

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 23 August 2017

MINUTES OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Lord Provost Barney Crockett, Chairperson;
Depute Provost Alan Donnelly; and

COUNCILLORS

YVONNE ALLAN
CHRISTIAN ALLARD
ALISON ALPHONSE
PHILIP BELL
MARIE BOULTON
DAVID CAMERON
JOHN COOKE
NEIL COPLAND
WILLIAM CORMIE
STEVEN DELANEY
JACQUELINE DUNBAR
LESLEY DUNBAR
SARAH DUNCAN
STEPHEN FLYNN
GORDON GRAHAM
ROSS GRANT
MARTIN GREIG
DELL HENRICKSON
RYAN HOUGHTON
BRETT HUNT
MICHAEL HUTCHISON
CLAIRE IMRIE

FREDDIE JOHN
JENNIFER LAING
DOUGLAS LUMSDEN
SANDRA MACDONALD
NEIL MacGREGOR
AVRIL MacKENZIE
CATRIONA MacKENZIE
ALEXANDER McLELLAN
CIARÁN McRAE
M. TAUQEER MALIK
THOMAS MASON MSP
ALEXANDER NICOLL
JOHN REYNOLDS
GILLIAN SAMARAI
PHILIP SELLAR
JENNIFER STEWART
SANDY STUART
GORDON TOWNSON
JOHN WHEELER
and
IAN YUILL

Lord Provost Barney Crockett, in the Chair;

The agenda and reports associated with this minute can be found at:-

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=122&MId=4326&Ver=4>

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

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AGENDA ORDER

1. The Lord Provost proposed that item 9(m) - HMO Overprovision Policy - Report on Public Consultation, be considered as the first item of general business, and this was agreed.

ADMISSION OF BURGESSES

2. (A) The persons undermentioned were admitted into the presence of the Council and passed as Burgesses of Guild in respect of their respective Acts of Admission in the Guild Burgess Book:-

George Adam, Past Lord Provost/Councillor, Aberdeen
 Richard Brooks, Community Leader, Aberdeen
 Lindsey Archibald Esson, Cartographer, Aberdeen
 Stanley Jack, Retired University Sacrist, Aberdeen
 Raymond Niven Mack, Retired Police Officer, Aberdeen
 Gordon Mills, Retired Mechanical Engineer, Aberdeen
 Yvonne B Thomson, Secretary, Aberdeen
 Donald William Shaw, Retired Business Development Manager, Aberdeen
 Linda May Walker, Retired Dental Nurse, Aberdeen

(B) The person undermentioned was admitted into the presence of the Council and passed as a Burgess of the Burgh of their own craft only:-

Gregory Russell, Baker, Aberdeen

DETERMINATION OF URGENT BUSINESS

3. The Council noted that the Lord Provost had accepted the following item onto the agenda as a matter of urgency in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973:-

10(a) Notice of Motion by Councillor Hutchison

The Council resolved:-

to agree that the matter be considered as a matter of urgency.

DETERMINATION OF EXEMPT BUSINESS

4. The Council was requested to determine that the following item of business which contained exempt information as described in Schedule 7(A) of the Local Government (Scotland) Act 1973, be taken in private:-

11(a) Complaints Review Committee - 31 May and 13 July 2017

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The Council resolved:-

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of item 11(a) so as to avoid disclosure of exempt information of the classes described in paragraphs 1 and 3 of Schedule 7(A) of the Act.

DECLARATIONS OF INTEREST

5. Councillor Mason MSP declared a general interest as a Member of the Scottish Parliament.

Councillor Cooke declared an interest in relation to item 9(h) (Appointment of a Chairperson to the Sport Aberdeen Board) (Article 21 of this minute refers) by virtue of his position as a Council appointed representative to the Board of Sport Aberdeen. Councillor Cooke did not consider that the nature of his interest required him to leave the meeting.

Councillor Jackie Dunbar declared an interest in relation to item 9(k) (Council Financial Performance - Quarter 1, 2017/18) (Article 24 of this minute refers) by reason of a family connection to Denis Law. Councillor Jackie Dunbar indicated that she would not leave the meeting unless the item was discussed.

Councillors Boulton, Flynn and Macdonald declared interests in relation to item 9(n) (Update on Negotiations with Places for People (Shaping Aberdeen Housing LLP Approved Business Plan)) (Article 26 of this minute refers) by virtue of their position as Council appointed representatives on the Board of Shaping Aberdeen Housing LLP, and indicated that they would leave the meeting prior to the item being considered. Councillor Delaney also declared an interest in relation to item 9(n) by virtue of his position as Chair of the Scottish Federation of Housing Associations, and indicated that he would leave the meeting prior to the item being considered.

Councillor Duncan declared an interest in relation to item 9(r) (Unison Ethical Care Charter) (Article 30 of this minute refers) by virtue of her employment by Unison, and indicated that she would leave the meeting prior to the item being considered.

REQUESTS FOR DEPUTATIONS

6. In accordance with Standing Order 13, the Council had before it the following requests for deputations, all of which related to item 9(m) - HMO Overprovision Policy - Report on Public Consultation:-

- Mr Lewis Macleod, Aberdeen University Students' Association
- Mr Dewi Morgan, Old Aberdeen Community Council
- Mr Martin Wilson

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The Council resolved:-

to accept the requests and hear the deputations immediately prior to the HMO report.

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 21 JUNE 2017

7. The Council had before it the minute of meeting of Aberdeen City Council of 21 June 2017.

The Council resolved:-

to approve the minute.

MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 3 JULY 2017

8. The Council had before it the minute of meeting of the Urgent Business Committee of 3 July 2017.

The Council resolved:-

to approve the minute.

BUSINESS STATEMENT

9. The Council had before it a statement of Council business.

The Council resolved:-

to note the business statement.

MOTIONS LIST

10. The Council had before it a list of outstanding motions.

The Council resolved:-

to note the motions list.

TRACKER

11. The Council had before it a tracker document which identified reports that were due to be considered by the Council at its next three meetings.

The Council resolved:-

to note the tracker.

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MINUTE OF MEETING OF CITY CENTRE MASTERPLAN REFERENCE GROUP OF 28 JUNE 2017

12. The Council had before it the minute of meeting of the City Centre Masterplan Reference Group of 28 June 2017.

The Council resolved:-

- (i) to ratify the appointment of Councillor Boulton as Chairperson of the Reference Group and agree that the Terms of Reference be amended to reflect this, as well as the composition of the Reference Group now comprising 6 members based on 1 Conservative, 1 Labour, 1 Independent Alliance, 2 SNP and 1 Liberal Democrat, as opposed to the previous composition of the Convener of the Finance, Policy and Resources Committee and the five Group Leaders; and
- (ii) to otherwise note the minute.

