

FINANCE, POLICY AND RESOURCES COMMITTEE

ABERDEEN, 20 September 2017. Minute of Meeting of the FINANCE, POLICY AND RESOURCES COMMITTEE. Present:- Councillor Lumsden, Convener; Councillor Graham, Vice-Convener; and Councillors Allard, Cameron, Councillor Donnelly, the Depute Provost, Jackie Dunbar, Flynn, Grant, Greig (as substitute for Councillor Yuill), Houghton, Hutchison (as substitute for Councillor Flynn from articles 37 to 39), Macdonald, Catriona MacKenzie, Nicoll, Reynolds, Sellar, Townson and Wheeler.

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

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=146&MId=5875&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.

DETERMINATION OF URGENT BUSINESS

1. The Convener had determined that the following item of business be considered as a matter of urgency in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973:-

- Item 10.14 – Disposal of Nelson Street Pavilion and Playing Fields.

The Committee resolved:-
to concur with the Convener.

DETERMINATION OF EXEMPT BUSINESS

2. The Convener proposed that the Committee consider items 10.2 (Management of Gaps in the Public Transport Network – Exempt Appendix), 10.3 (School and Social Work Transport Framework Agreement Extension – Exempt Appendix 1), 10.4 (Condition and Suitability 3 Year programme – Exempt Appendices), 10.5 (Proposed Purchase – Ground at Wellington Road – Exempt Appendix), 10.6 (Development of Service Level Agreements (Equalities)), 10.7 (Request for Approval of Expenditure for Wines, Beers and Spirits Tender – Beach Ballroom), 10.8 (Elections Services Tender), 10.9 (Hillhead of Pitfodells – Proposed Sale of Farm House – Redevelopment of Derelict Farm Building), 10.10 (Lands of Skene, Surplus Houses), 10.11 (Jessiefield Farm), 10.12 (Request for Rates Relief (Hardship)), 10.13 (Aberdeen exhibition and Conference centre – Financial Update and Anaerobic Digestion Gas to Grid Plant Construction Contractor Procurement), 10.14 (Disposal of Nelson Street Pavilion and Playing Fields), 10.15 (Mitigation of Risks for New Domestic Gas Servicing and maintenance Contract), 10.16 (Pinewood Hazledene Sales Update) and 10.17 (Hydrogen and Electro Mobility in European Regions) with the press and public excluded.

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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 10.2 of the agenda (article 30 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 30 (paragraphs 8 and 10), articles 31, 32, 35 and 36 (paragraph 8), article 33 (paragraphs 6, 9 and 12), article 34 (paragraph 10), article 37 (paragraphs 6, 8, 9 and 10), articles 38, 39, 42, 43 and 44 (paragraphs 6 and 9), articles 40 and 45 (paragraph 6) and article 41 (paragraphs 6, 9 and 10).

DECLARATIONS OF INTEREST

3. Members were requested to intimate any declarations of interest in respect of the items on today's agenda, thereafter, the following declarations of interest were intimated:-

- (1) Councillor Grant declared an interest in item 9.8 (Wallace Tower, Tillydrone Road) by virtue of his position as Chairman of Tillydrone Community Development Trust, he considered that the nature of his interest required him to leave the meeting and he took no part in the Committee's deliberations thereon; and
- (2) Councillor Jackie Dunbar declared an interest in item 9.11 (Middlefield/Northfield Place-Making (2nd Report)) by virtue of her being a resident of Middlefield living very near to the proposed paths, she considered that the nature of her interest did not require her to leave the meeting.

REQUESTS FOR DEPUTATION

4. The Committee were advised that two requests for deputation had been received from Steve Keenon and Aqeel Ajazi (The Alhikmah Foundation SCIO) relating to item 10.14 (Disposal of Nelson Street Pavilion and Playing Fields), article 42 of this minute refers, the latter of which failed to comply with the requirement to submit the request to the Clerk at least two full working days before the meeting (Standing Order 13.1 relates).

The Committee resolved:-

in terms of Standing Order 13.5.6, to reject both requests for deputation on the basis that they were not competent as they fall into the category of deputations which related to matters that had alternative procedures for representation.

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MINUTE OF PREVIOUS MEETING OF 29 JUNE 2017

5. The Committee had before it the minute of its previous meeting of 29 June 2017, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE BUSINESS STATEMENT

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

The Committee resolved:-

- (i) to remove item 1 (Suzunoya Project), item 8 (Wallace Tower, Tillydrone), item 10 (Art Gallery Redevelopment Fundraising), item 15 (Purchase of Ground at Wellington Road), item 16 (Economic Policy Panel), item 21 (Tall Ships Race), item 22 (Middlefield/Northfield – Travel Routes), item 26 (Development of service Level Agreements (Equalities)), item 28 (Bus Service Options), item 29 (Aberdeen City – Residential Nursing Home Provision) and item 32 (Nelson Street Pavilion);
- (ii) in relation to item 4 (Report on Lease Issues with ALEO's – His Majesty's Theatre Roof Repair), to retain this on the statement until such time a report is submitted to the Committee for consideration;
- (iii) to transfer item 12 (Review of Bookings and Lettings Procedures in Schools and Learning Centres) and item 31 (Joint Venture Proposal with Hunchbuzz) to the Strategic Transformation Committee Business Statement;
- (iv) to transfer item 17 (Union Terrace Gardens) to the Council Business Statement; and
- (v) in relation to item 31 (Joint Venture Proposal with Hunchbuzz), to agree that officers organise a presentation/workshop for all members of the Council.

