

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 13th August, 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
NORMAN COLLIE
NEIL COONEY
JOHN CORALL
IRENE CORMACK
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
JOHN REYNOLDS
RICHARD ROBERTSON
JENNIFER STEWART
JOHN STEWART
KEVIN STEWART
WENDY STUART
KIRSTY WEST
JILLIAN WISELY
and
WILLIAM YOUNG

Lord Provost Peter Stephen, in the Chair

REQUEST FOR DEPUTATION

1. The Council was advised that a request for a deputation had been received from Braeside & Mannofield Community Council in accordance with Standing Order 10, in relation to the emergency motion submitted in response to the closure of post offices discussed under Article 24 of this minute.

The Council resolved:-

to decline the request in accordance with the practice of not accepting deputations which pertained to motions.

BURGESSES

2. 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:-

Patricia Briggs, Chartered Accountant and Senior Executive, Newmachar;
Albert Donald, Divisional Commander, Aberdeen; and
Andrew Harrow, Retired Commercial Director, Aberdeen

The Council then heard the Dean of Guild explain the background to the role of Burgess of Guild; highlight that the Burgesses of Guild had their own website www.aberdeenburgesses.com; and emphasise that the Burgesses had a great deal of affection for the city of Aberdeen and that there was a strong desire to support the Council in its endeavours.

The Council resolved:-

- (i) to note that the clerk to the Burgess of Guild would issue a copy of the booklet which every new Burgess receives to all elected members for information, as well as the Dean of Guild's contact details should any member wish to contact him; and
- (ii) to thank the Dean of Guild for his presentation.

ANNOUNCEMENTS

3. (A) The Lord Provost drew attention to two certificates the Council had received at the recent COSLA Awards for excellence in local government, namely a silver award for the Combined Heat and Power project and a bronze award for the implementation of I-kiosks within the city.

(B) The Lord Provost proposed discontinuing the Kirking of the Council as an annual event, and that instead it should take place every four years in tandem

Council Meeting, 13th August, 2008

with the local government election cycle. The Lord Provost explained that this was standard practice at a number of other local authorities, and that the cost of road closures, amongst other things, made it prohibitive to hold the event each year.

(C) The Lord Provost highlighted that Aberdeen born athlete David Florence had won a silver medal in slalom canoeing at the Olympic Games in Beijing, China, the previous day, and wished all local athletes, who had still to compete, well in their events.

The Council resolved:-

- (i) to agree that the Kirking of the Council should take place every four years in tandem with the local government election cycle;
- (ii) to request that a document which had apparently been produced regarding the Council's many traditions be resurrected and more widely circulated in order to preserve and promote those traditions;
- (iii) to agree that the aforementioned document be considered by the Members' Services Working Group to ascertain whether it would be worth including it in the members' induction booklet;
- (iv) to note that the Lord Provost in his communication with the Church regarding the change to the Kirking of the Council arrangements would mention the possibility of elected members attending a church service together on an annual basis, should they wish to do so, in a more informal manner which would not require additional costs associated with road closures; and
- (v) otherwise to concur with the remarks of the Lord Provost.

MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 16th JUNE 2008

4. The Council had before it the minute of the special meeting of Aberdeen City Council of 16th June 2008.

The Council resolved:-

to approve the minute.

MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 25th JUNE 2008

5. The Council had before it the minute of the special meeting of Aberdeen City Council of 25th June 2008.

The Council resolved:-

to approve the minute.

Council Meeting, 13th August, 2008

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 25th JUNE 2008

6. The Council had before it the minute of meeting of Aberdeen City Council of 25th June 2008.

The Council resolved:-
to approve the minute.

PAMPHLET OF MINUTES

7. The Council had before it a pamphlet of standing committee minutes from 27th May to 10th July 2008.

The Council resolved:-
to note the minutes.

MINUTES OF MEETINGS OF THE ABERDEEN CITY ALLIANCE OF 15th MAY AND 19th JUNE 2008

8. The Council had before it the minutes of meetings of The Aberdeen City Alliance of 15th May and 19th June 2008, for information.

The Council resolved:-
to note the minutes.

MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 4th JULY 2008

9. The Council had before it the minute of meeting of the Urgent Business Committee of 4th July 2008.

The Council resolved:-
to approve the minute.

MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 18th JULY 2008

10. The Council had before it the minute of meeting of the Urgent Business Committee of 18th July 2008.

Council Meeting, 13th August, 2008

The Council resolved:-

to approve the minute.

CHIEF EXECUTIVE'S PROGRESS REPORT

11. With reference to Article 9 of the minute of its meeting of 25th June 2008, the Council had been circulated in advance of the meeting a report by the Chief Executive providing details on progress on corporate and service specific issues throughout the Council since June 2008.

The Council resolved:-

to note the information detailed in the report.

ABERDEEN CITY CENTRE BUSINESS IMPROVEMENT DISTRICT

12. With reference to Article 5 of the minute of meeting of the Economic Development Sub-Committee of 14th April 2008, the Council had before it a report by the Head of Economic and Environmental Sustainability which provided an update on progress towards the establishment of an Aberdeen City Centre Business Improvement District (BID), and sought approval for the establishment of an arm's length BID management company in partnership with the private sector.

The report advised (a) that a BID was a partnership between a local authority and the local business community to develop projects and services that would benefit the trading environment within the boundary of a clearly defined commercial area, where businesses had voted to invest collectively in local improvements which would benefit the local economy; (b) that BIDs were developed, managed and paid for by the business sector through an additional levy, typically 1%, calculated on the non domestic rates valuation which the businesses within the proposed BID area must vote in favour of before the BID could be established; (c) that BIDs should not be seen as a substitute for central and local government investment but rather an additional investment to strengthen an area's economic outlook with the aim of increasing returns to those businesses that were paying for the improvements on a basis agreed by them; (d) that an Aberdeen City Centre BID presented an opportunity to raise business engagement and participation by providing the mechanism to promote future local economic development; (e) that officers within Strategic Leadership were aware of several city centre businesses, as well as the Aberdeen City Centre Association, that had expressed an interest in the development of a BID; (f) that an offer had been received from John Lewis Aberdeen Managing Director, Andrew Murphy, to champion the development of an Aberdeen City Centre BID, which provided an excellent opportunity to benefit from his experience of being involved in the development of the recently launched BID in Edinburgh; and (g) that funding of £200,000 had been approved by the Energising

Council Meeting, 13th August, 2008

Aberdeen Board, and that further funding of up to £15,000 could be available from BID Scotland to assist in the development of a BID.

The report recommended:-

that the Council approve the proposal to establish and arm's length BID company with representation from the private sector and Aberdeen City Council.

The Council resolved:-

- (i) to approve the recommendation;
- (ii) to accept the offer from Andrew Murphy, John Lewis Aberdeen Managing Director, to champion the development of an Aberdeen City Centre BID; and
- (iii) to request officers to write to the Scottish Government requesting additional development funding over and above the £15,000 which could be available.

LOCATION OF MONUMENT TO KING ROBERT THE BRUCE

13. With reference to Article 6 of the minute of meeting of the Resources Management Committee of 26th February 2008, the Council had before it a report by the Head of Economic and Environmental Sustainability which sought approval of the recommendation of the Resources Management Committee that the monument to King Robert the Bruce be sited outside Marischal College.

The report (a) provided a summary of the decisions that had been taken to date in respect of the establishment of a monument to King Robert the Bruce, which had stemmed from a motion by Councillor Kevin Stewart; (b) reminded members that the Resources Management Committee of 26th February 2008 had selected the sculpture by Alan Herriot as the winning monument design and agreed to recommend to the Council that the monument be located outside Marischal College; and (c) set out the views of the City Solicitor, the Marischal College Programme Director, Planning and Infrastructure Services, Historic Scotland and the University of Aberdeen in connection with planning, legal and health and safety issues relating to Marischal College as the location of the monument.

The report recommended:-

that the Council approve the recommendation of the Resources Management Committee of 26th February 2008 that the monument to King Robert the Bruce be sited outside Marischal College.