HMO OVERPROVISION POLICY - REPORT ON PUBLIC CONSULTATION - CHI/17/113

13. (A) In terms of Standing Order 13, the Council received a deputation from Mr Lewis Macleod, Communication Officer at Aberdeen University Students' Association.

Mr Macleod emphasised that implementation of a Houses in Multiple Occupation (HMO) Overprovision Policy would have a detrimental impact on students being able to afford to live in the city, and that the policy did not offer a solution. He highlighted that 96% of the 391 students who had responded to the consultation were against the policy, and even if student responses were removed, the majority of respondents were still not in favour of the introduction of the policy.

Mr Macleod underlined the positive contribution that students made to the communities they lived in, and that the vast majority of students were good neighbours. He added that the introduction of a policy would force students to live in more expensive accommodation or travel from further afield which would incur additional costs. Mr Macleod highlighted that it was not just students who lived in HMOs; many young professionals and key workers would also be negatively affected, and HMOs were also available for families to rent.

Mr Macleod concluded that the introduction of an HMO Overprovision Policy would have a disproportionately negative impact on students across the city and called upon the Council to vote for the recommendations contained within the report.

Members asked questions of Mr Macleod and thanked him for his contribution.

(B) The Council next received a deputation from Mr Dewi Morgan, Planning Officer for Old Aberdeen Community Council.

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Mr Morgan stated that local residents were concerned about the overprovision of a transient singles population living in houses which used to be family homes. He referred to Council officers repeatedly referring to the legality, or otherwise, of implementing an HMO Overprovision Policy, however no mention had been made of the system which had been in place, and operating successfully, in Dundee for over nine years.

Mr Morgan disputed that students needed to live close to their place of study and that they were not a special case compared to the rest of the population. He added that Old Aberdeen was an ancient town which was an important part of the city's tourism industry - they needed a population 365 days a year, not a monoculture that faded away for over three months of the year. Mr Morgan drew comparison with other university towns and cities which had limits on HMOs in place, and called upon the Council to adopt something similar.

Mr Morgan stated that Old Aberdeen Community Council was content for an HMO Overprovision Policy to be rolled out across the city (not just confined to the three areas proposed in the report) and for the limit to be increased to 12.5% to match the system in place in Dundee. He emphasised that the policy was possible and practicable and it would not result in increased rents as it would not affect existing HMOs. Mr Morgan stressed that the Community Council was not against students, they were against the loss of family homes and the loss of a balanced community.

Members asked questions of Mr Morgan and thanked him for his contribution.

(C) The Council last received a deputation from Mr Martin Wilson.

Mr Wilson stressed that multi-occupancy properties and rentals fulfilled a vital role in society and should not be restricted. He referred to Old Aberdeen Community Council's stance against HMOs and claimed that students seemed to be being blamed for all of society's ills which was ludicrous. There were approximately 1,000 HMOs in Aberdeen and very few of them were a problem, perhaps only 0.5%.

Mr Wilson highlighted that there was no lack of family houses in Aberdeen - there were currently 12 family houses for sale in Old Aberdeen and the immediate vicinity, and none of them were selling. He stated that HMOs did not drive families away and claimed that the attitude of Old Aberdeen Community Council was potentially a factor in driving families away. He emphasised that Old Aberdeen Community Council did not represent the views of the whole community and had misled the Council's Licensing Committee with regard to HMOs and the views of the community.

Mr Wilson stated that to prevent someone from living in a particular house was discrimination. He concluded that demographic changes were prevalent and that areas changed as a result - the trend in most cities was for families to move out of the city centre, they were not being pushed out of the city centre.

Members asked questions of Mr Wilson and thanked him for his contribution.

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(D) The Council had before it a report by the Interim Director of Communities, Housing and Infrastructure which advised of the response to the public consultation on the draft HMO Overprovision Policy and sought further instruction from Council.

The report recommended:-

that the Council -

- (a) note the responses received to the public consultation on the draft HMO Overprovision Policy;
- (b) note that it was not possible at the moment to assess suitably the need for HMOs in localities to an extent that would enable an Overprovision Policy to be properly formed under the Housing (Scotland) Act 2006; and
- (c) does not introduce an Overprovision Policy at this time.

The Council resolved:-

- (i) to approve the recommendations; and
- (ii) to instruct the Interim Director of Communities, Housing and Infrastructure in consultation with the Head of Legal and Democratic Services to work with the Convener of the Planning Development Management Committee and the Convener of the Licensing Committee to review the options available to facilitate mixed/balanced communities and report back to the Communities, Housing and Infrastructure Committee in January 2018.

CO-LEADERSHIP - CG/17/085

14. With reference to Article 12 of the minute of its meeting of 21 June 2017, the Council had before it a report by the Head of Legal and Democratic Services which responded to a joint notice of motion by Councillors Laing and Lumsden in terms of how the role of Leader of the Council could be carried out by Co-Leaders.

The report recommended:-

that the Council -

- (a) note that there was no requirement to change the previously agreed arrangement in respect of remuneration of members; and
- (b) approve the amendment of the Council's Standing Orders as set out in Appendix 1.

Councillor Flynn moved as a procedural motion, seconded by Councillor Jackie Dunbar:-

That the Council do not consider the report as it did not address the decision of Council.

On a division, there voted:-

For the procedural motion (20) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, Nicoll, Samarai, Sandy Stuart, Townson and Yuill.

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Against the procedural motion (23) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Hunt, Imrie, John, Laing, Lumsden, Macdonald, Avril MacKenzie, Malik, Mason MSP, Reynolds, Sellar, Jennifer Stewart and Wheeler.

Absent from the division (1) - Councillor McRae.

The Council resolved:-

to reject the procedural motion.

Councillor Laing moved, seconded by Councillor Reynolds:-

That the Council -

- (1) approve the amendment of the Council's Standing Orders as set out in Appendix 1 with immediate effect; and
- (2) appoint Councillor Lumsden as Co-Leader of Aberdeen City Council with immediate effect, at which point Councillor Laing would also be known as Co-Leader, noting that there was no requirement to change the previously agreed arrangement in respect of remuneration of members.

Councillor Flynn moved as an amendment, seconded by Councillor Jackie Dunbar:-

That the Council -

- (1) note the report;
- (2) do not agree that the rules under which Aberdeen City Council conducts its business should be changed to suit the political necessities of any political party or administration; and
- (3) therefore instructs officers to take no further action.

On a division, there voted:-

For the motion (23) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Hunt, Imrie, John, Laing, Lumsden, Macdonald, Avril MacKenzie, Malik, Mason MSP, Reynolds, Sellar, Jennifer Stewart and Wheeler.

