

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 13th February, 2008

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL

S e d e r u n t :

Lord Provost Peter Stephen, Chairperson;
Depute Provost John West; and

COUNCILLORS

GEORGE ADAM
YVONNE ALLAN
MARIE BOULTON
SCOTT CASSIE
RONALD CLARK
NORMAN COLLIE
NEIL COONEY
JOHN CORALL
IRENE CORMACK
WILLIAM CORMIE
BARNEY CROCKETT
KATHARINE DEAN
ALAN DONNELLY
JACQUELINE DUNBAR
JAMES FARQUHARSON
NEIL FLETCHER
GORDON GRAHAM
MARTIN GREIG
JAMES HUNTER
LEONARD IRONSIDE
MURIEL JAFFREY

JAMES KIDDIE
JENNIFER LAING
GORDON LESLIE
CALLUM McCAIG
MARK McDONALD
AILEEN MALONE
ANDREW MAY
ALAN MILNE
JAMES NOBLE
GEORGE PENNY
JOHN REYNOLDS
RICHARD ROBERTSON
JENNIFER STEWART
JOHN STEWART
KEVIN STEWART
WENDY STUART
KIRSTY WEST
JILLIAN WISELY
WILLIAM YOUNG
and
IAN YUILL

Lord Provost Peter Stephen, in the Chair

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BURGESSES

1. The persons aforementioned 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:-

STEPHEN DUGUID, Graphic Designer, Aberdeen;
RONALD DAVID STILL, Consultant Engineer, Aberdeen; and
GEORGE KYNOCH YULE, Chief Executive, Aberdeen

ANNOUNCEMENT

2. The Council heard the Lord Provost refer to his recent unveiling of a plaque at Aberdeen Art Gallery in national recognition of the excellence and diversity of the collections, and the scholarship of the staff, of Aberdeen Art Gallery and Museums. The Lord Provost asked the Council to join with him in congratulating Christine Rew, Art Gallery and Museums Manager, and her staff on this achievement.

The Council resolved:-

to concur with the remarks of the Lord Provost.

ORDER OF AGENDA

3. The Council heard the Head of Democratic Services advise that she had received a procedural motion as outlined below.

Councillor Young moved, seconded by Councillor Collie:-

That this Council agrees that as the benefit outweighs the detriment and with the public interest as its main concern item 9a on City Wardens should be held in public session.

Councillor Dean moved as an amendment, seconded by Councillor Kevin Stewart:-

That item 9a on City Wardens should be considered with the press and public excluded.

On a division, there voted:-

For the motion (13) – Councillors Adam, Allan, Boulton, Collie, Cooney, Crockett, Donnelly, Graham, Hunter, Ironside, Laing, Milne and Young.

For the amendment (29) – Lord Provost Stephen; Depute Provost John West; and Councillors Cassie, Corall, Cormack, Cormie, Dean, Dunbar, Farquharson, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McCaig, McDonald, Malone, May, Noble,

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Penny, Reynolds, Robertson, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

Absent from the division (1) – Councillor Clark.

The Council resolved:-
to adopt the amendment.

REQUEST FOR DEPUTATION

4. The Council had been circulated with details of a request for a deputation in relation to the referral from the Resources Management Committee of 18th January 2008 (City Wardens).

The Council resolved:-
to agree to hear the deputation in private prior to the consideration of the relevant item (Article 25 of this minute refers).

MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 21st NOVEMBER 2007

5. The Council had before it the minute of the special meeting of Aberdeen City Council of 21st November 2007.

The Council resolved:-
to approve the minute.

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 21st NOVEMBER 2007

6. The Council had before it the minute of meeting of Aberdeen City Council of 21st November 2007.

The Council resolved:-
to approve the minute.

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MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 19th DECEMBER 2007

7. The Council had before it the minute of meeting of Aberdeen City Council of 19th December 2007.

The Council resolved:-
to approve the minute.

PAMPHLET OF MINUTES

8. The Council had before it a pamphlet of standing committee minutes from 9th October 2007 to 7th November 2007.

The Council resolved:-
to note the minutes.

PAMPHLET OF MINUTES

9. The Council had before it a pamphlet of standing committee minutes from 27th November 2007 to 18th December 2007.

The Council resolved:-
to note the minutes.

MINUTE OF MEETING OF THE ABERDEEN CITY ALLIANCE OF 6th DECEMBER 2007

10. The Council had before it for its information, the minute of meeting of the Aberdeen City Alliance of 6th December 2007.

The Council resolved:-
to note the minute.

MATTER OF URGENCY

Lord Provost Stephen intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973 that the decision of the Planning Committee of 7th February 2008 in relation to a planning application for a residential development and new church

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hall be considered as a matter of urgency to enable the Council to consider all relevant details in relation to the issue.

DECLARATION OF INTEREST

Councillor McDonald declared an interest in the subject matter of the following Article by virtue of his appointment by the Council to the Board of Langstane Housing Association Limited. Councillor McDonald considered it necessary to withdraw from the meeting during consideration thereof.

PLANNING COMMITTEE – 7th FEBRUARY 2008 – STOCKETHILL CHURCH SITE, STOCKETHILL, ABERDEEN

11. With reference to Article 10 of the minute of meeting of the Planning Committee of 7th February 2008, which had been referred to it for consideration by three members of that Committee, the Council had before it (1) a report by the Head of Planning and Infrastructure on the application (A7/0536) for planning permission in respect of a residential development on the cleared site of the former Stockethill Parish Church and Church Hall, Stockethill, Aberdeen, comprising the erection of thirty-two long term affordable, rental properties and a new church hall, with car parking (26 spaces) and a landscaped garden area; and (2) the decision of the Planning Committee that the application be approved in accordance with the officer recommendations (as detailed in the report).

Councillor Cassie moved, seconded by Councillor Donnelly:-
That the decision of the Planning Committee be approved.

Councillor Boulton moved as an amendment, seconded by Councillor Fletcher:-
That the application be refused on the ground that the proposal, as currently detailed, would have a detrimental impact on the existing amenity of neighbouring housing by reason of the significant degree to which the new building will reduce levels of daylight and sunlight to those properties.

On a division, there voted:-

For the motion:- (11) – Depute Provost John West; and Councillors Allan, Cassie, Collie, Donnelly, Farquharson, Hunter, Milne, Reynolds, Wisely and Young.

For the amendment:- (29) – Lord Provost Stephen; and Councillors Adam, Boulton, Cooney, Corall, Cormack, Cormie, Dean, Dunbar, Fletcher, Graham, Greig, Ironside, Jaffrey, Kiddie, Laing, Leslie, McCaig, Malone, May, Noble, Penny, Robertson, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West and Yuill.

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Absent from the division:- (3) – Councillors Clark, Crockett and McDonald.

The Council resolved:-
to adopt the amendment.

MATTER OF URGENCY

Lord Provost Stephen intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973 that the decision of the Policy and Strategy (Education) Committee of 8th February 2008 in relation to the school estate strategy be considered as a matter of urgency to enable the Council to consider all relevant details in relation to the issue.

DECLARATIONS OF INTEREST

Councillor Yuill declared an interest in the subject matter of the following Article by virtue of a friend being parent to a child at one of the affected schools. Councillor Jennifer Stewart declared an interest due to one of her children attending St Joseph's School. Neither Councillor felt it necessary to withdraw from the meeting during consideration thereof.

POLICY AND STRATEGY (EDUCATION) COMMITTEE – 8th FEBRUARY 2008 – SCHOOL ESTATE STRATEGY

12. With reference to Article 1 of the minute of meeting of the Policy and Strategy (Education) Committee of 8th February 2008, which had been referred to the Council for consideration by four members of that Committee, the Council had before it (1) a joint report by the Head of Planning and Policy for Services to Children and Young People and the Head of Resources Development and Delivery with revised recommendations as outlined below; and (2) the resolution of the Committee:- that the revised recommendations be approved subject to the amendment of the final recommendation (l) to replace “to reaffirm the Council’s support for faith based schools” with “to recognise the Council’s statutory responsibility to provide Roman Catholic education”.

