

**COUNCIL**

**BUSINESS STATEMENT**

**21 AUGUST 2013**

Please note that this statement contains a note of every report which has been instructed for submission to Council. All other actions which have been instructed by the Council are not included, as they are deemed to be operational matters after the point of decision.

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>	<u>Report Expected (if known)</u>
1.	Council 16.12.09 Article 19	<p><b><u>50m Swimming Pool</u></b></p> <p>The Council approved a number of recommendations regarding design and procurement issues relating to the 50m Pool. The Council agreed that the management of the project be transferred to Aberdeen Sports Village subject to (a) the provision of further legal and financial advice in respect of any potential risks to the Council; and (b) the other partners confirming their financial contribution to the project.</p> <p>The Council requested that Aberdeen Sports Village provide the Council with a report within four months on how they planned to drive the project forward. This is still awaited.</p>	<p><b><u>Please see Appendix for full information.</u></b></p> <p>The Education, Culture and Sport Committee of 2 June 2011 approved the following recommendations:-</p> <p>(d) to approve funding of up to £8 million and this be met from the Non-Housing Capital Programme for the construction of a 10 lane pool subject to:</p> <p>(iii) officers reaching an agreement with partners in regard to the use of the facilities in light of the potential migration of swimming clubs to the new facility; and</p> <p>(iv) officers reaching agreement on a Transfer Agreement Document, which will</p>	Director of Education, Culture and Sport	24.03.10	

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			<p>formalise the transfer of responsibility for the delivery and operational phases of the 50 metre pool project to ASV Limited.</p> <p>(f) to instruct officers to report back to the next appropriate meeting of the Council in regard to the progress on the negotiations on items d(iii) and (iv) above.</p> <p>A progress report was considered by Council on 6 October 2011, which dealt with the above matters, as well as the latest position regarding negotiations with Aberdeenshire Council. Council approved the recommendations contained within the report and instructed officers to arrange a meeting of the 50m Pool Project Working Group as soon as possible.</p> <p>The request for a report from Aberdeen Sports Village on how they planned to drive the project forward (as referred to in the Council Decision column on the previous page) has been</p>			

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			<p>superseded by events given that construction works have begun. It was recommended to Council in December 2011 that this item be removed from the Business Statement in view of the above information; however Council agreed to retain the item in order that members could be kept informed of discussions with Aberdeenshire Council regarding their funding contribution.</p> <p>Discussions about a financial contribution from Aberdeenshire Council are ongoing. Officers in Aberdeenshire Council anticipate that a potential financial contribution will be considered by their Policy and Resources Committee in September. A further update will be provided to the Council meeting in October.</p>			
2.	Council 06.03.13 Article 8	<p><b><u>Freedom of the City Process</u></b></p> <p>The Council agreed to take no further action at this time on the three nominations for freedom of the city, which required Standing Order 22(1) to be suspended, and that the working group meet and report on a revised process for the nomination for, and conferral of, the freedom of the city.</p>	The Freedom of the City Working Group met on 5 June 2013. A proposed new Standing Order dealing with the nomination process is contained within the 'Roles and Responsibilities - Is Aberdeen City Council Getting it Right?' report. The Working Group agreed that no changes were required in relation to the conferral process.	Head of Service, Office of Chief Executive	<b>26.06.13</b>	21.08.13  (part of the report at item 4)

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3.	Council 06.03.13 Article 9	<p><b><u>Establishment of Halting Sites for Gypsies/Travellers</u></b></p> <p>The Council (i) approved the potential sites at (1) Blackdog; (2) Howes Road; (3) Scotstown Road Recycling Centre; and (4) the former Council depot at Springhill Road, and remitted to officers to consult the affected Community Councils and report back to the August Council meeting with the outcome of these discussions; (ii) instructed officers to establish a stakeholder working group for the purpose of using a scoring matrix to examine the viability and feasibility of each site option and report back to the August Council meeting with the results from this process; and (iii) noted the joint working continuing with Aberdeenshire Council.</p>	<p>A stakeholder working group has been set up and has held its first meeting. The group is made up of community representatives identified by the Civic Forum, plus representatives of the communities in proximity to each of the proposed sites, together with Council officers representing asset management, housing, planning and equalities. There is also a representative from GREC and officers are working to find representatives from the Gypsy/Traveller community. The remit, process and timescales have been agreed and the output from the group is expected by early July. This will feed into a report to Council for the meeting in August.</p> <p>A late report is expected to be on the agenda.</p>	Director of Housing and Environment	21.08.13	21.08.13
4.	Council 06.03.13 Article 13	<p><b><u>Roles and Responsibilities: Is Aberdeen City Council Getting it Right?</u></b></p> <p>The Council, amongst other things, agreed to establish a working group comprising four Labour members, one Conservative member, one Independent Alliance Group member,</p>	A report is on the agenda.	Director of Corporate Governance	<b>26.06.13</b>	21.08.13

