

ABERDEEN CITY COUNCIL

Town House,  
ABERDEEN, 17<sup>th</sup> December, 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  
KATHARINE DEAN  
ALAN DONNELLY  
JACQUELINE DUNBAR  
JAMES FARQUHARSON  
NEIL FLETCHER  
GORDON GRAHAM  
MARTIN GREIG  
JAMES HUNTER  
LEONARD IRONSIDE

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

Lord Provost Peter Stephen, in the Chair

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## **ANNOUNCEMENTS**

1. (A) The Lord Provost welcomed Sue Bruce to her first meeting of the Council since taking up the post of Chief Executive on 1<sup>st</sup> December 2008, and wished her well in the role. Mrs Bruce stated that she was pleased to have accepted the challenge and was looking forward to the hard work which lay ahead.

(B) The Lord Provost reminded members that Gordon Edwards, Corporate Director for Resources Management, had completed the New York Marathon the previous month, and had presented a cheque for £2,000 to the Lord Provost's Charitable Trust. The Lord Provost added that £30,000 had been raised for CLAN (Cancer Link Aberdeen and North) at the Pink Ball on 14<sup>th</sup> November organised by the Lord Provost's Charitable Trust, and that £650 had been raised at the Salvation Army concert on the past weekend. The Lord Provost thanked all those concerned for their generous donations.

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

to concur with the remarks of the Lord Provost.

## **ORDER OF AGENDA**

2. The Lord Provost proposed that the two emergency motions listed on the agenda be considered at an earlier stage of the meeting to enable the Programme Director for Social Care to provide an oral report on the latest position in respect of their content.

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

to agree to the Lord Provost's proposal.

## **BURGESSES**

3. (A) The person aforementioned was admitted into the presence of the Council and passed as a Burgess of Guild in respect of their respective Acts of Admission in the Guild Burgess Book:-

James Keenan, Company Director, Aberdeen

(B) The person aforementioned was admitted into the presence of the Council and passed as a daughter of Burgess of Guild:-

Jane Watmough-Brown, Retired Director, Aberdeen

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(C) The persons aforementioned were admitted into the presence of the Council and passed as Burgesses of the Burgh of Aberdeen of their own craft only:-

William Burr, Wright and Cooper, Aberdeen  
 Alan Steele, Wright and Cooper, Aberdeen  
 Brian Milton Scott, Shoemaker, Aberdeen

## REQUESTS FOR DEPUTATIONS

4. The Council had before it, in accordance with Standing Order 10(1), the following requests for deputations:-

- (1) Hillocks Community Bowling Club in relation to the referral from Area Committee North (as detailed at Article 6 of this minute);
- (2) Aberdeen Parent Council Liaison Group in relation to the report on the revenue budget for 2009/10 (as detailed at Article 21 of this minute);
- (3) Auchmill Golf Club in relation to the report on the revenue budget for 2009/10 (as detailed at Article 21 of this minute); and
- (4) Allotment holders in relation to the report on the revenue budget for 2009/10 (as detailed at Article 21 of this minute).

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

to accept the request from Hillocks Community Bowling Club.

The Lord Provost advised that the requests from Auchmill Golf Club and the allotment holders had been withdrawn, and that it was his intention to refuse the request from Aberdeen Parent Council Liaison Group as it related to the budget and would be setting a precedent, however they would be encouraged to request deputations in respect of the policy elements as they progressed through the relevant committees.

Councillor Dean moved as a procedural motion, seconded by Councillor Kevin Stewart:-

That the request for a deputation from Aberdeen Parent Council Liaison Group be refused.

On a division, there voted:-

For the procedural motion (25) - Lord Provost Stephen; Depute Provost John West; and Councillors Cassie, Corall, Cormack, Cormie, Dean, Dunbar, Fletcher, Greig, Kiddie, Leslie, McCaig, McDonald, Malone, May, Noble, Penny, Reynolds, Robertson, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West and Yuill.

Against the procedural motion (14) - Councillors Adam, Allan, Boulton, Collie, Cooney, Crockett, Donnelly, Farquharson, Graham, Hunter, Ironside, Laing, Milne and Wisely.

**The Council resolved:-**

to adopt the procedural motion and thereby not hear Aberdeen Parent Council Liaison Group.

**In terms of Standing Order 15(6), Councillor Graham intimated that he wanted his dissent recorded against the above decision.**

At this juncture Councillor Graham advised that the request for a deputation from Auchmill Golf Club had not been withdrawn and that representatives of the Golf Club were in attendance to present their case if the request was acceded to.

Councillor Dean moved as a procedural motion, seconded by Councillor Kevin Stewart:-

That the request for a deputation from Auchmill Golf Club be refused.

On a division, there voted:-

For the procedural motion (25) - Lord Provost Stephen; Depute Provost John West; and Councillors Cassie, Corall, Cormack, Cormie, Dean, Dunbar, Fletcher, Greig, Kiddie, Leslie, McCaig, McDonald, Malone, May, Noble, Penny, Reynolds, Robertson, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West and Yuill.

Against the procedural motion (14) - Councillors Adam, Allan, Boulton, Collie, Cooney, Crockett, Donnelly, Farquharson, Graham, Hunter, Ironside, Laing, Milne and Wisely.

**The Council resolved:-**

to adopt the procedural motion and thereby not hear Auchmill Golf Club.

**In terms of Standing Order 15(6), Councillors Adam, Allan, Collie, Cooney, Crockett, Graham, Hunter, Ironside and Laing intimated that they wanted their dissent recorded against the above decision.**

**DEPUTATION FROM HILLOCKS COMMUNITY BOWLING CLUB**

5. In terms of Standing Order 10(2), the Council received a deputation from Mrs Jean Duff on behalf of Hillocks Community Bowling Club, who called on the Council to allow the Bowling Club to retain its existing let at Newhills Primary School, which it had been using since 1977, as the alternative that had been offered, Bankhead Academy, was not considered to be appropriate in relation to the later time slot and in terms of its lack of storage facilities. Mrs Duff also highlighted that under the current arrangements the janitor was only utilised to open and close Newhills Primary School as he was based at Bucksburn Primary School.

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Members then asked questions of Mrs Duff and thanked her for her presentation.

**The Council resolved:-**

to note the information provided.

**AREA COMMITTEE NORTH - 18<sup>th</sup> NOVEMBER 2008 - SCHOOL LETS APPEALS**

6. With reference to Article 8 of the minute of meeting of Area Committee North of 18<sup>th</sup> November 2008, aspects of which had been referred to it for consideration by three members of that Committee, the Council had before it (1) a report by the Corporate Director for Neighbourhood Services (South Area) which (a) provided an update on progress of the school let appeals in the North Area submitted to date; and (b) sought decisions on the appeals before the Committee wherein the user group or individuals wished to appeal against what had been proposed; and (2) the relevant resolutions of the Committee, which were as follows:-

- (i) that the appeal on behalf of the 7<sup>th</sup> Aberdeen Girls Brigade be rejected and that all available options, including financial options, be discussed with the applicant;
- (ii) that the appeal on behalf of the 31<sup>st</sup> Aberdeen Girls Brigade be rejected and that all available options, including financial options, be discussed with the applicant;
- (iii) that the appeal on behalf of the 66<sup>th</sup> Aberdeen Explorers be rejected and that all available options, including financial options, be discussed with the applicant;
- (iv) that the appeal on behalf of the 66<sup>th</sup> Aberdeen Scouts be rejected and that all available options, including financial options, be discussed with the applicant;
- (v) that the appeal on behalf of Bridge of Don Community Council be rejected and that officers discuss all available options with the applicant;
- (vi) that the appeal from Councillor Ironside be rejected and that officers discuss all available options with Councillor Ironside; and
- (vii) that the appeal on behalf of Hillocks Community Bowling Club be rejected and that officers discuss all available options with the applicant.

