

FINANCE AND RESOURCES COMMITTEE

ABERDEEN, 6 December 2012 – minute of meeting of the FINANCE AND RESOURCES COMMITTEE. Present: Councillor Young, Convener; Councillor Allan, Vice Convener; and Councillors Cameron, Cooney (as a substitute for Councillor Milne), Dickson, Donnelly, Jackie Dunbar, Graham, Greig (as a substitute for Councillor Yuill for articles 1 to 24), Len Ironside CBE (as a substitute for Councillor Crockett), Malone, McCaig, Nathan Morrison (as a substitute for the Convener for items 24 and 28 only), Noble, Reynolds, Taylor (as a substitute for Councillor Laing), and Yuill (from article 25 onwards).

The agenda and reports associated with this minute can be located at the following link:

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=146&MId=2583&Ver=4>

AGENDA ORDER

1. The Convener advised that item 10.5 of the agenda (Agricultural Tenancies, the Common Good and the Aberdeen Local Development Plan) had been withdrawn from the agenda to enable officers to have further discussions with one of the tenants and that a referral from the Zero Waste Management Sub Committee be considered after item 3.1 of the agenda (Motion by Councillor McCaig).

The Committee resolved:-

to concur with the proposals of the Convener.

DETERMINATION OF EXEMPT ITEMS OF BUSINESS

2. The Convener proposed that the Committee consider those reports identified on the agenda as being for determination in private, with the press and public excluded.

The Committee resolved:

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting from item 8.1 of the agenda (article 24 of this minute) onwards so as to avoid disclosure of information of the class described in the following paragraphs of Schedule 7(A) to the Act: article 24 (paragraphs 6 and 9), article 25 (paragraph 6), article 26 (paragraph 8), article 27 (paragraph 9), article 28 (paragraphs 6 and 9), article 29 (paragraphs 6 and 9) and article 30 (paragraphs 6 and 9).

MINUTE OF PREVIOUS MEETING

3. The Committee had before it the minute of its previous meeting of 4 October 2012.

The Committee resolved:

to approve the minute as an accurate record subject to amending recommendation (b) of article 15 to state 2013 rather than 2032.

MINUTE OF MEETING OF ST NICHOLAS HOUSE WORKING GROUP OF 23 NOVEMBER 2012

4. The Committee had before it the minute of meeting of the St Nicholas House Working Group of 23 November 2012, for approval of the proposed remit of that Group.

The Committee resolved:

to approve the remit of the Working Group as detailed within the minute.

DECLARATIONS OF INTEREST

Councillors Dickson and Donnelly declared interests in the subject matter of item 1 of the committee business statement by virtue of their positions on the Citizens' Advice Bureau Management Committee. Both Councillors then withdrew from the meeting during discussion of that item only.

COMMITTEE BUSINESS STATEMENT

5. The Committee had before it a statement of pending and outstanding committee business, as prepared by the Head of Legal and Democratic Services.

The Committee resolved:

- (i) in relation to item 1 (CAB – Debt Advice Service), to note the Director of Corporate Governance's assurance that a report on this matter would be submitted to the Committee at its meeting on 13 June 2013 at the latest;
- (ii) to remove items 8 (i) (Joint Customer Contact Centre), and 13 (Alternative Delivery Model);
- (iii) to note that reports on items 2 (Common Good Budget), 4 (Annual Housing and Council Tax Benefit Report), 11 (Whitemyres Stores – Corporate Storage), 17 (Jessiefield Farm), 20 (Non Housing Capital Programme 2012/13 – 2014/15 Budgets), 24 (Appeal of Decision Not to Sell Ground Adjacent to 132 Johnston Gardens North) were to be considered on today's agenda and to remove them subject to the decision taken; and
- (iv) to otherwise note the updates contained therein.

MOTIONS LIST

6. The Committee had before it the outstanding motions list, as prepared by the Head of Legal and Democratic Services.

The Committee resolved:

to note the update on the remaining motion.

