

**COUNCIL**  
**BUSINESS STATEMENT**  
**14 DECEMBER 2011**

<u>No.</u>	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>	<u>Report Expected (if known)</u>
1.	Council 16.12.09 Article 19	<p><b><u>50m Swimming Pool</u></b></p> <p>The Council approved a number of recommendations regarding design and procurement issues relating to the 50m Pool. The Council agreed that the management of the project be transferred to Aberdeen Sports Village subject to (a) the provision of further legal and financial advice in respect of any potential risks to the Council; and (b) the other partners confirming their financial contribution to the project.</p> <p>The Council requested that Aberdeen Sports Village provide the Council with a report within four months on how they planned to drive the project forward. <b><u>This is still awaited.</u></b></p>	<p><b><u>Please see Appendix for full information.</u></b></p> <p>The Education, Culture and Sport Committee of 2<sup>nd</sup> June 2011 approved the following recommendations:-</p> <p>(d) to approve funding of up to £8 million and this be met from the Non-Housing Capital Programme for the construction of a 10 lane pool subject to:</p> <p>(iii) officers reaching an agreement with partners in regard to the use of the facilities in light of the potential migration of swimming clubs to the new facility; and</p> <p>(iv) officers reaching agreement on a Transfer Agreement Document, which will formalise the transfer of responsibility for the</p>	<p>Director of Enterprise, Planning and Infrastructure</p> <p>(Report from Aberdeen Sports Village)</p>	24.03.10	

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			<p>delivery and operational phases of the 50 metre pool project to ASV Limited.</p> <p>(f) to instruct officers to report back to the next appropriate meeting of the Council in regard to the progress on the negotiations on items d(iii) and (iv) above.</p> <p><b>A progress report was considered by Council on 6<sup>th</sup> October 2011, which dealt with the above matters, as well as the latest position regarding negotiations with Aberdeenshire Council. Council approved the recommendations contained within the report and instructed officers to arrange a meeting of the 50m Pool Project Working Group as soon as possible.</b></p> <p><b>The request for a report from Aberdeen Sports Village on how they planned to drive the project forward (as referred to in the Committee Decision column on the previous page) has been superseded by events given that construction works</b></p>			

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			<p>are imminent. <u>It is therefore recommended that this item be removed from the Business Statement.</u></p>			
2.	Council 30.06.10 Article 16	<p><b><u>The City Garden Project - Quarterly Progress Report</u></b></p> <p>The Council agreed to receive quarterly progress reports on the matter.</p>	<p>The City Garden Project Quarterly Progress Report contained within the Information Bulletin presented to Council on 6<sup>th</sup> October 2011, identified that a report would be submitted to Council on 14<sup>th</sup> December 2011.</p> <p>However, it has taken longer than anticipated for the Design Competition Jury to select a preferred design for the City Garden Project and a decision is unlikely to be forthcoming before the first week in December (too late to produce a meaningful paper for submission to Council).</p> <p>Consequently, the paper planned for submission to Council on 14<sup>th</sup> December, seeking Council support for the project beyond the design competition stage, will now be submitted to a Special Council meeting in January (date yet to be agreed).</p>	<p>Director of Enterprise, Planning and Infrastructure</p> <p>Project Director, Economic and Business Development</p>	14.12.11	January 2012

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3.	Finance and Resources 29.09.11 Article 13	<p><b><u>Local Authority Trading Company - Implementation Costs</u></b></p> <p>The Finance and Resources Committee of 29<sup>th</sup> September 2011 resolved:-</p> <p>(i) that the cost of external expert support for the development of a full business case, up to a maximum of £50,000, be met from corporate provision for the costs associated with externalisation projects; and</p> <p>(ii) <b>subject to the business case demonstrating operational and financial benefits to the Council, to instruct that a full report be presented to Council which should detail (1) the implementation costs for a Local Authority Trading Company of up to a maximum of £450,000 to be met from the corporate provision for the costs associated with the externalisation of projects, as approved at the budget meeting of Council of 10 February, 2011 (article 2 refers); and (2) the operational impact, benefit and timeline for the full implementation of a Local</b></p>		Director of Social Care and Wellbeing	04.04.12	

