

FINANCE, POLICY AND RESOURCES COMMITTEE

ABERDEEN, 5 December 2013 - minute of meeting of the FINANCE, POLICY AND RESOURCES COMMITTEE. Present: Councillor Young, Convener; Councillor Forsyth (Vice Convener); and Councillors Allan, Cameron, Cooney (as a substitute for Councillor Crockett for item 31 only), Crockett (for articles 1 to 30), Dickson, Donnelly, Jackie Dunbar, Laing, McCaig, Milne, Noble, Reynolds, Taylor (as a substitute for Councillor Grant) and Yuill.

The agenda and reports associated with this minute can be located at the following link:-

[HTTP://COMMITTEES.ABERDEENCITY.GOV.UK/IELISTDOCUMENTS.ASPX?CID=146&MID=2904&VER=4](http://committees.aberdeencity.gov.uk/ielistdocuments.aspx?CID=146&MID=2904&VER=4)

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DETERMINATION OF EXEMPT ITEMS OF BUSINESS

1. The Convener proposed that the Committee consider those reports identified on the agenda as being for determination in private, with the press and public excluded.

The Committee resolved:-

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting from item 10.1 of the agenda (article 24 of this minute) onwards so as to avoid disclosure of information of the classes described in the following paragraphs of Schedule 7(A) to the Act: article 24 (paragraph 9), article 25 (paragraphs 4,6,8 and 9), article 26 (paragraph 1), article 27 (paragraph 10), article 28 (paragraph 8), article 29 (paragraphs 6,8 and 10), article 30 (paragraph 9) and article 31 (paragraph 12).

AGENDA ORDER

2. The Convener proposed that the Committee consider item 12.3 (Learning Disability Transformation Programme Planning and Development Manager) following the first item of business on today's agenda and item 14.1 (Transfer of Ownership of Thomas Blake Glover House) as the last item of business.

The Committee resolved:

to concur with the proposals of the Convener.

In accordance with the decision recorded under article 1 of this minute, the following item was considered with the press and public excluded.

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LEARNING DISABILITY TRANSFORMATION PROGRAMME PLANNING AND DEVELOPMENT MANAGER

3. The Committee had before it a business case by the Director of Social Care and Wellbeing which sought approval of the establishment of one FTE fixed term Learning Disability Transformation Programme Planning and Development Manager post at G16 to cover the required duties relating to the learning Disability Transformation Programme.

The Committee resolved:-

to approve the business case.

MINUTE OF PREVIOUS MEETING

4. The Committee had before it the minute of its previous meeting of 26 September 2013.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE BUSINESS STATEMENT

5. The Committee had before it a statement of pending and outstanding committee business, as prepared by the Head of Legal and Democratic Services.

In relation to item 7 (Joint Commissioning Strategy for Older People 2013-2023 – Financial Framework, the Committee heard from the Head of Adult Services who provided an update on the development of an integrated budget for the joint commissioning for older people's services. He explained that Council's element of the integrated budget was clear, however guidance from the Scottish Government on the NHS component of the budget was still awaited. Once the guidance had been received the service would be in a position to report the baseline integrated budget.

The Committee resolved:-

- (i) to note that reports on items 2 (North East Scotland Japan Trust Loan Request), 4 (Satrosphere), 8 (Haudagain Upgrade – A Way Forward – Middlefield), 11 (Grampian Joint Police Board Draft Statement of Accounts 2012/2013), 14 (Sickness Absence Performance), 17 (Social Care and Wellbeing Management Structure - Monitoring Officer Investigation) were to be considered on today's agenda and to remove these items subject to the decision taken;
- (ii) in relation to item 7 (Joint Commissioning Strategy for Older People 2013-2023 – Financial Framework), to note the verbal update provided by the Head of Adult Service;
- (iii) to delete item 5 (Local Authority Mortgage Scheme); and
- (iv) to otherwise note the updates provided.