BUSINESS RATES INCENTIVE SCHEME (BRIS) – MOTION BY COUNCILLOR McCaIG

7. With reference to article 17 of the minute of Council of 10 October 2012, the Committee had before it a motion in the following terms by Councillor McCaig:

‘In order to ensure that Aberdeen City Council reaps the financial benefits of the Scottish Government’s Business Rates Incentive Scheme (BRIS), Council instructs the Director of Enterprise, Planning and Infrastructure to consider measures to boost the city’s business rates income and agrees that 50% of any additional funding received by the Council as a result of this scheme be reinvested in economic development’.

Councillor McCaig spoke to his motion, explaining the rationale behind his request.

The Committee resolved:

- (i) to instruct officers to report on the terms of the motion and the Council’s current position in relation to the BRIS to the next meeting of the Committee; and
- (ii) to instruct officers to report to the budget meeting on the Council’s current position regarding BRIS.

MATTER OF URGENCY

The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973 that the following referral from the Zero Waste Management Sub Committee be considered as a matter of urgency in order for it to be addressed as part of the budget process.

ZERO WASTE MANAGEMENT SUB COMMITTEE - 5 DECEMBER 2012 RECYCLING FACILITIES AT ABERDEEN CITY COUNCIL OFFICES

8. Reference was made to article 3 of the minute of meeting of the Zero Waste Management Sub Committee of 5 December 2012, at which time members agreed to refer the installation of recycling facilities at Council offices in the next financial year and the necessary funding for this to be implemented to this Committee for consideration so that it could be included as part of the budget process.

The Committee resolved:

- (i) to request officers to report to the next meeting of the Enterprise, Planning and Infrastructure Committee regarding the Council’s strategy for meeting the impending legislative requirements for recycling provision in Council premises and thereafter that this report be submitted to the Zero Waste Management Sub Committee for information only; and
- (ii) to instruct officers to issue a guidance note to all members on the Council’s current and impending legislative requirements in relation to recycling.

2012/2013 FINANCIAL MONITORING – CORPORATE GOVERNANCE SERVICE (CG/12/119)

9. With reference to article 14 of the minute of its meeting of 4 October 2012, the Committee had before it a report by the Head of Finance which provided information on the current year's revenue budget to date for the Corporate Governance Service, and advised of any areas of risk and management action being taken in this regard.

The report recommended:

that the Committee -

- (a) note the information on management action and risks contained within the report; and
- (b) instruct officers continue to review budget performance and report on Service strategies.

The Committee resolved:

- (i) to approve the recommendations; and
- (ii) to commend staff for their efforts in this regard.

REVENUE BUDGET 2012/2013 MONITORING (CG/12/129)

10. With reference to article 16 of the minute of its meeting of 4 October 2012, the Committee had before it a report by the Head of Finance which presented the revenue position for the Council for 2012/13 and advised as to any areas of risk that had been highlighted by the Directors.

The report recommended:

that the Committee -

- (a) agree to allocate the current forecast surplus to an earmarked financial reserve, in line with the financial reserves strategy, approved at the last meeting of the Committee;
- (b) instruct Directors to maintain the tight cost control arrangements that were presently in place, to ensure the forecast budget was delivered; and
- (d) otherwise note the content of the report.

The Committee resolved:

to approve the recommendations.

CAPITAL MONITORING - NON HOUSING CAPITAL PROGRAMME (EPI/12/213)

11. With reference to article 12 of the minute of its meeting of 21 June 2012, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided an update on the progress across all Services of projects within the 2011/12 Non Housing Capital Programme.

The report recommended:

that the Committee note the current position.

The Committee resolved:

to approve the recommendation.

ABERDEEN CITY COUNCIL CHARITABLE TRUSTS – ANNUAL REPORT 2011/2012 (CG/12/126)

12. With reference to article 19 of the minute of its meeting of 6 December 2011, the Committee had before it a report by the Head of Finance which presented financial information and the trustees' annual report relating to the charitable trusts administered by the Council, both of which had to be submitted to the Office of Scottish Charities Register.

The report recommended:

that the Committee -

- (a) approve the submission of the trustees' report and basic receipt and payments accounts in respect of those trusts with income under £100,000 per annum (as per appendix A), to the Office of Scottish Charity Register; and
- (b) approve the submission of the trustees' report and fully accrued accounts in respect of the Lands of Torry (as per appendix B), to the Office of Scottish Charities Register.