MOTIONS LIST

7. The Committee had before it the Motions List prepared by the Head of Legal and Democratic Services.

The Committee resolved:-

to note the Motions List.

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TRACKER

8. The Committee had before it the Report Tracker containing future committee business.

The Committee resolved:-

- (i) to note that a report relating to Victoria Road School which had been scheduled to be included within the agenda for today's meeting would now be submitted to the next meeting of the Committee; and
- (ii) to otherwise note the information contained within the Report Tracker.

STATUTORY PERFORMANCE INDICATORS 2016/17 - CG/17/104

9. The Committee had before it a report by the Head of Finance which presented the 2016/17 outturn for the Council's Statutory Performance Indicators (SPI).

The report recommended:-

that the Committee -

- (a) note the performance against the indicators identified in the report; and
- (b) agree that the SPI outturn performance for 2016/17 be published on the Council's website as part of our Public Performance Reporting arrangements.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) that if possible, to include benchmarking data against other comparable Scottish local authorities within the document.

CORPORATE GOVERNANCE FINANCIAL PERFORMANCE - QUARTER 1, 2017/18 - CG/17/100

10. With reference to article 10 of the minute of the previous meeting of 29 June 2017, the Committee had before it a report by the Head of Finance which outlined the forecast position of Corporate Governance for the financial year 2017/18 for both revenue and capital accounts.

The report recommended:-

that the Committee note the Corporate Governance forecast revenue and capital position as detailed in Appendix 1.

The Committee resolved:-

to approve the recommendation.

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CORPORATE GOVERNANCE SERVICE OUTCOME IMPROVEMENT REPORT - CG/17/097

11. With reference to article 15 of the minute of the previous meeting of 29 June 2017, the Committee had before it a report by the Head of Finance which outlined key performance information for the Corporate Governance service and how it related to strategic priorities.

The report recommended:-

that the Committee note the Service Outcome Improvement Report for the Corporate Governance Directorate and the information contained therein.

The Committee resolved:-

- (i) to instruct officers to identify the type of frequent queries that the Ask HR team were receiving from staff and to circulate details to all members of the Committee; and
- (ii) to otherwise approve the recommendation.

LIVING WAGE ACCREDITATION - PROGRESS REPORT - CG/17/105

12. The Committee had before it a report by the Head of Finance which provided an update on the Council's application for accreditation as a Living Wage employer and sought approval for an increase in the pre-parity rate for all framework agency workers.

The report recommended:-

that the Committee -

- (a) approve an increase in the pre-parity rate for all framework agency workers to at least the Living Wage figure for the year (currently £8.45); and
- (b) note the progress of the Council's application for accreditation as a Living Wage employer.

The Committee resolved:-

to approve the recommendations.

CORPORATE INFORMATION & ICT ACCEPTABLE USE POLICY - CG/17/101

13. The Committee had before it a report by the Head of Finance which sought approval of a new consolidated Corporate Information Policy and a revised Corporate ICT Acceptable Use Policy.

The report recommended:-

that the Committee -

- (a) note the information contained within the report;

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- (b) approve the new consolidated Corporate Information Policy, as outlined at section 3.1 to 3.4, and at Appendix 1 of the report ;
- (c) approve the revised Corporate ICT Acceptable Use Policy, as outlined at sections 3.5 and 3.6, and at Appendix 2 of the report; and
- (d) delegate authority to the Council's Senior Information Risk owner to (1) approve any new or revised procedures required to support the above policies; and (2) make minor amendments to the above policies.

The Committee resolved:-

- (i) to approve recommendations (a) to (c);
- (ii) to note that ICT Account Access Procedure referenced in Appendix 2, section 4.7 is not attached and will come to the next meeting of the Committee on 30 November 2017, for approval as part of a wider ICT Protective Monitoring Policy;
- (iii) to delegate authority to the Council's Senior Information Risk owner to make minor amendments to the above policies;
- (iv) to delegate authority to the Council's Senior Information Risk owner to approve any new or revised operational practices and procedures required to support the above Policies following consultation with the Convener and Vice Convener of Finance Policy and Resources Committee; and
- (v) that any minor amendments to policies be included in a Service Update.

ACC COMMUNICATIONS POLICY 2017 - OCE/17/018

14. With reference to article 18 of the minute of its meeting of 3 December 2015, the Committee had before it a report by the Chief Executive which sought approval for the implementation of the updated Aberdeen City Council Communications Policy.

The report recommended:-

that the Committee approve the policy for implementation as attached at Appendix 1 of the report.

The Committee resolved:-

- (i) to approve the recommendation, subject to replacing the word 'most' to 'all' at paragraph 4.1.7; and
- (ii) to request that all future press releases be circulated to all members of the Council.

TALL SHIPS - CHI/17/128

15. With reference to article 27 of the minute of its meeting of 9 March 2017, the Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which responded to a previous instruction to work on a potential bid for the Tall Ships Race in Aberdeen in 2022.

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The report recommended:-

that the Committee -

- (a) note the content of this report;
- (b) agree that a bid for the Tall Ships Race in 2022 is not viable and therefore agree that the development of a formal business case and allocation of associated resources be postponed; and
- (c) instruct officers to continue to explore options for a future bid for the Tall Ships Race and/or an appropriate maritime event following wider consultation with Aberdeen Harbour and city/regional partners. Where appropriate, this would align to any future City of Culture bid.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) that officers provide information to Councillor Flynn on whether there was any consultation undertaken with the Harbour Board prior to the decision taken at the meeting in March 2017.