The Council resolved:-

- (i) to agree that the monument to King Robert the Bruce be sited in the vicinity of Marischal College;
- (ii) to agree that an information board, or equivalent, be placed next to the monument in order to explain the history of King Robert the Bruce;
- (iii) to request officers to progress former Councillor Stewart Gordon's motion which requested that a depiction of the ceiling of the St Nicholas Room in the

Council Meeting, 13th August, 2008

- Town House be hung on a wall within the St Nicholas Room for visitors to view; and
- (iv) to request officers to progress Councillor Ironside's motion, which had been approved, that a plaque listing all of the recipients of the Freedom of the City of Aberdeen accolade be made and placed in an appropriate place within the Town House.

DEALING WITH SUBSTANCE MISUSE

14. The Council had before it a report by the Chief Executive which summarised the progress that had been made since May 2007 with the Council's major initiative to tackle substance misuse, and set out the next significant steps that were intended in relation to the major policy priority.

The report (a) emphasised that dealing with substance misuse (drugs and alcohol) and its impact on the quality of people's lives was a clearly stated priority for Aberdeen City Council and Government at Scottish and UK levels, and that for Aberdeen this was one of the top three priorities along with the maintenance of sustainable growth and closing "the gap"; (b) advised that the strategic co-ordination of work in this area was carried out via the Joint Alcohol and Drugs Action Team (JADAT), on the basis of five main priorities; (c) stated that in relation to the future of JADAT, the position of chair had been passed to Richard Carey, Chief Executive of NHS Grampian, and that there was general consensus that the operation of JADAT had been moving in the right direction and that this should be maintained until it was fully embedded; (d) made a significant number of recommendations and expanded upon on those recommendations as summarised below; (e) explained in relation to community based rehabilitation that major initial proposals were the subject of an appendix to the report; (f) highlighted that to complement the work described in the report it was also necessary to:

- review the training programme currently available to staff, and that if it did not already exist there was a need to rapidly develop and deliver joint training for public sector and voluntary sector staff on all areas of work but particularly community rehabilitation
- urgently enhance the performance management capacity
- consider the nature of provision of social work services as community rehabilitation was rolled out
- reconsider the use, and status, of social care staff who were not social workers; and

(g) underlined that this area of service had seen significant progress in the last year and that the recommendations within the report required to be approved and their delivery closely monitored in order to ensure that the significant progress that had been made was not allowed to falter.

The Council resolved:-

- (i) to reaffirm the policy commitment to deal with substance misuse as a top priority;

Council Meeting, 13th August, 2008

- (ii) to arrange for detailed performance reports on progress to be submitted not less than quarterly from JADAT to the Community Health Partnership and on to an appropriate Committee of the Council;
- (iii) to propose to JADAT that elected member representation be increased from two to three elected members, as a reflection of the importance attributed to the issue, and that Councillor Kiddie be appointed to the extra place;
- (iv) to recommend to JADAT that Drugs Action be invited to join JADAT for a trial period of one year, and to ensure that the meeting structure was such that no conflict of interests could arise regarding commissioning of services;
- (v) to welcome the recent reduction in waiting list numbers and monitor this closely;
- (vi) to ensure the provision of increased interim capacity for assessment and treatment as of 1st August 2008;
- (vii) to ensure urgent progress with the Timmer Market project and reaffirm the Council's commitment to the capital cost subject to the Non Housing Capital review;
- (viii) to endorse the draft proposals for community rehabilitation services and instruct that these be the subject of wider consultation and discussion with reporting back with finalised proposals by 30th September 2008 at the latest;
- (ix) to give detailed attention to the financial implications of the community rehabilitation proposals in light of the Council's current budgetary situation and note that detailed costings would be provided in the report back by 30th September;
- (x) to await the publication of the Alcohol Strategy in September 2008 and ensure action thereafter;
- (xi) to ensure the production of detailed proposals for the use of the 2008/09 monies available from Scottish Government for alcohol abuse work;
- (xii) to instruct that a review of training as set out in the report be completed by 30th September 2008;
- (xiii) to instruct that proposals be prepared by 30th September 2008 for a detailed assessment of the prevalence of substance misuse in Aberdeen and the North East;
- (xiv) to instruct a rapid review of the nature of posts in social work especially any additional/new posts in relation to the need for more generalised social workers to be completed by 30th September 2008;
- (xv) to acknowledge the ongoing contribution of all social work and health care staff;
- (xvi) to acknowledge the considerable progress that had been made by all staff of all agencies involved in substance misuse work in the past six to twelve months;
- (xvii) to request clarification on where specialist hospital treatment fitted in to Diagram 2 as appended to the report; and
- (xviii) to pay tribute to the work of Douglas Paterson in tackling this issue and turning performance around.

