

ABERDEEN CITY COUNCIL

Town House,  
ABERDEEN, 2 July 2018

MINUTE 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  
JAMES NOBLE  
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=6300&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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## **ADMISSION OF BURGESSES**

1. (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:-

Jonathan Alexander Anderson, Accountant, Aberdeen  
 Harry Diack, Retired Quantity Surveyor, Aberdeen  
 Michael Dreelan, Retired Engineering Director, Aberdeen  
 Ian W Haw, Retired Banker, Aberdeen  
 Allan Walker Henderson, Managing Director, Aberdeen  
 Neil McLennan, Senior Lecturer in Education, Aberdeen  
 Alistair Colin Prockter, Charity Chief Executive, Aberdeen  
 Ray Christopher John Riddoch, Managing Director, Aberdeen  
 Dennis William Scott, Retired Firefighter, Aberdeen  
 Helena Anderson Wright, Registered Nurse, Aberdeen

(B) The person undermentioned was admitted into the presence of the Council and passed as a Burgess of Guild by right of their father's status as a Free Burgess:-

Jill Meldrum, Accountant, Aberdeen

## **DETERMINATION OF EXEMPT BUSINESS**

2. 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) Developer Obligations - Triple Kirks Student Accommodation Scheme

### **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 class described in paragraph 6 of Schedule 7(A) of the Act.

## **DECLARATIONS OF INTEREST**

3. Councillor Mason MSP declared a general interest as a Member of the Scottish Parliament for North East Scotland.

Councillor Nicoll declared an interest in relation to item 9(c) (Bon Accord Care - Annual Performance Report) by virtue of holding power of attorney for a family member who was resident in sheltered housing under the control of Bon Accord Care. Councillor Nicoll did not consider that the nature of his interest required him to leave the meeting.

Councillor Cormie also declared an interest in relation to item 9(c) as a client of Bon Accord Care. Councillor Cormie did not consider that the nature of his interest required him to leave the meeting.

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#### **MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 5 MARCH 2018**

4. The Council had before it the minute of the special meeting of Aberdeen City Council of 5 March 2018.

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

#### **MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 5 MARCH 2018**

5. The Council had before it the minute of meeting of Aberdeen City Council of 5 March 2018.

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

#### **MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 6 MARCH 2018**

6. The Council had before it the minute of meeting of Aberdeen City Council of 6 March 2018.

**The Council resolved:-**

- (i) to amend Article 3 of the minute to reflect that the SNP Group had agreed to incorporate £40,000 within their general revenue budget for period poverty which left a revised surplus of £4,000 as opposed to £44,000; and
- (ii) to otherwise approve the minute.

#### **MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 6 JUNE 2018**

7. The Council had before it the minute of meeting of the Urgent Business Committee of 6 June 2018.

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

#### **BUSINESS PLANNER**

8. The Council had before it the business planner as prepared by the Chief Officer - Governance.

Councillor Samarai moved as a procedural motion, seconded by Councillor Greig:-  
That, in relation to item 7 (Integration Joint Board (IJB) for Health and Social Care), the Council agree to continue to receive reports as opposed to service updates.

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On a division, there voted:-

For the procedural motion (22) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Noble, Samarai, Sandy Stuart, Townson and Yuill.

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.

**The Council resolved:-**

to reject the procedural motion.

**In terms of Standing Order 31.7, Councillor Samarai intimated her dissent against the foregoing decision.**

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

That, in relation to item 17 (City Centre Masterplan Project EN10: Union Terrace Gardens - Outline Design, Business Case, Development Costs and Procurement Strategy), that the report be submitted to Full Council rather than the Capital Programme Committee and the City Growth and Resources Committee.

On a division, there voted:-

For the procedural motion (22) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Noble, Samarai, Sandy Stuart, Townson and Yuill.

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.

**The Council further resolved:-**

to reject the procedural motion.

**The Council further resolved:-**

- (i) to agree to remove item 4 (Investment and Trade Development Plan);
- (ii) to agree to remove item 14 (Integration Joint Board for Health and Social Care) and note that the matter would be reported by means of service update in future;
- (iii) to agree to remove item 16 (Corporate Parenting) and note that the matter would be reported to the Public Protection Committee;
- (iv) to agree to remove item 17 (City Centre Masterplan Project EN10: Union Terrace Gardens - Outline Design, Business Case, Development Costs and Procurement Strategy) and note that the matter would be reported to the Capital Programme Committee and the City Growth and Resources Committee;

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- (v) to agree to remove item 21 (Fairer Aberdeen Annual Report) and note that the matter would be reported by means of service update in future; and
- (vi) to otherwise note the content of the business planner.

**MINUTES OF MEETINGS OF APPOINTMENT PANEL OF 1 AND 19 MARCH, 25 AND 27 APRIL, 1 MAY AND 1 JUNE 2018**

9. The Council had before it minutes of meetings of the Appointment Panel of 1 and 19 March, 25 and 27 April, 1 May and 1 June 2018.