TWINNING AND INTERNATIONAL PARTNERSHIPS - CHI/17/217

16. With reference to article 31 of the minute of its meeting of 9 March 2017, the Committee had before it a report by the Interim Director of Communities, Housing and Infrastructure which presented applications received for financial assistance from the International Twinning Budget 2017-18.

The report recommended:-

that the Committee -

- (a) approve a contribution of £2,280 towards 3 staff members from Education & Children's Services travelling to Clermont – Ferrand, 19 – 22 November 2017;
- (b) approve a contribution of £4,002.50 to support the visit to Kincorth Academy of staff and students from Albert – Magnus Gymnasium, Regensburg in October 2017; and
- (c) approve a contribution of £150 towards a Lecturer in Contemporary Art Practice at Gray's School of Art (photography specialist) travelling to the 2nd Symposium of Contemporary Photography in Regensburg, 26 – 28 October 2017.

The Committee resolved:-

to approve the recommendations.

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CROWDFUND ABERDEEN - CHI/17/213

17. With reference to article 38 of the minute of meeting of the Communities, Housing and Infrastructure Committee of 25 August 2016, the Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which outlined the potential leverage and sought approval to commit £10,000 to Crowdfund Aberdeen from the existing Economic Development Service Project Development budget. The report also sought approval of the process to pledge this funding onto projects which were supported.

The report recommended:-

that the Committee -

- (a) approve the commitment of £10,000 from the existing Economic Development Service Project Development budget to Crowdfund Aberdeen. Any additional funding will be subject to the Council forecast out-turn delivering a balanced budget for the year. If this is not the case then this item may be refer to the budget process;
- (b) approve the proposed pledging process as outlined in the report; and
- (c) delegate authority to the Head of Economic Development, to approve the pledge of funding to individual projects.

The Committee resolved:-

to approve the recommendations.

POLICY PROHIBITING BALLOON AND LANTERN RELEASES - CHI/17/173

18. The Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which highlighted the risks and consequences of uncontrolled release of items, including balloons and lanterns, on the economy and environment and sought approval for a policy prohibiting the practice from activities associated with Aberdeen City Council.

The report recommended:-

that the Committee -

- (a) approve the Council policy (Appendix 1 to the report) prohibiting the intentional, uncontrolled release of balloons, lanterns and other items from Council property, by Council staff and at events endorsed or supported by the Council, including those on non-Council property; and
- (b) instruct the Head of Planning and Sustainable Development to raise awareness across the Council of the economic and environmental risks and consequences of such releases and promote alternatives.

The Committee resolved:-

to approve the recommendations.

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WALLACE TOWER, TILLYDRONE ROAD - CHI/17/220

19. With reference to article 10 of the minute of meeting of the Property Sub Committee of 17 November 2015, the Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which provided an update on the efforts of the Tillydrone Community Development Trust (TCDT) to source external funding support to return the Wallace Tower building to community use and suggested other options open to the Council.

The report recommended:-

that the Committee -

- (a) note the report summary of the efforts of TCDT to source external grant funding support to bring the property back into community use as part of a wider redevelopment of the complete area;
- (b) remit it to the Head of Land & Property Assets to re-advertise the property, for sale or lease (subject to court approval, detailed in the Legal Implications section below), for any use capable of getting planning permission, on the basis that any prospective purchaser or tenant must demonstrate that their proposed development scheme is fully funded; and
- (c) remit it to the Head of Land & Property Assets to report back to a future meeting of this Committee on all offers received, including any proposal by TCDT.

The Committee resolved:-

to approve the recommendations.

**TOWARDS A FAIRER ABERDEEN THAT PROSPERS FOR ALL 2017 - 2020
(HEALTH AND WELLBEING) - CHI/17/098**

20. With reference to article 7 of the minute of its meeting of 9 March 2017, the Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which sought approval of an additional theme for tackling poverty and further proposals relating to the structure for overseeing the implementation of agreed actions and future engagement with individuals and groups who are experiencing poverty.

The report recommended:-

that the Committee -

- (a) approve the list of lead Directors and Heads of Service (Appendix 1 of the report) who will progress the priorities and actions and report to Council as appropriate;
- (b) note that a further report on the governance and, performance and management for tackling poverty and inequality linked to the Community Planning Partnerships Local Outcome Improvement framework will be reported to Committee in November 2017;

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- (c) approve the additional priorities and actions under Health and Wellbeing for inclusion in “Towards a Fairer Aberdeen That Prospers for All 2017- 2020” as detailed in Appendix 2 (see theme 11 Health and Wellbeing); and
- (d) agree that the Head of Communities and Housing report back on the consultation results and proposed implementation of the Scottish Government’s Socio-economic duty early in 2018 once the Socio- Economic duty has been passed by the Scottish Parliament, and that this report also includes options on how ongoing engagement with individuals and groups experiencing poverty will be progressed.

The Committee resolved:-

- (i) to approve recommendations (b), (c) and (d); and
- (ii) in relation to (a) above, to approve appendix 1 which outlined who would progress the priorities and actions subject to amending it so that it identifies a single lead officer as the responsible contact and report to Council as appropriate.