Council Meeting, 13th August, 2008

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 as it was a legislative requirement for the Council to consider its Improvement Plan by 29th August 2008.

The Council then heard the Head of Performance Management and Quality Assurance speak in furtherance of the Improvement Plan, thereafter each of the four Group Leaders spoke in connection with the following two items of business. It was highlighted that the Leadership Board and officers of the Council, supplemented by members of the External Support Group, had put in an enormous amount of hard work over the summer recess, and that although a great deal had been achieved there was still a long way to go in terms of the Council's overall budgetary position.

AUDIT OF BEST VALUE AND COMMUNITY PLANNING - IMPROVEMENT PLAN

15. The Council had before it a report by the Head of Performance Management and Quality Assurance which presented a draft Improvement Plan for Aberdeen City Council in response to:-

- (1) Audit Scotland's report following the Audit of Best Value and Community Planning; and
- (2) The findings of the Accounts Commission following the public hearing to consider Audit Scotland's report.

The report gave details of discussions that had been held between the Leadership Board and the External Support Group on the completion and submission of the Improvement Plan to Audit Scotland and the Accounts Commission. In particular, the report indicated that the Leadership Board and the External Support Group had agreed that the finalisation of the Improvement Plan be progressed in discussion with Audit Scotland and that the actions within it be placed in the context of the Council's improvement priorities in the short, medium and long term.

The report appended the draft Improvement Plan, which sought to address both the eight recommendations of the Accounts Commission and the 15 recommendations of Audit Scotland. The report explained that the status of these recommendations, and the actions which had been identified to deliver them, could be described as:-

Immediate practical actions - complete or nearing completion

Short to medium term process improvement - actions and completion dates identified within the Improvement Plan

Major long term organisational change - actions identified but a time line yet to be agreed

Council Meeting, 13th August, 2008

The report highlighted that since the publication of the Accounts Commission findings, the Council's Corporate Management Team had been acting on the immediate priorities, as follows:-

- Budgeting and budgetary control
- Staff engagement
- Performance Management
- Best Value Improvement Plan
- Internal and external communication
- Integrated service delivery

The report concluded that the above work continued however over the longer term, reflected within the Improvement Plan, the Council's priorities, and the detailed planning of these, would need to reflect input from fuller engagement with elected members, engagement of staff and, of course, both the interim and new permanent Chief Executive. The recommendation of the Leadership Board and the External Support Group was that, whilst this must be done quickly, the work would extend beyond the end of August 2008 when legislation stated that an Improvement Plan required to be approved.

The report recommended:-

that the Council -

- (a) agree the actions within the draft Improvement Plan;
- (b) approve the dates, where given, in relation to actions within the Improvement Plan;
- (c) agree that the Leadership Board and officers continue to develop an Improvement Plan setting out, prioritising and timetabling all of the Council's improvement activities;
- (d) with the support of the External Support Group, request urgent discussions with both the Accounts Commission and Audit Scotland to agree this approach to the finalisation of the Improvement Plan; and
- (e) agree that any changes proposed to the Improvement Plan before the final submission to the Accounts Commission on 29th August 2008 be referred to the Leadership Board for agreement subject to the Improvement Plan being presented to future meetings of the Council for endorsement.

The Council resolved:-

- (i) to approve the recommendations; and
- (ii) to thank the officers involved for the immense amount of work that had been done over the summer recess, and to thank the members of the External Support Group for their support and guidance.

Council Meeting, 13th August, 2008

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 as the Council had agreed that the Leadership Board should report back on progress each cycle.