Councillor Reynolds, in his capacity as Convener of Area Committee North, advised that the appeals by the 7<sup>th</sup> and 31<sup>st</sup> Aberdeen Girls Brigade, Bridge of Don Community Council and Councillor Ironside had been withdrawn since the meeting of Area Committee North.

- (A) In relation to the appeal on behalf of the 66<sup>th</sup> Aberdeen Explorers:-

Councillor Reynolds moved, seconded by Councillor Wendy Stuart:-

That the Council reaffirm the decision of Area Committee North.

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

That the appeal be upheld and the organisation be permitted to remain in their existing let until such time as officers were able to agree with them on alternative arrangements.

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, Farquharson, Fletcher, Greig, Kiddie, Leslie, McCaig, McDonald, Malone, May, Milne, Noble, Penny, Reynolds, Robertson, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

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

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

(B) In relation to the appeal on behalf of the 66<sup>th</sup> Aberdeen Scouts:-

Councillor Reynolds moved, seconded by Councillor Wendy Stuart:-

That the Council reaffirm the decision of Area Committee North.

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

That the appeal be upheld and the organisation be permitted to remain in their existing let until such time as officers were able to agree with them on alternative arrangements.

On a division, there voted:-

For the motion (25) - Lord Provost Stephen; Depute Provost John West; and Councillors Cassie, Corall, Cormack, Cormie, Dean, Donnelly, Dunbar, Fletcher, Greig, Kiddie, Leslie, McCaig, McDonald, Malone, May, Noble, Reynolds, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

For the amendment (11) - Councillors Adam, Allan, Boulton, Collie, Cooney, Crockett, Farquharson, Graham, Hunter, Ironside and Laing.

Absent from the division (3) - Councillors Milne, Penny and Robertson.

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

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(C) In relation to the appeal on behalf of Hillocks Community Bowling Club:-

Councillor Reynolds moved, seconded by Councillor Wendy Stuart:-

That the Council reaffirm the decision of Area Committee North, and that the Facilities Manager continue to discuss all available options with the group.

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

That the appeal be upheld and the organisation be permitted to remain in their existing let until such time as officers were able to agree with them on alternative arrangements.

On a division, there voted:-

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

For the amendment (12) - Councillors Adam, Allan, Boulton Collie, Cooney, Crockett, Donnelly, Farquharson, Graham, Hunter, Ironside and Laing.

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

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

**MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 12<sup>th</sup> NOVEMBER 2008**

7. The Council had before it the minute of the special meeting of Aberdeen City Council of 12<sup>th</sup> November 2008.

**The Council resolved:-**  
to approve the minute.

**MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 12<sup>th</sup> NOVEMBER 2008**

8. The Council had before it the minute of meeting of Aberdeen City Council of 12<sup>th</sup> November 2008.

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**The Council resolved:-**

to approve the minute subject to amending the declarations of interests in Article 10 to reflect that Councillors Collie and Fletcher were Directors of Aberdeen Sports Village Limited and that Councillors Collie, Dunbar and Fletcher were the Council's nominated Directors for the new sports trust, provisionally named Sports Aberdeen.

**PAMPHLET OF MINUTES**

9. The Council had before it a pamphlet of standing committee minutes from 31<sup>st</sup> July to 6<sup>th</sup> November 2008.

**The Council resolved:-**

to note the minutes.

**MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 18<sup>th</sup> NOVEMBER 2008**

10. The Council had before it the minute of meeting of the Urgent Business Committee of 18<sup>th</sup> November 2008.

**The Council resolved:-**

to approve the minute.

**MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 5<sup>th</sup> DECEMBER 2008**

11. The Council had before it the minute of meeting of the Urgent Business Committee of 5<sup>th</sup> December 2008.

**The Council resolved:-**

to approve the minute.

**AREA COMMITTEE NORTH - 18<sup>th</sup> NOVEMBER 2008 - GRANITEHILL HOUSE SMOKING SHELTER**

12. With reference to Article 14 of the minute of meeting of Area Committee North of 18<sup>th</sup> November 2008, which had been referred to it by three members of that Committee, the Council had before it (1) a report by the Corporate Director for Neighbourhood Services (Central Area) which provided information in response to a request from the Tenants Association of Granitehill House Sheltered Housing



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complex to install a smoking shelter within the grounds; and (2) the resolution of the Committee that no action be taken as it was not a priority for the Council.

Councillor Reynolds moved, seconded by Councillor Wendy Stuart:-

That the Council reaffirm the decision of Area Committee North.

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

That officers be requested to identify a budget for the provision of a smoking shelter at Granitehill House.

On a division, there voted:-

For the motion (28) - Lord Provost Stephen; Depute Provost John West; and Councillors Boulton, Cassie, Corall, Cormack, Cormie, Dean, Dunbar, Farquharson, Fletcher, Greig, Kiddie, Leslie, McCaig, McDonald, Malone, May, Milne, Noble, Penny, Reynolds, Robertson, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West and Yuill.

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

Declined to vote (1) - Councillor Wisely.

**The Council resolved:-**

to adopt the motion.

## **UPDATE FROM PROGRAMME DIRECTOR FOR SOCIAL CARE**

**13.** The Council received an oral report from the Programme Director for Social Care on the current position in respect of social work services and child protection, following which members asked a number of questions of the Programme Director.

The Programme Director advised (a) that the Council had been subject to an external inspection by SWIA in June 2008 and thereafter an HMle inspection of child protection in Aberdeen had taken place which covered the Council and other public sector partners; (b) that despite criticisms arising from the inspections he considered that the Council had some of the finest social workers he had worked with over many years in local government; (c) that the focus since the inspections had been on structures and practice, with the interim Director role having been put in place and the lack of accountability addressed by arrangement of the Heads of Service roles, with the Head of Health and Social Care, Neighbourhood Services (North Area) having responsibility for children's services; (d) that formal risk assessment of over 900 child protection cases was nearing completion, with the outcomes for children having improved in the last three months; (e) that the safety of children was of paramount importance; (f) that in regard to residential placements, the Council had brought 11 children back to the city, with 13 more

expected by the summer of 2009; (g) that greater financial discipline was now in place across social work services; (h) that all child protection procedures were being reviewed, and that reports would be submitted to the relevant committees in due course; (i) that a report on the inspections would be submitted to the meeting of the Continuous Improvement Committee in January 2009, with an action plan to be submitted to SWIA based on the 23 recommendations from their inspection which would indicate that half of them had been fully addressed; (j) that a report would be submitted to the Resources Management Committee in February 2009 with recommendations for restructuring children's services, which would not cut across any wider restructuring; (k) that 2009 would be a very busy year for social work services, with further inspections and a Ministerial visit in January; and (l) that he had a great deal of optimism for the future and that members would be kept fully informed.