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		one SNP member and one Liberal Democrat member, to consider (a) any detailed proposals to change the committee structure, Standing Orders and the Scheme of Delegation, reporting to Council in June 2013; and (b) the introduction of a Petitions Committee.				
5.	Council 06.03.13 Article 15	<p><b><u>Single Outcome Agreement</u></b></p> <p>The Council noted that following submission of the final draft Single Outcome Agreement to the Scottish Government, a further report would be submitted to Council including the proposed final Single Outcome Agreement prior to formal agreement by 30 June 2013.</p>	Initial indications were that, following the submission of Community Planning Aberdeen's draft Single Outcome Agreement (SOA) at the end of March, feedback from the Scottish Government would be given relatively quickly and all 32 SOAs would be signed off by 30 June 2013. However, lengthy discussions have been ongoing nationally on the process for quality assuring each of the SOAs and confirmation of the agreed process was received on 4 June. In summary, a number of "QA Panels" have been established who will each liaise with a small number of Community Planning Partnerships. Whilst specific details are not yet confirmed, the Panel, in Aberdeen's case this is to be led by the Assistant Chief Executive of COSLA, will work with Community Planning	Head of Customer Service and Performance	<b>26.06.13</b>	

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			<p>Aberdeen and the Scottish Government Location Director with the following objective:-</p> <p><i>“To give Ministers and Council Leaders the confidence they need to agree the SOA, but do so in a way that is genuinely participative and supportive in helping each CPP develop. The main output of that process will be that by the end of June the Panel should have formally identified and agreed with the CPP and Location Director the key strengths in each SOA and around 4-6 priorities for further development by the CPP”</i></p> <p>A full report on the output of this QA process will be provided to the next meeting of the Council.</p>			
6.	Council 06.03.13 Article 16	<p><b><u>Welfare Reform</u></b></p> <p>The Council, amongst other things, approved the steps taken by officers to develop a policy and practice response and agreed to receive further reports in due course as measures were implemented.</p>	<p>The Scottish Welfare Fund has been successfully introduced and is operating well and meeting deadlines for decisions. Further changes to welfare reform are planned for later this year. The Hub joint project with the DWP is now open and being developed further over the coming weeks. Agreement has been reached with The Citizens Advice Bureau</p>	<p>Director of Social Care and Wellbeing</p> <p>Director of Housing and Environment</p>	<b>26.06.13</b>	21.08.13

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			<p>regarding the basis for a service level agreement. Claims for discretionary housing payments continue to be processed within the agreed scheme. The Financial inclusion manager has now been appointed and will take up his post on 1 July.</p> <p>A report is on the agenda.</p>			
7.	Council 06.03.13 Article 29	<p><b><u>Aberdeen Western Peripheral Route (AWPR)</u></b></p> <p>The Council, amongst other things, authorised officers to enter into further discussions with Transport Scotland and Aberdeenshire Council regarding the upfront capital contribution and authorised the Head of Legal and Democratic Services to negotiate the terms of a legal agreement to govern the payment mechanism, all subject to the approval of the Director of Corporate Governance, Head of Finance and the Director of Enterprise, Planning and Infrastructure, and to report back to the next appropriate Council meeting on the outcome.</p>	<p>It has been confirmed that Scottish Ministers have agreed to progress a payment mechanism, whereby both Councils will jointly (50% each) pay upfront their capital contribution to a value of £141m with a cap set at £150m. This is subject to HMRC's treatment of VAT. Officers and officials are in the meantime drafting a legal agreement to reflect this. It is intended to report this to the next appropriate Council meeting.</p> <p>A report is on the agenda.</p>	Head of Planning and Sustainable Development	<b>26.06.13</b>	21.08.13
8.	Council	<b><u>Property Disposal - Broad Street</u></b>		Head of Asset	As and	