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

**NOMINATION TO NORTH EAST SCOTLAND PENSION FUND BOARD - GOV/18/003**

10. The Council had before it a report by the Chief Officer - Governance which sought nominations to the North East Scotland Pension Fund Pension Board for a substantive and substitute Aberdeen City Council member.

**The report recommended:-**  
that the Council nominate one member and one substitute member to be appointed to the North East Scotland Pension Fund Pension Board as the Aberdeen City Council representative.

**The Council resolved:-**  
to nominate Councillor Allan to be appointed to the North East Scotland Pension Fund Pension Board as the Aberdeen City Council representative and Councillor John as the substitute representative.

**ABERDEEN CITY INTEGRATION JOINT BOARD - GOV/18/029**

11. The Council had before it a report by the Chief Officer - Governance which provided an update on the activity and governance arrangements of the Aberdeen City Integration Joint Board (IJB).

**The report recommended:-**  
that the Council -

- (a) note the content of the report; and
- (b) agree that where no decisions are required, future IJB updates shall be uploaded to the Council's external website on a quarterly basis as service updates, rather than being reported to Council.

Councillor Duncan moved, seconded by Councillor Laing:-  
That the Council approve the recommendations.

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

That the Council note the content of the report and agree that all IJB updates continue to be reported to Council as opposed to service updates.

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

**The Council resolved:-**

- (i) to adopt the motion; and
- (ii) to note that the refreshed Strategic Plan (2019-22) would be reported to Council at a later date.

**BON ACCORD CARE - ANNUAL PERFORMANCE REPORT - HSCP/17/094**

12. With reference to Article 23 of the minute of its meeting of 5 March 2018, the Council had before it a report by the Interim Chief Officer of the Aberdeen City Health and Social Care Partnership which presented Bon Accord Care's annual performance report for 2016/17.

**The report recommended:-**

that the Council note Bon Accord Care's annual performance report as at Appendix A to the report.

**The Council resolved:-**

- (i) to note that the Managing Director of Bon Accord Care would share the latest monthly staff turnover figures with members;
- (ii) to note that the Managing Director of Bon Accord Care would review performance information in relation to response rates for community alarms and would respond to Councillor Nicoll directly; and
- (iii) to otherwise note Bon Accord Care's annual performance report for 2016/17.

**TREASURY MANAGEMENT POLICY AND STRATEGY - RES/18/024**

13. The Council had before it a report by the Director of Resources which provided an update on Treasury Management activities undertaken during the financial year 2017/18.

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**The report recommended:-**

that the Council consider and note the Treasury Management activities undertaken in the 2017/18 financial year as detailed in the report.

**The Council resolved:-**

to note the Treasury Management activities undertaken during the financial year 2017/18.

**REGISTRARS - EUROPEAN PASSPORT RETURN SERVICE - CUS/18/014**

**14.** The Council had before it a report by the Director of Customer which considered a request from the Home Office that the Registrars offer the European Passport Return Service and to set fees accordingly.

**The report recommended:-**

that the Council -

- (a) approve the introduction of the European Passport Return Service from 9 July 2018; and
- (b) approve a fee of £20 per session, excluding VAT and postage.

At this juncture, following an adjournment, the Lord Provost advised that former Lord Provost James Wyness had sadly passed away. The Lord Provost paid tribute to former Lord Provost Wyness, emphasising how dedicated he and his late wife had been to the city of Aberdeen, particularly during his term as Lord Provost from 1992 to 1996, and that he had served as a Councillor for many years beforehand and after his term as Lord Provost had come to an end.

The Council observed a minute's silence in memory of former Lord Provost Wyness, following which the Depute Provost and Councillors Yuill, Flynn, Laing and Reynolds paid their own tributes.

**The Council resolved:-**

- (i) to approve the recommendations contained within the report; and
- (ii) to request that the Chief Officer - Customer Experience report back to Council seeking agreement in relation to any change to the regulations associated with the European Passport Return Service.

**WATER SAMPLING CHARGES - OPE/18/032**

**15.** The Council had before it a report by the Chief Operating Officer which sought approval for the proposed charges related to private water supply sampling.

**The report recommended:-**

that the Council -

- (a) approve the proposed water sampling charges set out in section 3.6 (Table 1) of the report with immediate effect; and

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- (b) delegate authority to the Chief Officer - Operations and Protective Services, to amend charges to a lower rate should sharing of water sampling duties with neighbouring local authorities occur as detailed in section 3.13 of the report.

**The Council resolved:-**

to approve the recommendations.