The Committee resolved:

- (i) to approve the recommendations; and
- (ii) to request officers to advise all members of the Committee, by email, of the value of the Cowdray Hall and Art Museum Trust.

GENERAL FUND REVENUE BUDGET AND CAPITAL BUDGET 2013/14 AND INDICATIVE 5 YEAR BUDGETS (CG/12/1021)

13. The Committee had before it a report by the Director of Corporate Governance which presented information in relation to the 2013/14 General Fund Revenue budget, along with indicative 5 Year budgets for both the General Fund and an indicative investment level of £200 million for the Non Housing Capital Programme for the same period. The budgets before members were based on the current settlement information from the Scottish Government and would therefore be subject to change once an updated settlement position was announced.

The report recommended:

that the Committee –

- (a) note the attached 2013/14 draft budget proposal which would be presented to the Council budget setting meeting;
- (b) note the draft 5 Year Business Plan position in relation to the Council's budget subject to the final grant settlement award letter;
- (c) note that the proposed budget did not include any additional budget savings as the 5 Year Business Plan for 2013/14 demonstrated that none were required;
- (d) note the establishment of a risk fund to mitigate against any in year cost pressures subject to final Council approval at the budget meeting;
- (e) note that the Head of Finance continued to retain working balances, as a minimum, of 2.5%; and
- (g) note that a capital investment programme of £200 million over the 5 Year Business Plan life cycle would be reported to the Council budget setting meeting.

The Committee resolved:

- (i) to approve the recommendations; and
- (ii) to commend staff for their efforts in this regard.

DRAFT HOUSING REVENUE ACCOUNT (HRA) BUDGET AND HOUSING CAPITAL BUDGET 2013/14 TO 2015/16 (CG/12/1023)

14. The Committee had before it a joint report by the Director of Corporate Governance and the Director of Housing and Environment which provided members with information to allow the setting of the rent level for the financial year 2013/14 as well as provisional rent levels for the financial years 2014/15 and 2015/16, explaining that this would allow a capital programme for 2013/14 to be set as well as a provisional programme for 2014/15 and 2015/16.

The report recommended –

that the Committee consider the draft Housing Revenue Account budget and refer the report to Council on 19 December 2012 for:

- (a) approval of the budget as attached as Appendix 1;
- (b) approval of the weekly unrebated rents for municipal houses, as detailed in Appendix 1, to take effect from Monday 1 April 2013;
- (c) approval of the level of revenue contribution to the Housing Capital budget for 2013/14 as well as a provisional contribution for the subsequent two financial years as detailed in Appendix 1 of this report;
- (d) approval of the recommendation by the Head of Finance to increase working balances from 5% to 10% over a three year period to meet future contingencies;
- (e) approval of the continuation of the practice that all capital receipts, from the disposal of Council houses, be used to repay debt for 2013/14 and future years;
- (f) approval of the level of miscellaneous rents and service charges, including Heat with Rent as detailed in Appendix 1;
- (g) approval of other adjustments Council might wish to make to the draft HRA for the financial years 2013/14 to 2015/16; and
- (h) setting of a capital programme for the financial year 2013/14 based on the rent strategy adopted as well as the indicative level of programme for the financial years 2014/15 and 2015/16.

The Committee resolved:

to refer the report simpliciter to Council.

COMMON GOOD BUDGET 2013/14 AND INDICATIVE 2014/15 – 2017/18 BUDGET (CG/12/1024)

15. The Council had before it a report by the Director of Corporate Governance which presented the draft Common Good budget for 2013/14 as well as a further indicative four year budget and financial strategy on the use of reserves and capital receipts.

The report recommended:

that the Committee -

- (a) approve the recommendation by the Head of Finance to retain a minimum of two years' cash balances;
- (b) note the contents of Appendix 2 regarding clarity over the use of the Common Good Fund;
- (c) approve the recommendation in Appendix 3 regarding the financial strategy for the operation of the Common Good Fund, such that any surplus funds could be invested with the Council at an interest rate of 0.5% less than that charged by the Public Works Loans Board (PWLB) over a review period of five years;
- (d) approve the recommendations in Appendix 4 regarding the investment strategy of the Common Good Fund and the proposal regarding the strategy for funds received from the sale of any Common Good Assets;
- (e) note the Common Good Fund budget for 2013/14 as detailed in Appendix 1; and
- (f) note the 2014/15 - 2017/18 indicative budget contained in Appendix 1.

