The Council had before it the minute of meeting of Aberdeen City Council of 5 February 2025.

The Council resolved:-
to approve the minute.

MINUTE OF RECONVENED MEETING OF ABERDEEN CITY COUNCIL OF 17 FEBRUARY 2025

5. The Council had before it the minute of the reconvened meeting of Aberdeen City Council of 17 February 2025.

The Council resolved:-
to approve the minute.

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MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 5 MARCH 2025

6. The Council had before it the minute of meeting of Aberdeen City Council of 5 March 2025.

The Council resolved:-
to approve the minute.

MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 25 MARCH 2025

7. The Council had before it the minute of the special meeting of Aberdeen City Council of 25 March 2025.

The Council resolved:-
to approve the minute.

MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 2 APRIL 2025

8. The Council had before it the minute of the special meeting of Aberdeen City Council of 2 April 2025.

The Council resolved:-
to approve the minute.

COUNCIL BUSINESS PLANNER

9. The Council had before it the business planner as prepared by the Chief Officer - Governance.

The Council resolved:-
to note the business planner.

SCHEME OF GOVERNANCE REVIEW - 2025 - CORS/25/070

10. The Council had before it a report by the Chief Officer - Governance which made a number of recommendations for improvement to the Scheme of Governance following consideration and discussion by the cross-party elected member Governance Reference Group and in response to some outstanding Audit Scotland recommendations.

The report recommended:-
that the Council -

- (a) approve Appendix C, Committee Terms of Reference, with effect from 21 April 2025;

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- (b) approve Appendix D, Powers Delegated to Officers, with effect from 17 April 2025, and delegate authority to the Chief Officer - Governance to make any further changes to Appendix 1 of that document necessary to reflect such approval;
- (c) approve Appendix E, Standing Orders for Council, Committee and Sub-Committee Meetings, with effect from 21 April 2025; and instruct the Chief Officer - Governance to report back to the July Council meeting with further proposed revisions concerning meeting structure and motions and amendments for requisitioned meetings, utilising further input from the Governance Reference Group, as described in paragraph 4.3.4;
- (d) approve Appendix F, Financial Regulations, with effect from 21 April 2025;
- (e) approve Appendix G, Procurement Regulations, with effect from 21 April 2025;
- (f) approve Appendix H, Member - Officer Relations Protocol, with effect from 21 April 2025;
- (g) approve Appendix I, General Fund Budget Protocol and Appendix J, Housing Revenue Account Budget Protocol, with effect from 21 April 2025 and instruct the Chief Officer - Governance to schedule an additional meeting of Council to consider the Housing Revenue Account in December of each year;
- (h) note Appendix K, the Councillors' Accessing Information Procedure Note, and instruct the Interim Chief Officer - Governance to issue and implement the proposed mechanism for elected members to request information from officers, effective from 21 April 2025;
- (i) note that no changes were required to the Local Code of Corporate Governance at this time;
- (j) note the minutes of the Governance Reference Group of 18 October and 22 November 2024, and 22 January, 19 February and 12 March 2025, as contained at Appendix A;
- (k) note the cross-party/independent working groups which were in place, including the addition of a Future Libraries Group, as outlined in paragraph 4.1.4; and
- (l) instruct the Chief Officer - Governance and Chief Officer - People and Citizen Services to put in place a programme of officer and elected member training and development on scrutiny, as outlined in paragraph 4.17.

Councillor Radley moved, seconded by Councillor Greig:-

That the Council approve the recommendations contained in the report, subject to the following amendment to the Standing Orders and additional instruction:

29.4 Motions and amendments submitted in accordance with Standing Order 29.1 will be circulated to all Members (of Council, the Committee or Sub-Committee) by 4pm on the working day prior to the relevant meeting, providing they have been finalised and determined by the Convener to be competent. However, if such motions and amendments are not finalised and determined by the Convener to be competent by the said 4pm deadline, they will not be circulated unless with the consent of the Convener.

And instruct the Chief Officer - Governance to make any other amendments to the Scheme of Governance which may, in that Chief Officer's opinion, be necessary to reflect the above amendment.