**The Council resolved:-**

- (i) to note the update, and that reports would be submitted to various committees at the beginning of 2009; and
- (ii) to thank the Programme Director and all social work staff for their hard work.

**EMERGENCY MOTIONS**

- 14.** Councillor Boulton, pursuant to notice, moved:-

“That the Council agrees to set up a children's protection monitoring panel as a matter of urgency. The remit of the panel to be agreed.”

**The Council resolved:-**

to refer the motion to the Continuous Improvement Committee.

- 15.** Councillor Graham, pursuant to notice, moved:-

“This Council agrees to an immediate debate on the contents of the recent HMle Inspection Report on Services to Protect Children in Aberdeen City.”

**The Council resolved:-**

to refer the motion to the Continuous Improvement Committee.

**CHIEF EXECUTIVE'S PROGRESS REPORT**

- 16.** With reference to Article 11 of the minute of its meeting of 12<sup>th</sup> November 2008, the Council had been circulated in advance of the meeting with a report by

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the Chief Executive providing details on progress on corporate and service specific issues throughout the Council since November 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**

**17.** With reference to Article 12 of the minute of its meeting of 12<sup>th</sup> November 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 advised (a) that the Chief Executive and the Council's Independent Financial Adviser had meetings with the Chief Executives of the External Support Group and representatives of Audit Scotland on 8<sup>th</sup> December 2008; (b) that discussions had centred on the assistance to be offered to the Leadership Board over the coming months as Audit Scotland undertook its follow up work a year on from the publication of the reports referred to above; (c) that the next meeting of the Leadership Board with the External Support Group was to be held in Edinburgh on 15<sup>th</sup> January 2009; (d) that the meeting with Audit Scotland had focused on the arrangements for the follow up work with the Council - a detailed timetable was expected from Audit Scotland over the coming weeks and it seemed likely that the parameters for the submission to be made by the Council on its progress would be provided in February, with the intention for Audit Scotland to revisit the Council in April; (e) that it was intended that a number of briefings would be held for elected members to set out in detail the progress that was being made in addressing the recommendations made by the Accounts Commission, Audit Scotland and other inspection agencies; and (f) that in response to one of the Accounts Commission's specific recommendations, the Leadership Board had discussed the Council's governance arrangements with the Chief Executive and the Council's Independent Financial Adviser, and that an update paper on this issue would be presented to the Continuous Improvement Committee on 13<sup>th</sup> January 2009.

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**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.

**POLLING DISTRICTS AND POLLING PLACES REVIEW**

**18.** With reference to Article 13 of the minute of its meeting of 12<sup>th</sup> November 2008, the Council had before it a report by the Corporate Director for Resources Management which proposed alternative polling stations for the Garthdee, Kaimhill and Torry East polling districts following requests from local members at the last meeting.

The report explained that Section 16 of the Electoral Administration Act 2006 required each local authority to conduct a review of polling districts and polling places for use at parliamentary elections every four years. In doing so the local authority must ensure reasonable facilities for voting and that polling places were accessible to all electors, including voters with a disability, so far as was practicable. It was highlighted that a full review of the Council's polling districts and polling places had taken place in October 2006 as part of the revisions to reflect the new multi-member wards and this largely satisfied the legislative requirements, however some additional work was required to take account of lessons learned from the May 2007 elections and the consequences of the 3Rs work.

The report reminded members that at the Council meeting of 12<sup>th</sup> November 2008 the list of recommended polling places had been agreed with some exceptions. For the Craighill polling district Abbotswell Primary School was agreed as the recommended polling place in place of Kincorth Academy. For Garthdee, Kaimhill and Torry East polling districts, consideration was deferred in order to allow officers to report back with alternative proposals. Following consultation with the local members for the wards concerned, alternative polling places for those polling districts were now recommended.

The report proposed polling places for Garthdee, Kaimhill and Torry East polling districts as follows:-

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Polling District	Polling Place for European Parliamentary Elections 2009	Polling Place for Parliamentary Elections after 2009
Garthdee	Kaimhill Community Centre	Inchgarth Community Centre
Kaimhill	Kaimhill Community Centre	Inchgarth Community Centre
Torry East	Torry Community Centre	Torry Community Centre

In relation to the Garthdee and Kaimhill polling districts, the report advised that Kaimhill Community Centre would be used until early August 2009 when it was due to be demolished, thereafter it was proposed that future elections be held at Inchgarth Community Centre until Kaimhill Community Centre was rebuilt and available from December 2010.

In relation to the Torry East polling district, the report highlighted that Victoria Road Primary School was no longer available for use and that Torry Community Centre was available as a suitable replacement, however the continued funding of Torry Community Centre was currently uncertain. Should Torry Community Centre become unavailable an alternative would be found.

The report stated that following approval by the Council, the revised scheme would be advertised in the local press and the results of the formal consultation would be submitted to the Council for final approval on 25<sup>th</sup> March 2009.

**The report recommended:-**

that the Council -

- (a) in respect of the Garthdee and Kaimhill polling districts, approve Kaimhill Community Centre as the polling place to be used for the European Parliamentary elections in 2009 and Inchgarth Community Centre as the polling place to be used for parliamentary elections whilst Kaimhill Community Centre was unavailable;
- (b) in respect of the Torry East polling district, approve Torry Community Centre as the polling place to be used for both the European Parliamentary elections in 2009 and parliamentary elections after 2009;
- (c) following approval of the recommended polling places for Garthdee, Kaimhill and Torry East, agree to proceed to public consultation for the entire list of recommended polling places, which would include those polling places agreed at the Council meeting on 12<sup>th</sup> November 2008; and
- (d) agree that there should be no change to polling districts at this time.

**The Council resolved:-**

to approve the recommendations.

**PROPOSED AMENDMENTS TO STANDING ORDER 20 - QUESTIONS**

**19.** With reference to Article 4 of the minute of meeting of the Continuous Improvement Committee of 28<sup>th</sup> October 2008, the Council had before it a report by

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the Corporate Director for Resources Management which presented a revised Standing Order 20 in respect of questions.

The report reminded members that the Continuous Improvement Committee of 11<sup>th</sup> March 2008 had considered a motion by Councillor Young regarding the submission of questions, and that the matter had also been considered by the Council on 9<sup>th</sup> April 2008, following which the matter had been taken forward by the Members' Services Working Group which organised two workshops to discuss amending Standing Order 20. The Continuous Improvement Committee of 28<sup>th</sup> October 2008 had considered the suggestions arising from those workshops and had agreed to make amendments to Standing Order 20.

The report stated that should the Council approve the proposed amendments, the revised Standing Order would be effective from the next Council meeting, i.e. 11<sup>th</sup> February 2009.

**The report recommended:-**

that the Council adopt the revised Standing Order 20 as set out below.

