

ABERDEEN CITY COUNCIL

Town House,  
ABERDEEN, 17<sup>th</sup> September, 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  
WILLIAM CORMIE  
BARNEY CROCKETT  
ALAN DONNELLY  
JACQUELINE DUNBAR  
JAMES FARQUHARSON  
NEIL FLETCHER  
GORDON GRAHAM  
MARTIN GREIG  
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

Council Meeting, 17<sup>th</sup> September, 2008

## **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:-

Julia Dryburgh, Company Director, Aberdeen; and  
William Taylor, Building Assistant, Aberdeen

## **ANNOUNCEMENTS**

2. (A) Councillor John Stewart highlighted that the Council had been shortlisted in three different categories at the recent Association of Public Sector Excellence (APSE) Awards. The Council had been a finalist in the Best Information and Communication Initiative category for the Reading Bus scheme, and the Internal Service Team of the Year: Parks, Grounds & Horticultural Service category.

Councillor Malone advised that the Council had been successful in the third category, having been awarded Internal Service Team of the Year: Construction and Building for its work to reduce the number of empty homes in the city as well as implementing the craftworkers agreement. Councillor Malone emphasised the amount of work that had been done in each category and thanked staff for their endeavours.

(B) Councillor Graham congratulated the Northfield Forum for winning the Nancy Ovens Trust Award - Best Community Award for Play category - for the work that had been carried out at Allan Douglas Park.

(C) Councillor McDonald made reference to the World Schools Debating Championship which had been held in Washington DC from 5<sup>th</sup> to 15<sup>th</sup> September, where Scotland had been represented by three Aberdeen pupils - Natalie Smith (Aberdeen Grammar School), Rachel Watson (Aberdeen Grammar School) and Joanna Farmer (Robert Gordons College). Councillor McDonald advised that the Scottish team had been very successful before being eliminated in the semi-final, and congratulated them for their efforts as well as the English team for winning the competition.

(D) Councillor Jennifer Stewart advised that a coffee morning was to be held in the Town House on 26<sup>th</sup> September for Macmillan Cancer Support which would also promote Fairtrade products, and encouraged members and officers to attend.

(E) Councillor Boulton explained that a class from Milltimber Primary School had qualified for the final of a competition on nutrition for children sponsored by Sainsbury's which was to be held in London, and highlighted that they were the

Council Meeting, 17<sup>th</sup> September, 2008

only class to have qualified from Scotland. Councillor Boulton wished them luck for their trip and in the final itself.

**The Council resolved:-**

to concur with the remarks of each of the elected members.

**MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 28<sup>th</sup> JULY 2008**

3. The Council had before it the minute of the special meeting of Aberdeen City Council of 28<sup>th</sup> July 2008.

**The Council resolved:-**

to approve the minute.

**MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 13<sup>th</sup> AUGUST 2008**

4. The Council had before it the minute of meeting of Aberdeen City Council of 13<sup>th</sup> August 2008.

**The Council resolved:-**

to approve the minute.

**PAMPHLET OF MINUTES**

5. The Council had before it a pamphlet of standing committee minutes from 4<sup>th</sup> July to 21<sup>st</sup> August 2008.

**The Council resolved:-**

to note the minutes.

**MINUTE OF URGENT BUSINESS COMMITTEE OF 1<sup>st</sup> AUGUST 2008**

6. The Council had before it the minute of meeting of the Urgent Business Committee of 1<sup>st</sup> August 2008.

Councillor Ironside moved as a procedural motion, seconded by Councillor Graham:-

That the Council agree to suspend Standing Order 22 to allow for the reconsideration of the decision of the Urgent Business Committee in relation

Council Meeting, 17<sup>th</sup> September, 2008

to revised janitorial cover for lets in schools recorded under Article 7 of the minute.

On a division, there voted:-

For the procedural motion (11) - Councillors Adam, Allan, Boulton, Collie, Cooney, Crockett, Donnelly, Graham, Ironside, Laing and Young.

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

Declined to vote (3) - Councillors Farquharson, Milne and Wisely.

**The Council resolved:-**

to not suspend Standing Order 22 and to approve the minute.