PUBLIC BODIES DUTIES CLIMATE CHANGE REPORT 2016/2017 - CHI/17/144

21. The Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which sought approval of the mandatory Public Bodies Duties Climate Change report submission to the Scottish Government to ensure compliance with the requirements of Part 4 of the Climate Change (Scotland) Act 2009.

The report recommended:-

that the Committee -

- (a) approve the submission of the Public Bodies Duties Climate Change Report as set out within the appendices to Scottish Government;
- (b) authorise the Chief Executive to sign off the submission; and
- (c) instruct the Interim Head of Planning and Sustainable Development to report back to this Committee in early 2018 with an action plan to improve performance and reporting.

The Committee resolved:-

to approve the recommendations.

MIDDLEFIELD/NORTHFIELD PLACE-MAKING (2ND REPORT) - CHI/17/008

22. With reference to article 40 of the minute of its meeting of 9 March 2017, the Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which provided information on the instruction to report back to Committee should Sustrans make a provisional grant offer in relation to travel routes in and around Heathryfold Park, Middlefield and Northfield.

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The report recommended:-

that the Committee -

- (a) approve acceptance of Sustrans' offer of a grant of up to £469,094 (subject to 2.5 below) to enhance active travel routes in, and around, Heathryfold Park, Middlefield and Northfield (so as to improve their accessibility for cyclists and pedestrians) (see 4.1. below);
- (b) approve the expenditure of this grant allocation, from Sustrans;
- (c) authorise the required procurement exercise(s) and approves delivery of improvements to paths in, and around, Heathryfold Park, Middlefield and Northfield up to the value of this grant allocation;
- (d) instruct that an allowance be made within future revenue budgets for the maintenance of these enhanced paths;
- (e) instruct the Director of Communities Housing and Infrastructure, in consultation with the Heads of Finance and Legal and Democratic Services, to confirm to their satisfaction that the terms and conditions of the grant funding can be met in relation to this offer of funding (see 4.1 below);
- (f) instruct the Head of Land and Property Assets to identify a responsible officer to monitor compliance with the grant conditions;
- (g) give approval for the public to be consulted on other potential active travel improvements within this Locality; and
- (h) instruct the Head of Land and Property Assets to report to a future Committee meeting as to the results of this public consultation, along with recommended actions.

The Committee resolved:-

to approve the recommendations.

ENFORCEMENT OF THE PRIVATE RENTED HOUSING SECTOR

23. The Committee were advised that this item had been withdrawn.

UNRECOVERABLE DEBT - CG/17/098

24. With reference to article 13 of the minute of its meeting of 20 September 2016, the Committee had before it a report by the Head of Finance outlined Council Tax, Business Rates and Housing Benefit Overpayments made unrecoverable during 2016/7 as required in terms of Financial Regulations 5.3.4.

The report recommended:-

that the Committee -

- (a) note the value of Council Tax, Business Rates and Housing Benefit Overpayments deemed by the Head of Finance as unrecoverable and shown in Appendices 1 to 4 of the report; and

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- (b) approve the Business Rates debts in excess of £25,000 shown in Appendix 4 are unrecoverable and be written off;

The Committee resolved:-

- (i) to approve the recommendations; and
(ii) to note that officers would include data in a future report in relation to repeat business addresses which have write offs.

MANAGEMENT OF GAPS IN THE PUBLIC TRANSPORT NETWORK - CHI/17/171

25. With reference to article 20 of the minute of the Council meeting of 21 June 2017, the Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which provided details of the identified gaps in the public transport network in Aberdeen and how these gaps measure against the Council's assessment criteria for determining what transport is required.

The report recommended:-

that the Committee -

- (a) delegate authority to the Interim Head of Planning and Sustainable Development, following consultation with the Head of Commercial and Procurement Services, to undertake a tender process for the procurement and thereafter award of contracts for supported bus services in Kingswells, Airyhall / Craigiebuckler and Dubford / Denmore as detailed in this report and in Appendix 2;
- (b) approve the total estimated expenditure for the award of these contracts as detailed in Appendix 2;
- (c) instruct the Interim Head of Planning and Sustainable Development to include the budgetary spend for supported bus services as detailed in Appendix 2 to this report for the 2018/19 financial year. Any additional funding will be subject to the Council forecast out-turn delivering a balanced budget for the year. If this is not the case then the item will be referred to the budget process; and
- (d) request the Interim Head of Planning and Sustainable Development to report to the Communities Housing and Infrastructure Committee in May 2018 with regards to the position of operating services under s22 Community Bus Permit and to update on the performance of all supported bus services.

The Committee resolved:-

to approve the recommendations.

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**SCHOOL AND SOCIAL WORK TRANSPORT FRAMEWORK AGREEMENT
EXTENSION - CHI/17/175**

26. With reference to article 43 of the minute of its meeting of 15 September 2015, the Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which sought approval to invoke the one year extension clause in the current Framework Agreement for the provision of school, college and social work transport.

The report recommended:-

that the Committee -

- (a) approve the 1 year extension to the current Framework Agreement or the provision of call-off contracted School and Social Work Transport;
- (b) approve the related estimated expenditure for the call off contracts, (of 4 year duration) to be entered into in respect of a) above as set out in Appendix 1 of this Report; and
- (c) instruct the Interim Head of Planning and Sustainable Development to advise the committee on an annual basis of expenditure made within that year, and cumulative expenditure against initial estimate.