LEADERSHIP BOARD UPDATE

16. With reference to Article 4 of the minute of meeting of the Urgent Business Committee of 1st August 2008, the Council had before it a report by the Chief Executive which provided an update on the actions that had been taken by the Leadership Board to address the findings and recommendations of the Accounts Commission for Scotland on *Aberdeen City Council: Reports by the Controller of Audit on the Audit of Best Value and Community Planning and on the Property Sales Investigation*.

The report appended a statement which set out the up-to-date position on each of the eight recommendations which had been made by the Accounts Commission.

The report stated that tasks had been completed as follows:-

- Leadership Board established
- External Support Group established
- Interim Chief Executive (with local government finance expertise) appointed
- External Audit access to Budget Monitoring Board papers and meetings confirmed
- Scrutiny Panel established

The report advised that work was continuing in the following areas:-

- Chief Executive interviews to take place on 22nd August 2008
- Employee engagement and communications strategies being developed
- Local Code of Corporate Governance being reviewed with a report due to the Continuous Improvement Committee on 9th September 2008
- Elected member training to be reported to the Resources Management Committee on 26th August 2008

The report highlighted that the Council was requested to agree the adoption of the property transaction protocol appended to the report, which had been established in such a way as to require additional points during the transaction process operated by Resources Development and Delivery (RDD) at which the express sign-off of both the City Chamberlain (CC) as Chief Financial Officer and the City Solicitor (CS) as Monitoring Officer was required as follows:-

- | | | |
|-----|---|---------------------|
| (1) | Initial discussions | RDD |
| (2) | Pre-Committee report consultation pro-forma | CC & CS to sign off |

Council Meeting, 13th August, 2008

(3)	Committee report consultation	CC & CS consultees
(4)	Committee decision	RDD
(5)	Negotiation	RDD
(6)	Provisional deal	RDD
(7)	Committee report consultation	CC & CS consultees
(8)	Committee decision	RDD
(9)	Pre-transaction finalised pro-forma	CC & CS to sign off
(10)	Transaction finalised	CS

The report recommended:-

that the Council -

- (a) note the progress to date in addressing the findings and recommendations of the Accounts Commission for Scotland on *Aberdeen City Council: Reports by the Controller of Audit on the Audit of Best Value and Community Planning and on the Property Sales Investigation*;
- (b) agree the adoption of the property transaction protocol as outlined in the report; and
- (c) instruct the Chief Executive and other appropriate officers to proceed with all necessary actions, reporting back as required to the Leadership Board.

The Council resolved:-

to approve the recommendations.

CONFERENCE - GOVERNANCE, NEIGHBOURHOODS AND SERVICE DELIVERY IN SCOTTISH LOCAL GOVERNMENT - 21st AUGUST 2008, HAMILTON

17. The Council had before it details of the above conference for consideration of attendance by elected members.

The Council resolved:-

to approve the attendance of Councillor Dunbar and one member of the opposition. (note that subsequent to the meeting Councillor Dunbar decided not to attend the conference and that no member of the opposition accepted the invitation)

CORRESPONDENCE FROM THE SCOTTISH INDEPENDENCE CONVENTION

18. The Council had before it correspondence from the Scottish Independence Convention which requested every local authority in Scotland to allow debate on the constitutional future of Scotland at their next full Council meeting by proposing the following motion:-

Council Meeting, 13th August, 2008

“This Council supports the position that the people of Aberdeen be allowed to vote in a referendum to determine the political future of Scotland and this Council recommends that they sign the petition “Let Scotland Decide”.”

Councillor Kevin Stewart moved, seconded by Councillor Dunbar:-
That the Council approve the above motion.

Councillor John Stewart moved as an amendment, seconded by Councillor Donnelly:-
That the Council take no action.

On a division, there voted:-

For the motion (15) - Depute Provost John West; and Councillors Cassie, Corall, Dean, Dunbar, Jaffrey, Kiddie, McCaig, McDonald, May, Noble, Reynolds, Kevin Stewart, Wendy Stuart and Kirsty West.

For the amendment (23) - Lord Provost Stephen; and Councillors Allan, Adam, Boulton, Collie, Cormack, Cooney, Crockett, Donnelly, Farquharson, Fletcher, Graham, Greig, Hunter, Ironside, Laing, Leslie, Malone, Milne, Robertson, Jennifer Stewart, John Stewart and Young.