**MINUTE OF URGENT BUSINESS COMMITTEE OF 6<sup>th</sup> AUGUST 2008**

7. The Council had before it the minute of meeting of the Urgent Business Committee of 6<sup>th</sup> August 2008.

**The Council resolved:-**

to approve the minute.

**SUSPENSION OF STANDING ORDERS**

The Council agreed to suspend Standing Order 22 to enable consideration, as appropriate, of any decision taken affecting the Non-Housing Capital Programme within the previous six months in respect of the following item of business.

**DECLARATION OF INTEREST**

Councillor Kevin Stewart declared an interest in the subject matter of the following item, in relation to specific capital projects, by virtue of his position as Chairperson of NESTRANS. Councillor Kevin Stewart considered that the nature of his interest did not require him to leave the meeting.

Council Meeting, 17<sup>th</sup> September, 2008

**BUDGET MONITORING BOARD - 5<sup>th</sup> SEPTEMBER 2008 - 2008/09 NON HOUSING CAPITAL PROGRAMME REVIEW**

8. With reference to Article 6 of the minute of meeting of the Budget Monitoring Board of 5<sup>th</sup> September 2008, the Council had before it (1) a report by the City Chamberlain on the Non-Housing Capital Programme for the financial year 2008/09; and (2) the amended resolution of the Board, to refer the report to Council on 17<sup>th</sup> September 2008 for consideration with the following recommendations:-

- (i) that the projects for the Union Street cable support system at an estimated cost of £30,000 and the replacement of cremators at a cost of £2million be committed for health and safety reasons;
- (ii) that officers check whether item no. 756 in the programme should refer to Cairncry Community Centre rather than Cornhill;
- (iii) that item no. 671, West Cults Farm Flood Defence Scheme, be removed from the programme as the Resources Management Committee agreed on 22<sup>nd</sup> April 2008 not to proceed with this project;
- (iv) that further information be provided in respect of item no. 672, Torry Neighbourhood Centre phase 2;
- (v) that it be noted that item no. 736, Gypsy/Travellers Short Term Halting Sites project, was unlikely to proceed in the current financial year and that it be deferred to the budget consideration process for the financial year 2009/10;
- (vi) that it be noted that there had been little progress in respect of item no. 737, Green Burial Site, and that it be deferred to the 2009/10 budget consideration process;
- (vii) that project no. 662, WiFi Infrastructure be retained and officers confirm that the cost had increased to €160,000;
- (viii) that project no. 748, Sports Court, be deferred to the 2009/10 budget consideration process;
- (ix) that it be noted that the Linx Ice Arena project was not legally committed as stated in the report, however to recommend that it be proceeded with; and
- (x) that the recommendations contained in Appendix 3 be otherwise approved.

Councillor John Stewart moved, seconded by Councillor McDonald:-

That the recommendations of the Budget Monitoring Board be approved.

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

That the recommendations of the Budget Monitoring Board be approved with the exception of item no. 663 Corporate Office Accommodation, item no. 587 Access from the North, item no. 660 Union Street Pedestrianisation, item no. 715 Berryden Road Improvement; item no. 745 Hazlehead Golf Project, and item no. 715 Sports Strategy; and that the City Solicitor be instructed to enter into negotiations with the University of Aberdeen to ensure that this Council can minimise any losses on Marischal College by doing what is necessary to protect the Council's interest to maximise any monies from a sale or sub-let of Marischal College.

Council Meeting, 17<sup>th</sup> September, 2008

Councillor Boulton moved as a further amendment, seconded by Councillor Donnelly:-

That the recommendations of the Budget Monitoring Board be approved, and that the Council agree to the withdrawal of funding to the Western Peripheral Route.

On a division between the amendment by Councillor Ironside and the amendment by Councillor Boulton, there voted:-

For the amendment by Councillor Ironside (9) - Councillors Adam, Allan, Collie, Cooney, Crockett, Graham, Ironside, Laing and Young

For the amendment by Councillor Boulton (4) - Councillors Boulton, Donnelly, Farquharson and Fletcher.