The Committee resolved:-

to approve the recommendations.

CONDITION & SUITABILITY 3 YEAR PROGRAMME - CHI/17/227

27. With reference to article 27 of the minute of its meeting of 20 September 2016, the Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which sought approval of an updated three year Condition and Suitability Programme of works on the Council's non-housing property portfolio.

The report recommended:-

that the Committee -

- (a) to note the projects completed or legally committed in 2017/18 as shown in Appendix A of the report;
- (b) to note the currently approved projects and approves the amended budgets for each project as shown in Appendix B of the report;
- (c) to approve the removal of the projects listed in Appendix C of the report;
- (d) to approve the new Condition & Suitability (C&S) Programme projects listed in Appendix D (of the report) for inclusion in the 3 year C&S Programme and notes the estimated budget for each project;
- (e) to instruct the Head of Land & Property Assets to implement the detailed 3 year C&S Programme;
- (f) to delegate authority to the Head of Land & Property Assets, following consultation with the Capital Board and the Convenor and Vice-Convenor of this

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- Committee, to amend the C&S Programme should priorities change due to unforeseen circumstances during the year, with such changes to be reported to the Committee;
- (g) to delegate authority to the Head of Land & Property Assets, following consultation with the Capital Board and the Convenor and Vice-Convenor of this Committee, to allocate projects or additional budgets to/from a £500k reserve fund, with such allocations to be reported to the Committee;
 - (h) to delegate authority to the Director of Communities Housing & Infrastructure, following consultation with the Head of Commercial and Procurement Services, Head of Land & Property Assets and the Asset Management Manager, in connection with the C&S Programme, to undertake or instruct tendering procedures or competitive quotes procedures as appropriate and in accordance with the Aberdeen City Council Procurement Regulations, and the awarding of contracts following thereon, subject to the necessary funding being available in the approved Non-Housing Capital Budget;
 - (i) to exempt all such procedures and contracts from the requirements of Aberdeen City Council Procurement Regulation 4.1.1 (Committee approval of expenditure); and
 - (j) to note the future C&S projects listed in Appendix E of the report.

The Committee resolved:-

- (i) to approve the recommendations;
- (ii) that officers clarify whether the artificial pitch at Tullos Primary was still useable and was also safe for users, and advise Councillor Nicoll accordingly; and
- (iii) that maintenance concerns in relation to Braeside School including the overgrown condition of the playground be remitted to the Education and Children's Services Committee for consideration.

PROPOSED PURCHASE - GROUND WELLINGTON ROAD - CHI/17/216

28. With reference to article 12 of the minute of its meeting of 7 December 2016, the Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which provided details of the outcome of the instruction to request the property be sold by the Scottish Government to the Council for £1.

The report recommended:-

That the Committee -

- (a) note and discuss the content of the report including the outcome of the request and response from the Scottish Government; and
- (b) instruct officers to progress the preferred option from the options detailed in paragraph 3.10 and if appropriate, instruct the Head of Legal and Democratic Services to conclude the purchase of the ground incorporating appropriate clauses to protect the Council's interest.

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The Convener, seconded by the Vice-Convener moved:-

That the Committee -

- (1) note the outcome of the request and response from the Scottish Government; and
- (2) instruct the Head of Land and Property Assets to progress the option detailed at 3.10.2 in the report, requesting that the Scottish Government sell the ground to the Council at its current market value of £5000 and if agreed, instruct the Head of Legal and Democratic Services to conclude the purchase of the ground incorporating appropriate terms to protect the Council's interests.

Councillor Nicoll, seconded by Councillor Catriona MacKenzie moved as an amendment:-

That the Committee –

- (1) note the report to the Communities Housing and Infrastructure Committee of 13 January 2015, Agenda Item 12.3, proposing that sufficient land should be reserved by the Council to ensure that Wellington Road could be widened to provide improvements to the transport corridor at the development opportunity site (OP104) which had arisen following the closure of Craiginches prison by the Scottish Government. Further notes that as a management of risk, acquiring the land would allow the prospective development to be designed in a way that minimises objection and complaints as the land will be omitted from any sale of the site for development;
- (2) note the Committee resolved:-
 - (a) approve the land identified on the site of the former Craiginches Prison for the purposes of improving the transport corridor A956 Wellington Road, and
 - (b) To instruct officers to enter into negotiations with the Scottish Government to seek transfer of the land into Council ownership at no cost to the Council, noting that provision would be made within the capital programme as a contingency;
- (3) note the report to the Finance Policy and Resources Committee of 7 December 2016, Agenda Item 12.4, advised elected members that the Scottish Government rejected the proposal at 2(b) above and that "... discussions would continue regarding the exact area of ground required how it would relate to the new housing development at the former prison site and the value of the site. It was agreed the site would be valued by an independent valuer in accordance with the transfer of property within the Scottish Public Sector and to this end the Valuation Office Agency was instructed." Further notes the author concerns regarding matters which may arise if the land was not purchased and how the purchase linked with strategic objectives of the Council and that the officer concluded "the value of the land had been undertaken by an appropriately qualified Chartered