For the amendment (17) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Jackie Dunbar, Flynn, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, Nicoll, Samarai, Sandy Stuart and Townson.

Declined to vote (3) - Councillors Delaney, Greig and Yuill.

Absent from the division (1) - Councillor McRae.

The Council further resolved:-

to adopt the motion.

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POLICY STATEMENT - OCE/17/017

15. The Council had before it a report by the Chief Executive which presented the Aberdeen City Council Conservative and Unionist Party, Aberdeen Labour and Independent Alliance Group Programme for Aberdeen City Council 2017-2022.

The report recommended:-

that the Council -

- (a) consider the Aberdeen City Council Conservative and Unionist Party, Aberdeen Labour and Independent Alliance Group Programme for Aberdeen City Council 2017-2022 and decide whether or not to agree it; and
- (b) in the event that the Programme is agreed, instruct the Chief Executive to review the Council's Strategic Business Plan in light of the commitments set out in the Programme and to report to the next meeting of the Council with a revised Strategic Business Plan.

Councillor Laing moved, seconded by Councillor Lumsden:-

That the Council -

- (1) agree Stronger Together - Prosperity for Aberdeen 2017-2022, the Aberdeen City Council Conservative and Unionist Party, Aberdeen Labour and Independent Alliance Group Programme for Aberdeen City Council 2017-2022; and
- (2) instruct the Chief Executive to review the Council's Strategic Business Plan in light of the commitments set out in the Programme and to report to the next meeting of the Council with a revised Strategic Business Plan.

Councillor Yuill moved as an amendment, seconded by Councillor Delaney:-

That the Council -

- (1) note the narrative on pages 8-10 of the policy statement;
- (2) agree the commitments on pages 11-16 of the policy statement;
- (3) further agree to:-
 - (a) deliver, with partners, 2,500 homes to rent by 2022 with the emphasis firmly on social housing;
 - (b) support the expansion of extra-curricular activities in Aberdeen's schools;
 - (c) seek to build closer links between our secondary schools, businesses, colleges and universities to improve connections and educational opportunities best suited to abilities and skills of our young people and adults returning to education;
 - (d) double the core grant funding Aberdeen's volunteer managed community centres receive from the Council from 2018/19, in recognition of the important role played in the life of local communities;
 - (e) work with the local community and others to secure the future of Hazlehead Swimming Pool;
 - (f) invest at least £5million annually in road and pavement repairs and resurfacing from 2018/19 onwards (more than doubling the 2017/18 budget) using the principle of right-first-time to improve the quality of repairs;

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- (g) support measures to encourage safe walking and cycling and commit itself to investing 10% of the Council's transport budgets in walking and cycling;
 - (h) commit to building a new bridge over the River Dee, just upstream from the existing Bridge of Dee, and, to accommodate the additional traffic which will be generated by forthcoming housing developments, the dualing of the Lang Stracht;
 - (i) support the objectives of Aberdeen and Grampian Chamber of Commerce's manifesto for the 2017 Council elections;
 - (j) maintain and strengthen policies which protect Aberdeen's green belt and green wedges and in particular seek to avoid the coalescence of distinct communities; and
- (4) instruct the Chief Executive to review the Council's Strategic Business Plan in light of the commitments set out in the Programme, as agreed above, and the additional commitments as set out in (3) above, and to report to the next meeting of the Council with a revised Strategic Business Plan.

Councillor Flynn moved as a further amendment, seconded by Councillor Jackie Dunbar:-

That the Council -

- (1) note the content of the report and policy document issued by the current Administration;
- (2) acknowledge the content of the SNP Manifesto 2017, upon which 19 SNP members were elected, and agree to it; and
- (3) instruct the Chief Executive to review the Council's Strategic Business Plan in light of the commitments outlined in the SNP Manifesto 2017 and to report to the next meeting of the Council with a revised Strategic Business Plan.

DECLARATION OF INTEREST

At this juncture, Councillor Cooke declared an interest by virtue of his membership of Aberdeen and Grampian Chamber of Commerce which had been referred to in Councillor Yuill's amendment. Councillor Cooke did not consider that the nature of his interest required him to leave the meeting.

The Lord Provost highlighted that the meeting was approaching four hours in length and proposed that Standing Order 37.2 be suspended to enable the meeting to continue.

The Council resolved:-

to suspend Standing Order 37.2 to enable the meeting to continue.

There being a motion and two amendments, the Council first divided between the two amendments.

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On a division, there voted:-

For the amendment by Councillor Yuill (3) - Councillors Delaney, Greig and Yuill.

For the amendment by Councillor Flynn (18) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Jackie Dunbar, Flynn, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Samarai, Sandy Stuart and Townson.

Declined to vote (23) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Hunt, Imrie, John, Laing, Lumsden, Macdonald, Avril MacKenzie, Malik, Mason MSP, Reynolds, Sellar, Jennifer Stewart and Wheeler.

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

On a division, there voted:-

For the motion (23) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Hunt, Imrie, John, Laing, Lumsden, Macdonald, Avril MacKenzie, Malik, Mason MSP, Reynolds, Sellar, Jennifer Stewart and Wheeler.

For the amendment by Councillor Flynn (18) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Jackie Dunbar, Flynn, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Samarai, Sandy Stuart and Townson.

Declined to vote (3) - Councillors Delaney, Greig and Yuill.

The Council further resolved:-

to adopt the motion.

CONVENTION OF SCOTTISH LOCAL AUTHORITIES (COSLA) - OCE/17/016

16. With reference to Article 16 of the minute of its meeting of 17 May 2017, the Council had before it a report by the Chief Executive which sought a decision as to whether the Council should re-join COSLA.

The report recommended:-

that the Council -

- (a) agree whether or not to re-join COSLA, and should the decision be to re-join:-
- (b) agree the five members to take the Council's places on the Convention; and
- (c) agree a Council nominee for each of the four COSLA Boards.

The Council resolved:-

- (i) to agree to re-join COSLA;
- (ii) to agree that 1 Conservative and Unionist, 1 Aberdeen Labour, 1 Independent Alliance, 1 SNP and 1 Liberal Democrat member shall take the Council's places on the Convention; and

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- (iii) to agree that the Council nominees for the four COSLA Boards are:-
- Children and Young People - Councillor Wheeler
 - Health and Social Care - Councillor Duncan
 - Environment and Economy - Councillor Donnelly
 - Community Wellbeing - Councillor Lesley Dunbar

COUNCIL TARGET OPERATING MODEL - OCE/17/015

17. The Council had before it a report by the Chief Executive which proposed a review of the way in which Council Services were managed and delivered, being the "Council's Operating Structure", and made recommendations for the implementation of a new system of management and delivery known as the "Target Operating Model".