## **STANDING ORDER 20 - QUESTIONS**

### **(Amendments in bold text)**

- (1) At any meeting of the Council, a member may put any question to the Convener relating to the matter then under discussion. The Convener may call upon any appropriate officer to provide factual information.
- (2) At any meeting of the Council, a member may put a question to the Lord Provost or to any **Lead Councillor** relating to the functions **for which they have a responsibility**, or to the Chief Executive irrespective of whether the subject matter of the question relates to business which would otherwise fall to be discussed at that meeting. **This is provided:-**
  - (i) **that questions are submitted to the Head of Democratic Services not later than 12 noon on the fifteenth working day before the meeting to allow that officer, in consultation with the Chief Executive and the lead member of whom the question would be asked, to identify an officer to whom the question should be submitted for the preparation of a draft answer and that, if the question can be answered satisfactorily by that officer, it would thereby fall unless the member asking the question was unhappy with the response and explained why when requesting that the question continued to be placed on the agenda; and**
  - (ii) **that, where there has been insufficient time to undertake the research required to answer the question, the written answer can be submitted to the questioner within one week of the Council Meeting, unless Council agrees either (a) to set a longer period,**

**or (b) determines that no answer be provided as the work required would be too time consuming.**

- (3) **All questions accepted by the Head of Democratic Services shall be set out on the agenda for the meeting, including, where appropriate, the reasons why any member who has submitted a question is unhappy with an officer's response. All questions to the same individual shall be grouped together and, where there is a similarity between questions, one answer may be provided answering them all. Subject to (2) above, answers will be issued in advance of the meeting.**
- (4) Questions will only be allowed so far as the Convener deems them relevant and competent.
- (5) One supplementary question, limited to clarifying any answer given, may be asked by the original questioner and one further supplementary question may be asked by one other member.
- (6) No discussion shall be permitted on any question or answer which does not relate to an item of business otherwise falling to be considered at that meeting.
- (7) Only questions of which notice has been given in terms of Paragraph 2 above, and the answers thereto, shall be recorded in the Minutes of the meeting.
- (8) **Written answers from Councillors shall be read out unless Council agrees otherwise.**
- (9) **In the event of the member submitting the question being absent from a Council Meeting, the question shall fall to the following agenda and, should the member again be absent, the question shall fall and require to be resubmitted.**

**The Council resolved:-**

to approve the revised Standing Order 20 subject to (a) replacing 'Lead Councillor' with 'Senior Councillor' within section (2); and (b) specifying that members must indicate to the Head of Democratic Services not later than 12 noon on the eighth working day before the meeting if they were unhappy with the response to their question and wanted it placed on the agenda.

**AUDITED ANNUAL ACCOUNTS 2007/08**

**20.** With reference to Article 5 of the minute of meeting of the Scrutiny Panel of 1<sup>st</sup> December 2008, the Council had before it (1) the audited annual accounts for Aberdeen City Council for the period 1<sup>st</sup> April 2007 to 31<sup>st</sup> March 2008; (2) a report

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by the City Chamberlain which provided members with information on the outcome of the external audit of the Council's accounts for the financial year 2007/08; (3) a report by Henderson Loggie, the Council's external auditor, to members and the Controller of Audit on the 2007/08 Audit; (4) a report by Henderson Loggie to those charged with Governance on the Audit of Aberdeen City Council; and (5) a report by the Controller of Audit to the Accounts Commission under Section 102(1) of the Local Government (Scotland) Act 1973.

**The Council resolved:-**

- (i) to approve the audited accounts for Aberdeen City Council for the period 1<sup>st</sup> April 2007 to 31<sup>st</sup> March 2008; and
- (ii) to note the reports by Henderson Loggie and the Controller of Audit.

**DECLARATIONS OF INTERESTS**

**During the course of the following item of business a number of members declared interests as follows:-**

**Councillor Cassie declared an interest as Chair of the Board of Garthdee Alpine Sports and Councillors Dean, John Stewart and Kirsty West declared interests as members of the Board of Garthdee Alpine Sports.**

**Councillor Fletcher declared a pecuniary interest as Vice-President of COSLA.**

**Depute Provost John West and Councillor Kirsty West declared interests as two of the Council's appointed representatives to the Aberdeen International Youth Festival Trust.**

**Councillor McDonald declared an interest as one of the Council's appointed representatives to the Aberdeen International Football Festival Trust.**

**Councillor Fletcher declared an interest as a Director of Aberdeen Sports Village Limited.**

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

**REVENUE BUDGET 2009/10 FINANCIAL STRATEGY**

**21.** With reference to Article 14 of the minute of meeting of the Resources Management Committee of 25<sup>th</sup> November 2008, the Council had before it a report



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by the Chief Executive and City Chamberlain which had been considered by the Resources Management Committee presenting a financial strategy and proposals for the revenue budget for the financial year 2009/10.

The report advised members on the current and forecast financial position of the Council; sought members' views on a range of proposals for changes to services and finances to be recommended to Council on 17<sup>th</sup> December 2008 in order to balance the 2009/10 revenue budget; sought members' agreement on arrangements for fully balancing the revenue budget; and sought members' agreement to a range of measures designed to improve future budget setting and monitoring. The report had attached to it as Appendices:- (1) details of the outturn of the revenue budget for the financial year 2007/08 and associated observations; (2) the latest forecast for the outturn of the revenue budget for 2008/09 and associated observations; (3) the initial forecast position for 2009/10 and suggested approach; (4) consultation arrangements for the revenue budget 2009/10; (5) the proposed timetable for setting the budget for 2009/10; (6) summary information on budget proposals in relation to each service, namely Continuous Improvement; Council Expenses; Culture, Learning and Sport; Environment and Infrastructure; Housing; Miscellaneous Services; Neighbourhood Services Central; Neighbourhood Services North; Neighbourhood Services South; Resources Management; Social Work; and Strategic Leadership; detailing the financial impact of proposed savings in the financial years 2009/10, 2010/11 and 2011/12; (7) a summary of the general fund working balances; and (8) Equality and Human Rights Impact Assessment (EHRIA) forms in respect of services' thematic reviews. Appendix 6 included detailed information on the budget proposals, which included savings to be made under income generation, efficiencies and service changes, and commented on the financial and personnel impact. The report stated that detailed (EHRIA) impact assessments of services' budget proposals would be completed and collated for submission to the Council meeting on 17<sup>th</sup> December 2008. Budget proposals for learning had been subject to a review and validation process with external advisers. The report made reference to the minute of meeting of the Budget Monitoring Board of 27<sup>th</sup> October 2008 when the majority of issues affecting the revenue budgets for the financial years 2007/08, 2008/09 and 2009/10 were reported. It was forecast that in 2009/10 there would be a total expenditure of £459.5m, total income of £434.3m and a forecast shortfall of £25.2m. This figure did not take account of any requirement to bring working balances to a more reasonable level, any increase in predicted inflation rates, a hard winter, failure to deliver annual recurring savings from 2008/09, one off costs associated with voluntary severance and early retirements, the need to account for a repayment of £4.3m in respect of non-domestic rates to the pool and the possibility of having to repay HM Revenue and Customs for underpaid national insurance. The sum of £25.2m should therefore be considered as the minimum saving required, at this stage, to produce a balanced budget. To address this, all Directors had been asked to identify additional savings of 6%, equivalent to £30m, and these were detailed in Appendix 6. The report highlighted significant risks in learning achieving savings of an additional 3% which amounted to £4.5m.