The Committee resolved:

to approve the recommendations.

NORTH EAST SCOTLAND PENSION FUND (NESPF) 2013/14 – 2017/18 INDICATIVE 5 YEAR BUDGET (CG/12/1022)

16. The Council had before it a report by the Director of Corporate Governance which provided details of the budget included in the 2013/14 General Fund budget relating to NESPF, the cost of which was based on the Council's statutory obligation to administer the scheme and was met by NESPF, as well as an indicative 2014/15 – 2017/18 budget.

The report recommended:

that the Committee -

- (a) note the provision contained within the Council's General Fund budget for 2013/14;
- (b) note the 2014/15 -2017/18 indicative budget;
- (c) instruct the Head of Finance to recover the actual costs from NESPF; and
- (d) instruct the Head of Finance to draw up a Service Level Agreement (SLA) and report back to the relevant Committees.

The Committee resolved:

to approve the recommendations.

UNRECOVERABLE DEBT (CG/12/116)

17. With reference to article 24 of the minute of its meeting of 29 September 2011, the Committee had before it a report by the Director of Corporate Governance which (a) requested approval, in terms of financial regulation 11.3.7, to write off business rate debts in excess of £25,000 deemed to be unrecoverable during 2011/12 and (b) advised of the numbers and values of Council Tax, business rates, community charge and housing benefit overpayments of up to

£10,000, deemed to be unrecoverable during 2011/12 after all approved recovery procedures had been followed, in terms of financial regulations 11.3.6 and 11.3.9.

The report recommended:

that the Committee -

- (a) note the value of Council Tax, business rates, community charge, housing benefit overpayments a deemed by the Director of Corporate Governance as unrecoverable, as detailed at appendices (i) – (v); and
- (b) agree that the business rates amounts over £25,000 (and as detailed at appendix (vi) in the exempt section of the agenda (article 25 of this minute refers)) deemed as unrecoverable by the Director of Corporate Governance, also be written off.

The Committee resolved:

- (i) to approve the recommendations; and
- (ii) to commend staff for their efforts in this regard.

ANNUAL HOUSING AND COUNCIL TAX BENEFIT REPORT (CG/12/115)

18. With reference to article 33 of the minute of its meeting of 29 September 2011, the Committee had before it a report by the Director of Corporate Governance which detailed the performance of Housing and Council Tax Benefit during 2011/12, by way of an annual report.

The report recommended:

that the Committee note that an annual report advising of Housing and Council Tax Benefit service performance would be presented to the Committee.

The Committee resolved:

to approve the recommendation.

ICT ASSET MANAGEMENT PLAN (CG/12/125)

19. The Committee had before it a report by the Director of Corporate Governance which sought approval of the ICT Asset Management Plan.

The Committee resolved:

- (i) to approve the ICT Asset Management Plan; and
- (ii) to request officers to provide Councillor Jackie Dunbar with: (a) a breakdown of the of the costs for the virtual server and (b) details of the cost benefit of the ITIL Best Practice Framework

CORPORATE RECORDS MANAGEMENT (CG/12/120)

20. The Committee had before it a report by the Director of Corporate Governance which provided an update on the proposed corporate approach to records management.

The report recommended:

that the Committee note the corporate approach to records management that would compliment the Corporate Information Management Strategy and provide the Council with the governance framework which was required as of January 2013 when the Public Records (Scotland) Act 2011 became a legislative requirement.

The Committee resolved:

to approve the recommendation.

MATTER OF URGENCY

The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973 that the following report be considered as a matter of urgency in order that the Committee could consider the future operation of Provost Skene's House.

PROVOST SKENE'S HOUSE (ECS/12/063)

21. The Committee had before it a report by the Director of Education, Culture and Sport which advised that the imminent commencement of the contract to demolish St Nicholas House would result in the need to close Provost Skene's House.