The report recommended:-

that the Council -

(a) Target Operating Model

- (i) agree the realignment of the key functions of the Council for the proposed Target Operating Model as detailed in section 5 of Appendix A, namely:-
- Customer
 - Commissioning
 - Operations
 - Resource Management;
- (ii) note that a programme of engagement with stakeholders, both within and outwith the Council, including trades unions, ALEOs and other partners would be undertaken as the detail of the Target Operating Model was developed;

(b) Organisational Structure

- (i) agree the First Tier structure (i) for the Target Operating Model as proposed in section 5 of Appendix A, namely:-
- Director of Customer
 - Director of Commissioning
 - Chief Operating Officer
 - Director of Resources;
- (ii) agree the proposed job profile and salary for each Director post as proposed in Appendix B;
- (iii) noting that responsibilities had only been identified under each proposed Director post at this stage, instruct the Chief Executive to develop further the senior management structure and report to Council at its meeting in December 2017 with recommendations for proposed portfolios and posts as appropriate;
- (iv) agree the revised recruitment and selection process outlined in paragraph 5.5 of the report for the appointments to the Director posts, suspending Standing Order 47 (2014) as required, with a view to the posts being filled on a permanent basis by 1 April 2018;

(c) Transformational Portfolio

- (i) agree the Transformation Portfolio, set out in Appendix C to address the three objectives of delivering up to £125million of benefits realisation (or

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- savings) over five years (2018/19 to 2022/23); delivering the Council's digital strategy and delivering the Council's Target Operating Model by 2020/21;
- (ii) assuming agreement of (c)(i) above, agree the establishment of the Strategic Transformation Committee with the proposed Terms of Reference and membership detailed in Appendix D and delegate authority to that committee in terms of the same;
 - (iii) so as to facilitate (c)(ii) above, provide the Head of Legal and Democratic Services with delegated authority to update the Committee Orders of Reference, as he deems necessary, to provide for the establishment of the Strategic Transformation Committee and to set a timetable of monthly meetings for the Strategic Transformation Committee;
 - (iv) agree the establishment of a Transformation Fund through the release of £15million from the Council's reserves as outlined in paragraph 6.2 of the report and that its use be reported to the Finance, Policy and Resources Committee as part of the Council's financial statements each financial quarter;
 - (v) agree that the Council's reserves be restored as part of the future medium term financial strategy, as stated in paragraph 6.2 of the report, within a 5 year period;
- (d) Supporting Governance Framework
- (i) note the proposals for a supporting governance structure to underpin the Target Operating Model as outlined in section 6 of Appendix A;
 - (ii) instruct the Head of Legal and Democratic Services to report to the Council by its meeting in March 2018 seeking the necessary approvals for a governance framework to support the implementation of the Target Operating Model; this will include a Scheme of Governance setting out the Terms of Reference for the Council, its revised committees and sub-committees and appropriate delegations to officers within the revised structure and a revised Council diary for 2018/19; and
 - (iii) agree the distributive leadership principles set out in the Urban Governance discussion document within Appendix A and instruct the Chief Executive, the Council Leader and the Lord Provost, as the Council's senior executive, political and civic leaders to consult and engage with relevant stakeholders and partners, including Aberdeenshire Council, the UK Government and the Scottish Government with a view to the Chief Executive reporting back to the Council by its meeting in March 2018 with proposals in relation to:
 - co-ordinating Council civic, political and executive leadership structures;
 - establishing revised regional structures for discussion and interaction; and
 - developing partnership models with both governments and other stakeholders offering interaction at executive team level within the Council.

Councillor Laing moved, seconded by Councillor Lumsden:-

That the Council approve the recommendations contained within the report subject to the following changes:-

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- (b)(iv) agree the revised recruitment and selection process outlined in paragraph 5.5 of the report for the appointments to the Director posts, with a view to the posts being filled on a permanent basis by 1 April 2018, **on the basis that the final decision on appointments would be taken by an Appointment Panel, to be chaired by the Convener of the Finance, Policy and Resources Committee, comprising the members of the Strategic Transformation Committee in consultation with the Chief Executive;** and
- (c)(ii) agree the establishment of the Strategic Transformation Committee, **to be chaired by Councillor Laing**, with the proposed Terms of Reference and membership detailed in Appendix D and delegate authority to that committee in terms of same.

Councillor Flynn moved as an amendment, seconded by Councillor Greig:-

- (1) that the Council notes the content of the report and agrees that change is necessary within the organisation;
- (2) however, Council does not believe that the level of detail in the report provides the necessary assurances to members in relation to:-
 - (a) the structure of the organisation beyond a proposed Tier 1 team;
 - (b) how and where the £125million of savings over five years will be identified; and
 - (c) the level of information which will be afforded to elected members through a new committee structure to ensure that democratic oversight and scrutiny is improved;
- (3) furthermore, Council believes that:-
 - (a) the political and civic leadership roles should not be conflated as the role of Lord Provost should not be politicised;
 - (b) a Strategic Transformation Committee should not be formed due to the fact that it includes just Group Leaders and that all democratically elected members should be involved at Full Council meetings throughout the process, including through additional meetings of the Full Council if required;
 - (c) the appointment of any individual to the Council's Tier 1 or Tier 2 teams should only take place with the input of elected members through an appointment panel; and
 - (d) any new structure should include a senior post held by an educational professional with a specific remit for education; and
- (4) Council therefore instructs the Chief Executive, at the earliest opportunity, to provide a report to a meeting of the Full Council which addresses each of these points.

During the course of debate, Councillor Flynn had to leave the meeting due to personal circumstances. The Lord Provost stated that Councillor Greig, as seconder, would sum up for the amendment in the absence of Councillor Flynn.

On a division, there voted:-

For the motion (23) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Hunt, Imrie, John, Laing,

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Lumsden, Macdonald, Avril MacKenzie, Malik, Mason MSP, Reynolds, Sellar, Jennifer Stewart and Wheeler.

For the amendment (20) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Greig, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Samarai, Sandy Stuart, Townson and Yuill.

Absent from the division (1) - Councillor Flynn.

The Council resolved:-
to adopt the motion.

In terms of Standing Order 29.7, Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Greig, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Samarai, Sandy Stuart, Townson and Yuill intimated their dissent against the foregoing decision.

COMMITTEE GOVERNANCE - COUNCIL DIARY 2018 AND COMMITTEE CHANGES - CG/17/091

18. The Council had before it a report by the Head of Legal and Democratic Services which presented a proposed calendar of Council, Committee and Sub Committee meetings for January to March 2018 for approval, and proposed changes in respect of the Pensions Committee, Pensions Board and Communities, Housing and Infrastructure Committee.