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- Surveyor and that therefore it is my opinion that the purchase price is fair.” and recommended purchase for £230,000;
- (4) notes the decision of the Committee:-
- (a) note the content of the report and agree to instruct officers to confirm to the Scottish Government that the Council no longer wishes to proceed with the purchase of this land at £230,000 valuation, but would consider purchasing the land for £1 as an act of goodwill given our £75m contribution towards the AWPR; and
- (b) instruct officers to report back to the Committee on the Scottish Government response to the request;
- (5) note that in a letter dated 26 August 2016, as part of the planning process for the Craiginches development the Council have imposed conditions on the developer. Condition 16 required the developer to construct a retaining wall.
- “No development shall take place unless construction and design details of the proposed retaining wall between the site and Wellington Road has been submitted to and approved in writing by the planning authority. Thereafter the wall shall be constructed in accordance with the approved details.
- Reason – In order to ensure that the wall has sufficient retaining strength and would not compromise the future dualing of Wellington Road.”
- (6) note the £8 Million investment by the Scottish Government in the £21M development by Sanctuary Scotland to provide 124 homes for key workers at the Craiginches site, the £430,000 developer obligations committed to local community assets. Further notes the number of affordable houses developed by the Council between 2014/15 and 2016/17 amounted to 344 properties from an identified target of 1245 properties;
- (7) note the response from the Scottish Government to the purchase negotiations to date and the detailed legal advices contained within the Exempt appendix at 5.1 to the present report and that at present it is not possible to implement Compulsory Purchase powers in the present circumstances; and
- (8) instruct officers to take the appropriate steps to purchase the land at the independent valuation of £230,000 as previously budgeted in the strategic land acquisitions budget.

On a division, there voted:- for the motion (10) – the Convener, the Vice Convener and Councillors Donnelly, Grant, Greig, Houghton, Macdonald, Reynolds, Sellar and Wheeler; for the amendment (7) – Councillors Allard, Cameron, Jackie Dunbar, Flynn, Catriona MacKenzie, Nicoll and Townson.

The Committee resolved:-
to adopt the motion.

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The following item was considered with the press and public excluded in terms of Section 50(A)(3)(b) of the Local Government (Scotland) Act 1973.

UNRECOVERABLE DEBT - CONFIDENTIAL APPENDIX 4

29. The Committee had before it a confidential appendix relating to the Unrecoverable Debt report, referred to at article 24 above.

The Committee resolved:-

to note the information contained within the confidential appendix.

MANAGEMENT OF GAPS IN THE PUBLIC TRANSPORT NETWORK - EXEMPT APPENDIX 2

30. The Committee had before it an exempt appendix relating to the Management of Gaps in the Public Transport Network report, referred to at article 25 above.

The Committee resolved:-

to note the information contained within the exempt appendix.

SCHOOL AND SOCIAL WORK TRANSPORT FRAMEWORK AGREEMENT EXTENSION - EXEMPT APPENDIX 1

31. The Committee had before it an exempt appendix relating to the Management of Gaps in the Public Transport Network report, referred to at article 25 above.

The Committee resolved:-

to note the information contained within the exempt appendix.

CONDITION & SUITABILITY 3 YEAR PROGRAMME - CHI/17/227 - EXEMPT APPENDICES

32. The Committee had before it exempt appendices relating to the Condition and Suitability 3 Year Programme report, referred to at article 27 above.

The Committee resolved:-

to note the information contained within the exempt appendices.

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PROPOSED PURCHASE - GROUND WELLINGTON ROAD - EXEMPT APPENDIX

33. The Committee had before it an exempt appendix relating to the Proposed Purchase – Ground at Wellington Road report, referred to at article 28.

The Committee resolved:-

to note the information contained within the exempt appendix.

DEVELOPMENT OF SERVICE LEVEL AGREEMENTS (EQUALITIES) - CHI/17/215

34. With reference to article 42 of the minute of meeting of the Communities, Housing and Infrastructure Committee of 24 May 2017, the Committee had before it a report by the Director of Communities, Housing and Infrastructure which provided an update on progress on the development of Service Level Agreements – Equalities.

The report recommended:-

that the Committee instruct officers to report back as and when necessary on progress made on the Equality grant funding plan in order to assist the Council in the delivery of its Equality Outcomes and in mainstreaming equality with new service specifications. This should be in place by March 2019.

The Committee resolved:-

to approve the recommendation.

REQUEST FOR APPROVAL OF EXPENDITURE FOR WINES, BEERS AND SPIRITS TENDER - BEACH BALLROOM - ECS/17/052

35. The Committee had before it a report by the Director of Education and Children's Services which sought approval to conduct a tender process for the provision of wines, beers and spirits to the Beach Ballroom for a maximum of four years and of the estimated expenditure as detailed within the report.

The report recommended:-

that the Committee -

- (a) delegate authority to the Head of Inclusion and Education Services, following consultation with the Head of Commercial and Procurement Services, to undertake a tender process for the procurement and thereafter the award of contracts for the provision of beers, wines and spirits to the Beach Ballroom;
- (b) delegate authority to the Head of Commercial and Procurement Services, to conclude a contract with the successful bidder(s) for an initial term of three years commencing in January 2018, with the option to extend for a further year;
- (c) approve the estimated expenditure per annum for the provision of wines, beers and spirits as detailed within the report at section 4.1.

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The Committee resolved:-

to approve the recommendations.

ELECTIONS SERVICES TENDER - OCE/17/020

36. The Committee had before it a report by the Chief Executive which advised of the intention to establish a single supplier framework for the provision of Electoral Services over a four year period and sought approval for the estimated expenditure as detailed within the report.