The report went on to comment on issues regarding the Council's working balances and reserves in light of the scale of savings required and significant overspends in recent years. Further work would be undertaken by officers to ensure all proposals were as realistic and robust as possible. As well as savings delivery risks there were a number of risks and financial issues which required to be taken account of in setting the 2009/10 budget and the level of reserves and balances which were detailed in Appendix 7 to the report. It was proposed that the Council should set aside £5m to assist the revenue budget in 2009/10, apply to the Scottish Government for permission to borrow £10m to meet compensation and severance costs and set aside an additional £5m of capital funds to repay debt and ensure a minimum uncommitted working balance of £5m. The impact of these proposals was a projected working balance as at 31<sup>st</sup> March 2009 of around £10m capital, prior to any future potential cost liabilities in relation to Her Majesty's Revenue and Customs inspections, a revised forecast outturn and further staffing exit costs. The working balances were still considered to be low. The report then outlined issues affecting the Council's financial and service problems in the medium-term, future budget setting and monitoring issues and concluded by outlining an annual budget cycle to be adopted in future so that the process could begin earlier.

**The report recommended:-**

that the Resources Management Committee note -

- (a) the results of the 2007/08 outturn for revenue expenditure as compared to the approved budget for that year (Appendix 1);
- (b) the latest forecast for 2008/09 of revenue expenditure compared to the approved budget (Appendix 2);
- (c) the current forecast of expenditure and income for 2009/10 and the need to achieve savings of at least £25m to balance the budget for that year;
- (d) the latest estimate of working balances and other reserves as at the end of 2008/09 and the key financial risks which have been identified in respect of the coming year (paragraph 6.11 to 6.19 in Appendix 7);
- (e) the proposed timetable and consultation arrangements in respect of the 2009/10 budget (Appendices 4 and 5); and
- (f) the initial forecast of the medium term financial position of the Council and the proposal to construct a medium term financial/service plan for the Council;

that the Committee -

- (g) approve a package of financial savings and service changes, from those set out in Appendix 6, to be recommended to Council on 17<sup>th</sup> December 2008 in order to substantially balance the 2009/10 revenue budget taking account of the consultation results which have already been received and the proposal to submit further consultation results to Council before its meeting on 17<sup>th</sup> December 2008;
- (h) give further guidance to Directors on other changes that should be explored over the coming weeks in order to identify further possible savings required to fully balance the revenue budget;
- (i) agree, given the very low level of reserves and working balances and the significant financial risks facing the Council, to reserve at least £5m of capital funds in order to meet relevant revenue expenditure in 2009/10 and that a

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- further application be made to the Scottish Government for up to £10m to meet costs associated with severance and one-off compensation payments which would otherwise fall on the revenue budget of the Council; and
- (j) agree, in principle, to the revised arrangements for financial/service planning set out in paragraph 6.31 and that these be finalised by the Council's Chief Executive and City Chamberlain before the end of February 2009, as applied to budget setting for 2010/11.

The Resources Management Committee had resolved to approve recommendations (a), (b), (c), (d), (e), (f), (h), (i) and (j). In respect of recommendation (g), the Resources Management Committee had approved the proposals detailed in Appendix 6 to the report subject to the removal of the following proposed savings:-

Continuous Improvement

CI gen	Retain Conference subvention fund	50,000
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Culture

CO1	Increase APA Saving	-40,000
	International Football Festival half grant	27,000
	Dons in the Community	25,000
	Garthdee drop future year	0
CO3	Hold Community Centres 6% until rates issue resolved	33,000
CO6	Closure of branch libraries – still to review	0
CO7	Close Tolbooth	13,000
C16-21	Alternative proposals	507,000

Sport

SP03	Linksfield Pool	120,000
SP09	Bridge of Don Pool	20,500
SP12	Tullos Pool	120,000
SP15	Hilton Outdoor Centre	16,000
SP16	Withdrawal of P4 Swimming	127,000
		403,500

Learning

L17-19	Additional Savings	4,466,000
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Waste & Fleet

W10	Terminate Plastics collection	120,000
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Car Parking

CP2	Car Parking permits	450,000	Will look at later
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CPS	Foresterhill Permit	80,000	Will look at later
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and in the meantime officers to look at introducing a £5 parking charge at parks for stays exceeding four hours.

The Council also had before it (1) Article 8 of the minute of meeting of the Policy and Strategy (Education) Committee of 2<sup>nd</sup> December 2008, wherein the Committee had supported the recommendation of the Resources Management Committee that the proposals for budget savings within the learning service referred to as L17 to L19 within the report be not approved; and (2) Article 8 of the minute of meeting of the Disability Advisory Group of 4<sup>th</sup> December 2008, wherein the Group had expressed the view that each of the proposed options for budget savings in respect of the taxicard service would be discriminatory and would disadvantage profoundly disabled people to a disproportionate degree, and recommended to the Council that the current year's taxicard budget be subject to a 6% reduction for 2009/10 in line with the overall level of savings required.

Councillor Kevin Stewart moved, seconded by Councillor Dean:-

That the Council approve the decisions of the Resources Management Committee subject to the amendments below, with implementation as soon as practicable, before 1<sup>st</sup> April 2009, to realise additional benefit in the current financial year, and agree that the Budget Monitoring Board would monitor savings, and as soon as any shortfall was identified by Corporate Directors they would be required to come forward with proposals to re-balance their budgets.

Officer proposed savings as page 20 of the report  
(appendix 6.1)

Not taken

	<u><b>2009/10</b></u>	<u><b>Detailed over page</b></u>	<u><b>2009/10 Proposed</b></u>
Continuous Improvement	1,245,000	50,000	1,195,000
Council Expenses	16,000		16,000
Learning, Culture & Sport			
Culture	1,570,400	532,000	1,038,400
Sport	643,000	403,500	239,500
Learning	10,369,000	4,466,000	5,903,000

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	<u>2009/10</u>	<u>Detailed over page</u>	<u>2009/10 Proposed</u>
Environment & Infrastructure			
Waste & Fleet	543,000	120,000	423,000
Car Parking	970,000	3,000	967,000
Roads/PTU	530,000		530,000
Facilities	150,000		150,000
Trading Standards	41,000		41,000
Environmental Services	1,845,000	142,000	1,703,000
Public Analyst	64,000	64,000	0
Public Protection/Health	240,000		240,000
Environmental Sustainability	36,000		36,000
Housing	1,182,000		1,182,000
Miscellaneous Services	10,000		10,000
Area Central	143,000		143,000
Area North	107,000		107,000
Area South	98,000		98,000
Resources Management	1,508,000		1,508,000
Social Work	8,598,000		8,598,000
Strategic Leadership	445,000		445,000
	<u>30,353,400</u>	<u>5,780,500</u>	<u>24,572,900</u>

Proposals not planned to be taken yet:

Continuous Improvement			
CI gen	Retain Conference subvention	50,000	
Culture			
CO1	Increase APA Saving	-40,000	
	Int Football Festival half grant	27,000	
	Dons in the Community	25,000	
	Garthdee drop future year	0	
C06	Still do review Libraries	0	
C07	Close Tolbooth	13,000	
C16-21	Alternative proposals	507,000	
		<u>532,000</u>	