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MOTIONS LIST

6. The Committee had before it the outstanding motions list, as prepared by the Head of Legal and Democratic Services.

In relation to motion 1 (Motion by Councillor McCaig – Business Rates Incentive Scheme (BRIS)), the Committee heard from the acting Head of Finance who advised that detail regarding the operation of BRIS was still awaited from the Scottish Government. Once this information had been received, a report would be prepared and submitted to the next meeting of this Committee. Separately, a draft report providing financial information on business rates had been received from the Aberdeen and Grampian Chamber of Commerce (AGCC) and it was envisaged that this report would be finalised in time to be submitted to the next meeting of this Committee for consideration.

The Committee resolved:-

- (i) in relation to motion 1 (Motion by Councillor McCaig – BRIS), to note that it was envisaged that reports (a) on the operation of BRIS and (b) by the AGCC providing financial information on business rates, would be submitted to its next meeting; and to request AGCC to provide a presentation on its report to members prior to consideration of the report at its next meeting; and
- (ii) in relation to motion 2 (Motion by Councillor Greig - Policing Museum), to agree, in light of the Committee's decision at its previous meeting, that the motion be transferred to the Education, Culture and Sport Committee motions list.

SCHOOL SERVER REFRESH AND RATIONALISATION (ECS/13/071)

7. Reference was made to article 12 of the minute of the meeting the Education, Culture and Sport Committee of 21 November 2013, at which time members agreed, amongst other things, to refer the report before it on the refreshing and rationalisation of the server estate of the Council's educational establishments by means of the development and implementation of a virtualised server infrastructure to this Committee for approval of the required capital and revenue expenditure from existing budgets as described in the report. The Committee had before it on this day the report as submitted to the Education, Culture and Sport Committee.

The Committee resolved:-

to defer consideration of the report to the next meeting of Council on 18 December 2013 to enable Trades Unions to provide comments.

INTERNAL WASTE IMPLEMENTATION PLAN (EPI/13/199)

8. Reference was made to article 21 of the minute of meeting of the Enterprise, Strategic Planning and Infrastructure Committee of 12 November 2013 at which time members approved the Internal Waste Minimisation Plan, and referred this Plan to all Service Committees for endorsement. The Committee had before it on this day, the report as presented to the Enterprise, Strategic Planning and Infrastructure Committee, and the Internal Waste Minimisation Plan, as appended to the report.

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The Committee resolved:

to endorse the Internal Waste Minimisation Plan.

CITY EVENTS AND TWINNING (EPI/13/185)

9. Reference was made to article 32 of the minute of the meeting of the Enterprise, Strategic Planning and Infrastructure Committee of 12 November 2013, at which time members agreed to approve the proposed City Events programme for 2014/2015 and to refer the report to this Committee for consideration of the allocation of monies from the Common Good Fund and General Fund towards its delivery. The Committee had before it on this day the report as submitted to the Enterprise, Strategic Planning and Infrastructure Committee.

The Committee resolved:-

to approve the requested allocation of monies as detailed in the report from the Common Good Fund and General Fund towards the delivery of the City Events programme 2014/2015.

COMMONWEALTH TRAVEL BURSARY – UPDATE ON PROGRESS (ECS/13/077)

10. Reference was made to article 3 of the minute of the meeting of the Diamond Jubilee Commonwealth Travel Bursary Working Group of 21 November 2013, at which time members agreed, amongst other things, to recommend that this Committee suspend Standing Order 22(1) and agree that powers be delegated to officers to take decisions on the allocation of travel bursaries within the scheme approved by it on 13 June 2013, based on consideration of the recommendation put forward by the Delivery Partner and the independent assessment panels and that the remit of the Working Group be altered to read as follows:-

“to oversee the process, to undertake a consultative role in respect of the applications received so as to feed into the selection process before decisions were made by officers, to receive updates on progress, to hear presentations on successful bursary awards and to act as ambassadors for the initiative”.

The Committee resolved:-

to suspend Standing Order 22(1) and to agree (1) that powers be delegated to officers to take decisions on the allocation of travel bursaries within the scheme approved by it on 13 June 2013, based on consideration of the recommendation put forward by the Delivery Partner and the independent assessment panels and (2) that the remit of the Working Group be amended as detailed above.

2013/2014 FINANCIAL MONITORING – CORPORATE GOVERNANCE SERVICE (CG/13/123)

11. With reference to article 12 of the minute of its meeting of 26 September 2013, the Committee had before it a report by the Head of Finance which provided information to date on the current year’s revenue budget for the Corporate Governance

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Service, and advised of any areas of risk and management action being taken in this regard.