Declined to vote (1) - Councillor Wisely.

The Council resolved:-
to adopt the amendment.

DECLARATION OF INTEREST

Councillor Laing declared an interest in the subject matter of the following item by virtue of her membership of the Civil Service Union. Councillor Laing considered that the nature of her interest did not require her to leave the meeting.

CORRESPONDENCE FROM WEST LOTHIAN COUNCIL - IDENTITY AND PASSPORT SERVICE

19. The Council had before it correspondence from West Lothian Council which advised that West Lothian Council at its meeting of 6th May 2008 had agreed the terms of the following motion:-

“This Council is alarmed at proposals by the Identity and Passport Service to make around 100 staff redundant at Scotland’s Passport Office, Glasgow.

Council Meeting, 13th August, 2008

This will lead to a quarter of the workforce being lost as a result of this remodelling. It will also lead to the Glasgow office stopping passport processing by the end of the year. It is understood that the processing work will be transferred to other sites in England, Wales and Northern Ireland. Council condemns the lack of consultation with both workers and the trade unions. Council resolves:

1. To write to the Scottish Government asking them to make representation to the Identity and Passport Service to maintain Passport processing within Scotland.
2. To write to the Westminster Government asking them to reconsider plans to reduce passport processing in Glasgow.
3. To write to all Scottish Councils seeking their support for this motion and inviting them to write, in similar terms to both the Scottish and Westminster Governments.”

The Council resolved:-

to support the terms of the motion.

DECLARATION OF INTEREST

Councillor Laing declared an interest in the subject matter of the following item by virtue of her part-time employment by HM Revenue and Customs. Councillor Laing considered that the nature of her interest did not require her to leave the meeting.

CORRESPONDENCE FROM WEST LOTHIAN COUNCIL - FUEL DUTY AND VAT REVENUES

20. The Council had before it correspondence from West Lothian Council which advised that West Lothian Council at its meeting of 24th June 2008 had agreed the terms of the following motion:-

“West Lothian Council expresses its extreme concerns at the rocketing petrol and diesel prices which are forcing individuals to pay sky high prices at the pumps and forcing public services and industry to finance escalating costs.

Council notes that without UK taxes petrol would be currently 41.2p a litre and diesel 48.8p a litre.

Council Meeting, 13th August, 2008

Council further notes that the Energy Trends and Prices statistics, produced by the Department for Business, Industry and Regulatory Reform reveals that the UK's taxation of petrol is the third highest out of all EU member states.

Council further notes that the UK treasury is netting substantially increasing Fuel Duty and VAT revenues as a direct result of the increasing fuel prices.

In light of all of the above West Lothian Council calls on the current Labour Westminster Government to act decisively to protect the interests of families, public services and industry by immediately introducing a Fuel Duty Regulator which will use the increasing revenues from VAT to reduce Fuel Duty and so the price per litre of petrol and diesel.

Council also resolves to circulate this motion to all UK local authorities, to all West Lothian's MPs and to all Lothian's MSPs seeking their support for the above action."

Councillor Kevin Stewart moved, seconded by Councillor Dean:-
That the Council support the terms of the motion.

Councillor Cooney moved as an amendment, seconded by Councillor Crockett:-
That the Council take no action.

On a division, there voted:-

For the motion (23) - Lord Provost Stephen; Depute Provost John West; and Councillors Cassie, Corall, Cormack, Dean, Dunbar, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McCaig, McDonald, Malone, May, Noble, Reynolds, Robertson, John Stewart, Kevin Stewart, Wendy Stuart and Kirsty West.

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

Declined to vote (2) - Councillors Farquharson and Wisely.

Absent from the division (1) - Councillor Jennifer Stewart.

The Council resolved:-
to adopt the motion.

MOTIONS

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

“That this Council agrees to consider alternative methods of maintaining amenity grassed areas including reviewing of cutting methods and increasing frequencies to ensure the areas are maintained in a satisfactory manner.”

The Council heard the Head of Democratic Services advise that in terms of Standing Order 22 the motion could be ruled incompetent, due to decisions having been made in this regard by the three Area Committees in April 2008, unless Standing Order 22 was suspended.