The report recommended:-
that the Council -

- (a) approve the proposed calendar of meetings to March 2018 as set out in Appendix 1;
- (b) note that a new Committee structure was expected to be effective from 1 April 2018 and that a calendar of meetings for April to December 2018 would be reported to Council in December 2017;
- (c) approve the change of composition to the Pensions Committee as set out at paragraph 3.5 of the report;
- (d) agree that Councillor Jennifer Stewart replace Councillor Donnelly, the Depute Provost, as Convener of the Pensions Committee;
- (e) note that Councillor John would replace Councillor Hunt on the Communities, Housing and Infrastructure Committee;
- (f) agree that Councillor John replace Councillor Hunt as Vice Convener of the Communities, Housing and Infrastructure Committee; and
- (g) note that Councillor Donnelly would replace Councillor John as the Aberdeen City Council representative on the Pensions Board.

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Councillor Boulton moved, seconded by Councillor Houghton:-

That the Council -

- (1) approve the amended diary for the period to 31 March 2018 as appended;
- (2) note that this means that Council meetings would now be held on Mondays and agree to change the date of the Council meeting scheduled for 13 December 2017 to Monday 11 December 2017;
- (3) note that the Planning Development Management Committee (Visits) meetings would revert to Thursdays;
- (4) agree that Councillor Boulton replace Councillor Avril MacKenzie on the Board of Aberdeen Performing Arts; and
- (5) to approve recommendations (b), (c), (d), (e), (f) and (g) contained within the report.

Council Meeting, 23 August 2017

2018

JANUARY

2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
	1	2	3	4	5	6
7	8 <u>SCHOOL TERM STARTS</u>	9	10	11	12	13
14	15	16 Communities, Housing & Infrastructure Committee (2pm)	17	18 Planning Development Management Committee (10am)	19	20
21	22	23	24 Licensing Board (10.30am)	25 Planning Development Management Committee (Visits) (am) Education and Children's Services Committee (2pm)	26	27
28	29 Elected Members Development Day	30 Integration Joint Board (10am)	31			

Council Meeting, 23 August 2017

2018		FEBRUARY				2018	
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day	
				1 Finance, Policy & Resources Committee (2pm)	2	3	
4	5	6 Licensing Committee (10am)	7	8 Housing Cases Review Sub Committee (10am) Petitions Committee (2pm)	9	10	
11	12 MID TERM HOLIDAY	13 IN SERVICE HOLIDAY	14 IN SERVICE HOLIDAY	15 Planning Development Management Committee (10am)	16 Corporate Health & Safety Committee (10am)	17	
18	19 Council Budget (2pm)	20	21	22 Planning Development Management Committee (Visits) (am) Audit, Risk & Scrutiny Committee (2pm)	23	24	
25	26	27	28				

Council Meeting, 23 August 2017

2018

MARCH

2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
				1	2	3
4	5 Council (10.30am)	6 Integration Joint Board - Budget Meeting (10am)	7	8	9	10
11	12 Elected Members Development Day	13	14 Guildry & Mortification Funds Committee (11am)	15	16 Pensions Committee & Board (10.30am)	17
18	19	20 Licensing Board (10.30am)	21 SDPA (2pm)	22 Planning Development Management Committee (10am)	23	24
25	26	27	28	29 <u>SCHOOL TERM ENDS</u> Planning Development Management Committee (Visits) (am)	30 GOOD FRIDAY	31

Council Meeting, 23 August 2017

Councillor Nicoll moved as an amendment, seconded by Councillor Jackie Dunbar:-

That the Council -

- (1) approve recommendations (a), (b), (c) and (d) contained within the report;
- (2) does not believe that Councillor John is a fit and proper person to be appointed as Vice Convener of the Communities, Housing and Infrastructure Committee due to his apparent views expressed on social media that it was 'quite ridiculous that she had to resign for telling hard truths that some don't want to hear' in respect of a statement on social media that a Shadow Minister had been driven out of Shadow Minister job for apparently writing 'Britain has a problem with British Pakistani men raping white girls'; and
- (3) therefore agree that the Administration should appoint a different Vice Convener at the earliest possible opportunity.

Councillor Yuill moved as a further amendment, seconded by Councillor Greig:-

That the Council does not make any changes to the dates of Council meetings.

DECLARATION OF INTERESTS

At this juncture, Councillors Jackie Dunbar, Hutchison, Catriona MacKenzie and McRae declared interests as employees of Kevin Stewart MSP, who had been referred to in debate. None of the aforementioned Councillors considered that the nature of their interests required them to leave the meeting.

Councillor Samarai declared an interest as an employee of Mark McDonald MSP, who had been referred to in debate. Councillor Samarai did not consider that the nature of her interest required her to leave the meeting.

Prior to summing up, Councillor Yuill agreed to withdraw his amendment as the content was subsumed within the amendment by Councillor Nicoll.

On a division, there voted:-

For the motion (23) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Hunt, Imrie, John, Laing, Lumsden, Macdonald, Avril MacKenzie, Malik, Mason MSP, Reynolds, Sellar, Jennifer Stewart and Wheeler.

For the amendment by Councillor Nicoll (20) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Greig, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Samarai, Sandy Stuart, Townson and Yuill.

Absent from the division (1) - Councillor Flynn.

Council Meeting, 23 August 2017

The Council resolved:-

to adopt the motion.

GOVERNANCE REVIEW - UPDATE ON OUTSIDE BODIES POLICY - CG/17/083

19. With reference to Article 16 of the minute of its meeting of 21 June 2017, the Council had before it a report by the Head of Legal and Democratic Services which provided an update on items that had been raised in relation to the provision of indemnity by the Council for Elected Members on Outside Bodies; a review of the Outside Bodies that did not have insurance in place; and the Outside Bodies that had failed to respond to the original requests for information.

The report recommended:-

that the Council -

- (a) approve the draft Policy on the Appointment of Elected Members to Outside Bodies as set out at Appendix 1 to the report;
- (b) proceed with the appointments of Elected Members to the Outside Bodies as shaded in green in Appendix 2 to the report;
- (c) proceed with the appointments of Elected Members to the Outside Bodies shaded in orange in Appendix 2 to the report;
- (d) appoint Elected Members to the Outside Bodies shaded in green in Appendix 3 to the report; and
- (e) agree to make no appointments to the Outside Bodies shaded in red and blue in Appendix 3 to the report and note that these Outside Bodies would be removed from the Outside Bodies Register until they had provided information required as per the Policy on the Appointment of Elected Members to Outside Bodies.