Declined to vote (27) - Lord Provost Stephen; Depute Provost John West; and Councillors Cassie, Corall, Cormack, Cormie, Dunbar, 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.

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

On a division, there voted:-

For the motion (29) - Lord Provost Stephen; Depute Provost John West; and Councillors Cassie, Corall, Cormack, Cormie, Donnelly, Dunbar, 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 Ironside (10) - Councillors Adam, Allan, Collie, Cooney, Crockett, Farquharson, Graham, Ironside, Laing and Young.

Declined to vote (1) - Councillor Boulton.

**The Council resolved:-**  
to adopt the motion.

#### **DECLARATION OF INTEREST**

**Councillor John Stewart declared interests in the subject matter of the following item by virtue of his position as Chairperson of The Aberdeen City Alliance and also as Chair of the Fairer Scotland Fund Board.**

Council Meeting, 17<sup>th</sup> September, 2008

**Councillor John Stewart considered that the nature of his interests did not require him to leave the meeting.**

**CONTINUOUS IMPROVEMENT COMMITTEE - 9<sup>th</sup> SEPTEMBER 2008 - MOTION BY COUNCILLOR GRAHAM - SECTION 59(1) OF THE LOCAL GOVERNMENT IN SCOTLAND ACT 2003**

9. With reference to Article 4 of the minute of meeting of the Continuous Improvement Committee of 9<sup>th</sup> September 2008, which had been referred to the Council for consideration by three members of that Committee, the Council had before it the resolution of the Committee, that no action be taken in respect of Councillor Graham's motion.

Councillor John Stewart moved, seconded by Councillor Dunbar:-

That the decision of the Continuous Improvement Committee be approved.

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

That this Council reviews its standing orders to ensure that when participating in Community Planning it does so in a manner which encourages equal opportunities and in particular the observance of the equal opportunities requirements as required by section 59(1) of the Local Government in Scotland Act 2003. Further, Council instructs the City Solicitor to liaise with the Commissioner for Public Appointments to ensure that Council is interpreting section 59(1) of the Local Government in Scotland Act 2003 correctly.

Following contributions from nine members of the Council, in terms of Standing Order 14, Councillor McDonald moved that the question be now put, and was seconded by Councillor McCaig.

On a division, there voted:-

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

Against the procedural motion (13) - Depute Provost John West; and Councillors Adam, Allan, Collie, Cooney, Crockett, Donnelly, Dunbar, Graham, Ironside, Laing, Kevin Stewart and Young.

Declined to vote (3) - Councillors Boulton, Farquharson and Milne.

Absent from the division (1) - Councillor Yuill.

Council Meeting, 17<sup>th</sup> September, 2008

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

For the motion (27) - Depute Provost John West; and Councillors Cassie, Corall, Cormack, Cormie, Dunbar, 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, Donnelly, Graham, Ironside, Laing and Young.

Declined to vote (3) - Lord Provost Stephen; and Councillors Boulton and Farquharson.

**The Council resolved:-**  
to adopt the motion.

## **CHIEF EXECUTIVE'S PROGRESS REPORT**

**10.** With reference to Article 11 of the minute of its meeting of 13<sup>th</sup> August 2008, the Council had been circulated in advance of the meeting with a report by the Chief Executive providing details on progress on corporate and service specific issues throughout the Council since August 2008.

**The Council resolved:-**  
to note the information detailed in the report.

## **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**

**11.** With reference to Article 16 of the minute of its meeting of 13<sup>th</sup> 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 Meeting, 17<sup>th</sup> September, 2008

*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:-

- Chief Executive appointed
- Leadership Board established
- External Support Group established
- Interim Chief Executive (with local government expertise) appointed
- External Audit access to Budget Monitoring Board papers and meetings confirmed
- Scrutiny Panel established
- Elected member training agreed
- Property Transaction Protocol adopted

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

- Employee engagement and communications strategies being developed
- Governance arrangements

The report highlighted that the Leadership Board had met with the External Support Group on 8<sup>th</sup> September to review progress and to discuss the work that was underway to deliver the 2008/09 budget and the proposed timetable and actions for the development of the 2009/10 budget as reported to the Budget Monitoring Board on 5<sup>th</sup> September. The External Support Group had reaffirmed that re-establishing the financial stability of the Council must remain the key priority and that as part of this work, a means must be found to deliver sustainable, affordable social care services. The External Support Group was due to meet with the Leadership Board again on 31<sup>st</sup> October to review progress on this.