- (a) that the Council note that the proposals suggested in the report be subject to further consideration by area teams and full consultation with the respective communities and all recognised trades unions, and a business case be prepared for proposed rearrangements for education in each case, to take forward to Area Committees and Policy and Strategy (Education) Committee and statutory consultation;

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- (b) that Heads of Culture and Learning in each neighbourhood area proceed to statutory consultation on the following proposals:-
 1. the joining of Byron Park Nursery/Infant School with Westerton Primary School, the new school to be on the existing Westerton site;
 2. the joining of St. Machar School and Donbank School creating a new school on the most appropriate site and to consider the location of the English as an Additional Language (EAL) service;
 3. the closure of Causewayend and the relocation of pupils to other schools in the area through rezoning;
 4. the closure of Hilton Nursery; and
 5. the closure of Victoria Road School and the transfer of pupils to Tullos and/or Walker Road;
- (c) that the outcome of the statutory consultation process be reported to the Policy and Strategy (Education) Committee at its meeting on 29th April and thereafter to a special Council meeting on 30th April 2008;
- (d) that the Heads of Culture and Learning in each neighbourhood area commence informal consultation with regard to the following proposals:-
 1. the redevelopment of Bucksburn and Newhills Schools with a new school to be developed when funding is identified;
 2. the joining of Middleton Park School and Glashieburn School creating a new school on the most appropriate site;
 3. the closure of Stoneywood Primary and rezoning and relocation of pupils to Dyce School or other neighbouring schools;
 4. the closure of Kittybrewster School and the relocation of pupils to other schools in the area through rezoning; and
 5. how a model of an "all through" school at Torry might be established;
- (e) that reports on the outcome of the informal consultation be reported to the Policy and Strategy (Education) Committee in due course;
- (f) that relevant officers meet with officers from Aberdeenshire Council to ensure that future arrangements for secondary schooling is mindful of areas where there is current movement of pupils across authority boundaries as outlined in the report and to bring further reports to the Policy and Strategy (Education) Committee as necessary to advise on the outcome and possible impact on the school estate and revenue budget;
- (g) that the capacity of schools be formally recorded on the basis of the capacity of the whole building for school use except when there has been a formal transfer of part of the building to another service as described in the report;
- (h) that officers monitor the Development Plan proposals for additional housing and bring forward proposals for education provision for new housing noting that whilst there may be scope for developer contributions to play a part in the capital provision of new schools this has to be seen in the wider context of the infrastructure requirements of individual sites and other contributions such as affordable housing;
- (i) that authority be granted to use capital released from any disposal of surplus schools for investment in education and wider children's services;
- (j) that approval be given to remove buildings no longer required by the education service from the list of buildings whose maintenance and repair is

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- charged against the education budget pending reallocation to another service or disposal by the Council;
- (k) that consideration be given to the wider use of schools including community use, wrap around care and the development of specialised education units in secondary schools perhaps in partnership with other agencies as described in the report; and
 - (l) that officers be requested to approach the Diocese of Aberdeen and other interested parties on the options for the replacement of the three Catholic primary schools in the city, to reaffirm the Council's support for faith based schools, and bring a further report to the Policy and Strategy (Education) Committee as discussed in the report.

Councillor Dean moved, seconded by Councillor Kirsty West:-

That the decision of the Policy and Strategy (Education) Committee be approved, and that the Council move forward with the consultation but gives an undertaking to fully investigate the options of combining other Council facilities such as libraries, social services, access points, along with other partners, police and the NHS into schools where space allows. This will ensure value for money for the taxpayer whilst “trying” to get it right for every child, a commitment made by the Council, the corporate parent.

Councillor Donnelly moved as an amendment, seconded by Councillor Farquharson:-

That the Council accepts all the recommendations in the Schools Estate Strategy except the closures of Causewayend and Victoria Road Schools on the grounds that they are part of Aberdeen City's education heritage and are both at or below the average cost per pupil of Aberdeen's primary schools.

Councillor Cooney moved as a further amendment, seconded by Councillor Crockett:-

That the Council oppose the closures proposed in the report and that capacity issues be tackled in a positive way with officers requested to bring forward proposals on the practicalities of establishing “hub” facilities, at a threatened school in each of the three neighbourhood areas based on the Extended Schools Initiative in England, consisting of a range of community friendly activities for example a wrap around service, breakfast and after-school clubs, study support, interagency access, early intervention support, provision of adult and family learning, parenting and family support, community access, English as an Additional Language and English for speakers of other languages facilities. That the Council note this model would be based on pioneering efforts in England known as the Extended Schools Initiative and through this model selected schools would extend their community role by design, the range of activities would be tailored to local needs and conditions, the buildings would be more fully and efficiently used and hired as a community asset, thus serving regeneration purposes, making viable use of surplus capacity and keeping the schools open as schools.

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On a division between the amendment by Councillor Donnelly and the amendment by Councillor Cooney, there voted:-

For the amendment by Councillor Donnelly (4) – Councillors Boulton, Donnelly, Farquharson and Milne.

For the amendment by Councillor Cooney (10) – Councillors Adam, Allan, Collie, Cooney, Crockett, Graham, Hunter, Ironside, Laing and Young.

Declined to vote (29) – Lord Provost Stephen; Depute Provost John West; and Councillors Cassie, Clark, Corall, Cormack, Cormie, Dean, Dunbar, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McCaig, McDonald, Malone, May, Noble, Penny, Reynolds, Robertson, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

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

On a division, there voted:-

For the motion (32) – Lord Provost Stephen; Depute Provost John West; and Councillors Boulton, Cassie, Clark, Corall, Cormack, Cormie, Dean, Dunbar, Farquharson, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McCaig, McDonald, Malone, May, Milne, Noble, Penny, Reynolds, Robertson, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

For the amendment by Councillor Cooney (11) – Councillors Adam, Allan, Collie, Cooney, Crockett, Donnelly, Graham, Hunter, Ironside, Laing and Young.

The Council resolved:-
to adopt the motion.

ANNOUNCEMENT

13. With reference to Article 38 of the minute of meeting of the Resources Management Committee of 4th December 2007, the Council heard the Lord Provost advise that Councillor Clark had just returned from the Communities in Bloom Winter Lights Celebrations in Canada, where the Council had been recognised in two different categories. Councillor Clark confirmed that he had been presented with two certificates, one for the Council's use of sustainable materials in its winter lights, and the other for the work in attracting tourism to the city.

The Council resolved:-
to congratulate those involved in the successes.

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CHIEF EXECUTIVE'S PROGRESS REPORT

14. With reference to Article 7 of the minute of meeting of the Council of 19th December 2007, the Council had been circulated in advance of its meeting a report by the Chief Executive on progress on corporate issues made throughout the Council since December 2007.

The Council resolved:-

to note the information detailed in the report.

DECLARATIONS OF INTEREST

Councillors Kiddie, Noble, Kevin Stewart and Yuill declared interests in the subject matter of the following three Articles by virtue of their membership of UNISON. Councillors Graham, Hunter and Young declared interests in the subject matter of the following three Articles by virtue of their membership of T&G Unite. All of the Councillors named above did not feel it necessary to withdraw from the meeting during the Council's consideration thereof.

A STRATEGY FOR TRANSFORMING ENVIRONMENTAL SERVICES

15. The Council had before it a report by the Head of Economic and Environmental Sustainability which presented a draft Strategy for Transforming Environmental Services.

The report explained that the Transformation Strategy would provide direction for the Council's Environmental Services to meet regulatory and statutory obligations over the next two years. The report advised that the Transformation Strategy covered Environmental Health and Trading Standards, Grounds Maintenance Services, Greenspace and Biodiversity and Internal Waste and Energy Management.

The report stated that the purpose of the Transformation Strategy was:-

- to identify new ways of demonstrating best value through transparent management accounting processes leading to potential savings of £1.5million
- to provide strategic direction and priority to ensure available resources were aligned to citizens' requirements
- to provide area teams with strategic leadership to assist in the delivery of modern, effective, and efficient services that linked available resources to outcomes
- to provide elected members with an evidence based, strategic picture to support them in making informed decisions

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- to build capability within the Council for strategic analysis, planning, monitoring and delivering the best environmental services
- to ensure adequate resources were available in order to achieve the transformation at the right time and right place for the best value

The report highlighted the main conclusions as follows:-

- (1) services require skilled staff but the Council found it difficult to recruit and retain. The cost of overtime, contracted and agency staff was high in front line and professional services. Continuous professional development did occur but was often unrecorded on central systems;
- (2) the Council had been consistent winners of 'in bloom' competitions. In order to continue the high success rate, the Council needed to improve its recycling rates and meet natural environment requirements;
- (3) the Council had achieved successes but overall its Environmental Services were not consistently performing amongst the best in Scotland. The Council had to accurately report and monitor its services but this required corporately consistent and robust quality management systems. As a result many processes were bureaucratic, labour intensive and created service delivery blockage; and
- (4) consistent budget practice was required to enable services to meet their requirements. Current costing and pricing mechanisms were outdated. More resources were consumed than were currently justified or available. Improved financial information could allow proactive front-line service planning, and the ability to match resources to work done.