The Council resolved:-

- (i) to approve recommendations (a), (b), (c) and (e); and
- (ii) to appoint the following Elected Members to the Outside Bodies shaded in green in Appendix 3 to the report:-
 - Enterprise North East Trust Ltd. - Councillor Reynolds
 - Governors of Oakbank School Trust - 5 Administration members and 4 Opposition members. Administration members - Councillors Allan, Boulton, Donnelly, Laing and Lumsden
 - Middlefield Community Project Management Committee - three local members (Councillors Jackie Dunbar, Graham and McRae)
 - Mitchell's Hospital Trust - 1 Administration member and 1 Opposition member. Administration member - Councillor Grant

GOVERNANCE REVIEW - TRUSTS UPDATE - CG/17/082

20. The Council had before it a report by the Head of Legal and Democratic Services which sought approval for the reorganisation of the Trusts outlined in the Trust Register in Appendix A; and outlined and sought approval for the ongoing work to review, wind

Council Meeting, 23 August 2017

up and/or amalgamate uneconomic or obsolete Trusts in the three phases outlined in the report.

The report recommended:-

that the Council -

- (a) acting in their capacity as trustees, instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to take the necessary legal actions to reorganise the City of Aberdeen Council Guildry and Mortification Funds (charity number SC011857);
- (b) acting in their capacity as trustees of the Bridge of Dee Trust (charity number SC021297) and Bridge of Don Fund (charity number SC018551), agree to wind up the Bridge of Dee Trust and amalgamate its funds with the Bridge of Don Fund, and instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to ensure that the necessary documentation was completed;
- (c) acting in their capacity as trustees of the Bridge of Don Fund, approve the making of a grant of £36,216 from the Bridge of Don Fund to Aberdeen City Council for use by Aberdeen City Archives, with the University of Aberdeen, for the transcription of late medieval burgh records project as detailed in Appendix B, and instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to ensure that the necessary documentation was implemented;
- (d) acting in their capacity as trustees of the Lands of Skene (charity number SC018533) and Lands of Torry (charity number SC021299), instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to take necessary legal actions to prepare constitutional documents for the Lands of Skene and Lands of Torry;
- (e) note the ongoing progress in winding up the Jack Wood Trust;
- (f) instruct the Head of Legal and Democratic Services following consultation with the Head of Finance, to investigate the various options for Phase 2 of the trust review which would involve the rationalisation of the Education Endowments Investment Fund (EEIF); and
- (g) instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to review the remaining Trusts on the trust register and bring the Phase 3 proposals on winding up or amalgamating these to Council.

DECLARATION OF INTEREST

At this juncture, Councillor Reynolds declared an interest as a previous member of the Grampian Japan Trust which he understood may not have been formally wound up. Councillor Reynolds did not consider that the nature of his interest required him to leave the meeting.

The Council resolved:-

- (i) to approve the recommendations; and
- (ii) to instruct the Head of Legal and Democratic Services to (a) recirculate Appendix A to members highlighting the 16 funds within the EEIF which had

Council Meeting, 23 August 2017

been registered as charities, however noting that these were identified as SC025063; and (b) check with Aberdeen City Archives whether they held any information on the Corporation Prize Fund and why it had not been used.

APPOINTMENT OF A CHAIRPERSON TO THE SPORT ABERDEEN BOARD - CG/17/092

21. The Council had before it a report by the Head of Legal and Democratic Services which advised of the resignation of Mr Fred Dalgarno as the Chairperson of Sport Aberdeen and requested approval of the appointment of his replacement.

The report recommended:-

that the Council -

- (a) note the resignation of Mr Fred Dalgarno as a Director and Chairperson of the Sport Aberdeen Board; and
- (b) approve the appointment of Mr Colin Taylor as the new Chairperson of Sport Aberdeen.

The Council resolved:-

- (i) to approve the recommendations; and
- (ii) to pay tribute to Mr Dalgarno for the work he had carried out in relation to Sport Aberdeen.

AUDIT, RISK AND SCRUTINY COMMITTEE ANNUAL REPORT - OCE/17/007

22. With reference to Article 10 of the minute of meeting of the Audit, Risk and Scrutiny Committee of 27 June 2017, the Council had before it, by way of remit, a report by the Chief Executive which presented the annual report of the Audit, Risk and Scrutiny Committee.

The report recommended:-

that the Audit, Risk and Scrutiny Committee -

- (a) approve the annual report; and
- (b) refer the report to the Council for their consideration.

The Audit, Risk and Scrutiny Committee had, amongst other things, approved the recommendations contained within the report.

The Council resolved:-

to note the annual report of the Audit, Risk and Scrutiny Committee.

TREASURY MANAGEMENT POLICY AND STRATEGY - CG/17/047

23. With reference to Article 14 of the minute of meeting of the Finance, Policy and Resources Committee of 29 June 2017, the Council had before it, by way of remit, a

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report by the Head of Finance which provided an update on Treasury Management activities undertaken during financial year 2016/17.

The report recommended:-

that the Finance, Policy and Resources Committee -

- (a) consider and note the Treasury Management activities undertaken in the 2016/17 financial year as detailed in the report; and
- (b) refer the report to Council with a recommendation to note the Treasury Management activities undertaken in the 2016/17 financial year.

The Finance, Policy and Resources Committee had approved the recommendations.

The Council resolved:-

to note the Treasury Management activities undertaken in the 2016/17 financial year.

DECLARATION OF INTEREST

With reference to Article 5 of this minute, Councillor Jackie Dunbar left the meeting prior to consideration of the following item of business.

COUNCIL FINANCIAL PERFORMANCE - QUARTER 1, 2017/18 - CG/17/084

24. The Council had before it a report by the Head of Finance which provided the financial position of the Council as at quarter 1 (April - June 2017) and the full year forecast position for the financial year 2017/18.