**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*; and
- (b) 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.

Council Meeting, 17<sup>th</sup> September, 2008

## **REVISED SCRUTINY PANEL AND CONTINUOUS IMPROVEMENT COMMITTEE ORDERS OF REFERENCE**

**12.** With reference to Article 2 of the minute of meeting of the Scrutiny Panel of 1<sup>st</sup> September 2008, the Council had before it (1) revised Orders of Reference for the Scrutiny Panel and amended Orders of Reference for the Continuous Improvement Committee; and (2) the resolution of the Scrutiny Panel, to recommend to the Council at its meeting on 17<sup>th</sup> September 2008:-

- (i) the re-wording of the Scrutiny Panel Orders of Reference 1 and 2 to:-
  - 1. The Panel is charged with responsibility for ensuring that there is an effective Internal Audit function. This is to be achieved through the following:-
    - (a) the approval of the Internal Audit Plan;
    - (b) the consideration of all reports issued by Internal Audit;
    - (c) responsibility for ensuring that there is an adequately resourced Internal Audit service; and
    - (d) the consideration of performance reports on Internal Audit activity.
  - 2. To receive all reports prepared by the Council's External Auditors; and
- (ii) the addition of Order of Reference 10.
  - To ensure the Council meets its legal obligations through:-
    - (a) reviewing the reliability and robustness of financial information;
    - (b) ensuring compliance with audit legislation; and
    - (c) the preparation of reports of avoidable losses.

### **The Council resolved:-**

to approve the recommendations of the Scrutiny Panel, its revised Orders of Reference and the amended Orders of Reference for the Continuous Improvement Committee.

## **COWDRAY HALL COMMITTEE - 24<sup>th</sup> JUNE 2008 - TERMINATION OR VARIATION OF THE TRUST DEED**

**13.** With reference to Article 6 of the minute of meeting of the Cowdray Hall Committee of 24<sup>th</sup> June 2008, the Council had before it the resolution of the Committee, to recommend to the Council that the Trust be removed from the Charity Register and that it consider seeking a variation or termination of the Trust Deed.

The Cowdray Hall Committee had considered a report which (a) advised that the Office of the Scottish Charity Regulator (OSCR) had intimated that the most appropriate route for the Council would be to remove the Trust from the Charities Register; (b) noted that OSCR was of the view that a re-organisation of the Trust would not be a long term solution as the Council would have to request that it be

Council Meeting, 17<sup>th</sup> September, 2008

removed from the Charity Register prior to the submission of the next financial return; (c) explained that OSCR noted that there was no guarantee that an application for re-organisation under the 2005 Act would be approved; (d) stated that the only option now available to the Committee was to recommend the variation or termination of the Trust Deed by way of a *cy prés* petition to the *nobile officium* (a nominated judge) under Chapter 63 of the Court of Session Rules to the Inner House of the Court of Session, whereby the *nobile officium* may sanction a *cy prés* settlement where the Trust funds are directed to purposes which are different from those for which the Trust was set up; (e) indicated that the Trustees needed to be clear with respect to the purposes for which they wished to vary the Trust Deed; (f) listed the possible reasons for varying a Trust Deed and concluded that it may be appropriate for an application on approximation to be lodged which the Council would need to seek legal advice on; and (g) proposed that to ensure that the Hall was still available for the University of Aberdeen, as per the Trust purposes, that a Service Level Agreement be entered into between the Council and the University to ensure the University's use of the Hall was secured.

**The Council resolved:-**

to approve the recommendations of the Cowdray Hall Committee.