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		<u>2009/10</u>	<u>Detailed over page</u>	<u>2009/10 Proposed</u>
Sport				
SP03	Linksfield Pool	120,000		
SP09	Bridge of Don Pool	20,500		
SP12	Tullos Pool	120,000		
SP15	Hilton Outdoor Centre	16,000		
	Withdrawal of P4			
SP16	Swimming	127,000		
		<u>403,500</u>		
Learning				
L17-19	Additional Savings	<u>4,466,000</u>		
Waste & Fleet				
	Terminate Plastics			
W10	collection	<u>120,000</u>		
Car Parking				
CP 2 & CP 3		<u>3,000</u>		
Environment & Infrastructure				
ES3	Car Parking at Parks	20,000		
ES4	Allotments	10,000		
	Auchmill Golf Course	<u>102,000</u>		
		<u>132,000</u>		

Reports required to be submitted to the Resources Management Committee in February 2009

Review of Library  
 Closures  
 Introduction of 3rd Parking Permits and Review of current Legislation / Guidance  
 Report on trying to change National legislation for Parking  
 Fines  
 Allotments - Reducing Revenue costs, rent increase, benchmarking, demand etc  
 The viability of Auchmill Golf Course being leased and taken over by Club.  
 Report and Impact Assessment on Mental Health amalgams  
 The B list of savings (amounting to a further 2%) with Impact Assessments for Continuous Improvement  
 The B list of savings with Impact Assessments for Resources Management  
 The B list of savings with Impact Assessments for Strategic Leadership

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<b>CATEGORY</b>	<b>PERIOD</b>	<b>08/09</b>	<b>Proposed Charges</b>	<b>Equivalent Hourly Rate</b>
<b><u>Off Street (P&amp;D) Max 4 Hours</u></b>				
Gallowgate/Summer Street	Up to 2 Hours	1.50	1.60	0.80
	2 to 3 Hours	2.30	2.40	0.80
	3 to 4 Hours	3.10	3.20	0.80
<b><u>Off Street (P&amp;D) Long Stay</u></b>				
Chapel Street/Denburn/West	1 hour (Denburn Only)	0.70	0.75	0.75
North Street/East North Street/	Up to 2 hours	1.30	1.35	0.675
Mearns Street	2 to 3 hours	2.00	2.10	0.70
	3 to 4 hours	2.60	2.80	0.70
	4 to 5 hours	3.40	3.60	0.72
	5 to 6 hours	4.40	4.50	0.75
	6 to 10 hours	7.50	8.00	0.80
<b><u>Local Off Street</u></b>				
Broomhill Rd/Fonthill Rd	Up to 1 hour	0.30	0.35	0.35
	1 to 2 hours	0.70	0.75	0.375
<b><u>On Street (P&amp;D)</u></b>				
Inner Central Zone	20 min	0.70	0.75	2.25
	40 min	1.30	1.50	2.25
	1 hour (max)	2.00	2.30	2.30
Outer Central Zone	20 min	0.60	0.60	1.80
	40 min	1.10	1.25	1.875
	1 hour	1.70	1.90	1.90
	2 hours (max)	3.30	3.90	1.95
Peripheral Zones	30 min	0.30	0.35	0.70
	1 hour	0.70	0.75	0.75
	2 hours	1.40	1.50	0.75
	3 hours (max)	2.20	2.30	0.77
<b>Contractor's Daily Charge</b>	Inner & Outer Zones	5.00	Abolish	
	Peripheral	3.00	Abolish	

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<b>CATEGORY</b>	<b>PERIOD</b>	<b>08/09</b>	<b>Proposed Charges</b>	<b>Equivalent Hourly Rate</b>
<b>Residents Exemption Permits</b>	12 months*	50.00	80 / 120	
	6 months*	N/A	42 / 63	
	3 months*	N/A	22 / 36	
<b>Monthly Permits (Off Street)</b>		143.00	160.00	
(20x max daily charge)				
<b>Visitors Permits (for all zones)</b>	1 book of 15 daily permits per year (scratch cards)	45.00	50.00	
<b>Business Permits</b>	12 months*	143.00	160.00	
(equivalent to monthly permits)	6 months*	N/A	84.00	
	3 months*	N/A	44.00	
<b>Penalty Charge Notice</b>	Full	60.00	60.00	
	Early Payment	30.00	30.00	

**\* no reimbursement for unused months**

Charges to take effect as soon as the procedures permit except residents permit which will increase on 1st April

Contractors daily ticket to be abolished as soon as legislation permits

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

That the Council adopts the budget proposed by the Administration with the exception of items detailed below as (1) budgetary cuts not agreed; (2) compensatory cuts proposed; and (3) introduction of new services.

Budgetary cuts not agreed

	<b>Item</b>	<b>Ref</b>	<b>Loss of Saving</b>
1.	Reconfiguration of School Week	L14	TBC
2.	Reduction in Hedge and Tree Provision	R10	£40,000
3.	Change for Disabled Parking Permits	R2	£15,000
4.	Cessation of House Garden Maintenance	ES21	£20,000
5.	2% Efficiency Cut at Special schools	LO9	£78,000
6.	Efficiencies at Non-Statutory Education Service	L11	£313,000



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	Item	Ref	Loss of Saving
7.	Review of PE teachers	L13	£304,000
8.	Reduction in Coastal Protection	R9	£40,000
9.	Review of Pupil Support Assistants	L15	£500,000
10.	Reduction in winter maintenance	R11	£60,000
11.	Reduction in Out of Authority Placements	SW1	£1,650,000
			<u>£3,020,000</u>

Compensatory Cuts

		Anticipated Saving
1.	Reduction in all non statutory agency costs, excluding those affected by other cuts	£1,000,000 (approx)
2.	Radical review of all glossy printing cost for Council and supported agencies	£30,000 (approx)
3.	Review of envelope sizing of all external stamped mail	£5,000 (approx)
4.	Implement an additional 10% cut in Council training costs	£250,000 (approx)
5.	Carry out a comprehensive review of all staff sickness records for all staff in excess of 6% absence in order to achieve ongoing efficiency savings in the future	£1,000,000 (approx)
6.	Implement option C21 instead of C15 for City Moves	£73,000
7.	Remove Community Council small improvement grants of £3,000 each and replace with £1,000 for each Councillor's ward budget	£26,000
8.	One-off saving - draw down of capital receipts and use of the capital fund via HRA (CFGR)	£1,650,000
9.	Implement a higher fee £1,200 instead of £1,000 for charges for HMOs ref PP3	£50,000
10.	Advertisement of Councillors' Surgeries	£21,000
		<u>£4,105,000</u>

Introduction of new services

		Cost
1.	In-house contracted Physiotherapy Service for staff absent for back/muscular injuries	£60,000
2.	Introduction of compulsory parenting skills classes for all secondary school pupils (possibly year 2 after catch up on older current pupils) and extended voluntary parenting skills training for young adults/non trained school leavers	£100,000

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		<b>Cost</b>
3.	The alternative provision in specialist educational establishments which better suit the needs of children with serious physical or mental health disabilities, or specialist teaching provision to cater for the needs of pupils with severely disruptive tendencies that adversely affect fellow pupils in a normal school class environment	N/A
4.	Reconsider effectiveness of cost of care in the community for certain categories of clients and create residential care homes where appropriate	N/A

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

That the Council welcome the Evening Express editorial of Saturday 13<sup>th</sup> December 2008 and, on behalf of the citizens of Aberdeen, ask the Scottish Government for a 5% increase in its funding settlement to Aberdeen for 2009/10, which would represent a compensatory token addition pending the promised 2011 review.