The report recommended –
that the Committee –

- (a) note the information on management action and risks contained within the report; and
- (b) instruct officers to continue to review budget performance and report on Service strategies.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) to congratulate staff on their excellent work to date.

COUNCIL REVENUE BUDGET 2013/2014 MONITORING (CG/13/131)

12. With reference to article 13 of the minute of its meeting of 26 September 2013, the Committee had before it a report by the Director of Corporate Governance which presented the revenue position for the Council for 2013/2014 and advised as to any areas of risk that had been highlighted by Directors.

The report recommended –
that the Committee –

- (a) note and endorse the content of the report;
- (b) note the value of the sums returned to the Council at the end of the Financial year 2012/2013 by the Grampian Joint Police Board and Grampian Joint Fire and Rescue Board, and agree that these sums be earmarked by the Council to contribute towards the funding of the overall capital investment strategy of the Council in future years; and
- (c) approve the re-profiling of the general fund capital plan to reflect the total gross cost and appropriate partner contributions towards the Hydrogen Bus project in the five year capital plan, rather than the net cost to the Council.

The Committee resolved:-

to approve the recommendations.

**2013/2104 COMMON GOOD BUDGET – MONITORING REPORT UPDATE
(CG/13/122)**

13. With reference to article 14 of the minute of its meeting of 26 September 2013, the Committee had before it a report by the Chief Executive which presented information on income and expenditure of the Common Good budget for the period to 31 October 2013, and outlined the forecast position of the cash balances as at 31 March 2014.

The report recommended –
that the Committee –

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- (a) note the income and expenditure position as at 31 October 2013, and the forecast outturn for the year; and
- (b) note the forecast cash balances as at 31 March 2014, of £7,000,000 based on the current estimates, which was within the recommended levels indicated by the Head of Finance.

The Committee resolved:-

to approve the recommendations.

GENERAL FUND REVENUE AND CAPITAL BUDGET 2014/2015 AND INDICATIVE FIVE YEAR BUDGETS (CG/13/116)

14. The Committee had before it a report by the Director of Corporate Governance which presented information in relation to the 2014/2015 General Fund Revenue budget, along with indicative five year budgets for the General Fund and an indicative investment level of £300 million for the Non Housing Capital Programme for the same period. The budgets before members were based on the current settlement information from the Scottish Government and would therefore be subject to change once an updated settlement position was announced.

The report recommended –

that the Committee –

- (a) note the attached 2014/2015 draft budget proposal which would be presented to the Council budget setting meeting on 6 February 2014;
- (b) note the draft five year Business Plan position in relation to the Council's General Fund Revenue budget subject to the final grant settlement award letter;
- (c) note the continuation of a Risk Fund to mitigate against in year cost pressures subject to Council approval in February 2014;
- (d) agree that the Council continued to retain uncommitted revenue reserves in accordance with the reserves strategy, which presently showed a requirement for £11.3million to be held; and
- (e) note that a capital investment programme of £300million over the five year Business Plan life cycle was in place and that the recently approved Strategic Infrastructure Plan was incorporated therein.

The Committee resolved:-

to approve the recommendations.

DRAFT HOUSING REVENUE ACCOUNT (HRA) BUDGET AND HOUSING CAPITAL BUDGET 2014/2015 TO 2018/2019 (CG/13/117)

15. The Committee had before it a joint report by the Director of Corporate Governance and the Director of Housing and Environment which provided members with information to allow the setting of the rent level for the financial year 2014/2015 as well as provisional rent levels for the financial years to 2015/2016 to 2018/2019, explaining that this would allow a capital programme for 2014/2015 to be set as well as provisional programme for 2015/2016 to 2018/2019.