The report advised that in order to be successful, the Council needed to adopt a collaborative approach. Whilst the strategy had identified some radical changes that needed to take place, the key to success would be the ongoing identification of many small changes, and therefore all employees should continually be seeking ways to improve their own performance, whilst management in return needed to encourage workers to take ownership for their work and thereby improve morale and motivation.

The report underlined that the Transformation Strategy had been widely circulated and consulted upon, however the trade unions had indicated that they needed more time to comment (responses from the various trade unions were circulated at the meeting).

The report recommended:-

that the Council instruct the Corporate Director for Strategic Leadership to appoint the appropriate officers to implement the following actions as part of a joint implementation plan. The Heads of Shelter and Environment, the Head of Economic and Environmental Sustainability, the Head of Resources Development and Delivery, City Chamberlain and the Head of Service Design and Development would work collaboratively to ensure that the following actions would be completed within two years:-

Environmental Health and Trading Standards

1. To create secondment and reciprocal placement opportunities for Trading Standards Officers, Authorised Officers and Environmental Health Officers, and Strategic Leadership Officers and our partners to provide experience that enhances policy, strategy and quality assurance for trading standards and environmental health services across the Council.
2. To develop and publish high quality and easily accessible information about the services and how to access them. This information should be available across Council media, especially The Zone and Council websites.
3. Approve the commencement of service led workshops and presentations to area committees and elected members.
4. To use an appropriate corporate, consistent management or quality assurance system that sets processes, procedures, guidelines and specifications based on best practice.
5. As part of the potential development of the shared services agenda for trading standards through the Aberdeen City and Shire Modernisation and Shared Services Board, to also consider financing, human resource, information and communication technology and legal feasibility implications.
6. The Head of Economic and Environmental Sustainability, the Head of Shelter and Environment (Central Area) and the Head of Human Resources to define the roles and responsibilities of the Human Resources Health and Safety team and the Occupational Health and Safety element of the Commercial Premises team and ensure collaborative links across services.
7. To investigate and report to the Resources Management Committee the costs and benefits of combining the Debt Counselling team and the Welfare Rights Unit.
8. To develop staffing structures that encourage, support career progression and recognise specialisation options for new and existing employees, while also establishing clearly identifiable responsibilities for Neighbourhood Service Areas and report to the Resources Management Committee.
9. To work with Service Design and Development and within available resources use technologies to modernise, reduce waste and improve service delivery.
10. To either re-design the current working environment or re-allocate existing facilities to meet the needs of the service and the customer; reception area and meeting facilities in line with the outcomes of the shared services agenda.

Grounds Maintenance, Greenspace and Biodiversity

1. To implement a front line structure to support the disaggregation/reaggregation process recently conducted in Neighbourhood Services.
2. For Human Resources to work in collaboration with Neighbourhood Service Areas to develop a fit for purpose apprentice training plan that has long term goals and incentives to address staff progression and skills shortages.
3. To remove the former client-contractor system and associated processes and replace with performance standards and unit cost system.

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4. To second management accounting or similar types of expertise to Grounds Maintenance Services to assist in creating transparent unit costing and accounting processes.
5. To put in place a best value ground maintenance service by benchmarking with other Councils and other providers as an ongoing process so we have consistent, competitive and efficient services.
6. To ensure that all new work requests have specified sustainable expenditure budgets with immediate effect.
7. To establish a financial performance reporting system that monitors the true costs of the service.
8. To revise service specifications to meet legislative and local requirements.
9. To have an appropriate corporate consistent management or quality assurance system that sets processes, procedures, guidelines and specifications based on best practice.
10. To ensure that our Corporate Asset Management System (CAMS) is developed and used to meet our requirements.
11. To ensure that our frontline staff operation handbook is updated to reflect service standards that enable consistency and knowledge transfer throughout the service.
12. In order to meet our obligations we will develop and regularly update three-year Management Plans for specific greenspace sites to be monitored through the Cleanstat process.
13. In order to ensure natural environment strategies, policies and procedures meet current requirements we will undertake an audit and update where required.
14. In order that all staff understand the reasoning behind why and how our service operates we will ensure appropriate communication, the first step is to ensure equitable access to thorough corporate ICT systems.
15. To continue the use of the Neighbourhood Community Action Plans as part of the service planning process and use Community Councils and Neighbourhood Networks to inform and improve communication between citizens and us.
16. To educate and inform of the links between health, the natural environment and the grounds services we provide through Aberdeen EcoCity, in bloom projects and other projects.
17. In order to address the lack of investment in all our properties a review will be undertaken to find opportunities of co-location with the aim to ensure the health and welfare of our staff and gain efficiencies.
18. We must have regularly monitored robust plant and equipment inventories that enable us to review utilisation, investment and opportunities for joint procurement.

Internal Waste and Energy Management

1. For all services to implement an Environmental Management Policy Statement and develop targets for internal waste at Council premises within the next two years.
2. Within the next 12 months for officers within Continuous Improvement and Strategic Leadership to conduct an extensive audit of waste generated at all

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- our premises, to show the baseline and instigate thorough waste monitoring procedures, including associated costs.
3. For all services to adopt the Eco-schools approach per facility to maximise the benefits of reducing waste and energy reduction to agreed targets that will be presented to the Policy and Strategy Committee.
 4. Aberdeen EcoCity in conjunction with Corporate Communications and Facilities Management to implement a staff awareness campaign of internal waste and energy efficiency benefits at home and at work.
 5. Undertake a cost-benefit analysis of investing additional resources for internal waste collections or outsourcing internal waste collection, the results to be reported to the Resources Management Committee.
 6. In order to meet our Energy Management challenges transfer the Environmental Management Unit to the Head of Procurement and followed by feasibility assessment of the costs and benefits of a joint public sector Energy Management Shared Service. To implement and offer staff training to assist with energy saving and waste initiatives, working with the Energy Savings Trust and SCARF but ensuring a robust cost-benefit analysis is conducted for any training developed. Identify Energy and Waste Champions at specific Council locations.
 7. To develop and implement a Sustainable Building Code for our buildings and projects that are under our control meet strict energy saving and waste management requirements.
 8. Undertake a review of procurement and Fairtrade issues between February and June 2008, making recommendations for transformation of these services.
 9. That we introduce initiatives to improve corporate fuel efficiencies.

Councillor McCaig moved, seconded by Councillor Clark:-

That the Council approve the recommendations contained in the report.

Councillor Adam moved as an amendment, seconded by Councillor Cooney:-

That this Council fully commits to its obligations to ensure that the trade unions who represent the Council workers have ample time to comment on 'A Strategy for Transforming Environmental Services' and in this regard this item should be put back until the next Council meeting.

On a division, there voted:-

For the motion (32) – Lord Provost Stephen; Depute Provost John West; and Councillors Boulton, Clark, Corall, Cormack, Cormie, Dean, Donnelly, Dunbar, Farquharson, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McCaig, McDonald, Malone, May, Milne, Noble, Penny, Reynolds, Robertson, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

For the amendment (10) – Councillors Adam, Allan, Collie, Cooney, Crockett, Graham, Hunter, Ironside, Laing and Young.

Absent from the division (1) – Councillor Cassie.

The Council resolved:-

to adopt the motion.

A STRATEGY FOR TRANSFORMING WASTE MANAGEMENT – 2008 TO 2011

16. The Council had before it a report by the Head of Economic and Environmental Sustainability which presented a draft Strategy for Transforming Waste Management Services for the period 2008 to 2011.

The report emphasised that it was imperative that Waste Management Services were transformed – landfill disposal costs were set to double in three years, recycling collection currently cost five times more than general waste collection and there were no facilities in Aberdeen to remedy the situation.

The report outlined a programme for developing class-leading waste collection services that would minimise the increase in waste management costs whilst delivering commitments made in the Council's policy statement as well as addressing national policy and targets.

The report explained that the actions required to achieve the relevant goals could be grouped into three related areas:-

- to develop new infrastructure for waste transfer, recycling and composting funded through a variation of the Council's Waste Management contract
- to expand recycling services to all citizens in Aberdeen
- to overhaul collection methods to halve the cost of recycling and reduce the cost of refuse collection

The report advised that the proposals were primarily focused on the delivery of outcomes within three years and would allow waste management services in Aberdeen to take a major step forward. To complete the transformation to a truly sustainable waste management service, the report highlighted that a solution for landfill diversion of residual waste had to be found as soon as possible, as failure to do so would result in Aberdeen rapidly falling behind other local authorities and would see a return to rapidly increasing costs associated with landfill beyond 2011.

The report underlined that the Transformation Strategy had been widely circulated and consulted upon, however the trade unions had indicated that they needed more time to comment (responses from the various trade unions were circulated at the meeting).