Further the Council agree to arrange for the collection of the signatures of its citizens in support of this request. These signatures would accompany a petition to the Scottish Parliament to highlight the Council's predicament.

That no package of financial savings be agreed until the Scottish Government responds to the Council's request for assistance at this critical time - this response must be before 12<sup>th</sup> February 2009 in order that the Council may set a legal budget.

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

For the amendment by Councillor Farquharson (25) - Depute Provost John West; and Councillors Boulton, Corall, Cormie, Dean, Donnelly, Dunbar, Farquharson, Fletcher, Kiddie, Leslie, McCaig, McDonald, May, Milne, Noble, Penny, Reynolds, Robertson, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

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

Declined to vote (4) - Lord Provost Stephen; and Councillors Cormack, Greig and Malone.

Absent from the division (1) - Councillor Cassie.

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

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On a division, there voted:-

For the motion (20) - Lord Provost Stephen; Depute Provost John West; and Councillors Corall, Cormie, Dean, Dunbar, Fletcher, Kiddie, Leslie, McCaig, McDonald, May, Noble, Penny, Reynolds, Robertson, John Stewart, Kevin Stewart, Wendy Stuart and Kirsty West.

For the amendment by Councillor Farquharson (5) - Councillors Boulton, Donnelly, Farquharson, Milne and Wisely.

Declined to vote (13) - Councillors Adam, Allan, Collie, Cooney, Cormack, Crockett, Graham, Greig, Hunter, Ironside, Laing, Malone and Yuill.

Absent from the division (1) - Councillor Cassie.

**The Council resolved:-**

- (i) to adopt the motion;
- (ii) to thank all officers who had been involved in the process, particularly the Independent Financial Adviser and City Chamberlain, as well as partners and community groups that had contributed to the consultation;
- (iii) to request officers to respond to Councillor Collie's questions regarding car parking permits in Seaton and Tillydrone and whether there would be dispensation in view of special arrangements with the University of Aberdeen, and how this would affect negotiations with the University;
- (iv) to instruct officers to investigate the circumstances as reported by Councillor Allan that there had been one consultation event which no officers representing the social work service had been present at; and
- (v) to note the decisions of the Policy and Strategy (Education) Committee and the Disability Advisory Group.

**UPDATE ON VIBRANT, DYNAMIC AND FORWARD LOOKING COMMITMENTS**

**22.** With reference to Article 18 of the minute of its meeting of 25<sup>th</sup> June 2008, the Council had before it a report by the Corporate Director for Continuous Improvement which advised of the steps that had been taken to implement and monitor the Council's agreed Policy Statement "Vibrant, Dynamic & Forward Looking".

The report reminded members that the Council at its meeting of 27<sup>th</sup> June 2007 had agreed a new Policy Statement "Vibrant, Dynamic & Forward Looking", which contained 95 commitments covering:-

- Education
- The Economy
- Culture, Arts and Sport
- Transport

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- The Environment
- Community Safety, Policing and Fire and Rescue Services
- Housing
- An Efficient Council and Fair Funding

The report explained that officers had been engaged in progressing the implementation of each of the commitments, and the first Single Outcome Agreement for Aberdeen City had been prepared on the basis of the priorities set out within Vibrant, Dynamic and Forward Looking.

The report advised that where possible quantitative performance measures had been identified for each commitment to reflect both actions taken and the effect of those actions. Each of the commitments and the associated performance measures had also been uploaded onto the Council's new electronic performance management system, Covalent. The report stated that a copy of the full 167 page report generated from Covalent was available in the members' lounge or on request.

The report went on to advise that the Policy and Strategy Committee of 2<sup>nd</sup> December 2008 had agreed that child protection be added to the priorities to be monitored, and that this would be included in all future reports.

The report then provided a summary of progress with the 22 key commitments, with the most up-to-date position set out as at December 2008.

**The report recommended:-**

that the Council -

- (a) note the arrangements for monitoring "Vibrant, Dynamic & Forward Looking";
- (b) consider the updates provided on the 22 key commitments; and
- (c) note that the Policy and Strategy Committee on 2<sup>nd</sup> December 2008 had agreed that child protection be added to the priorities to be monitored by the Council through Vibrant, Dynamic and Forward Looking progress reports.

**The Council resolved:-**

to approve the recommendations.

**SUSPENSION OF STANDING ORDERS TO EXTEND LENGTH OF MEETING**

**23.** 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.

**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 of business be considered as a matter of urgency as a decision was required prior to the end of the year.**

**DECLARATIONS OF INTERESTS**

**Councillor Kirsty West declared an interest in the following item of business as a member of the Board of Management of Peacock Visual Arts and left the meeting prior to the Council's deliberations.**

**Councillors Hunter and Yuill declared interests in the following item of business as members of the Board of Management of Peacock Printmakers Ltd. but did not consider it necessary to leave the meeting.**

**UNION TERRACE GARDENS AND PEACOCK VISUAL ARTS**

**24.** With reference to Article 37 of the minute of meeting of the Resources Management Committee of 30<sup>th</sup> September 2008, the Council had before it a report by the Corporate Director for Strategic Leadership which sought capital funding of £166,642 for the advanced design stage for the Northern Light Project at Union Terrace Gardens by Peacock Visual Arts.

The report explained that Peacock Visual Arts was developing a new contemporary arts space branded as 'Northern Light' in Union Terrace Gardens. The project was at an advanced design stage which would incur significant costs, estimated to be £980,000. Support for £9.3million of the total £13million funding for the entire project had been confirmed by the Scottish Arts Council, the Scottish Government and Aberdeen City Council. The Resources Management Committee of 30<sup>th</sup> September 2008 had approved a £3million capital grant to the Peacock Visual Arts Northern Light Project. The report highlighted that the City Solicitor and City Chamberlain had indicated that before £166,643 of the committed £3million was released, which was one third of the design expenditure to be incurred by Peacock Visual Arts from January to April 2009, the Council needed to approve the expenditure. The Scottish Arts Council and Scottish Enterprise had agreed to fund the costs that had been incurred from October to December 2008, and would fund the remaining two thirds of the expenditure from January to April 2009.

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The report explained that this would allow Peacock Visual Arts to continue with advanced design until the end of April 2009. Given the potential impact of Sir Ian Wood's proposals for Union Terrace Gardens, which were expanded upon within the report, it was proposed that Peacock Visual Arts minimise expenditure until the engineering appraisal on the future options for Union Terrace Gardens, which was being commissioned by Scottish Enterprise and was due by the end of March 2009, had been completed. The report advised that the appraisal would evaluate Sir Ian Wood's proposal to develop a new street level city centre square as well as two other options - to partially cover the gardens, road and rail and to redesign the existing space with no raising of the current ground level. The report emphasised that during discussions with funding partners it was clear that regardless of which of the three options being considered by the Scottish Enterprise study was eventually favoured the Northern Light Project should be included in the final project.