**DECLARATION OF INTEREST**

**Councillor Kevin Stewart declared an interest in the subject matter of the following item by virtue of his position as a member of the Arena Community Stadium Advisory and Monitoring Board. Councillor Kevin Stewart considered that the nature of his interest did not require him to leave the meeting.**

**ARENA COMMUNITY STADIUM**

**14.** With reference to Article 8 of the minute of its meeting of 19<sup>th</sup> December 2007, the Council had before it a report by the Head of Planning and Infrastructure which outlined the need for a revised Project Development Agreement between the Arena Community Stadium project partners to reflect the alterations to funding arrangements in light of the offer from Aberdeen Football Club to finance the business case and design concept element of the work on the understanding that it may look to recoup the money at a later date.

The report (a) reminded members of the decision of the Council to progress the Arena Community Stadium project to a detailed feasibility study for two potential sites, King's Links and Loirston Loch, and that capital funding of £300,000 had been approved to deliver the feasibility study which was match funded by Aberdeen Football Club; (b) explained that the detailed feasibility stage of the project was required to determine whether a community stadium was deliverable on either of

Council Meeting, 17<sup>th</sup> September, 2008

the proposed sites and to establish the business case and financing options that would enable such a development, and the benefits that would be created for the city; (c) advised that the results of the feasibility study were due to be reported to the Council in January 2009, and that the project was on time and within budget to achieve this; (d) discussed the various appointments that had been made to date to facilitate the completion of the feasibility study, which included the design of the project brief, seasonal bird survey work, environmental and transport consultants, quality assurance and public relations; (e) highlighted that the main appointment which remained for the feasibility stage of the project was for external resources to produce the business case and design concept for both sites, the budget for which had been agreed at £150,000; (f) stated that during the tender period for the above appointment the review of the Council's Non-Housing Capital Projects meant that the project team had been unable to progress the appointment until the review had been completed, therefore Aberdeen Football Club had made an offer to Aberdeen City Council to finance this piece of work in full in order to allow the project to continue - consequently the project team was seeking to formally conclude the business case and design concept tender process without making an appointment but instead to progress the requirement to deliver the work via a contract between Aberdeen Football Club and the consultants; (g) advised that a Project Development Agreement describing the project partner responsibilities and financial commitments had been drafted by Brodies LLP but had not yet been formally agreed by the project partners, and that the offer from Aberdeen Football Club would be incorporated into the Project Development Agreement to reflect the change from 50/50 partnership arrangements; (h) explained that the Project Development Agreement would clarify which partner was responsible for the costs associated with the feasibility study, and would also describe the mechanism for appropriately balancing the costs between partners once the feasibility study was completed; (i) appended a synopsis of the Project Development Agreement; and (j) sought approval for Keith Moorhouse, Chairman of Cove Rangers Football Club, to be added to the membership of the Arena Community Stadium Advisory and Monitoring Board, which had been requested by the Board as it was considered that the project would offer a number of opportunities for joined up working between the two clubs.

**The report recommended:-**

that the Council -

- (a) approve the draft Project Development Agreement between Aberdeen City Council and Aberdeen Football Club as adequately reflecting the financial and project responsibilities of these project partners and agree to delegate authority to the City Solicitor and City Chamberlain to finalise the agreement in consultation with Councillor Dean as Chairperson of the Arena Community Stadium Advisory and Monitoring Board;
- (b) approve the project procurement approach undertaken to enable the delivery of the feasibility study; and
- (c) approve the addition of Keith Moorhouse, Chairman of Cove Rangers Football Club, to the project Advisory and Monitoring Board.

Council Meeting, 17<sup>th</sup> September, 2008

Councillor Kevin Stewart moved, seconded by Councillor Fletcher:-

That the recommendations contained in the report be approved and that the budgetary implications be discussed at the Budget Monitoring Board.

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

That this Council withdraws from the Arena Community Stadium project.

On a division, there voted:-

For the motion (18) - Lord Provost Stephen; Depute Provost John West; and Councillors Corall, Dunbar, Fletcher, Jaffrey, Kiddie, Leslie, McCaig, McDonald, May, Noble, Reynolds, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart and Kirsty West.

For the amendment (17) - Councillors Adam, Allan, Boulton, Collie, Cooney, Cormack, Crockett, Donnelly, Farquharson, Graham, Greig, Ironside, Laing, Malone, Milne, Wisely and Young.