**NOTICE OF MOTION BY COUNCILLOR REYNOLDS**

16. The Council had before it the following notice of motion by Councillor Reynolds:-

“Following decades of campaigning for electrification of the rail line to the North East and the understandable financial difficulties, Aberdeen City Council calls upon the Scottish Government, Abellio, Transport Scotland and any other interested party to investigate, as a matter of urgency whilst EU funding is still available, to replace existing rolling stock with environmentally friendly hydrogen trains.

Subject to Council agreement with the above, that the Chief Executive write to local authorities on the route to gain their support.”

**The Council resolved:-**

to refer the notice of motion to the City Growth and Resources Committee.

**NOTICE OF MOTION BY COUNCILLOR YUILL**

17. The Council had before it the following notice of motion by Councillor Yuill:-

“That this Council:

1. Notes with concern that speeding remains a problem on some roads in communities across Aberdeen.
2. Welcomes the ongoing action taken by the police to tackle this problem but recognises that limited police resources restrict the amount of police time that can be devoted to this.
3. Notes that “Community Speedwatch” initiatives, where members of the public are trained by the police to use speed guns, elsewhere in Scotland and across the UK have played a part in reducing speeds and changing driver behaviour.
4. Instructs the Chief Officer - Operations and Protective Services to discuss with Police Scotland how “Community Speedwatch” could be introduced in Aberdeen.”

**The Council resolved:-**

to refer the notice of motion to the Operational Delivery Committee.



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## **NOTICE OF MOTION BY COUNCILLOR DELANEY**

**18.** The Council had before it the following notice of motion by Councillor Delaney:-

"That Council:

1. Acknowledges the challenges faced in maintaining its infrastructure to an acceptable standard as a result of year on year underfunding by successive Scottish Governments.
2. Acknowledges the need to explore new technologies in order to discharge its functions in a more cost effective and environmentally friendly manner.
3. Commits to investigating ways to reduce plastic waste and looking for innovative ways to reuse residual plastic waste.
4. Acknowledges the reduced cost and apparent increased longevity of so called "plastic roads" whereby recycled plastic pellets are incorporated into an asphalt mixture to fill potholes and to resurface roads.
5. Welcomes the successful resurfacing of the A7 in Carlisle and notes the trials of this product in Dumfries & Galloway and Enfield.
6. Instructs the Chief Operating Officer to investigate the feasibility of trialling "plastic roads" in Aberdeen and to report back to the appropriate committee(s)."

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

to refer the notice of motion to the Operational Delivery Committee.

**In accordance with the decision recorded under Article 2 of this minute, the following item was considered with the press and public excluded.**

## **DEVELOPER OBLIGATIONS - TRIPLE KIRKS STUDENT ACCOMMODATION SCHEME**

**19.** With reference to Article 15 of the minute of meeting of the Planning Development Management Committee of 26 April 2018, the Council had before it a report by the Chief Officer - Strategic Place Planning, which had been referred to it simpliciter, which provided an update with regard to the Developer Obligations payment for the Triple Kirks site and outlined a number of options in relation to the matter.

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

that the Council -

- (a) note and discuss the content of the report; and
- (b) instruct the Chief Officer - Strategic Place Planning, following consultation with the Chief Officer - Governance to progress option 1 from the options detailed at paragraphs 3.16 to 3.23 of the report.

Councillor Yuill moved, seconded by Councillor Duncan:-

That the Council approve the recommendations contained within the report.

Councillor Boulton moved as an amendment, seconded by the Depute Provost:-

That the Council -

- (1) note the content of the report;

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- (2) express disappointment that the instruction of the Planning Development Management Committee was not carried out:-  
 “The Committee resolved to accept the recommendation of the then Interim Head of Planning and Sustainable Development to grant conditional planning permission subject to entering into a legal agreement in respect of a developer obligation payment (Planning Application Reference 151239)”;
- (3) note that the site had stood derelict for a substantial period of time and as such the Council welcomes this development as part of the Aberdeen City Masterplan as it can contribute to the wider regeneration of the city centre; and
- (4) note the DVS’s advice at 4.8 of the appendix and request that the applicant provide an open book development appraisal to thoroughly assess the developer’s obligation and instruct the Chief Officer - Strategic Place Planning to report back to the Planning Development Management Committee with the outcome in September 2018.

On a division, there voted:-

For the motion (32) - Councillors Allard, Alphonse, Bell, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Lesley Dunbar, Duncan, Flynn, Graham, Grant, Greig, Henrickson, Hunt, Hutchison, John, Lumsden, Macdonald, MacGregor, Avril MacKenzie, Catriona MacKenzie, McLellan, McRae, Nicoll, Noble, Sellar, Sandy Stuart, Townson and Yuill.

For the amendment (13) - Lord Provost; Depute Provost; and Councillors Allan, Boulton, Houghton, Imrie, Laing, Malik, Mason MSP, Reynolds, Samarai, Jennifer Stewart and Wheeler.

**The Council resolved:-**

to adopt the motion.

**- BARNEY CROCKETT, Lord Provost.**