The report recommended:

that the Committee:

- (a) agree to withdraw public service at Provost Skene's House until further notice;
- (b) instruct officers to identify and cost extended opening hours at other museums and the Art Gallery and thereafter to report to Education, Culture and Sport and Finance and Resources Committees, with recommendations in this regard; and
- (c) instruct officers to ensure that users, visitors and external agencies were advised of the changes to the delivery of public service.

The Committee resolved:

- (i) to agree to withdraw public service at Provost Skene's House at a date to be determined by the Director of Education, Culture and Sport in consultation with the Conveners of the Finance and Resources and Education and Culture and Sport Committees and advised to all members of the Committee;
- (ii) to instruct officers to identify and cost extended opening hours at other Museums and the Art Gallery, to undertake a survey to gauge public demand for extended open hours at these locations, and thereafter, to report to Education, Culture and Sport and Finance and Resources Committees, with recommendations; and
- (iii) to approve recommendation (c).

PROVISION OF BANKING SERVICES PROCUREMENT (CG/12/109)

22. The Committee had before it a report by the Director of Corporate Governance which sought approval of a collaborative tender exercise for the provision of banking services for a period of five years at an estimated annual cost of to this Council of £35,000.

The report recommended:

that the Committee -

- (a) approve the estimated annual cost of £35,000 (which equated to a total of £175,000 over the proposed five year duration), in accordance with Standing Order 1(3) of the Council's Standing Orders Relating to Contracts and Procurement; and
- (b) agree that a competitive tendering exercise for the provision of banking services be undertaken jointly with Aberdeenshire Council, in line with the Council's Standing Orders relating to Contracts and Procurement, Financial Regulations and relevant EU Legislation.

The Committee resolved:

to approve the recommendations.

ELECTRIC VEHICLE CHARGING INFRASTRUCTURE PROCUREMENT (EPI/12/258)

23. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which sought approval of a tender exercise for the provision of electric vehicle charging infrastructure for this financial year at the estimated expenditure detailed in the report .

The report recommended:

that the Committee -

- (a) approve the estimated expenditure of up to £120,000 for 2012/13 from the grant to facilitate the provision of electric vehicle charging infrastructure;
- (b) instruct officers to procure Electric Vehicle Charging Infrastructure, estimated to be in the region of £80,000, through an open tender in accordance with Standing Order 1(3) of the Council's Standing Orders Relating to Contracts and Procurement; and
- (c) instruct officers to identify and directly award the contract to the preferred bidder.

The Committee resolved:

- (i) to approve the recommendations; and
- (ii) to instruct officers to consult local members on the siting of the electric vehicle recharging points.

In accordance with the decision recorded under article 1 of this minute, the following items were considered with the press and public excluded.

MATTER OF URGENCY

The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973 that the following report be considered as a matter of urgency in order that the Committee could consider the outcome of the marketing of the sites in a timely manner.

DECLARATION OF INTEREST

Prior to consideration of the following item of business, the Convener declared an interest in the subject matter by virtue of his association with the development company involved, Carlton Rock Limited. The Convener then withdrew from the meeting and was substituted by Councillor Nathan Morrison, for this item only.

At this juncture, the Vice Convener assumed the Chair.

PINEWOOD AND HAZLEDENE DEVELOPMENT SITES – OUTCOME OF MARKETING (EPI/12/253)

24. With reference to article 52 of the minute of its meeting of 17 June 2011, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which presented the outcome of the marketing of the Pinewood and Hazledene sites and advised on the legal agreement between the Council, Robert Gordon's College and the Council's agricultural tenant.

The report recommended:-

that the Committee -

- (a) agree that the Council wished to sell the site;
- (b) note the revised percentage split in the sale proceeds between all interested parties;
- (c) instruct the Head of Legal and Democratic Services to conclude missives for the sale of this property, in terms of the tri-partite agreement to Dandara Limited based on its offer number 4 detailed in the report, incorporating various qualifications as were necessary to protect the Council's interests; and
- (d) in the event that the recommendation (c) above was approved, agree to an alteration to the current split between the College and the Council, based on the College's preference to accept offer number 3 detailed in the report with payment over a three year period. This would result in the College receiving payment as if offer number 3 had been accepted, with the effect that they received a quicker but lower payment.