The report recommended:-

that the Council approve the package of detailed recommendations below, and note that a number of these could be delivered independently in the short term and would deliver service improvements, however, the step-change transformation the Council was seeking to achieve required the integrated adoption of all the

recommendations. Recommendations 1.1, 1.2, 1.3, 2.1, 2.2, 3.4, 3.6, 3.7, 4.4, 5.1, 5.2 and 5.6 required further detailed examination and specific costed recommendations would be brought forward to appropriate Council committees for specific approval before implementation.

- 1. Transform Waste Management Infrastructure through the development of:**
 - 1.1 A mixed-materials recycling facility in Aberdeen with a capacity in excess of 30,000 tonnes per annum with facilities to include the ability to sort glass from other recyclables.
 - 1.2 Two new recycling centres in Aberdeen – one in the Bridge of Don area to replace the Perwinnes Moss Site and the second to be in the west of the city.
 - 1.3 Two transfer stations in the city, one in the north and one in the south, with one possibly co-located with the Materials Recovery Facility (MRF).

- 2. Vary the Waste Management Services Contract to develop the facilities outlined in recommendation1 and to:**
 - 2.1 Establish a long term arrangement for treatment of green and organic waste using either in-vessel composting or anaerobic digestion.
 - 2.2 Secure landfill capacity from 2010 until the introduction of residual treatment facility as determined by the Aberdeen City Waste Strategy currently under development.

- 3. Transform the waste collection service in the short term through the following:**
 - 3.1 Introduce in 2008 a paper recycling service for areas served by street bulk bins and in courtyard and high-rise developments, including sheltered housing.
 - 3.2 Ensure the combined kitchen and garden waste service is introduced without delay.
 - 3.3 Enhance provision of trade paper recycling service through a review to include charging rates, containerisation and opportunities for expansion.
 - 3.4 Introduce alternate week collection of residual (black bin) waste across all areas served by wheeled bin by spring 2009.
 - 3.5 In conjunction with 3.4, establish clear policy on wheeled refuse bin replacement and provision of additional refuse bins based on an annual charge.
 - 3.6 Introduce recycling collection services to rural properties.
 - 3.7 Provide additional resource, on a short term contract (one person for one year) to optimise existing round system to ensure efficient use of vehicles and to plan new route system for introduction of alternate week collection of residual waste.
 - 3.8 Develop a waste flow based data management system to assist in operational management and options analysis.

- 4. Adopt Fleet Management measures to increase efficiency of waste collection services through:**
 - 4.1 Servicing of waste collection vehicles in evenings.
 - 4.2 Complete the transfer of workshops and staff from Duthie Park to Kittybrewster in order to facilitate 4.1.
 - 4.3 Update charging mechanism for vehicles to reflect actual costs.
 - 4.4 Implement, as a high priority, a waste collection fleet replacement programme to ensure maximum age of 9 years by 2009 and 7 years by 2011.
 - 4.5 As an immediate priority, establish additional vehicle storage capacity in the city.

- 5. Upon the delivery of facilities identified in recommendation 1, transform the waste collection service by:**
 - 5.1 Changing household recycling collection from kerbside sort to mixed recyclables collection.
 - 5.2 Changing multi-occupancy paper recycling service to mixed recyclables upon the opening of the MRF recommended above.
 - 5.3 Expanding food/catering waste collection services to schools and other Council controlled premises.

- 6. Develop long term waste management solutions through:**
 - 6.1 Investigation of joint procurement residual waste treatment facilities with Aberdeenshire Council (to include energy from waste as an option) and opportunities for common service delivery in other waste management areas. The Waste Management Services Contract will, therefore, not be varied to include residual waste treatment until this investigation has been completed.
 - 6.2 Build upon new Local Plan policy on waste management to address specific issues such as major infrastructure and local recycling points through appropriate policy/guidance development.
 - 6.3 Undertake a best value service review of the waste collection services within an agreed timescale and proceed to market test all options, including contracting out, should the review not demonstrate best value.

- 7. Transform financial management and support functions to improve efficiency of waste collection service through:**
 - 7.1 Simplifying waste management accounting system.
 - 7.2 Introduction of activity-based costing based on waste streams/collection methods.
 - 7.3 Review of administrative support requirements in relation to Waste Management Services Contract and management of trade waste charging in light of move to direct debit.
 - 7.4 Review requirement for waste awareness, education and promotion activities and identify most appropriate, cost-effective means of delivery.

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Councillor McCaig moved, seconded by Councillor Clark:-

That the Council approve the recommendations contained in the report.

Councillor Young moved as an amendment, seconded by Councillor Allan:-

That the Council fully commits to its obligations to ensure that the trade unions who represent the Council workers have ample time to comment on 'A Strategy for Transforming Waste Management' and in this regard this item should be put back until the next Council meeting.

On a division, there voted:-

For the motion (32) – Lord Provost Stephen; Depute Provost John West; and Councillors Boulton, Cassie, Clark, Corall, Cormack, Cormie, Dean, Donnelly, Dunbar, Farquharson, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McCaig, McDonald, Malone, May, Milne, Noble, Penny, Reynolds, Robertson, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West and Wisely.

For the amendment (10) – Councillors Adam, Allan, Collie, Cooney, Crockett, Graham, Hunter, Ironside, Laing and Young.

Declined to vote (1) – Councillor Yuill.

The Council resolved:-

to adopt the motion.

DECLARATIONS OF INTEREST

Prior to consideration of the report referred to in the following Article, a number of Councillors declared interests as follows:-

Councillor McDonald declared an interest by virtue of his position as a coach at Dyce Boys Club.

Councillor Kirsty West declared an interest by virtue of her involvement with Granite City Warriors Hockey Club.

Councillor John Stewart declared an interest by virtue of his appointment as the Council's representative for Grampian Institute of Sport.

Councillors Collie and Fletcher declared interests by virtue of their appointment by the Council as members of the Regional Sports Facility Project Board.

Councillors Kirsty West and Young declared interests by virtue of their appointment as the Council's representatives for Aberdeen Lads Club.

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Councillors Cassie, Milne, John Stewart, Kirsty West and Young declared interests by virtue of their appointment by the Council as Board members of Garthdee Alpine Sports.

All of the Councillors named above did not feel it necessary to leave the meeting during the Council's consideration of the report.

SPORTS TRANSFORMATION PROGRAMME

17. With reference to Article 6 of the minute of meeting of the Policy and Strategy Committee of 11th December 2007, the Council had before it a report by the Head of Economic and Environmental Sustainability which sought to ensure that the high level aims and objectives of the Sports Strategy "Fit for the Future", which had been approved by the Policy and Strategy Committee, were deliverable in the current financial context.

The report explained that the Strategy sought to improve the quality of the Council's sports services from a customer perspective, whilst ensuring improvements in efficiency of delivery, therefore achieving significant revenue budgetary savings of approximately £1million per year in the medium to longer term.

The report highlighted the following areas for improvement which had been specifically considered:-

- review of bookings and lettings
- review of charging policies
- review of operations
- appraisal of different mechanisms available for delivering sports services

The report concluded that the key findings of the above areas of work included:-

- the need to consolidate disparate bookings, lettings and charging policies and procedures to meet the requirements and expectations of customers
- the need to fill gaps in knowledge and support for front line staff which were preventing staff reaching their full potential
- the identification of significant potential savings and quality improvements that could be achieved by changing the current in-house delivery mechanism

The report went on to demonstrate that the proposed programme of improvements would, when implemented together, ensure that Aberdeen City Council delivered a sports service that was "fit for the future" in terms of long term affordability and exceeding customer expectations.

It was underlined that the report had been widely circulated and consulted upon, however the trade unions had indicated that they needed more time to comment (responses from the various trade unions were circulated at the meeting).

The report recommended:-

that the Council consider and approve the recommendations of the Transformation Programme and instruct officers to proceed with the following actions:

Bookings and Lettings

1. Implement a single integrated bookings system.
2. Progress the procurement of a Leisure Management System as a priority.
3. Investigate the options for deployment of janitorial cover.
4. Investigate different options for staffing facilities where appropriate.
5. Rationalise venues available for hire through a strategic approach to the administration of bookings.
6. Develop and implement a standardised charging system based on type/category of facility.
7. Develop a charging policy which defines user categories and priorities.
8. Standardise quality assurance requirements of groups applying for facilities.
9. Sign up to 2006 Accord for the Protection of Children in Scottish Sport by 2009.
10. Carry out and implement an Access to Leisure Review.