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

That Council:-

- 2.1 approves Appendix C, Committee Terms of Reference, with effect from 21 April 2025.;
- 2.2 agrees to take no action in respect of Appendix D, Powers Delegated to Officers, on officer recommendations but to include the following within the delegated powers for Chief Officer - People and Citizen Services, or elsewhere as appropriate within the Scheme of Governance:- **One** - to approve flexible working requests in accordance with Employment Legislation and the Council's flexible working policy. Under no circumstances will approval be granted for a post holder to work for the Council whilst residing out with the UK. **Two** - that all future decisions concerning dismissal and the offer of re-engagement of staff in order to effect a variation in their contractual terms and conditions are reserved for full council and instructs the Chief Officer - Governance to make any other amendments to the Scheme of Governance which may be necessary to reflect this. **Three** - instruct the Chief Executive to report to Council, on an annual basis, a summary of their achievements that are based on their priorities set by the leader of the council and the Chief Executive's agreed priorities for the year ahead. **Four** - agree that in terms of the post holder known as the Monitoring Officer including any deputy instructs the Chief Officer - People and Citizen Services that the specification for the job of Monitoring Officer be changed to ensure it is a requirement that the post holder holds an LLB degree;
- 2.3 regarding Appendix E, Standing Orders for Council, to take no action on officer recommendations;
- 2.4 approves Appendix F, Financial Regulations, with effect from 21 April 2025;
- 2.5 approves Appendix G, Procurement Regulations, with effect from 21 April 2025;
- 2.6 approves Appendix H, Member - Officer Relations Protocol, with effect from 21 April 2025;
- 2.7 notes Appendix K, the Councillors' Accessing Information Procedure Note;
- 2.8 notes that no changes are required to the Local Code of Corporate Governance at this time;
- 2.9 notes the minutes of the Governance Reference Group of 18 October and 22 November 2024, and 22 January, 19 February and 12 March 2025, as contained at Appendix A;
- 2.10 notes the cross-party/independent working groups which are in place, including the addition of a Future Libraries Group, as outlined in paragraph 4.1.4; and
- 2.11 instructs the Chief Officer - Governance and Chief Officer - People and Citizen Services to put in place a programme of officer and elected member training and development on scrutiny, as outlined in paragraph 4.17.

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

That the Council -

1. Agrees to take no action on any of the recommendations because of the proposed changes to the Scheme of Governance which substantially disempower democratically elected Councillors, while empowering Officers at their expense, and which are considered would ultimately lead to a democratic deficit on Aberdeen City Council.
2. Believes it unlawful to grant dictator-esque powers to adjourn requisitioned meetings at the sole discretion of the Convener;
3. Considers it wholly inappropriate to continue with the broad power to make and sign experimental traffic orders given the Administration's bus gates shambles, public opposition to the bus gates and ongoing court proceedings; and
4. Therefore, with great regret declines to proceed with any of the proposed changes because of the substantive negative effect they would have on the authority and power of Councillors to carry out their role.

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 (11) - Councillors Ali, Blake, Bonsell, Graham, Grant, Lawrence, Macdonald, Malik, Thomson, Tissera and Watson.

For the amendment by Councillor Kuszniir (10) - Councillors Boulton, Brooks, Crockett, Cross, Houghton, Kuszniir, McLeod, Massey, Nicoll and Mrs Stewart.

Declined to vote (23) - 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, Radley, van Sweeden and Yuill.

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

On a division, there voted:-

For the motion (23) - 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, Radley, van Sweeden and Yuill.

For the amendment by Councillor Malik (21) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Cross, Graham, Grant, Houghton, Kuszniir, Lawrence, Macdonald, McLeod, Malik, Massey, Nicoll, Mrs Stewart, Thomson, Tissera and Watson.

The Council resolved:-
to adopt the motion.

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TREASURY MANAGEMENT POLICY - CORS/25/013

11. The Council had before it a report by the Chief Officer - Finance which outlined the Council's Treasury Management Policy for 2025/26 to 2027/28 for approval.

The report recommended:-

that the Council approve the Council's Treasury Management Policy, including the Treasury Management Policy Statement, Borrowing Policy, Investment Policy and Counterparty list, for 2025/26 to 2027/28 as detailed at Appendix 1.