The report recommended:-

that the Council -

- (a) note the following:-
 - (1) General Fund and HRA financial performance as detailed in Appendix 1;
 - (2) Common Good financial performance as detailed in Appendix 3;
 - (3) General Fund forecast revenue position as detailed in Appendix 2;
 - (4) HRA forecast revenue position as detailed in Appendix 2;
 - (5) General Fund five year capital position as detailed in Appendix 2;
 - (6) HRA forecast capital position as detailed in Appendix 2;
 - (7) Common Good forecast revenue position as detailed in Appendix 1; and
- (b) approve the following, further details of which are provided in Appendix 2:
 - General Fund Revenue
 - (1) the allocation of £130,000 from the Contingency budget to fund additional resources to respond to the Scottish Child Abuse Inquiry;
 - (2) the allocation of £50,000, initially from the Contingency budget, to fund the reburial of human remains at Mither Kirk on the understanding that other sources of funding would be investigated and if identified used to reimburse the General Fund;
 - (3) further to the confirmation by Council on 29 June 2017 of its commitment to the project, to agree to the use of the "De-Risk the Council" earmarked reserve to provide a £2million loan to Aberdeen Performing Arts for the

Council Meeting, 23 August 2017

- redevelopment of the Music Hall and delegate authority to the Head of Legal and Democratic Services in consultation with the Head of Finance to agree the terms of the loan and associated legal agreements;
- (4) to instruct the Head of Finance to work with Services, using his influence as appropriate, to ensure the budget position agreed by Council was adhered to;

General Fund Capital

- (5) the inclusion of the JIVE (Joint Initiative for Hydrogen Vehicles across Europe) project in the programme with the current provisional figures, Gross Expenditure £7.2million, Gross Income £4.7million and Net Expenditure £2.5million to be funded by borrowing;
- (6) further to the agreement in principle by Council on 21 June 2017 to purchase Kingsmead Nursing Home, to agree the inclusion of the acquisition in the programme with delegated authority provided to the Head of Land and Property Assets in consultation with the Convener of Finance, Policy and Resources, the Head of Finance and the Head of Legal and Democratic Services to negotiate and conclude the purchase of the property;
- (7) further to the report to the Audit, Risk and Scrutiny Committee on 27 June 2017 on Capital Programme Governance and the actions contained therein, to provide delegated authority to the Interim Director of Communities, Housing and Infrastructure, in consultation with the Head of Finance, the Head of Legal and Democratic Services and the Convener of Finance, Policy and Resources to allocate funds for Project Management and Other costs from the Construction Inflation budget;

Common Good

- (8) the allocation of £20,000 funding to Celebrate Aberdeen;
- (9) the allocation of £2,000 funding from the International Twinning budget to the Aberdeen History Society;
- (10) the allocation of £56,000 for the Denis Law Freedom of the City event; and
- (11) the allocation of up to £1million capital funding for the proposed redevelopment of Aberdeen Science Centre, to be phased over financial years 2018/19 and 2019/20, with this being subject to the exploration of other funding sources thereby reducing the amount required from the Council, and with delegated authority to the Head of Legal and Democratic Services, in consultation with the Head of Finance to agree the terms associated with the funding.

The Council resolved:-

- (i) to approve the recommendations; and
- (ii) to request the Head of Finance to clarify the difference between the developer contributions of £11.7million referred to on page 213 of the report and developer contributions of £18.393million referred to on page 219 of the report and respond to Councillor Nicoll accordingly.

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RECRUITMENT TO ABERDEEN ECONOMIC POLICY PANEL - CHI/17/199

25. With reference to Article 22 of the minute of its meeting of 15 March 2017, the Council had before it a report by the Interim Director of Communities, Housing and Infrastructure which sought approval to appoint three members to the Aberdeen Economic Policy Panel and advised of the Panel's immediate working priorities.

The report recommended:-

that the Council approve the appointment of the three preferred candidates to the Panel as outlined in the report and note the immediate working priorities of the Panel.

Councillor Laing moved, seconded by Councillor Boulton:-

That the Council -

- (1) approve the recommendation contained within the report; and
- (2) agree that the Panel's annual economic report be forwarded to the Scottish Government Council of Economic Advisors who advise Ministers on how best to position Scotland amongst the world's most competitive economies, for information purposes.

Councillor Nicoll moved as an amendment, seconded by Councillor Jackie Dunbar:-

That the Council -

- (1) note the content of the report; and
- (2) instruct officers to take no further action meantime and instruct the Chief Executive to provide an alternative solution, possibly to include one which does not involve the remuneration of panel members to the meeting of Full Council on 11 October 2017.

On a division, there voted:-

For the motion (23) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Hunt, Imrie, John, Laing, Lumsden, Macdonald, Avril MacKenzie, Malik, Mason MSP, Reynolds, Sellar, Jennifer Stewart and Wheeler.

For the amendment (18) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Samarai, Sandy Stuart and Townson.

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

Absent from the division (1) - Councillor Flynn.

The Council resolved:-

to adopt the motion.

Council Meeting, 23 August 2017

DECLARATION OF INTERESTS

In accordance with Article 5 of this minute, Councillors Boulton, Delaney and Macdonald left the meeting prior to consideration of the following item of business.

UPDATE ON NEGOTIATIONS WITH PLACES FOR PEOPLE (SHAPING ABERDEEN HOUSING LLP APPROVED BUSINESS PLAN) - CHI/16/326

26. With reference to Article 36 of the minute of its meeting of 15 March 2017, the Council had before it a report by the Interim Director of Communities, Housing and Infrastructure regarding the delivery of 1,000 affordable homes and the mechanism by which this could be achieved.

The report recommended:-

that the Council approve the further 103 affordable homes in addition to the 897 proposed within the Shaping Aberdeen Housing LLP Business Plan reported to and approved by Council on 15 March 2017, and the mechanism of how this would be achieved.

The Council resolved:-

to approve the recommendation.

WELFARE REFORM - CHI/17/198

27. With reference to Article 9 of the minute of its meeting of 21 June 2017, the Council had before it a report by the Interim Director of Communities, Housing and Infrastructure which provided an update on Welfare Reform.

The report recommended:-

that the Council -

- (a) note the update on Welfare Reform including the current position regarding Universal Credit and the Scottish Welfare Fund; and
- (b) note the information regarding the Social Security (Scotland) Bill being considered by the Scottish Parliament currently and this would be monitored by officers and the Welfare Matters Programme Board with further reports on this and devolved social security powers being provided as appropriate for future committees.

Councillor Lumsden moved, seconded by Councillor Graham:-

That the Council -

- (1) approve the recommendations contained within the report;
- (2) instruct the Chief Executive to write to the Secretary of State for Work and Pensions forwarding a copy of the report and the Council's anti-poverty strategy "towards a fairer Aberdeen that prospers for all" seeking clarity from the Secretary of State on how best the Council can help the most vulnerable in society who are struggling as a result of Welfare Reform;

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- (3) agree that the introduction of the 2016 Scotland Act provides the Scottish Government with wide ranging powers in relation to devolved welfare benefits;
- (4) note with huge disappointment that the SNP Government has asked the UK Government to retain control over certain benefits until 2020, effectively delaying the full transfer of welfare powers; and
- (5) instruct the Chief Executive to write to the Scottish Government's Social Security Minister Jeane Freeman forwarding a copy of the report and the Council's anti-poverty strategy "towards a fairer Aberdeen that prospers for all" seeking clarity from the Minister around points 3.3.3, 3.4.3 and 3.4.4 in the report, specifically around what mitigation and help, if any, the Scottish Government intend to provide to claimants now that the Scottish Government has devolved powers over Welfare Reform.