Operational Delivery

11. Develop a comprehensive training programme for all sports staff that includes customer care and marketing, and ensure all front line staff are appropriately trained on an ongoing basis.
12. Review and implement new staffing structures to ensure local leadership/ownership and development pathways and align staffing structures with programming to ensure the efficient deployment of resources.
13. Carry out facilities audit and develop investment plan/facilities strategy (including identifying opportunities for rationalising sports facility stock and utilising renewable energy sources where possible).
14. Market test/benchmark grounds maintenance services and review the operations of the in house grounds maintenance teams including their method of pricing works.
15. Implement clear, consistent and simple processes for sports facility repairs and maintenance and empower and encourage frontline staff to take responsibility for repairs and maintenance.
16. Implement a customer feedback system, including regular surveys and ongoing consultation with users and non-users, and review service provision in light of customer feedback.
17. All sites to develop a business/marketing plan (with support from Corporate Communications) involving all site staff in its development to ensure ownership.
18. Identify resource to be responsible for keeping the sports sections of the City Council's website up-to-date.
19. Provide regular events for sports staff for networking and to communicate – for example biannual service planning workshops.

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Sports Management Options Appraisal

20. Transfer Aberdeen City Council sports facilities into an arms length organisation taking account of external specialist legal and financial advice.
21. Appoint appropriate resource to manage this process.
22. Establish a Project Board to drive the project forward (Council to select appropriate elected members for the Board).

Short Term Actions from “Fit for the Future” (not already included in above)

23. Carry out programming review.
24. Develop marketing strategy for the city’s sports services.
25. Increase opportunities for participation through the provision of sports grants and partnership sports fund (£75,000 each).
26. Set realistic operational efficiency targets including Neighbourhood Services Area and city-wide targets.
27. Develop framework for identifying target sports.
28. Develop a sustainable workforce strategy.
29. Continue to support the Active Aberdeen Forum.

Councillor Jennifer Stewart moved, seconded by Councillor Kirsty West:-

That the Council approve the recommendations contained in the report; agree that the composition of the Project Board in recommendation 22 be on a 2+2+1+1+1 basis; and note that recommendation 25 would form part of the budget process.

Councillor Collie moved as an amendment, seconded by Councillor Hunter:-

That the Council fully commits to its obligations to ensure that trade unions who represent the Council workers have ample time to comment on the ‘Sports Transformation Programme’ and in this regard this item should be put back until the next Council meeting.

On a division, there voted:-

For the motion (30) – Lord Provost Stephen; Depute Provost John West; and Councillors Boulton, Cassie, Corall, Cormack, Cormie, Dean, Donnelly, Dunbar, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McCaig, McDonald, May, Milne, Noble, Penny, Reynolds, Robertson, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

For the amendment (9) – Councillors Adam, Allan, Collie, Cooney, Crockett, Graham, Hunter, Laing and Young.

Declined to vote (1) – Councillor Farquharson.

Absent from the division (3) – Councillors Clark, Ironside and Malone

The Council resolved:-

to adopt the motion.

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REVIEW OF THE SCHEME OF DELEGATED POWERS

18. The Council had before it a report by the Head of Democratic Services which made amendments to the scheme of delegated powers to take account of the Council's new management and committee structure, and suggested additional delegated powers designed to streamline Council processes.

The report (a) by way of background information, explained the purpose of the scheme of delegated powers; (b) advised that the Council had been operating under an interim scheme of delegated powers for some time, which was not considered satisfactory in terms of clarity and it did not take account of the responsibilities of Heads of Service; (c) highlighted that the large task of updating the present scheme to ensure that it reflected the Council's new management and committee structure had been used as an opportunity to consult with Corporate Management Team and Extended Corporate Management Team colleagues to determine if the scheme was fit for purpose or whether any amendments could make the scheme work more effectively for the Council; (d) reminded members that the matter had been raised at an elected members' workshop in June 2007, when the Council was looking at the new committee structure; (e) summarised the actions which had been taken in the preparation of the revised scheme, which included comparison with schemes in place at other local authorities; (f) stated that in most cases the Council's current scheme compared well with the schemes of delegation of other local authorities, and was more than fit for purpose, however one area of concern was the powers in relation to the social work function; (g) advised that the three Heads of Health and Social Care and the Chief Social Work Officer, and Dave Tumelty in particular, had done an excellent job in developing a full, clear and transparent set of delegated powers for the social work function; (h) explained that the amended scheme of delegated powers, and other supporting documentation, was appended to the report, with amendments to the scheme highlighted in bold type; (i) emphasised that the amendments were not, in most cases, new powers but were amendments to take account of new legislation, new structures or simply to make existing powers much clearer and more transparent; (j) made observations in relation to additional powers which had been proposed under the auspices of the relevant Heads of Service; and (k) made specific reference to a proposed additional power delegated to Directors and Heads of Service to lodge objections to licensing applications on the Council's behalf, which would result in the disestablishment of the Special Licensing Objections Committee.

The report recommended:-

that the Council approve the scheme of delegated powers, which was appended to the report, subject to any amendment, deletions or additions.

Councillor John Stewart moved, seconded by Councillor Kevin Stewart:-

That the Council approve the scheme of delegated powers subject to the following amendments:-

- the deletion of delegated power 7 on page 22 of the report (Heads of Culture and Learning - to make awards from the Small Grants Fund for arts projects up to a value of £250);

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- the deletion of delegated power 15 on page 23 (Heads of Culture and Learning - approval of applications for funding from groups and organisations from the sports grants and grants to cultural organisations budget, provided the application meets the criteria adopted by the Council and the grant is within budget, subject to 6 monthly reports to the Resources Management Committee on how the budget has been allocated);
- the deletion of delegated power 1 on page 59 (Head of Community Planning and Regeneration - approval of applications of funding from groups and organisations from the international twinning budget, the Equal Opportunity Grant and the Youth Activities Small Grants fund provided the application meets the criteria adopted by the Council and the grant is within budget, subject to 6 monthly reports to the Resources Management Committee on how the budget has been allocated);
- the deletion of delegated power 1 on page 60 (Head of Economic and Environmental Sustainability - to discuss or negotiate on a without prejudice basis proposals and developments in respect of assistance to local industry in terms of premises and finance, and to bring the matter to the attention of the Economic Development Sub Committee when considered appropriate to do so);
- that delegated power 2 on page 22 (Heads of Culture and Learning - to purchase any works of art or museum exhibits within such financial limit as may be fixed from time to time by the Council, subject to the purchase price being within approved expenditure, and to the prior approval of the Convener of the Resources Management Committee being obtained) be exercised in consultation with the Lead Councillor;
- that delegated power 106 on page 37 (Heads of Shelter and Environment - to manage and maintain all roads on a list of public roads including the power to reconstruct, alter, widen, improve or renew any such road within approved budgets) be exercised in consultation with the local members and the Convener of the relevant Area Committee, and that a report be submitted to the Area Committee if there were concerns;
- that delegated power 107 on page 37 (Heads of Shelter and Environment - to exercise the control of road occupations) be exercised in consultation with the local members and the Convener of the relevant Area Committee, and that a report be submitted to the Area Committee if there were concerns;
- that delegated power 114 on page 37 (Heads of Shelter and Environment - in liaison with the Head of Democratic Services, to deal with preliminary statutory responses to traffic orders, and to request the Head of Democratic Services to move to the main statutory stage without the prior referral of preliminary responses to Committee, all on the assumption that those responses contained nothing distinctive enough to raise concern that the person or organisation responding would have expected Committee-level consideration at the early stage) be exercised in consultation with the local members and the Convener of the relevant

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Area Committee, and that a report be submitted to the Area Committee if there were concerns;

- that delegated power 6 on page 38 (Heads of Shelter and Environment – to decline any application or plan submitted for the consent of the Council as Superiors and involving encroachment onto a footpath which is mutual to the applicant and the Council, or encroachment onto a drying green which is mutual to the applicant and the Council in the event of any tenant, or neighbouring occupiers, with tenancy rights in any land which is affected thereby, stating in writing that they object to the proposed encroachment) be exercised in consultation with the local members and the Convener of the relevant Area Committee, and that a report be submitted to the Area Committee if there were concerns;
- that delegated power 7 on page 39 (Heads of Shelter and Environment – to approve on appropriate conditions applications for the Council's consent as Superiors to the erection of extensions at the rear of existing dwellinghouses which involve the repositioning of mutual access paths in circumstances where there are no objections from neighbouring occupiers) be exercised in consultation with the local members and the Convener of the relevant Area Committee, and that a report be submitted to the Area Committee if there were concerns;
- that a limit of £5,000 be applied to delegated power 31 on page 46 (City Chamberlain – to determine ex-gratia payments in respect of claims against the Council in consultation with the appropriate Head of Service and the City Solicitor provided appropriate allowance is made in the approved estimates of the Council);
- that in relation to delegated power 12 on page 51 (City Solicitor – to authorise the use of the Council's Crest), to request the City Solicitor to consult with the Head of Corporate Communications;
- to retain the Special Licensing Objections Committee, and to instruct a report on the feasibility of the Council having a representative present at Licensing Board meetings to speak on behalf of the Council's objections;
- to receive a report back clarifying delegated power 33 on page 58 (Head of Resources Development and Delivery – to arrange for the provision of street lighting where the expenditure involved can be met from the relevant budget) in terms of where this would fit in with the priority list of street lighting;
- to receive a report back on the definition of external consultants as described in delegated power 17 on page 68 (General delegations to Chief Officers – to appoint external consultants as and when necessary in connection with projects in consultation with the City Chamberlain and Head of Resources Development and Delivery included in either the Non Housing Capital Plan or the Housing Capital Plan or financed from appropriate revenue budgets or in connection with proposals or developments instructed by the Council or any Committee of the Council); and
- that a note of all the changes identified above be circulated to members.