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The report recommended –

that the Committee consider the draft Housing Revenue Account budget and refer the report to the Council meeting on 18 December 2013 for:

- (a) approval of the budget as attached as appendix 1 of the report;
- (b) approval of the weekly unrebated rents for municipal houses, as detailed in appendix 1 of the report, to take effect from Monday 7 April 2014;
- (c) approval of the level of revenue contribution to the Housing Capital budget for 2014/2015 as well as a provisional contribution for the subsequent four financial years as detailed in appendix 1 of the report;
- (d) approval of the recommendation to continue to increase the level of working balances to 10% to meet future contingencies;
- (e) approval of the continuation of the practice that all capital receipts, from the disposal of Council houses under the right to buy scheme, continue to be used to repay debt for 2014/2015 and future years;
- (f) approval of the level of miscellaneous rents and service charges, including Heat with Rent as detailed in appendix 1 of the report; and
- (g) setting of a capital programme for the financial year 2014/2015 based on the rent strategy adopted as well as the indicative level of programme for the financial years 2015/2016 and 2018/2019.

The Committee resolved:-

to refer the report simpliciter to Council.

COMMON GOOD BUDGET 2014/2015 AND INDICATIVE 2015/2016 TO 2018/2019 BUDGET

16. The Committee had before it a report by the Chief Executive which presented the draft Common Good budget for 2014/2015 as well as a further indicative four year budget.

The report recommended –

that the Committee –

- (a) consider the Common Good budget for 2014/2015 as detailed in appendix 1 to the report and, subject to any changes agreed by the Committee, refers the report to the Council Budget meeting on 6 February 2014, for approval; and
- (b) note the 2015/2016 to 2018/2019 indicative budgets contained in appendix 1.

The Committee resolved:-

to approve the recommendations.

NORTH EAST SCOTLAND PENSION FUND 2014/2015 AND INDICATIVE 2015/2016 TO 2018/2019 BUDGET (CG/13/118)

17. The Committee had before it a report by the Director of Corporate Governance which provided details of the budget included in the 2014/2015 General Fund budget relating to the North East Scotland Pension Fund (NESPF), the cost of which was based on the Council's statutory obligation to administer the scheme and was met by the NESPF, as well as an indicative 2015/2016 to 2018/2019 budget.

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The report recommended –

that the Committee –

- (a) note the provision contained within the Council's General Fund budget for 2014/2015, and subject to any changes agreed by the Committee, refer it to the Council Budget meeting on 6 February 2014, for approval;
- (b) note the 2015/2016 to 2018/2019 indicative budget;
- (c) instruct the Head of Finance to recover the actual costs from the NESPF; and
- (d) note progress on the introduction of a Service Level Agreement.

The Committee resolved:-

to approve the recommendations.

SMALL FINANCIAL ASSISTANCE GRANTS 2013/2014 (CG/13/121)

18. The Committee had before it a report by the Director of Corporate Governance which presented three applications for financial assistance.

The report recommended –

that the Committee –

- (a) agree to award a grant of £2,500 to Celebrate Aberdeen (ACVO); and
- (b) agree not to award a grant to the following applications:
 - European Law Students' Association (Aberdeen Branch); and
 - 9th Aberdeen Scout Troop.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) to instruct officers to advise the 9th Aberdeen Scout Troop to apply to the Youth Grant Scheme for funding.

WHISTLEBLOWING POLICY/PROCEDURE (CG/13/126)

19. The Committee had before it a report by the Director of Corporate Governance which sought approval of an amended Whistleblowing Policy/Procedure which took account of recent legislative changes regarding whistleblowing as well as other necessary updates.

The report recommended –

that the Committee approve the introduction of the amended Whistleblowing Policy/Procedure.

The Committee resolved:-

to approve the recommendation.

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SICKNESS ABSENCE UPDATE (CG/13/128)

20. With reference to article 11 of the minute of the meeting of the former Corporate Policy and Performance Committee of 18 April 2013, the Committee had before it a report by the Director of Corporate Governance which provided an update on sickness absence rates across the Council.

The report recommended –

that the Committee note the Council's sickness absence rates as outlined in appendix 2.

The Committee resolved:-

to approve the recommendations.

MATTER OF URGENCY

The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, that the following item be considered as a matter of urgency to enable the Committee to determine the matter without delay.