The Vice Convener moved, seconded by Councillor Donnelly, moved:-
that the recommendations contained in the report be approved.

Councillor Greig moved as an amendment, seconded by Councillor Malone:-
that the Committee -

- (a) agree that the Council wished to sell the site at some future time to be agreed and take no further action meantime; and
- (b) request officers to submit a further report to this Committee on the revised split in the sale proceeds to enable further scrutiny of the proportions to each party for information only.

Councillor Noble moved as a further amendment, seconded by Councillor McCaig:-
that the Committee -

- (a) instruct officers to recommence negotiations with the tenant to reduce their share of proceeds to reflect the Council's land ownership and the limited duration of their lease and to report back to the next meeting of this Committee on the outcome of the negotiations; and
- (b) agree that should there be no movement within the negotiation, not to sell the land until 2020 after the lease had ended.

In terms of Standing Order 12(9), the Committee first divided between the amendment by Councillor Greig and the amendment by Councillor Noble.

On a division, there voted:- for the amendment by Councillor Greig (2) - Councillors Greig and Malone; for the amendment by Councillor Noble (5) - Councillors Cameron, Dickson, Jackie Dunbar, McCaig and Noble; declined to vote (8) - the Vice Convener; and Councillors Cooney, Donnelly, Graham, Ironside, Nathan Morrison, Reynolds and Taylor.

The Committee then divided between the motion and the successful amendment by Councillor Noble.

On a division, there voted:- for the motion (8) - the Vice Convener; and Councillors Cooney, Donnelly, Graham, Ironside, Nathan Morrison, Reynolds and Taylor; for the amendment by Councillor Noble (7) - Councillors Cameron, Dickson, Jackie Dunbar, Greig, McCaig, Malone and Noble.

The Committee resolved:-
to adopt the motion.

In terms of Standing Order 36(3), Councillor Greig intimated that he wished this matter to be referred to Council for final determination and was supported by Councillors Jackie Dunbar, McCaig, Malone and Noble.

At this point, the Convener rejoined the meeting and resumed the Chair.

UNRECOVERABLE DEBT (CG/12/116) – APPENDIX

25. With reference to article 17 of this minute, the Committee had before it an appendix containing details of business case write offs above £25,000.

The Committee resolved:

to note that this matter had been dealt with at article 17 of this minute.

CORPORATE SYSTEMS AND MOBILE APPLICATIONS INTEGRATION TOOL – TENDER (CG/12/111)

26. The Committee had before it a joint report by the Director of Corporate Governance and the Director of Housing and Environment which sought approval of the capital expenditure of up to £77,000 for the purchase of a corporate systems and mobile applications integration tool.

The report recommended:

that the Committee -

- (a) approve capital expenditure of up to £77,000 as a precursor to the procurement of a corporate systems and mobile applications integration tool; and
- (b) approve annual revenue expenditure of approximately £12,000 from the existing ICT rolling programme budget over a five year period.

The Committee resolved:

- (i) approve capital expenditure of up to £77,000 for the procurement of a corporate systems and mobile applications integration tool; and
- (ii) approve recommendation (b).

JESSIEFIELD FARM – PROPOSED EQUESTRIAN CENTRE (EPI/12/255)

27. With reference to article 38 of the minute of its meeting of 15 March 2012, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided an update on the negotiations undertaken by the Head of Asset Management and Operations in relation to the proposed creation of a new equestrian centre.

The report recommended:

that the Committee –

- (a) approve, in principle, the partial renunciation of 13 acres from the agricultural lease of Jessiefield Farm;
- (b) approve, in principle, the lease of the 13 acre site to Equiworld Club Ltd on the provisional terms and conditions outlined in paragraph 5.6 of the report; and
- (c) instruct the Head of Legal and Democratic Services to formally conclude the partial lease renunciation and the grant of a new lease to Equiworld Club Ltd on terms and conditions as were necessary to protect the Council's interests.

The Convener moved, seconded by the Vice Convener:-

that the recommendations contained in the report be approved.