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Councillor Allan moved as an amendment, seconded by Councillor Hunter:-

That the report be deferred until such time that a note of the amendments proposed by Councillor John Stewart be provided to the Council.

On a division, there voted:-

For the motion (26) – Lord Provost Stephen; Depute Provost John West; and Councillors Cassie, Corall, Cormack, Cormie, Dean, Dunbar, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McCaig, McDonald, May, Noble, Penny, Reynolds, Robertson, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West and Yuill.

For the amendment (13) – Councillors Adam, Allan, Boulton, Collie, Cooney, Crockett, Donnelly, Farquharson, Graham, Hunter, Laing, Milne and Wisely.

Absent from the division (4) – Councillors Clark, Ironside, Malone and Young.

The Council resolved:-
to adopt the motion.

MATTER OF URGENCY

Lord Provost Stephen intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973 that the following item be considered as a matter of urgency to enable the Council to approve the relevant attendees prior to the conference.

KEEP SCOTLAND BEAUTIFUL – PEOPLE AND PLACES ANNUAL CONFERENCE – 27th & 28th FEBRUARY 2008, DUNDEE

19. The Council had before it a report by the Head of Economic and Environmental Sustainability which sought approval for an elected member to attend the Keep Scotland Beautiful – People and Places Conference and Awards from 27th to 28th February 2008, in Dundee.

The report explained that the People and Places Programme brought together residents, businesses and visitors and supported partners to deliver high quality local environments.

The report advised that Aberdeen City Council had been listed as a finalist in two award categories for the 2008 awards:-

- Support of Communities – Aberdeen EcoCity Awards
- Programme of the Year – CleanStat (incorporating the Grime Scene campaign)

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The report stated that the awards were to be presented at the People and Places Annual Conference Awards Dinner on 27th February 2008, and that there would be a civic reception on 26th February, which would necessitate expenditure of £95 per person for a buffet dinner and one night's accommodation (the Council was entitled to two free places at the conference and awards dinner, including accommodation on 27th February).

The report highlighted that it would be beneficial for the Council to express its high level commitment to the partnership and associated environmental issues by approving that an elected member attend the conference and awards dinner, and if the Council saw fit, to approve attendance at the civic reception and buffet dinner.

The report advised that Depute Provost John West had expressed an interest in attending.

The Council resolved:-

- (i) to authorise the attendance of Depute Provost John West;
- (ii) to note that Depute Provost John West intended to attend the conference for one day only due to the Council's current budgetary constraints; and
- (iii) to request officers to undertake the appropriate arrangements.

MATTER OF URGENCY

Lord Provost Stephen intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973 that the following item be considered as a matter of urgency to enable the Council to appoint a replacement member to Aberdeen Prison Visiting Committee without delay.

ABERDEEN PRISON VISITING COMMITTEE – APPOINTMENT OF REPLACEMENT MEMBER

20. The Council had before it a report by the Head of Democratic Services which sought the appointment of a replacement member for Aberdeen Prison Visiting Committee, in place of Helen Reynolds who had resigned.

The report explained the role of Aberdeen Prison Visiting Committee in acting on behalf of the First Minister as independent observers concentrating on the conditions in the prison and, in particular, the treatment of prisoners.

The report advised that every member of Aberdeen Prison Visiting Committee had the right to enter the establishment at any time and to have access to every part of it, and to every prisoner. The report noted that a visiting rota was arranged, with a minimum of two members visiting every fortnight.

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The report reminded members of the membership of Aberdeen Prison Visiting Committee, with the current City Council appointments as follows:-

Councillor Leslie (Convener of the Committee)
Councillor Kiddie
Mrs. Karen Shirron
Mrs. Helen Reynolds (who had now resigned)

The report recommended:-

that the Council appoint a replacement member (who *cannot* be a Councillor).

The Council resolved:-

to appoint Mr. Steve Delaney.

MOTIONS

21. Councillor Wisely, pursuant to notice, moved:-

“Before selecting our corporate Christmas card for Christmas 2008, can the Council consider a design to appropriately reflect our pride in – and the traditions of – the city of Aberdeen. Can we not exclude other charitable organisations from which to source our card whilst continuing to promote and commend the Fairtrade initiatives.”

The Council remitted the subject matter of the motion to the Continuous Improvement Committee.

22. Councillor Greig, pursuant to notice, moved:-

“That this Council investigates and assesses the business viability of producing and marketing a range of Council-branded commercial products.”

The Council remitted the subject matter of the motion to the Resources Management Committee.

QUESTIONS

23. In terms of Standing Order 20, Lord Provost Stephen ruled that the questions that appeared on the agenda this day which were not addressed to the Chief Executive, the Lord Provost or to a specific Convener were to be ruled incompetent.

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Following the above ruling the Council had before it for consideration the following questions, of which due notice had been given in terms of Standing Order 20(2):-

Councillor Boulton

QUESTION –

Can the Chief Executive confirm who is liable for monies spent on the already compulsory purchased homes, the resettlement and set up of Foxlane Garden Centre and the new build of the International School which is imminent if the Aberdeen Western Peripheral Route (AWPR) does not go ahead at all or along the chosen route?

ANSWER (by Chief Executive) –

The AWPR managing agent has confirmed that although the houses are being purchased voluntarily, it is Compulsory Purchase Order (CPO) legislation which is being used to justify the purchase.

If the AWPR was not to proceed, or along a different route, then the properties would be resold on the open market, with the former owners being given first refusal. Any profit or loss on these transactions would be allocated to the AWPR budget.

The present arrangement is that the City/Shire share of net expenditure is 7.125% each.

The Council has agreed to make the site at Pitfodels available for the relocation of the International School if their site at Milltimber is acquired by CPO. (There is no CPO on the Pitfodels site). Foxlane was a sitting tenant at the Pitfodels site and agreed with the Council to relocate to Westhill. Foxlane is contracted to leave the Pitfodels site on 28th February 2008. The site will therefore be available for sale to the International School from 28th February 2008.

If the International School do not purchase the site because the AWPR does not go ahead, or a different route is chosen, then the Council has the option to sell on the open market.

If the International School was to purchase the site at Pitfodels, the AWPR team will acquire their existing site at Milltimber at the same time based on market value.

There would then be 'no going back' for the International School if they were to purchase the site at Pitfodels using the sale proceeds from their Milltimber site. There would therefore be no abortive costs in relation to Foxlane relocation as that relocation is permanent.

The Council resolved:-
to note the details.

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Councillor Young

QUESTION –

To Convener of Resources Management Committee

- (1) To ask the Resources Management Convener what if anything has happened with the £2.5m owed to the Council from those involved in parking offences. Can he confirm or otherwise if this money has been written off?

ANSWER – (by Councillor Kevin Stewart)

The money for all outstanding Parking Control Notices (PCNs) prior to October 2006 has in effect been written off in terms that we are not assuming that it will be collected as there is in our accounts a full provision for bad debt. In effect this means that there is no impact on our bottom line.

The sums in our accounts for the bad debt provision has been agreed without external auditors.

It is planned that the charges from the defective notices will be written off in line with Financial Regulations and reported to the 22nd April 2008 meeting of the Resources Management Committee.

Additional Background Information

The writing off of bad debts is covered in section 7.3 of the current financial regulations, though it appears to be primarily geared towards arrears of rent, Council Tax and Community Charges.

Section 7.3.7 states "The City Chamberlain has the authority to approve the write-off of Business Rates and sundry debts up to £10,000 in the five categories of:

- (a) insolvency, receivership, liquidation and sequestration
- (b) ceased trading / defunct company
- (c) unable to trace
- (d) recommendation of sheriff officer
- (e) small balances that are uneconomic to pursue

The City Chamberlain shall submit annual reports to the Resources Management Committee advising of the number and value of accounts written off along with individual details of all business rates and sundry debts over £10,000 recommended for write-off."