BUSINESS REQUIREMENTS TO DELIVER KEY GOAL 1 OF THE STRATEGIC INFRASTRUCTURE PLAN FOR 1000 AFFORDABLE HOUSES BY 2017 AND 1400 BY 2019 (H&E/13/080)

21. The Committee had before it a business case by the Director of Housing and Environment which sought approval of the creation of the following fixed terms posts:

- 1 FTE Senior Land and Development Manager G16 ;
- 1 FTE Consents Negotiator at G15; and
- 1 FTE Administrative Assistant at G9.

The Committee resolved:-

- (i) to approve the business case as outlined in the report; and
- (ii) to instruct officers to submit a report to a future meeting of this Committee providing an update on the project.

BUSINESS REQUIREMENTS FOR SERVICE IMPROVEMENT – BUILDING SERVICES (H&E/13/085)

22. The Committee had before it a business case by the Director of Housing and Environment which sought approval of the establishment of the following full time permanent posts:

- 1 FTE Business Development Support Assistant at G8; and
- 1 FTE Sales and Account Manager at G10.

The Committee resolved:-

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- (i) to approve the business case as outlined in the report; and
- (ii) to instruct officers to submit a report to a future meeting of this Committee providing an update on the project.

YOUNG WOMEN'S SERVICE

23. The Committee had before it a report by the Director of Social Care and Wellbeing which proposed that the Intensive Community Support and Learning Service at Westburn develop a gender specific service for vulnerable girls and young women.

The report recommended –
that the Committee –

- (a) approve the establishment of a gender specific service for vulnerable girls and young women;
- (b) approve the establishment of the following posts:
 - 1 FTE Team leader at G14
 - 2 FTE Family and Community Support Officer at G13; and
 - 2 FTE Family Resource Worker at G11; and
- (c) approve the limitations of employment to the new posts within the service to female candidates only, because of the justifiable and legitimate occupational requirements of the posts in relation to Schedule 9 of the Equality Act 2010.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) to instruct officers to submit a report to the Social Care, Wellbeing and Safety Committee within 12 months to advise on the progress of the project and to determine if further resources were required.

CORPORATE GOVERNANCE SERVICE ASSET MANAGEMENT PLAN AND ICT ASSET MANAGEMENT PLAN UPDATES (CG/13/124)

24. With reference to (i) article 13 of the minute of its meeting of 13 October 2012; and (ii) article 19 of the minute of its meeting of 6 December 2012 the Committee had before it a report by the Director of Corporate Governance which sought approval of the Corporate Governance Service Asset Management Plan and ICT Asset Management Plan 2013.

The Committee resolved:-

to approve the Corporate Governance Service Asset Management Plan and ICT Asset Management Plan 2013.

HAUDAGAIN UPGRADE (MIDDLEFIELD) UPDATE

25. With reference to (i) article 3 of the minute of its meeting of 25 July 2013, and (ii) article 10 of the minute of Council of 21 August 2013, the Committee had before it a report by the Director of Housing and Environment which provided an update on

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progress on a way forward for the regeneration of Middlefield in conjunction with the Haudagain junction improvements.

The report recommended –

that the Committee –

- (a) note progress made in discussions with Transport Scotland and their consultants and the structured approach adopted;
- (b) note that the Leader of the Council had written to the Minister for Transport and had subsequently met with him to seek clarity on responsibilities and expedite speedy solutions to enhance delivery timescales;
- (c) note that the Leader of the Council had written to residents affected in the regeneration area of Middlefield to emphasise the Council's commitment to support them in their housing needs at this time of uncertainty;
- (d) note that the Council had reopened an office in the Manor Logie area to be the basis for a central point of contact for communication available to local residents;
- (e) note the risk evaluation appended to the report;
- (f) note that commitment to the future location of the projects servicing the Logie area and located in premises within the proposed new road alignment was being addressed in the Council's community facilities audit and Strategic Plan to be delivered to Council early in the New Year by the Director of Education, Culture and Sport; and
- (g) instruct officers to proceed with the project subject to negotiating appropriate financial guarantees from Transport Scotland and for officers to report on this matter at a future meeting of the Committee.