The Council resolved:-

to approve the recommendation.

COMMITTEE PLACES - CORS/25/072

12. The Council had before it a report by the Chief Officer - Governance which considered the allocation of committee places as a result of a change to the political composition of the Council.

The report recommended:-

that the Council determine the membership number for each of the Council's committees (as listed in section 3.2) and thereafter set the composition for each committee, in terms of Standing Order 47.9.

The Council resolved:-

to approve the following committee places:-

Committee	Partnership	Labour	Conservative	Independent (x4)	Total
Anti-Poverty and Inequality	5	2	2	0	9
Audit, Risk and Scrutiny	5	2	2	0	9
Communities, Housing and Public Protection	5	2	1	1	9
Education and Children's Services	8	2	2	1	13
Finance and Resources	5	2	2	0	9
Licensing Committee	5	2	1	1	9
Net Zero, Environment and	5	2	1	1	9

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Committee	Partnership	Labour	Conservative	Independent (x4)	Total
Transport					
Pensions	5	2	1	1	9
Planning Development Management	5	2	1	1	9
Staff Governance	5	2	1	1	9
Urgent Business	4	2	1	0	7
Integration Joint Board	3 (plus 2 subs)	1 (plus 1 sub)	0 (plus 1 sub)	0	4 (plus 4 subs)
Total:	60 (plus 2 subs)	23 (plus 1 sub)	15 (plus 1 sub)	7	105 (plus 4 subs)

COUNCIL DELIVERY PLAN 2025/26 - CORS/25/038

13. The Council had before it a report by the Chief Officer - Data Insights which presented the Council Delivery Plan for 2025/26.

The report recommended:-

that the Council -

- (a) note the content of the Council Delivery Plan 2025/26 as detailed in Appendix 1;
- (b) instruct the Chief Executive to realign any of the delivery commitments set out in the Plan that may be required, as a result of budget decisions made at the Council budget meeting, to meet Council's instructions;
- (c) instruct all Chief Officers to report performance improvement priorities for 2025/26 and progress towards improvement through the arrangement set out within the Council's Performance Management Framework; and
- (d) instruct the Chief Officer - Data Insights (HDRCA) to liaise with University College London's Institute of Health Equity, led by Professor Sir Michael Marmot, and Public Health Scotland, who are in partnership with the Council, through the "Collaboration for Health Equity in Scotland", on further embedding the wider determinants of health and the application of preventative planning as outlined in the Delivery Plan.

Councillor Allard moved, seconded by Councillor Greig:-

That the Council approve the recommendations contained within the report.

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

That the Council:-

1. agree recommendations (a) to (c) of the report;
2. agree to instruct the Chief Executive to bring forward the report relating to Statutory Function Review instructed by Council in December 2022 on any specific opportunities proposed to be progressed. Note we are still none the wiser regarding the BBC being in a position to deliver public services for and on behalf of the Council;

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3. agree that the Statutory Function Review instructed the Chief Executive to discuss with the Scottish Government opportunities to transfer functions through legislative change; given the Council Delivery Plan 25/26 does not mention anything about this within it, instruct the Chief Executive to report back to Council in April on any opportunities proposed to be progressed;
4. agree despite the Anti-Poverty and Inequality Committee's best intentions, poverty within the city is on the rise due mainly thanks to SNP austerity with the Anti-Poverty and Inequality Committee being reduced to a talking shop rather than a stimulus for change;
5. note improvement projects were established in response to underperformance, on matters including Housing Rent Arrears and Repair and Letting of Empty Housing (Voids);
6. note recommendation (d), the launch of "Collaboration for Health Equity in Scotland" with the aim of reducing health inequalities in Aberdeen and two other Scottish local authority areas. Note this is a collaboration of Public Health Scotland (PHS) and Professor Sir Michael Marmot, Director of University College London's Institute of Health Equality (IHE) with council and health board;
7. note Public Health Scotland highlight that reducing health inequity requires action on eight key objectives. These are referred to as the Marmot 8. They are to:
 - tackle discrimination and racism, and their outcomes
 - give every child the best start in life
 - enable all children, young people, and adults to maximise their capabilities and control their lives
 - create fair employment and good work for all
 - pursue environmental sustainability and health equity together
 - ensure a healthy standard of living for all
 - create and develop healthy and sustainable places and communities
 - strengthen the role and impact of ill health prevention
8. agree the SNP has failed in each of these eight key principles and that the Council Delivery Plan fails the citizens of Aberdeen.