There is no specific mention of what to do when a court ruling invalidates a charge for a civil penalty, though it may fall under both (d) and (e) above. The key points for the parking debt are:

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- the Parking system stands entirely separate from the Council's sundry debtors system, and no invoices are ever issued;
- the Parking Adjudication service ruled in September 2006 that all PCNs must quote both date of issue and date of offence, or else the PCN is invalid;
- following notification of this ruling Aberdeen City Council immediately stopped active pursuit of all outstanding PCNs issued up to the end of September 2006 (as did both Edinburgh and Glasgow Councils) though to date the PCNs remain "live" in the system;
- Aberdeen City Council's PCNs were amended from October 2006 to include both dates required;
- the provision for bad debt in the 2005/06 accounts relating to parking PCNs was £2million out of total outstanding debt of £2.5 million (figures agreed after lengthy discussion with external audit);
- the provision for bad debt in the 2006/07 accounts was increased to £4.863 million out of total outstanding debt of £5.285 million (again, after discussion with external audit about the valuations) and all outstanding PCNs issued prior to October 2006 were included in the provision for bad debt;
- the staff at the Parking Office now assume that all outstanding PCNs issued prior to October 2006 are unrecoverable, though if anyone volunteers to pay one we accept the funds;
- financially the PCNs are still quoted as a provision for bad debt, though we really consider them to be bad debt as any attempt to pursue them through the sheriff court will fail as a result of the Parking Adjudicator's ruling; and
- further advice to be pursued with Legal on this issue since the date of the Parking Adjudicator's ruling.

The Council resolved:-

to note the details.

- (2) To ask the Resources Management Convener the cost of paying back £80.4m from the Capital budget for Marischal College and what implications will this capital and interest costs have if any on our budget?

ANSWER – (by Councillor Kevin Stewart)

MARISCHAL COLLEGE - COSTS OF PAYING BACK £80.4M

Year of Spend	Assumed Spend	Assumed Interest Rate	Assumed Repayment Period	Annual Payment
	£			£
2007/08	3,950,000	6.25%	40 Years	270,839
2008/09	11,100,000	6.15%	40 Years	751,714
2009/10	28,190,000	6.45%	40 Years	1,980,816
2010/11	34,910,000	6.70%	40 Years	2,527,845
2011/12	2,250,000	6.70%	40 Years	162,923
	<u>80,400,000</u>			<u>5,694,137</u>

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Impact of Sale of Properties

The report to Council on 29th June 2005 stated that "subject to Marischal College being the preferred option the following properties will no longer be used for operational purposes:-

St Nicholas House
 Summerhill Centre (subject to the replacement of the community facilities)
 Linksfild Academy
 Spring Garden
 Commerce Street"

Appendix 1, Table 2 of the report shows that for the option chosen, all of the above properties would be sold following the end of continued use

Commerce Street was sold during 2005/06 and all related outstanding debt was written off at that time using the sale proceeds

For the remaining four properties, any related debt outstanding would fall due to be repaid in full at the time of sale. The debt outstanding as at 31st March 2007 and current expected 2007/08 principal and interest payments for these properties is as follows:-

	Debt o/s as at 31 March 2007	2007/08 Payment	Note
	£	£	
St Nicholas House	2,193,654.13	193,821.80	1
Summerhill (including community facilities)	641,710.97	58,378.71	1
Linksfild (including community facilities)	1,810,209.37	174,398.96	1
Spring Garden	39,731.03	3,878.52	1
	<u>4,685,305.50</u>	<u>430,477.98</u>	

Note 1 – 2007/08 payment is based on the current projected loans pool interest rate for the year.

The savings from the full repayment of debt on these properties must be offset against the costs of borrowing to fund the redevelopment of Marischal College.

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The following is given as a very basic and crude comparison based on the other options presented in the 29th May 2005 report, as all at same cost base, using the current projected interest rate for 07/08 and based on applying this to the full spend:

St Nicholas Refurbishment - Capital Cost £37.328m = £3.320m annual debt charges payment (Only Commerce Street sold in this option)

Marischal (Partial) - Capital Cost £5.2m = £0.463m annual debt charges payment (Only St Nicholas House & Commerce Street sold in this option)

Marischal (Whole) - Capital Cost £9.2m = £0.819m annual debt charges payment

Marischal (Grassum) - Capital Cost £43.18m = £3.841m annual debt charges payment (based on previous cost)

Greenfield Development – Capital Cost £46.008m = £4.093m annual debt charges payment

The capital costs of Marischal College have been built into the Non Housing Capital Programme and are hence included in the calculation of the Council's Capital Financing Costs budgets for current and future years.

The Council resolved:-

to note the details.

- (3) To ask the Resources Management Convener how much money this Council has written off in Poll Tax since the Poll Tax was incepted into law?

ANSWER – (by Councillor Kevin Stewart)

Aberdeen City Council and Grampian Regional Council (GRC) have not written off any Community Charges other than those relating to Deaths, Sequestrations, Unable to Trace and Small Balances. We have collected £3.8m since reorganisation in 1996 and continue to try and collect £2.6m outstanding.

To collate the amount of write-offs outlined above will not be possible prior to 1996 (01/04/89 - 31/03/06) as this was dealt with by GRC. We would have the totals from 1st April 1996 but this would take some time to gather as the paperwork is held elsewhere – possibly in Crown House, possibly with Accountants.

The Council resolved:-

to note the details.

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- (4) To ask the Resources Management Convener why – despite being praised by the Scottish Government for its work – Albyn House in Aberdeen may fall victim to Council cuts?

ANSWER – (by Councillor Kevin Stewart)

This will be part of the budgetary process at the Council budget meeting tomorrow.

The Council resolved:-
to note the details.

- (5) To ask the Resources Management Convener to what extent does he intend to support Rape Crisis Aberdeen by providing them with financial assistance to support the excellent work they do on behalf of victims of one of the worst crimes known to society?

ANSWER – (by Councillor Kevin Stewart)

This will also be part of the budgetary process and I hope to see it in the Labour Group budget.

The Council resolved:-
to note the details.

- (6) To ask the Resources Management Convener what the current asset value of Marischal College is on the Council's accounts?

ANSWER – (by Councillor Kevin Stewart)

The value held for the year ended 31st March 2007 was £163,520.

The Council resolved:-
to note the details.

- (7) To ask the Resources Management Convener what the projected asset value of Marischal College will be once the works and the £80.4million has been spent?

ANSWER – (by Councillor Kevin Stewart)

The asset will be held in the Council's Accounts under "Non-Operational Assets, Assets Under Construction", at accumulated historical cost, until such time as it is brought into use. At this time it will be transferred to "Operational Assets Other Land & Buildings" and formally valued in accordance with the basis relevant to the asset.

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This treatment is in accordance with the “Code of Practice on Local Authority in the UK 2007, A Statement of Recommended Practice” and the associated accounting standards which underlie this.

Mike Duncan, Asset Policy Manager (Non Housing) provided the following response to the question of projected value:-

Unknown. No work has been done (nor is normally done) to assess a future Asset Value; this would not comply with the RICS Valuation Standards 2008.

The Council resolved:-
to note the details.

Councillor Young

QUESTION –

To Convener of Policy and Strategy Committee

- (1) To ask the Policy and Strategy Convener if the Administration she leads can deliver lower class sizes without cutting back on essential social work provisions and without cutting back further schools budgets?

ANSWER – (by Councillor Dean)

It would be the aspiration of this Administration to work towards lower class sizes, in accordance with the terms of the Concordat between the Scottish Government and COSLA.

Budgetary matters will be the focus of our attention tomorrow, when each Group in the Council has the opportunity, and the moral duty, to put forward a balanced budget, prioritising services as they see fit.

The Council resolved:-
to note the details.

- (2) To ask the Policy and Strategy Convener what influence her colleague in Edinburgh Margaret Smith MSP has that her Deputy Leader Kevin Stewart does not have with the Justice Secretary in that Edinburgh City Council have received extra cash for policing the city yet Aberdeen City seems to continue to fall on deaf ears. Would she agree with me that under this SNP minority Executive Aberdeen has become the forgotten city of Scotland?

ANSWER – (by Councillor Dean)

I would not begin to speculate about the relative influence of Margaret Smith MSP or of Councillor Kevin Stewart.

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I would disagree with the assertion that Aberdeen has become the forgotten city of Scotland, and I am surprised that the assertion comes from a member of a party who, 12 months ago, were telling us we had never had it so good!