Councillor Graham moved, seconded by Councillor Crockett:-

That Standing Order 22 be suspended to enable the motion to be considered.

Councillor Dean moved as an amendment, seconded by Councillor Fletcher:-

That Standing Order 22 not be suspended.

On a division, there voted:-

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

For the amendment (24) - Lord Provost Stephen; Depute Provost John West; and Councillors Cassie, Corall, Cormack, Dean, Dunbar, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McCaig, McDonald, Malone, May, Noble, Reynolds, Robertson, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West and Wisely.

Absent from the division (2) - Councillors Jennifer Stewart and Young.

The Council resolved:-

to adopt the amendment which therefore ruled Councillor Graham's motion incompetent.

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

“This Council supports team Great Britain at the 2008 Olympics in Beijing China; wishes all Aberdeen competitors the very best of luck; looks forward to sharing in their moment of triumph; and agrees that Scotland's talented sport competitors are best served by being part of the United Kingdom.”

The Council resolved:-

to adopt the motion following its amendment to read:-

Council Meeting, 13th August, 2008

“This Council supports team Great Britain at the 2008 Olympics and Paralympics in Beijing China, wishes all Aberdeen competitors the very best of luck and looks forward to sharing in their moment of triumph.”

23. Councillor Clark, pursuant to notice, moved:-

“That the Council congratulates the staff involved for their performance in relation to cleaning statistics for reaching the targets previously set for this important aspect of work, which has been continued for some months to sustain this level of targets.

That the Council consider if the targets should be revised to a level to ensure that the service to the citizens of Aberdeen is nothing below the best, and that a report be submitted to the relevant committee in this regard for consideration.”

The Council resolved:-

to defer consideration of the motion to the September meeting in Councillor Clark’s absence in accordance with Standing Order 21(4).

24. Councillors Kiddie, Cassie, Wisely and Malone, pursuant to notice, moved:-

“Aberdeen City Council deplores the recent announcement by Post Office Ltd to close the branches at Mannofield, Mount Street and Nigg. Council also deplores the decision to consider the branch at Bielside for closure.

Council agrees as a matter of urgency to pursue such political and other appropriate actions as necessary to protect the needs of the local communities affected and in this regard to seek an early meeting with the city’s two MPs, MSPs and Post Office Senior Management.”

The Council resolved:-

to approve the terms of the motion with the addendum that the city had three MPs and not two as originally stated.

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 6 and 9 of Schedule 7(A) to the Act.

Council Meeting, 13th August, 2008

SPECIALIST TAXATION ADVICE IN RELATION TO TRANSFER OF SPORTS FACILITIES TO AN ARM'S LENGTH MANAGEMENT ORGANISATION

25. With reference to Article 17 of the minute of its meeting of 13th February 2008, the Council had before it a report by the Head of Economic and Environmental Sustainability which proposed the appointment of a company to provide specialist taxation advice in relation to the transfer of the Council's sports facilities to an arm's length management organisation.

The report reminded members that the Council at its meeting of 13th February 2008 had resolved to transfer its sports facilities to an arm's length management organisation taking account of external specialist legal and financial advice. Officers had obtained six fee proposals from specialist taxation advisers who had been asked to outline how they would undertake the following:-

- detailed analysis of the revenue and capital implications in relation to VAT, Direct and Indirect Tax and National Non Domestic Rates for Aberdeen City Council transferring the management and operation of its sports facilities to a charitable leisure trust
- assessment of the likely future long-term VAT, Direct and Indirect Tax implications of the transfer
- recommendations on the trust structure and contractual arrangements based on the above analysis

The report advised that the Chief Accountant, in conjunction with officers in Strategic Leadership, had evaluated the fee proposals and had concluded that Johnston Carmichael was the preferred company to provide specialist taxation advice in relation to transferring the Council's sports facilities to an arm's length management organisation. The report stated that it would cost £18,250 to engage Johnston Carmichael for this purpose.

The report recommended:-

that the Council agree the appointment of Johnston Carmichael to provide specialist taxation advice in relation to the transfer of the city's sports facilities to an arm's length management organisation.

The Council resolved:-

to approve the recommendation.

- **PETER STEPHEN, Lord Provost.**