The Convener, seconded by the Vice Convener moved:

that the Committee –

- (1) note the decision taken by Council at its meeting of 21 August 2013, which included an instruction to request a comprehensive risk assessment covering political, business and finance risks to be considered in the form of the Corporate Risk Register, reporting back to the December meeting of the Finance, Policy and Resources Committee;
- (2) note the Risk Evaluation paper contained at appendix 4, which illustrated there was a high risk that the Scottish Government would no longer fund the construction of the Haudagain including all compensation costs;
- (3) note that appendix 4 made it clear that whilst there were verbal and written statements of intent from Scottish Government Ministers and officials there was no formal, legally binding documentation;
- (4) note both that the Council was committed to providing the Scottish Government with £75 million as its share of the Aberdeen Western Peripheral Route despite Edinburgh and Fife Councils contributing nothing to the new Forth Road Crossing, and that the Council was committed to building a Third Don Crossing, upgrading the Berryden corridor and building a new link road at Dyce at a total cost of £125 million;
- (5) instruct officers to proceed with the project subject to negotiating acceptable financial guarantees from the Scottish Government or one of its agencies by 30 April 2014, in order for a report to come forward to this Committee on 6 May 2014;
- (6) instruct officers to prepare a report for the Committee's meeting on the 6 May 2014, outlining proposals including where appropriate costs for the regeneration

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- of Middlefield without the proposed Haudagain improvements should the Scottish Government or one of its agencies refuse to commit to providing the Council with acceptable financial guarantees as requested; and
- (7) note that a simple legally binding agreement between the present SNP Scottish Government and Aberdeen City Council would bind the newly elected 2016 Scottish Government and the newly elected 2017 Council Administration to take forward the Haudagain roundabout upgrade, and to note that in 2003 the then Scottish Executive and the then Council Administration entered into a legally binding contract for the AWPR which this Administration was adhering to, and to ask why the SNP was reluctant to ask the Scottish Government to bind itself to a contract if as it says the Scottish Government would deliver on the Haudagain roundabout upgrade unless they know what we suspect that any SNP Scottish Government intended to renege on its promise to the people and the businesses of Aberdeen.

Councillor McCaig moved as an amendment, seconded by Councillor Noble:-
that the Committee approve the recommendations (a) to (e); and instruct officers to proceed with the project and report back on the discussions with Transport Scotland to a future meeting.

Councillor Yuill moved as a further amendment:-
that the Committee approve the recommendations.

The amendment by Councillor Yuill did not attract a seconder, however, and therefore fell.

On a division, there voted:- For the motion (9) - the Convener; the Vice Convener; and Councillors Allan, Crockett, Donnelly, Laing, Milne, Reynolds and Taylor. For the amendment (6) - Councillors Cameron, Dickson, Jackie Dunbar, McCaig, Noble and Yuill.

The Committee resolved:-

- (i) to adopt the motion; and
- (ii) to instruct officers to provide a response to the following questions from Councillor Reynolds, copied to all members of the Committee (1) did Moray Council have to contribute to the junctions on the new Fochabers Bypass; and (2) is the Scottish Government moving away from funding the Aberdeen Western Peripheral Route, and are they instead choosing to lease the road from the successful contractor for 35 years?

In accordance with the decision recorded under article 1 of this minute, the following items were considered with the press and public excluded.

SITES FOR WASTE MANAGEMENT INFRASTRUCTURE AND UPDATE ON WASTE MANAGEMENT SERVICES CONTRACT (ZWM/13/007)

26. Reference was made to article 5 of the minute of the meeting the Zero Waste Management Sub Committee of 4 December 2013, at which time members agreed, amongst other things, to refer a report on sites for waste management infrastructure to

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this Committee for approval to purchase of an area of ground at Hareness Place to allow access to the adjoining site owned by the Council. The Committee had before it on this day the report as submitted to the Zero Waste Management Sub Committee.

The Committee resolved:-

to agree to the purchase of an area of ground at Hareness Place to allow access to the adjoining site owned by the Council.

SATROSPHERE LIMITED – STRATEGIC PARTNERSHIP AGREEMENT AND FACILITY REDEVELOPMENT UPDATE (ECS/13/076)

27. With reference to article 26 of the minute of its meeting of 25 April 2013, the Committee had before it a report by the Director of Education, Culture and Sport which provided members with an update on the formalising of continued support of Satrosphere Limited by the Council through the establishment of a Strategic Partnership Agreement, and on progress with regards to the potential re-development of the premises at 179 Constitution Street.