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	01.05.13 Article 5	The Council instructed officers to provide progress reports to the Council at key stages of the project.		Management and Operations	when required	
9.	Council 26.06.13 Article 21	<b><u>Service Review of Legal Services</u></b>  The Council instructed the Head of Legal and Democratic Services to report back to Council in twelve months advising of the outcomes of the implementation of the new structure.		Head of Legal and Democratic Services	25.06.14	



## APPENDIX

### ITEM 1 - 50m SWIMMING POOL

At its meeting of 27 April 2011, the Council agreed to delegate authority to the Education, Culture and Sport Committee to make all necessary decisions at its meeting on 2 June 2011, in order to keep the project on track, and that officers report accordingly.

The Education, Culture and Sport Committee of 2 June 2011 approved the recommendations contained within the report, as outlined below, and added an additional recommendation at d(v) "subject to officers receiving clarification from Aberdeenshire Council that their revenue funding contribution remains intact".

#### **The report recommended:-**

that the Committee -

- (a) note the content of the report;
- (b) note that the development cost, based on the most economically advantageous tender for the 10 lane option is £21,918,104 and for the 8 lane option is £21,638,104 compared to the previously reported estimated costs of £23,347,259 for the 10 lane option and £22,726,794 for the 8 lane option;
- (c) note that the total funding available from the other partners as detailed in section 5.3 of the report has increased from the previous total of £10 million reported to Council on 15 December 2010 to £14 million. This being the result of the University of Aberdeen increasing their contribution from £5 million to £8 million and Aberdeen Sports Village Ltd. (ASV Limited) agreeing to underwrite the shortfall of £1 million for the 10 lane option to ensure that the funding package can be secured. The remaining balance of external funding coming from a £5 million grant from **sportscotland**;
- (d) agree to approve funding of up to £8 million and this be met from the Non-Housing Capital Programme for the construction of a 10 lane pool subject to:
  - (i) the Corporate Asset Group, on behalf of the Corporate Management Team, managing the overall spend of the Non-Housing Capital Programme in 2011/12 to stay within approved spending limits and to take into account the future capital demand for this project in the budget process for 2012/13 and 2013/14;
  - (ii) the revenue support for the ongoing costs of the project being capped at £250,000 per annum at 2010/11 prices with a review of future indexation once the facility is nearing completion of the construction phase;
  - (iii) officers reaching an agreement with partners in regard to the use of the facilities in light of the potential migration of swimming clubs to the new facility; and
  - (iv) officers reaching agreement on a Transfer Agreement Document, which will formalise the transfer of responsibility for the delivery and operational phases of the 50 metre pool project to ASV Limited.
- (e) note that the most economically advantageous tender for the 50 metre pool project was submitted by Contractor A, and subject to the Committee agreeing to approve funding on the basis of recommendation (d), to instruct officers to arrange, in conjunction with Aberdeen University and Aberdeen Sports Village Ltd., to appoint Contractor A as the Principal Contractor, based on their tender figure for the 10 lane option which results in an overall development cost of £21,918,104;
- (f) **to instruct officers to report back to the next appropriate meeting of the Council in regard to the progress on the negotiations on items d(iii) and (iv) above;** and
- (g) to note that the provision of a 50 metre pool has been included within the scope of the Water Management Plan currently underway, and will also be included within the report to Committee, due on 15 September 2011. The Committee should be aware that historically there has been a recognition that the city has a greater number of swimming pools for the size of population than elsewhere. **sportscotland** is providing support to model the existing water provision and future needs. The recommendations will also take full account of the reducing revenue and capital budgets and the costs associated with the 50 metre pool and are likely to include a reduction in the number and range of facilities.

At its meeting on 17 August 2011, the Council agreed that the above information be added back in to the business statement, and noted that a report would be submitted to the meeting on 6 October 2011.