On a division, there voted:-

For the motion (23) - 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, Radley, van Sweeden and Yuill.

For the amendment (21) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Cross, Graham, Grant, Houghton, Kusznir, Lawrence, Macdonald, McLeod, Malik, Massey, Nicoll, Mrs Stewart, Thomson, Tissera and Watson.

The Council resolved:-
to adopt the motion.

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STANDARDS COMMISSION FOR SCOTLAND - WRITTEN DECISION - COUNCILLOR VAN SWEEDEN - CORS/25/071

14. The Council had before it a report by the Chief Officer - Governance which presented the written decision made by the Standards Commission for Scotland following a hearing held on 4 February 2025.

The report recommended:-

that the Council -

- (a) consider the content of the written decision; and
- (b) note that the Standards Commission for Scotland held that there had been no breach of the Code of Conduct by Councillor van Sweeden.

Councillor Allard moved, seconded by Councillor Greig:-

That the Council approve the recommendations contained within the report.

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

That the Council:-

- (1) note the decision of the Standards Commission for Scotland in relation to the Code of Conduct complaint against Councillor van Sweeden;
- (2) agree Dr Lezley Stewart, Standards Commission Member and Chair of the Hearing Panel made the highly unusual statement in a Press Release following the hearing which said amongst other things *"The Standards Commission wishes to emphasise that racism and discrimination are abhorrent, have no place in politics and should not be tolerated. The Standards Commission, and indeed the public, expect politicians, including local councillors, to lead by example and be respectful at all times. This includes refraining from using language, or terminology, that could be perceived as being offensive. The Panel noted that a failure to do so only serves to lower standards of public discourse and encourage the exchange of abuse, rather than reasoned and respectful debate."* This statement appears to be at odds with the decision made by the Standards Commission Hearing Panel and contrary to the decision taken within the report by the Ethical Standards Commissioner;
- (3) agree the Standards Commission requires reform noting that at the time of the hearing the membership of the hearing panel had no representation from minority ethnic backgrounds and that even today there remains no minority ethnic representative on the hearing panel despite a substantial number of councillors from all sides of the political divide being from an ethnic background;
- (4) agree that on the two tests of racism Councillor Malik and Councillor Van Sweeden the Standards Commission as a corporate body has failed in its duty to uphold the necessary standards in public life, Councillor Malik being suspended for 1 month overturned by the Sheriff Principal, having considered written submissions, allows the appeal on joint motion; recalls the decision of the commission and Councillor Van Sweeden by issuing a press release stating racism and discrimination are abhorrent, have no place in politics and should not be tolerated yet found against the Ethical Standards Commissioner which said racism was evident; and

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- (5) instruct the Chief Executive to write to all other 31 local authorities asking for their Council's opinion on the usefulness or otherwise of the Councillors' Code of Conduct and how it relates to robust debate by Councillors within and outwith the democratically elected chamber in which they operate. Once the information is received, further instruct the Chief Executive to forward the responses to the appropriate Scottish government minister.

During the course of debate, Councillor Yuill advised that he had a connection in relation to the item 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.

At this juncture, the Council agreed to suspend Standing Order 40.2 to extend the length of the meeting in order to conclude the current item of business.

On a division, there voted:-

For the motion (23) - 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, Radley, van Sweeden and Yuill.

For the amendment (15) - Councillors Ali, Blake, Bonsell, Boulton, Crockett, Graham, Grant, Lawrence, Macdonald, Malik, Nicoll, Mrs Stewart, Thomson, Tissera and Watson.

Declined to vote (6) - Councillors Brooks, Cross, Houghton, Kuszniir, McLeod and Massey.

The Council resolved:-
to adopt the motion.

The Lord Provost advised that the meeting would reconvene within two weeks to consider the remaining items of business.

- DAVID CAMERON, Lord Provost.