Declined to vote (2) - Councillors Robertson and Yuill.

Absent from the division (3) - Councillors Cassie, Cormie and Penny.

**The Council resolved:-**

to adopt the motion.

**QUESTIONS**

15. 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 Young**

QUESTIONS -

To the Convener of the Policy and Strategy Committee

- (1) "To ask the Policy and Strategy Convener to converse with the Education spokesperson to confirm or otherwise if the shadow Education spokesperson, Councillor Jennifer Stewart, exchanged views with the Education spokesperson or indeed the Convener of Policy and Strategy with regards to the general principle of naming new schools, and if a conversation did take place can the Policy and Strategy Convener advise the Council on the nature of that conversation with regards to the Administration's policy on the naming of new schools?"
- (2) "To ask the Policy and Strategy Convener if she recalls telling Tommy Campbell of the Unite Union that there would be nowhere near 1,000 redundancies from Aberdeen City Council. On the basis that all Council staff

Council Meeting, 17<sup>th</sup> September, 2008

are currently being asked if they wish to be considered for voluntary redundancy can the Policy and Strategy Convener and Leader of this Council confirm how many employees the Council are looking to offer redundancy to?"

- (3) "To ask the Policy and Strategy Convener to confirm why according to the Scottish Government latest statistics the Council she leads has the highest rent arrears in Scotland?"

## ANSWERS (by Councillor Dean) -

- (1) No such conversations have taken place, but even if they had, I would not be reporting the content of private conversations to the Council.
- (2) The deadline for expressions of interest for early retirement/voluntary severance closed today. The number of employees who will be granted voluntary severance will be dependent on the strength of the business cases submitted by services in support of individual applications and the financial landscape at the time of the assessment process.
- (3) In terms of Aberdeen City Council's current performance there have been a number of initiatives introduced since the transfer of rent collection to the Customer Relations Management section of Continuous Improvement. Officers have been working hard to improve the performance in this area and have succeeded in reducing arrears from a high of 11.6% in 2006/07 to the level of 8.4% as at the end of July this year. In monetary terms this represents an improvement of over £1million. The objective for the current year is to reduce this to 7.5% and the service is on target to achieve this. The long-term objective is to reduce this further to 4% by 2010/11. Further detailed statistical information is available from officers should this be required.

**The Council resolved:-**

to note the details.

To the Convener of the Resources Management Committee

- (1) "To ask the Resources Management Convener if he agrees or otherwise with the Finance Secretary John Swinney that he was first made aware of the £50million budget cuts some three months ago and would he confirm to this Council on what day did the Council make the Scottish Government fully aware of the £50million budget deficit?"

## ANSWER (by Councillor Kevin Stewart) -

- (1) The Finance Secretary is well aware that the Council is carefully monitoring its savings programme over the two year period, i.e. savings agreed at the Council on 1<sup>st</sup> October 2007 regarding the Transformation Programmes, savings agreed as part of the Council's approved Revenue Budget for 2008/09 in February this year and a savings package through the tight managerial control of budgets.

Council Meeting, 17<sup>th</sup> September, 2008

The Council does not have to make the Cabinet Secretary or the Scottish Government aware of its savings programme by any specified date so the question is somewhat irrelevant in that regard.

**The Council resolved:-**

to note the details.

**MOTIONS**

**16.** 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 had before it correspondence from Councillor Clark which requested that the motion be progressed in his absence, as the motion had been deferred in his absence at the last Council meeting in accordance with Standing Order 21(4).

**The Council resolved:-**

- (i) to agree that the motion would fall due to Councillor Clark not being in attendance at the last two Council meetings, in accordance with Standing Order 21(4); and
- (ii) to request Councillor Clark to resubmit the motion if he still wanted it to be progressed.

**17.** Councillor Reynolds, pursuant to notice, moved:-

“With the ever increasing energy costs being experienced by domestic users, this Council calls upon the Chancellor of the Exchequer to remove, as a matter of urgency, the 5% VAT levied on domestic electricity and gas bills, thereby assisting some of the country’s poorest households. The Council also calls on the EU to change the rules to allow the UK to remove this element of VAT from domestic energy bills. And that officers advise other UK local authorities of our decision and enlist their support.”