**The report recommended:-**

that the Council -

- (a) approve that £166,642 in capital funding from within the approved £3million be drawn down by Peacock Visual Arts to use for advanced design stage and procurement fees for the Northern Light Project at Union Terrace Gardens. This would be subject to confirmation of a similar minimum matching commitment from Scottish Enterprise and Scottish Arts Council funding including their payments from October 2008;
- (b) instruct officers to report to the Policy and Strategy Committee on the outcome of the Union Terrace Gardens engineering appraisal, and the implications for the Peacock Project; and
- (c) instruct officers to report to the Resources Management Committee with potential future funding options for the Peacock Visual Arts Northern Light Project, taking into account the outcome of the engineering appraisal.

**The Council resolved:-**

to approve the recommendations.

**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 of business be considered as a matter of urgency as the Council had until 12<sup>th</sup> January 2009 to submit its application for a share of funding for new build Council housing.

**GOVERNANCE OF COUNCIL HOUSING NEW BUILD PROGRAMME**

**25.** The Council had before it a report by the Corporate Director for Neighbourhood Services (Central Area) which proposed that the remit of the

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Housing for Varying Needs Project Board be extended to cover the Council's new build housing programme.

The report stated that the Council had a Housing for Varying Needs Project Board which oversaw the housing for varying needs planning and delivery programme. As a result of the Council's decision to commence a wider £42million new build programme for affordable rented homes and to seek grant funding from the Scottish Government to subsidise the programme it was proposed that the existing remit of the Housing for Varying Needs Project Board be extended to cover the Council's new build housing programme to demonstrate to the Scottish Government that the Council had robust governance arrangements in place. The proposed new Project Board remit would complement and contribute to the overall community regeneration governance arrangements and would report back on the scrutiny outcomes of the new remit via the existing protocols for monitoring the Housing Revenue Account Capital Programme to the Resources Management Committee and performance outcomes to the Policy and Strategy Committee.

The report advised that the aim of the Board was to ensure that in allocating the overall £42million Housing Capital Plan the Council would demonstrate good governance of the programme in order to allocate capital spend and therefore maximise the number of new houses built of sufficient quality, in the right places and on time, ensuring that the programme delivered the expected Single Outcome Agreement outcomes of improving the quality of life of residents in the most deprived areas and increasing the supply of affordable housing.

The report concluded that in order to achieve the above aim and to ensure success with a bid for a share of the £25million Scottish Government grant, the following six overarching principles would govern the programme:-

- the Council would demonstrate it had the ability to manage the new stock effectively
- the Council would demonstrate it had the prudential borrowing capacity and/or uses other financial resources
- the required subsidy for any proposed development from the Scottish Government would be less than £25,000 per home
- the Council would demonstrate that the city had housing need and the new homes would contribute to the Council meeting its 2012 homelessness target
- the Council would demonstrate that it had well developed plans to ensure delivery of the proposed new housing
- the number of units to be built would be maximised within the resources available but not at the expense of having to compromise on design quality

**The report recommended:-**

that the Council -

- (a) approve that the name and remit of the Housing for Varying Needs Project Board change to the Housing New Build Project Board with responsibility for

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- ensuring the delivery of the new build programme on cost, on time and to the required quality standard;
- (b) approve that the Board comprise 6 members (2+2+1+1) and that in addition all members of wards where homes are located or may be located, as appropriate, would be invited at the appropriate stage of development proposals without voting rights; and
  - (c) to note that the Project Board would be evaluated as the Council implemented its decision of 12<sup>th</sup> November 2008 to revise governance arrangements around the delivery on community regeneration, and reviewed governance arrangements more generally.

Councillor Malone moved, seconded by Councillor McDonald:-

That the Council approve the recommendations contained in the report.

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

That the Council approve the recommendations contained in the report subject to increasing the size of the Board to eight members on a 3+2+2+1 basis.

On a division, there voted:-

For the motion (28) - Lord Provost Stephen; Depute Provost John West; and Councillors Boulton, Corall, Cormack, Cormie, Dean, Donnelly, Dunbar, Farquharson, Fletcher, Greig, Kiddie, Leslie, McCaig, McDonald, Malone, May, Milne, Noble, Penny, Robertson, John Stewart, Kevin Stewart, Wendy Stuart, Kirsty West, Wisely and Yuill.

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

Absent from the division (2) - Councillors Cassie and Reynolds.

**The Council resolved:-**

- (i) to adopt the motion; and
- (ii) to note that the members of the Board would be Councillors Crockett, Donnelly, Dunbar, Leslie, McDonald and Malone.

**In terms of Standing Order 15(6), Councillors Crockett, Graham and Hunter intimated that they wanted their dissent recorded against the above decision.**



**UNAUTHORISED SIGNAGE AND FLY POSTING**

**26.** The Council had before it correspondence from East Dunbartonshire Council which advised that East Dunbartonshire Council at its meeting of 30<sup>th</sup> October 2008 had agreed the terms of the following motion:-

“This Council places on record its frustration at the continuing problems caused by unauthorised signage and fly posting on Council land and property and the inadequate remedies provided by current legislation.

The Council therefore calls on the Scottish Government to consolidate the existing legislation and provide a single legislative remedy to allow local authorities to deal with this matter. Such a remedy should permit:

- The speedy and cost efficient removal of unauthorised signage and fly posting, thereby allowing more efficient use of staff resources; and
- The recovery of costs incurred by an authority in removing such signage and fly posting.

Further, an approach should be made to COSLA and all other local authorities in Scotland seeking their support in this matter and asking if they can pass the same motion so that a concerted approach can be made to the Scottish Government.”

**The Council resolved:-**

to support the terms of 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 of business be considered as a matter of urgency in order to identify funding to meet the timescales required for the works to take place during the planned programme in 2009.

**DECLARATIONS OF INTEREST**

Councillors Cormack, McDonald and Malone declared interests as the Council's appointed representatives to the Board of Aberdeen Performing Arts but did not consider it necessary to leave the meeting.

**MUSIC HALL CEILING AND ROOF SPACE**

**27.** With reference to Article 48 of the minute of meeting of the Resources Management Committee of 3<sup>rd</sup> June 2008, the Council had before it a report by the Corporate Director for Neighbourhood Services (North Area) which sought approval for £400,000 to be allocated in the Non Housing Capital Programme for 2009/10 to allow essential works to be carried out on the Music Hall ceiling and roof space.

The report stated that the Resources Management Committee of 3<sup>rd</sup> June 2008 had agreed to the principle of the full costs of the required remedial works being met by the Council, and that authorised officers would submit a bid of £400,000 to the appraisal process for the Non Housing Capital Programme for 2009/10 on the basis that the Resources Management Committee would agree that the bid be considered as a priority for 2009/10.

The report stated that in order to meet the timescales required for the works to take place during the planned programme in summer 2009, confirmation of the funding was required prior to the end of 2008. It was highlighted that if the decision was delayed an alternative slot would be required which would be very difficult as most of the performances had been booked with tickets already sold to the public. If there was to be a significant delay and further deterioration was detected, it was explained that there was a risk that the venue might require to be closed to the public on health and safety grounds until such time as the works were completed.

**The report recommended:-**

that the Council approve an allocation of £400,000 within the 2009/10 Non Housing Capital Programme for essential works to the Music Hall ceiling and roof space.

**The Council resolved:-**

to approve the recommendation.

**- PETER STEPHEN, Lord Provost.**