The report recommended –

that the Committee –

- (a) note the outline and principles incorporated within the draft Strategic Partnership Agreement and instruct officers to conclude negotiations on the document with Satrosphere Limited and report back to the Committee in February 2014; and
- (b) note the position in respect of the potential re-development of the Council owned premises at 179 Constitution Street by Satrosphere Limited.

The Committee resolved:-

to approve the recommendations.

ESTABLISHMENT OF A NEW HOUSING ACCESS TEAM (H&E/13/083)

28. The Committee had before it a business case by the Director of Housing and Environment which sought approval of the establishment of a new Housing Access Team responsible for the delivery of housing access and advice services (including statutory homeless duties) and the management of housing applications and allocations.

The Committee resolved:-

to approve the business case as outlined within the report.

MATTER OF URGENCY

The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, that the following item be considered as a matter of urgency to enable the Committee to determine the matter without delay.

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EXPANSION OF GAS TEAM (H&E/13/081)

29. The Committee had before it a business case by the Director of Housing and Environment which sought approval of the expansion of the gas team which would strengthen the in house delivery of gas installations within Council Houses, allowing efficiencies to be generated and providing the workforce with long term stability.

The Committee resolved:-

to approve the business case as outlined within the report.

EXECUTIVE RECRUITMENT SERVICES TENDER (CG/13/127)

30. The Committee had before it a report by the Director of Corporate Governance which sought approval for officers to commence a tendering process for the provision of executive recruitment services, which were normally used as part of Chief Official appointment processes.

The report recommended –

that the Committee approve the estimated expenditure as detailed within the financial implications of the report and, in accordance with Standing Order 1(3) of the Council's Standing Orders Relating to Contracts and Procurements, and otherwise instruct officers to undertake a procurement exercise for executive recruitment services in compliance with the Council's Standing Orders and the Public Contract (Scotland) Regulations, 2012.

The Committee resolved:-

to approve the recommendation.

NATIONAL HOUSING TRUST INITIATIVE PHASE 2B (H&E/13/077)

31. The Committee had before it a report by the Director of Housing and Environment which (a) advised of the current position with regard to the National Housing Trust (NHT) Initiative (the "Initiative") to enable the development of short term affordable housing and (b) sought approval to award contracts to Stewart Milne Group Limited and for the Head of Legal and Democratic Services (or either of the Legal Managers or the Chief Executive) to sign all contractual documentation relative to the Initiative.

The report recommended –

that the Committee –

- (a) approve contracts being awarded to Stewart Milne Group Limited in respect of affordable housing at Countesswells, Huxterstone, Cornhill and Froghall, subject to their satisfying all Certificate of Title and any other legal issues to the satisfaction of the Head of Legal and Democratic Services and the Director of Housing and Environment;

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- (b) approve entry by the Council into the Limited Liability Partnership Development Vehicle(s) which would be created in respect of the developments with Scottish Futures Trust Limited and Stewart Milne Group Limited;
- (c) approve the entry into, and execution of, the initiative agreements substantially in the form issued in accordance with the Invitation to Negotiate and all other necessary documentation described in more detail below;
- (d) authorise the Head of Legal and Democratic Services (or either of the Legal Managers or the Chief Executive) to agree and execute on behalf of the Council all letters, contracts and other documents relative to the Initiative, including, but not limited to, the following:
 - Applications to form Limited Liability Partnerships (the Development Vehicle(s)) in respect of affordable housing at the locations mentioned above,
 - Take Out Agreements,
 - Management and Maintenance Agreements,
 - Members Agreements,
 - Facility Agreements,
 - Assignations in Security
 - Inter Creditor Agreements,
 - Guarantee Agreements,
 - Bond and Floating Charge in favour of the Council,
 - Second ranking Floating Charge in favour of the Guarantor, and
 - Certificate of Title in favour of the Council and others.
- (e) approve the Director of Housing and Environment becoming the Council's representative on the Board(s) of Management of the Development Vehicle(s) with the Head of Housing and Community Safety acting as substitute as required;
- (f) authorise lending to the Development Vehicle(s) in accordance with the Facility Agreements to be entered into, which lending shall not exceed £9.8 million, subject to receiving formal consent to lend from the Scottish Government;
- (g) delegate authority to the Director of Corporate Governance, the Director of Housing and Environment and the Head of Finance, in consultation with the Convener and Vice Convener of the Finance, Policy and Resources Committee, to agree the final loan value, which should not exceed £9.8million, and authorise the Head of Legal and Democratic Services (or either of the Legal Managers or the Chief Executive) to sign documentation to enter into the loan to be provided to the Development Vehicle(s); and
- (h) approve that any contractual documentation in connection with the Initiative be exempted from Standing Orders 11 (Corrupt or Illegal Practices), 13 (Insurances) and 26 (Freedom of Information) of the Council's Standing Orders Relating to Contracts and Procurement and any other Standing Orders from which exemption was or might be required in order to allow the said contractual documentation to be entered into.