The report recommended:-

that the Committee -

- (a) approve that a procurement exercise be undertaken in order to establish a single supplier framework for the provision of Electoral Services over a four year period. This will be concluded in line with Council's Procurement Regulations, Financial Regulations and relevant EU legislation; and
- (b) approve the estimated value of the contract over a four year period as detailed at section 3.4 of the report. This is based on a range of services that may or may not be purchased on scheduled and any other elections and referendums over that time period e.g. by-elections, etc.

The Committee resolved:-

to approve the recommendations.

HILLHEAD OF PITFODELS - PROPOSED SALE OF FARM HOUSE - REDEVELOPMENT OF DERELICT FARM BUILDING - CHI/17/229

37. With reference to article 38 of the minute of its meeting of 20 September 2016, the Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which provided information of a cost variation in a redevelopment scheme for a cottage at Hillhead of Pitfodels (a property held in Common Good), and sought approval for the continuation of the said scheme at the revised higher cost as detailed in the report.

The report recommended:-

that the Committee instruct the Head of Land and Property Assets to tender for the refurbishments works to the cottage and to implement a works programme to convert the cottage into Aberdeen Northern Marts Group staff accommodation, with the revised costs as detailed within section 4.1 of the report to be funded from the proceeds of the sale of the farmhouse at Hillhead of Pitfodels.

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The Committee resolved:-

to approve the recommendation.

LANDS OF SKENE, SURPLUS HOUSES - CHI/17/231

38. The Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which provided information on several Council owned farms out with the city boundary at Lands of Skene, Carnie.

The report recommended:-

that the Committee -

- (a) accept the proposal to renounce a house from the lease of Eastside of Carnie Farm;
- (b) authorise the Head of Land and Property Assets to organise a connection to mains water and the installation of a separate septic tank and soakaway, all as described in paragraph 3.5 of this report, at an estimated cost of circa £25,000 to the Lands of Skene charitable trust and the fencing in 3.3b at £10,000;
- (c) accept the proposal to renounce a house from the lease of Northside and Hillhead of Carnie Farm;
- (d) authorise the Head of Legal and Democratic Services to amend the two farm leases, to give legal effect to a) and c) on terms and conditions as are necessary to protect the Trust Fund Account's interests; and
- (e) authorise the Head of Land and Property Assets to advertise the two houses for sale on the open market, on the basis that the offers received be reported back to a future meeting of this Committee for consideration

The Committee resolved:-

to approve the recommendations.

JESSIEFIELD FARM - CHI/17/230

39. The Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which provided information on the proposal to renounce part of an agricultural lease and thereafter grant a new lease of that land to allow the construction of a new Equestrian Centre.

The report recommended:-

that the Committee -

- (a) approve the provisional terms and conditions, as described in paragraph 3.4 (v) of the report, to have the present lease holder renounce 12.45 acres from the lease of Jessiefield Farm, Hazlehead in favour of the City Council;

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- (b) approve the grant of a new 50 year lease of that land to Hayfield International Limited for the construction of a new Horse Riding School, on terms and conditions as described in the remainder of paragraph 3.4 of the report; and
- (c) authorise the Head of Legal and Democratic Services to formally conclude missives in connection with the linked property transactions in (a) and (b) on terms and conditions as are necessary to protect the Council's interest.

The Committee resolved:-

to approve the recommendations.

REQUEST FOR RATES RELIEF (HARDSHIP) - CG/17/106

40. The Committee had before it a report by the Head of Finance which provided details of an application for rates relief (hardship relief) received from a company who occupy business premises at Howemoss Drive, Dyce, Aberdeen.

The report recommended:-

that the Committee -

- (a) grant the request for hardship relief in full to the company identified in the report for 1 year starting from 1 April 2017 and ending 31 March 2018. The Revenues and Benefits Section of Corporate Governance will supervise/ensure that the company still meet the hardship relief criteria during this period. That Service will also ensure that all the necessary requirements and documentation has been processed before the grant; or
- (b) partially grant the request for hardship relief to the company identified in the report for 1 year starting from 1 April 2017 and ending 31 March 2018. The Revenues and Benefits Section of Corporate Governance will supervise/ensure that the company still meet the hardship relief criteria during this period. That Service will also ensure that all the necessary requirements and documentation has been processed before the grant. In determining any partial grant of hardship relief, this may be taken as any percentage applied against the total rates charge; or
- (c) turn down the request for hardship relief to the company identified in the report.

The Committee resolved:-

to approve recommendation (c) above.

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ABERDEEN EXHIBITION & CONFERENCE CENTRE - FINANCIAL UPDATE AND ANAEROBIC DIGESTION GAS TO GRID PLANT CONSTRUCTION CONTRACTOR PROCUREMENT.

41. With reference to article 35 of the minute of meeting of the Communities, Housing and Infrastructure Committee of 15 March 2016, the Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which (1) provided an update in relation to the new Aberdeen Exhibition and Conference Centre (AECC) development project; and (b) outlined the findings of the investigation of potential alternative uses for the site of the Anaerobic Digestion Gas to Grid plant including the findings of the tendering exercise and evaluation process.