Councillor Jackie Dunbar moved as an amendment, seconded by Nicoll:-

That the Council -

- (1) approve the recommendations contained within the report; and
- (2) agree that due to the beneficiaries having to wait a minimum of six weeks for their first Universal Credit Payment, that this Council gives them assurances that (a) while their application is being processed that this Council will not actively pursue them for any rent or Council Tax arrears; and (b) instead the Council will use this time to actively support them and work with them to put in place manageable measures to address those arrears.

Councillor Yuill moved as a further amendment, seconded by Councillor Greig:-

That the Council approve a combined version of the motion and the amendment.

During the course of summing up, Councillor Lumsden agreed to incorporate Councillor Jackie Dunbar's amendment into his motion. As a result, Councillor Yuill agreed to withdraw his amendment.

On a division, there voted:-

For the motion (26) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Delaney, Lesley Dunbar, Duncan, Graham, Grant, Greig, Houghton, Hunt, Imrie, John, Laing, Lumsden, Macdonald, Avril MacKenzie, Malik, Mason MSP, Reynolds, Sellar, Jennifer Stewart, Wheeler and Yuill.

For the amendment by Councillor Jackie Dunbar (18) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Jackie Dunbar, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Samarai, Sandy Stuart and Townson.

Absent from the division (1) - Councillor Flynn.

The Council resolved:-

to adopt the motion as follows:-

- (i) to approve the recommendations contained within the report;

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- (ii) to instruct the Chief Executive to write to the Secretary of State for Work and Pensions forwarding a copy of the report and the Council's anti-poverty strategy "towards a fairer Aberdeen that prospers for all" seeking clarity from the Secretary of State on how best the Council can help the most vulnerable in society who are struggling as a result of Welfare Reform;
- (iii) to agree that the introduction of the 2016 Scotland Act provides the Scottish Government with wide ranging powers in relation to devolved welfare benefits;
- (iv) to note with huge disappointment that the SNP Government has asked the UK Government to retain control over certain benefits until 2020, effectively delaying the full transfer of welfare powers;
- (v) to instruct the Chief Executive to write to the Scottish Government's Social Security Minister Jeane Freeman forwarding a copy of the report and the Council's anti-poverty strategy "towards a fairer Aberdeen that prospers for all" seeking clarity from the Minister around points 3.3.3, 3.4.3 and 3.4.4 in the report, specifically around what mitigation and help, if any, the Scottish Government intend to provide to claimants now that the Scottish Government has devolved powers over Welfare Reform; and
- (vi) to agree that due to the beneficiaries having to wait a minimum of six weeks for their first Universal Credit Payment, that this Council gives them assurances that (a) while their application is being processed that this Council will not actively pursue them for any rent or Council Tax arrears; and (b) instead the Council will use this time to actively support them and work with them to put in place manageable measures to address those arrears.

CORPORATE PARENTING: ANNUAL UPDATE 2016-17 - ECS/17/040

28. The Council had before it a report by the Director of Education and Children's Services which provided an annual update on the progress of the implementation of the Corporate Parenting responsibility under Part 9 of the Children and Young People (Scotland) Act 2014 for the benefit of care experienced children and young people.

The report recommended:-

that the Council -

- (a) agree that all Councillors should commit to attending a corporate parenting training session within the next twelve months;
- (b) note the Action Plan for the development of the Champions Board;
- (c) instruct the Lead Officer for Corporate Parenting to report back to Council in 2018 - this would ensure that all Councillors have a broad overview of the activities undertaken to ensure Aberdeen City Council is meeting its Corporate Parenting responsibilities ahead of the first report due to the Scottish Government; and
- (d) agree to continue to promote the corporate parenting agenda in Council business by raising awareness of the issues affecting care experienced young people and encouraging sustainable change for the benefit of our care experienced young people in the city.

The Council resolved:-

to approve the recommendations.

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BIG NOISE TORRY EVALUATION REPORT BY GLASGOW CENTRE FOR POPULATION HEALTH - ECS/17/039

29. With reference to Article 15 of the minute of its meeting of 24 June 2015, the Council had before it a report by the Director of Education and Children's Services which provided a summary of the newly published evaluation report on the social and health impacts of Sistema Scotland's Big Noise programme in Torry by the Glasgow Centre for Population Health (GCPH).

The report recommended:-

that the Council -

- (a) note the content of the report for information and assurance;
- (b) endorse the conclusions determined by GCPH on the analysis of the evaluation; and
- (c) agree that future Big Noise Torry progress be reported within a service update.

The Council resolved:-

to approve the recommendations.

DECLARATION OF INTEREST

In accordance with Article 5 of this minute, Councillor Duncan left the meeting prior to consideration of the following item of business.

UNISON ETHICAL CARE CHARTER - HSCP/17/079

30. With reference to Article 9 of the minute of its meeting of 6 October 2016, the Council had before it a report by the Chief Officer for the Aberdeen Health and Social Care Partnership which provided an update on progress with the scoping and planning for the implementation of UNISON's Ethical Care Charter.

The report recommended:-

that the Council note the ongoing and planned work in relation to the implementation of the Ethical Care Charter.

The Council resolved:-

to approve the recommendation.

The Lord Provost 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 Council to consider the matter without delay, however noted that Councillor Hutchison had submitted the notice of motion timeously in accordance with Standing Order 11.2.

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NOTICE OF MOTION BY COUNCILLOR HUTCHISON

31. The Council had before it the following notice of motion by Councillor Hutchison:-

“Council notes that a barrier to the lane between 42 and 44/48 King’s Crescent has been erected since late 2015 and that this was done without permission of the Council who are the land owners.

Council instructs the Interim Director of Communities, Housing and Infrastructure:-

- (1) that no attempt should be made to sell the lane between 42 and 44/48 King’s Crescent;
- (2) that proceedings to have the barrier removed from the lane should be commenced; and
- (3) that a report should be brought forward to the relevant committee on the possibility of this lane being adopted into the public road network or other options to improve the lane to an ‘adoptable’ standard.”

The Council resolved:-

to approve the notice of motion.

In accordance with the decision recorded under Article 4 of this minute, the following item was considered with the press and public excluded.

COMPLAINTS REVIEW COMMITTEE - 31 MAY AND 13 JULY 2017 - CG/17/081

32. The Council had before it a report by the Head of Legal and Democratic Services which presented the recommendations and minutes from the Social Work Complaints Review Committee meetings of 31 May and 13 July 2017.

The report recommended:-

that the Council approve the recommendations and note the minutes of the Social Work Complaints Review Committee meetings of 31 May and 13 July 2017.

The Council resolved:-

to approve the recommendation.

- BARNEY CROCKETT, Lord Provost.