The Committee resolved:-

to approve the recommendations.

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MATTER OF URGENCY

The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, that the following item be considered as a matter of urgency to enable the Committee to determine the matter without delay.

SOCIAL CARE AND WELLBEING MANAGEMENT STRUCTURE INVESTIGATION

32. With reference to article 27 of the minute of its meeting of 25 April 2013, the Committee had before it a report by the Monitoring Officer which provided members with an update on actions undertaken in respect of an ongoing investigation.

The report recommended –

that the Committee note the report and instruct any further action which they required.

The Committee resolved:-

to note the content of the report and to instruct the Director of Corporate Governance to investigate why there was a delay in the report and why the report did not contain all of the information that was requested.

MATTER OF URGENCY

The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, that the following item be considered as a matter of urgency to enable the Committee to determine the matter without delay.

DECLARATIONS OF INTEREST

The Convener and Councillor Crockett declared an interest in the subject matter of the following article by virtue of their position as members of the Board of the North East Scotland Japan Trust. Councillor Reynolds declared an interest by virtue of his position as a Trustee of the North East Scotland Japan Trust in a personal capacity. Each of the Councillors considered that the nature of their interest required them to leave the meeting and took no part in the Committee's deliberations thereon.

Councillor Crockett was substituted by Councillor Cooney, for this item only.

At this juncture, the Vice Convener assumed the Chair.

TRANSFER OF OWNERSHIP OF THOMAS BLAKE GLOVER HOUSE

33. With reference to article 14 of the minute of its meeting of 21 June 2012, the Committee had before it a report by the Director of Enterprise, Planning and

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Infrastructure which provided members with details of a proposal to transfer ownership of the property known as Thomas Blake Glover House from the Grampian Japan Trust to the Council.

The report recommended –

that the Committee –

- (a) note the contents of the report;
- (b) instruct officers to enter into negotiations with the Grampian Japan Trust regarding a possible transfer of the property and to report back to a future meeting of this Committee;
- (c) instruct relevant officers to present to a future meeting of this Committee a fully costed proposal for any future use of Glover House including any benefits which might accrue to the Council as a result of the property being in Council ownership; and
- (d) instruct relevant officers to report to a future meeting of this Committee on progress with the proposal in order that officers could continue to prepare any documentation which would be required to facilitate the transfer of the property Glover House to the Council subject to:-
 - the Head of Legal and Democratic Services being satisfied that the proposed use of the property conforms to any contractual terms which might be imposed by the Trust; and
 - the Head of Finance being satisfied that any risk to the Council could be mitigated and that the Council neither inherited any debts nor financial liabilities of the Grampian Japan Trust; and that the financial implications for the Council could be met and sufficient budget was in place to cover the costs of any legal fees which were to be incurred and any fees relating to the repair and maintenance of the building as well as identifying a future budget beyond 2013/2014 from the appropriate Council budgets to cover the costs of on-going maintenance and upkeep of the building in the event of the transfer of ownership being completed.

The Committee resolved:-

to approve the recommendations, subject to the further reports referred to in recommendations (b), (c) and (d) being submitted to the next meeting of this Committee.

- **COUNCILLOR WILLIE YOUNG, Convener.**