The Council resolved:-

to note the details.

- (3) To ask the Policy and Strategy Convener if she can confirm or otherwise if classroom assistants within schools which she is politically responsible for are being used to cover absent teachers?

ANSWER – (by Councillor Dean)

Classroom Assistants – now Pupil Support Assistants – do not take responsibility for covering classes when teachers are absent. Their role is well defined in terms of supporting learning activities. They also have supervisory roles at lunch and in the playground.

The Council resolved:-

to note the details.

Councillor Young

QUESTION –

To the Chief Executive

- (1) To ask the Chief Executive what impact if any will the new Corporate Manslaughter and Corporate Homicide Act 2007 have on Councillors and on officers of this Council?

ANSWER (by Chief Executive) –

At present, all employers must comply with health and safety legislation and the introduction of the Act does not affect these requirements. The Act introduces a new criminal offence in Scotland of Corporate Homicide. An organisation can be found guilty of corporate homicide if in the way in which its activities are managed and organised –

- causes a person's death, and
- amounts to a gross breach of a relevant duty of care

The introduction of the new offence is the opportunity for employers to satisfy themselves that systems and processes for managing health and safety are adequate. The offence is aimed at cases where management failures lie across any organisation and it is the organisation itself, which will face prosecution, not the individuals.

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Within Aberdeen City Council, health and safety responsibilities are set out in the health and safety policy, which was approved in June 2007. Each Service has also been asked to write their own health and safety policy. The implementation of the policy is monitored by the Corporate Health and Safety Committee which consists of elected members, trade union reps and senior officers from across services including the Chief Executive.

In addition to existing health and safety training, a new course on Directors'/Senior Managers' health and safety responsibilities is being introduced in April 2008. This course will also be made available to the members of the Corporate Health and Safety Committee.

The Council has also been active over a number of years in encouraging Central Government to enact this legislation.

The Council resolved:-

to note the details.

- (2) To ask the Chief Executive if this Council keeps on record parents' school placing requests and if so how long are these details kept?

ANSWER (by Chief Executive) –

Under the Council's records management procedures, placing requests are kept for 2 years plus the current year. Under this arrangement the 05/06 school session records are soon to be destroyed, leaving records for 06/07 and 07/08 and the current year relating to the 08/09 session.

It is perhaps helpful to elected members to make clear that these records relate to formal placing requests. It is highly likely that there could be significant numbers of placing enquiries which are never formalised into placing requests because parents find that there are no places available in the local school or the school of their first choice. This issue has been raised recently by an elected member.

My assumption, however, is that this latent demand from parents for their local school could be identified from our records of out of zone admissions and backtracking those to the schools which the children would have attended had they gone to their zoned school. The other option would be to ask Head Teachers to keep records of any enquiries from in zone parents which did not proceed to the stage of a placing request.

I will take the opportunity of discussing this with officers because of the need for this information if we are to have a robust schools estates strategy. I will ensure that the outcome of this conversation is reported back to elected members.

The Council resolved:-

to note the details.

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SUSPENSION OF STANDING ORDERS TO EXTEND LENGTH OF MEETING

24. The Council at this juncture acknowledged that the meeting would extend past the time allowed within the Council's Standing Orders (as detailed in Standing Order 17(6)).

The Council resolved:-

to suspend Standing Order 17(6) to enable the Council to conclude its business this day.

EXEMPT INFORMATION

The Council resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the press and public from the meeting during consideration of the following item of business so as to avoid disclosure of exempt information of the class described in paragraphs 1 and 11 of Schedule 7(A) to the Act.

DECLARATIONS OF INTEREST

Councillors Kiddie, Noble, Kevin Stewart and Yuill declared interests in the subject matter of the following Article by virtue of their membership of UNISON. Councillors Graham and Hunter declared interests in the subject matter of the following Article by virtue of their membership of T&G Unite. All of the Councillors named above did not feel it necessary to withdraw from the meeting during the Council's consideration thereof.

RESOURCES MANAGEMENT COMMITTEE – 18th JANUARY 2008 – CITY WARDENS

25. With reference to Article 36 of the minute of meeting of the Resources Management Committee of 18th January 2008, which had been referred to the Council for consideration by three members of that Committee, the Council had before it (1) a report by the Head of Shelter and Environment (Central Area) setting out proposals for a new City Warden service and which recommended (a) that the Council approve the mission and objectives of the City Warden service; (b) that the Council approve the proposed new staffing structures consisting of 3 Community Safety Managers, 1 City Warden Manager, 12 Senior City Wardens, 62 City Wardens and 1 Co-ordinator post; (c) that the Council approve the budget for the City Warden service; (d) that the Council approve the procurement of additional vehicles, new uniforms and radio communication systems in line with corporate

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procurement policies, at costs outlined within the budget for the new service; (e) that the Council approve the transfer of the parking administration service to the Continuous Improvement Service; and (f) that the Council instruct that the City Warden service be evaluated six months after full implementation and the findings thereafter reported to the Resources Management Committee; and (2) the resolution of the Committee:- that the recommendations in the report be approved.

In accordance with the decision at Article 4 above, the Council was then addressed by Mr. Paul Silver of GMB, Mr. Bill Massie of UNISON and Mr. Tommy Campbell of the T&G section of UNITE, who together (a) highlighted issues of health and safety for City Wardens, particularly relating to the extension of hours and the proposal for service provision beyond 10.30pm; (b) expressed concerns that the re-design of jobs to incorporate a parking enforcement role where there had not been one previously would be detrimental to the staff concerned, and to their relationships with the public; (c) advised that there was great uncertainty in regard to pay and conditions under the proposed new structure, which was a matter of significant concern; (d) queried the level of community consultation on the proposals; (e) made reference to particular examples where Parking Enforcement Officers had been abused by members of the public in recent weeks, which they felt would be exacerbated if the proposals were approved and City Wardens were made to work beyond 10.30pm; and (f) challenged the Council to prove that the public were behind the proposals.

There followed a number of questions from the Council to the deputation which sought to clarify some of the points raised, whereupon the deputation was asked to leave the meeting in order that the remainder of the item could be taken in confidence.

The Council then heard from the Corporate Director for Neighbourhood Services (Central Area), the Head of Shelter and Environment (Central Area) and the Community Safety Manager who, in responding to elected members, addressed a number of the issues raised by the deputation, particularly those relating to (1) health and safety concerns; (2) the arrangements for transferring and employing staff within the new structure; (3) the process for determining the pay structure of the new posts; and (4) community consultation on the proposals.

The Corporate Director for Neighbourhood Services (Central Area) advised that there was nothing within the recommendations of the report which tied the Council's hands in negotiating further with staff and the trade unions.

Councillor Kevin Stewart moved, seconded by Councillor Dean:-

That the decision of the Resources Management Committee be approved, and to emphasise, for the avoidance of doubt, that the Council was approving the transfer of Community Wardens from Grampian Police to Aberdeen City Council.

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Councillor Graham moved as an amendment, seconded by Councillor Hunter:-

That the report be deferred until such time as the issues raised by the trade unions have been more fully discussed, and until the implications of these proposals are discussed fully between the Council and Community Councils, Forums and Residents Associations.

Following contributions from thirteen members of the Council, in terms of Standing Order 14, Depute Provost John West moved that the question be now put, and was seconded by Councillor Kiddie.

On a division, there voted:-

For the procedural motion (30) – Lord Provost Stephen; Depute Provost John West; and Councillors Boulton, Cassie, Corall, Cormack, Cormie, Dean, Donnelly, Dunbar, Farquharson, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McDonald, May, Milne, Noble, Penny, Reynolds, Robertson, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

Against the procedural motion (8) – Councillors Adam, Allan, Cooney, Crockett, Graham, Hunter, Laing and Young.

Absent from the division (5) – Councillors Clark, Collie, Ironside, McCaig and Malone.

The Council proceeded to summing up and thereafter, on a division between the motion by Councillor Kevin Stewart and the amendment by Councillor Graham, there voted:-

For the motion (29) – Depute Provost John West; and Councillors Boulton, Cassie, Corall, Cormack, Cormie, Dean, Donnelly, Dunbar, Farquharson, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McDonald, May, Milne, Noble, Penny, Reynolds, Robertson, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

For the amendment (8) – Councillors Adam, Allan, Cooney, Crockett, Graham, Hunter, Laing and Young.

Declined to vote (1) – Lord Provost Stephen.

Absent from the division (5) – Councillors Clark, Collie, Ironside, McCaig and Malone.

The Council resolved:-

to adopt the motion.

- **PETER STEPHEN, Lord Provost.**