The report recommended:-

that the Committee -

- (a) note the update for the new AECC project;
- (b) delegate authority to the Head of Finance, following consultation with the Head of Economic Development, the Head of Land and Property Assets and the Head of Legal and Democratic Services to approve and monitor non-material changes to the project, provided always that the Council's financial commitment stays within the approved budget;
- (c) note the outcome of the investigation of potential alternative uses of the site;
- (d) appoint the preferred bidders for the AD G2G plant design and build contract as outlined within the report at section 4.15.1 and 4.16.1; and
- (e) delegate authority to the Head of Legal and Democratic Services, following consultation with the Head of Finance, the Head of Economic Development and the Head of Land and Property Assets, to negotiate and conclude any contracts or other financial or legal documents (including any grant funding agreements) which are deemed by the Head of Legal and Democratic Services to be necessary or expedient in relation to the project.

The Committee resolved:-

to approve the recommendations.

MATTER OF URGENCY

In accordance with the decision recorded under article 1 of this minute, the following item was considered as a matter of urgency in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973 as the property was marketed earlier this year with a closing date of 25 April to allow the outcome of the marketing to be reported to the Committee in June. The decision of the Committee in June was for further clarification on each bid to be gathered and presented to the next meeting of the Committee, if the report is delayed to the next cycle there would be a risk that some or all of the bidders might withdraw their offers.

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DISPOSAL OF NELSON STREET PAVILION AND PLAYING FIELDS - CHI/17/223

42. With reference to article 27 of the minute of the previous meeting of 29 June 2017, the Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which advised members of the outcome of the marketing in relation to the property, Nelson Street Pavilion and Playing Fields, and to provide further detail of the offers received.

The report recommended:-

that the Committee -

- (a) agree that the offer submitted for the Nelson Street Pavilion and Playing Fields by the bidder under Section 3.6.1 of the report be accepted subject to qualifications; and
- (b) agree that the Head of Legal and Democratic Services be instructed to conclude missives for a development lease for the site incorporating various qualifications as are necessary to protect the Council's interests.

The Committee resolved:-

- (i) that the offer submitted for the Nelson Street pavilion and playing fields by the bidder under section 3.6.1 of the report be accepted subject to qualifications, which should address how the Council would secure that the community benefits identified in the bid would be delivered to the local and wider community;
- (ii) to instruct the Head of Communities and Housing to liaise with the preferred bidder in relation to future community consultation in the development of their proposals; and
- (iii) that the Head of Legal and Democratic Services be instructed to conclude a missive for a development lease for the site incorporating various qualifications as are necessary to protect the Council's interests taking cognisance of (i) and (ii) above.

At this juncture, the Committee were advised that in terms of Standing Order 37.2 (Length of Meetings), a meeting will last no longer than four hours. The Committee agreed unanimously to suspend Standing Order 37.2 and continue with the meeting.

MITIGATION OF RISKS FOR NEW DOMESTIC GAS SERVICING AND MAINTENANCE CONTRACT - CHI/17/232

43. With reference to article 9 of the minute of its meeting of 7 December 2016, the Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which provided information on the proposed new contract for gas servicing and maintenance of domestic boilers, which was planned to be procured in time for 1 November 2017.

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The report recommended:-

that the Committee -

- (a) note the risks in the report;
- (b) note the proposed risk control measures being taken to mitigate the known risks;
- (c) note the potential situations and risks, which may lead to the Head of Commercial and Procurement Services and/ or the Chief Executive to implement any emergency procedures under the Scheme of Delegation and procurement regulations; and
- (d) approve the extension of the existing contract for a maximum period of six months and approve the maximum estimated expenditure for the six-month extension as outlined in Section 4.2 of the report, in the event that the new contract is not in place by 1st November 2017.

The Committee resolved:-

to approve the recommendations.

PINEWOOD HAZLEDENE SALE UPDATE - CHI/1/101

44. With reference to article 24 of the minute of its meeting of 6 December 2012, the Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which provided information in relation to a request received from a company to delay each of the current and future payments due by them for a six month period, with the next payment being proposed to be made before 1 December 2017.

The report recommended:-

that the Committee -

- (a) instruct the Head of Land and Property Assets to alter the terms of the sales agreements between the Council and its partners and the company outlined with the report to allow the revised payment terms and conditions as identified in this Report; and
- (b) instruct the Head of Legal and Democratic Services to initiate legal action to recover sums due should the next or future payments not be received by the revised due date(s) without further recourse to this Committee.

The Committee resolved:-

to approve the recommendations.

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HYDROGEN AND ELECTRO MOBILITY IN EUROPEAN REGIONS (HYER) LOAN - CHI/17/233

45. The Committee had before it a report by the interim Director of Communities, Housing and Infrastructure which sought consideration of a request from HyER to provide additional funding to assist the organisation to manage its cash flow.

The report recommended:-

That the Committee -

- (a) note the growing importance of hydrogen fuel cell applications at all levels of government;
- (b) note the benefits of the Council's membership of HyER;
- (c) instruct the Head of Commercial and Procurement Services to carry out a state aid assessment;
- (d) delegate authority to the Head of Finance, following consultation with the Head of Legal and Democratic Services, Head of Commercial and Procurement Services and the Head of Economic Development to approve the provision of a revenue grant to HyER of up to a maximum amount of £50,000, subject to:-
 - (1) the assessment detailed in (c) above, determining that the revenue grant does not constitute state aid; and
 - (2) agreement of appropriate terms and conditions for the revenue grant, which may include provision for the repayment of the grant and the purposes for which it can be used; and
- (e) note that the Lord Provost is currently President of HyER.

The Committee resolved:-

to approve the recommendations.

- **COUNCILLOR DOUGLAS LUMSDEN, Convener.**

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