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		<b>Authority Trading Company.</b>				
4.	Council 06.10.11 Article 12	<p><b><u>Preparations for the 2012 Local Government Elections</u></b></p> <p>The Council instructed officers to report back to the next meeting on the list of polling places following further consultation with members.</p>	A report is on the agenda.	Chief Executive	14.12.11	14.12.11
5.	Enterprise, Planning and Infrastructure 15.11.11 Article TBC	<p><b><u>Motion by Councillor Kevin Stewart MSP - City Garden Project Possible Referendum</u></b></p> <p>The Enterprise, Planning and Infrastructure Committee of 15<sup>th</sup> November 2011, considered a report regarding the above matter and resolved:-</p> <p>(i) to note the content of the report, and to thank officers for the considerable work which had gone into its preparation;</p> <p>(ii) to agree to refer the report to the consideration of Council on 14 December 2011;</p> <p>(iii) to instruct officers to report to Council on 14 December 2011, detailing the cost and feasibility of an independently conducted, statistically significant opinion poll as an alternative way of</p>	A report is on the agenda.	<p>Director of Enterprise, Planning and Infrastructure</p> <p>Project Director, Economic and Business Development</p>	14.12.11	14.12.11

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		<p>judging the level of public support for the project. This report should include the feasibility of including young people over the age of 16 or over in the sample, as well as information on the feasibility of holding a separate stand alone referendum for secondary school children;</p> <p>(iv) to instruct officers to produce a report for submission to Council on 14 December 2011, seeking approval for the wording of the question(s) to be included in any opinion poll or referendum, and that this report be the subject of consultation with Aberdeen City Gardens Trust Ltd and the Friends of Union Terrace Gardens; and</p> <p>(v) to recommend to Council that should Mr Mike Shepherd, submit a further request for deputation to Council on 14 December 2011, regarding this matter, that Council should agree to hear the request.</p>				

## APPENDIX

### ITEM 1 - 50m SWIMMING POOL

At its meeting of 27<sup>th</sup> April, the Council agreed to delegate authority to the Education, Culture and Sport Committee to make all necessary decisions at its meeting on 2<sup>nd</sup> June 2011, in order to keep the project on track, and that officers report accordingly.

The Education, Culture and Sport Committee of 2<sup>nd</sup> June 2011 approved the recommendations contained within the report, as outlined below, and added an additional recommendation at d(v) "subject to officers receiving clarification from Aberdeenshire Council that their revenue funding contribution remains intact".

#### **The report recommended:-** that Committee:-

- (a) note the content of the report;
- (b) note that the development cost, based on the most economically advantageous tender for the 10 lane option is £21,918,104 and for the 8 lane option is £21,638,104 compared to the previously reported estimated costs of £23,347,259 for the 10 lane option and £22,726,794 for the 8 lane option;
- (c) note that the total funding available from the other partners as detailed in section 5.3 of the report has increased from the previous total of £10 million reported to Council on 15 December 2010 to £14 million. This being the result of the University of Aberdeen increasing their contribution from £5 million to £8 million and Aberdeen Sports Village Ltd. (ASV Limited) agreeing to underwrite the shortfall of £1 million for the 10 lane option to ensure that the funding package can be secured. The remaining balance of external funding coming from a £5 million grant from **sportscotland**;
- (d) agree to approve funding of up to £8 million and this be met from the Non-Housing Capital Programme for the construction of a 10 lane pool subject to:
  - (i) the Corporate Asset Group, on behalf of the Corporate Management Team, managing the overall spend of the Non-Housing Capital Programme in 2011/12 to stay within approved spending limits and to take into account the future capital demand for this project in the budget process for 2012/13 and 2013/14;
  - (ii) the revenue support for the ongoing costs of the project being capped at £250,000 per annum at 2010/11 prices with a review of future indexation once the facility is nearing completion of the construction phase;
  - (iii) officers reaching an agreement with partners in regard to the use of the facilities in light of the potential migration of swimming clubs to the new facility; and
  - (iv) officers reaching agreement on a Transfer Agreement Document, which will formalise the transfer of responsibility for the delivery and operational phases of the 50 metre pool project to ASV Limited.
- (e) note that the most economically advantageous tender for the 50 metre pool project was submitted by Contractor A, and subject to the Committee agreeing to approve funding on the basis of recommendation (d), to instruct officers to arrange, in conjunction with Aberdeen University and Aberdeen Sports Village Ltd., to appoint Contractor A as the Principal Contractor, based on their tender figure for the 10 lane option which results in an overall development cost of £21,918,104;
- (f) **to instruct officers to report back to the next appropriate meeting of the Council in regard to the progress on the negotiations on items d(iii) and (iv) above; and**
- (g) to note that the provision of a 50 metre pool has been included within the scope of the Water Management Plan currently underway, and will also be included within the report to Committee, due on 15 September 2011. The Committee should be aware that historically there has been a recognition that the city has a greater number of swimming pools for the size of population than elsewhere. **sportscotland** is providing support to model the existing water provision and future needs. The recommendations will also take full account of the

reducing revenue and capital budgets and the costs associated with the 50 metre pool and are likely to include a reduction in the number and range of facilities.

At its meeting on 17<sup>th</sup> August 2011, the Council agreed that the above information be added back in to the business statement, and noted that a report would be submitted to the meeting on 6<sup>th</sup> October 2011.