Councillor Malone moved as an amendment, seconded by Councillor Yuill:-

that the Committee -

- (a) approve recommendations (a) and (c);
- (b) approve, in principle, the lease of the 13 acre site to Equiworld Club Ltd on the provisional terms and conditions outlined in paragraph 5.6

of the report, with the exception that the rent would be payable once the equestrian centre commenced trading or after six months, whichever was the sooner.

On a division, there voted:-

For the motion (14) - the Convener; the Vice Convener; and Councillors Cameron, Cooney, Dickson, Donnelly, Jackie Dunbar, Graham, Ironside, McCaig, Noble, Reynolds, Taylor and Yuill; for the amendment (1) - Councillor Malone.

The Committee resolved:-
to adopt the motion.

DECLARATION OF INTEREST

Prior to the consideration of the following item of business, the Convener declared an interest in the subject matter by virtue of knowing the appellant. The Convener then withdrew from the meeting and was substituted by Councillor Nathan Morrison for this item only.

At this juncture, the Vice Convener assumed the Chair.

APPEAL AGAINST REFUSAL TO SELL GROUND ADJACENT TO 132 JOHNSTON GARDENS NORTH (EPI/12/193)

28. Reference was made to article 30 of the minute of its meeting of 4 October 2012, at which time the Committee deferred consideration of a report by the Director of Enterprise, Planning and Infrastructure which advised members of the appeal against an officers' decision to refuse to sell an area of amenity ground adjacent to 132 Johnston Gardens North, Peterculter.

The report recommended:-

that the Committee uphold the officers' decision to refuse to sell the area of amenity ground adjacent to 132 Johnston Gardens North, Peterculter.

The Committee resolved:

to approve the recommendation.

At this point, the Convener rejoined the meeting and resumed the Chair.

PROPERTY - VACANT AND SURPLUS ASSETS (EPI/12/252)

29. With reference to article 31 of the minute of its meeting of 4 October 2012, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided members with an update on activities in relation to properties which had been declared surplus to the Council's requirements or were currently vacant awaiting a decision on future use.

The report recommended:

that the Committee –

- (a) note that a new agent had been instructed to market the former Victoria Road School and that following discussions with the new agent planning consideration was now being given to a partial or full demolition of the buildings currently on the site in order to assist the marketing of the property;
- (b) note that the planning consent for Mains of Dyce steading had now expired and that officers were considering submitting a new planning application in early 2013;
- (c) note the concluded sales for the following properties since the Committee's meeting of 4 October 2012:-
 - 19-25 Inverurie Road (General Services Account £93,000)
 - Garage Site, 20 Marischal Gardens (Housing Revenue Account £2,000)
 - Garage Site, 10 Craig Gardens (Housing Revenue Account) £2,500
 - 26 Netherhills Avenue (General Services Account £226,000); and
- (d) note the concluded lease of Unit 10 Burnbank Business Units, Altens (£24,000 per annum) held on the tenanted non residential portfolio since the Committee's meeting of 4 October 2012.

The Committee resolved:

to approve the recommendations.

PROPERTY SALES (EPI/12/251)

30. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which presented the outcome of the marketing of 29 Redmoss Avenue, Nigg.

The report recommended:

that the Committee –

- (a) accept the offer submitted by Matthew Cohen and Associates, on behalf of Radoslav Zadansky and Zaneta Stempakova, for 29 Redmoss Avenue, Nigg. However, should this offer not be realised within a reasonable timescale, and in view of the closeness of the second highest offer, to accept the offer submitted by The Grant Smith Law Practice, on behalf of Hossein Abolfathi and Omideh Asef-Afshar; and
- (b) to instruct the Head of Legal and Democratic Services to conclude missives for the sale of this property in either instance, incorporating various qualifications as were necessary to protect the Council's interests.

The Committee resolved:

- (i) to approve the recommendations contained in the report, to request officers to endeavour to conclude the missives for the sale with the highest offer by the end of January 2013 and to instruct that the status of the sale be reported at the next meeting of the Committee; and
- (ii) to instruct officers to review the current procedure for property sales and report back to a future meeting of the Committee in this regard.

- COUNCILLOR WILLIE YOUNG, Convener.