Councillor Reynolds moved, seconded by Councillor Farquharson:-  
That the terms of the motion be approved.

Council Meeting, 17<sup>th</sup> September, 2008

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

That Council recognises that the VAT situation is common to all EU Members and that this Council takes no action on this motion and in current circumstances acknowledges the sole focus of Aberdeen City Councillors is rectifying the financial mess made in the last five years.

On a division, there voted:-

For the motion (27) - Lord Provost Stephen; Depute Provost John West; and Councillors Boulton, Corall, Cormack, Dunbar, Farquharson, Fletcher, Greig, Jaffrey, Kiddie, Leslie, McCaig, McDonald, Malone, May, Milne, Noble, Reynolds, Robertson, Jennifer Stewart, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

For the amendment (9) - Councillors Adam, Collie, Cooney, Crockett, Donnelly, Graham, Ironside, Laing and Young.

Absent from the division (4) - Councillors Allan, Cassie, Cormie and Penny.

**The Council resolved:-**

to adopt the motion.

**18.** Councillor Dean, pursuant to notice, moved:-

“That this Council instructs officers to enter into discussion with First Aberdeen with a view to achieving fare reductions to levels comparable with other areas of Scotland and the UK.”

**The Council resolved:-**

to defer consideration of the motion to the November meeting in Councillor Dean's absence in accordance with Standing Order 21(4).

**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 items of business so as to avoid disclosure of exempt information of the class described in paragraphs 6 (Article 20), 9 (Article 20) and 11 (Article 19) of Schedule 7(A) to the Act.**



**EQUAL PAY AND MODERNISATION UPDATE**

**19.** The Council heard the Corporate Director for Resources Management provide an oral report on progress with implementing Equal Pay and Modernisation proposals.

The Corporate Director advised that each of the three trade unions had returned 'yes' votes after balloting their members on the latest package of terms and conditions. This formed the basis for collective agreement, however after a short period of reflection one trade union, based on its national legal advice, had stated that it would not be signing a collective agreement, which meant that it was not possible for collective agreement to be reached. The Council was now looking at voluntary sign up on an individual basis, followed by, if necessary, compulsory sign up. The Equal Pay and Modernisation Steering Group would continue to be briefed on developments and it was intended that a full report would be submitted to the Council meeting in November.

**The Council resolved:-**

- (i) to note the update; and
- (ii) to receive a full report at the next meeting.

**BUDGET MONITORING BOARD - 5<sup>th</sup> SEPTEMBER 2008 - FOOD AND GARDEN WASTE COLLECTION - ADDITIONAL FUNDING REQUIREMENT**

**20.** With reference to Article 11 of the minute of meeting of the Budget Monitoring Board of 5<sup>th</sup> September 2008, the Council had before it a report by the Head of Economic and Environmental Sustainability seeking approval for additional capital expenditure of around £242,000 to support the introduction of a food and garden waste collection service.

The report advised that the majority of the additional capital funding was required for the development of transfer facilities at the Sclattie waste transfer station. The additional funds were required to enable food and garden waste to be collected with the aim of meeting the Council's recycling target of 40% by 2011 and avoiding landfill penalties of £150 per tonne. The additional engineering works required had resulted in an estimated delay of five months to the commencement of this collection service, which was now due to occur in February 2009. The additional funds would also be used to purchase kitchen caddies and corn starch bags for use by householders. The combined collection of food and garden waste was a key element of the Transformation Strategy for waste management services approved by Council on 13<sup>th</sup> February 2008. In addition, annual revenue costs as detailed in the appendix to the report had increased by approximately £211,000.

The Budget Monitoring Board had resolved to refer the report to Council with a recommendation that capital funding be approved to enable the project to proceed.

Council Meeting, 17<sup>th</sup> September, 2008

**The Council resolved:-**

to approve the recommendation of the Budget Monitoring Board.

- **PETER STEPHEN, Lord Provost.**