

CITY GROWTH AND RESOURCES COMMITTEE

ABERDEEN, 7 February 2019. Minute of Meeting of the CITY GROWTH AND RESOURCES COMMITTEE. Present:- Councillor Lumsden, Convener; Councillor Graham, Vice-Convener; and Councillors Boulton, Donnelly, Flynn, Laing, Catriona Mackenzie, Nicoll, Townson (substituting for Councillor Yuill for part of article 18 only), Yuill and Wheeler (substituting for the Convener for article 17 only).

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

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=618&MId=6190>

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 EXEMPT BUSINESS

1. The Convener proposed that the Committee consider items 11.1 (Torry Cruyff Court - Exempt Appendix), 11.2 (Strategic Buy Back Policy - Exempt Appendix), 11.3 (Proposal to In-Source the Horizons Service Management and Admin Functions to Aberdeen City Council), 11.4 (Subsidence in Flats on Erroll Place and Erroll Street), 11.5 (Community Asset Transfer - Woodside Burgh Hall) 11.6 (Sale of Site, Howes Road), 11.7 Purchase of Site for School, Milltimber) and 11.8 (Aberdeen Harbour Board - Option to Purchase or Lease, Nigg Bay) with the press and public excluded.

The Committee resolved:-

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting from item 11.1 of the agenda so as to avoid disclosure of information of the classes described in the following paragraphs of Schedule 7(A) to the Act:- article 12 (paragraph 8), articles 13, 17 and 18 (paragraph 9), article 14 (paragraphs 1 and 11), article 15 (paragraphs 3, 8 and 9) and articles 16 and 19 (paragraphs 6 and 9).

DECLARATIONS OF INTEREST

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

- (1) the Convener declared an interest in item 11.6 (Sale of Site, Howes Road) by virtue of him being a Council appointed member of NHS Grampian Board. He considered that the nature of his interest required him to leave the meeting and he therefore took no part in the consideration of this item.

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MINUTE OF PREVIOUS MEETING OF 27 NOVEMBER 2018 - FOR APPROVAL

3. The Committee had before it the minute of its previous meeting of 27 November 2018, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE PLANNER

4. The Committee had before it the Committee Business Planner as prepared by the Chief Officer – Governance.

The Committee resolved:-

- (i) to remove item 7 (Visit Aberdeenshire Update – Negotiated Contract), item 8 (Update on Recruitment of Developer Obligations Officer), item 11 (Reserves Strategy), item 14 (Aberdeen Renewable Energy Group); item 18 (Balnagask Motte Regeneration), item 29 (Creation of a Living Wall), item 71 (City Centre Masterplan Project EN10: Union Terrace Gardens), item 76 (Denburn Car Park Site) and item 79 (Aberdeen Art Gallery – Visitor and Economic Impacts) from the planner in terms of the explanation provided by officers within the planner;
- (ii) to transfer item 68 (UNESCO Creative Cities Designation – City of Crafts and Folk Art) to the Council Business Planner for the March 2019 meeting as it required a decision to establish an Advisory Group;
- (iii) to note the reasons for the reporting delays in terms of item 4 (Aberdeen City Region Hydrogen Strategy), item 6 (Developer Obligation Review – Community Asset Plans), item 9 (Aberdeen Adapts: Climate Adaptation Strategy), item 10 (A90 Murcar North Cycleway), item 12 (Changing Places), item 16 (Smart City Action Plan), item 19 (Capabilities of Junctions Associated with the AWPR/B-T) and item 20 (Disposal of the Former Cordyce School Site);
- (iv) that in relation to item 12 (Changing Places), to note that officers would liaise with partner organisations in requesting that the information regarding the changing places is published on their websites; and
- (v) that in relation to item 79 (Aberdeen Art Gallery – Visitor and Economic Impacts), to note that a further Service Update would be submitted to the Committee in this regard.

NOTICE OF MOTION BY COUNCILLOR DELANEY - SHELTERED HOUSING STAIR LIFTS

5. The Committee had before it a Notice of Motion by Councillor Delaney in the following terms:-

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- (a) to note with concern that the lift at one of our sheltered blocks broke down at the end of 2018 and took five days to repair meaning that some residents were unable to access or leave their homes over a five day period; and
- (b) to instruct the Chief Officer - Corporate Landlord to report to the first available meeting of the City Growth and Resources Committee outlining the costs of procuring and fitting stair lifts to all Council owned sheltered housing which has upper floors in the interests of the dignity of residents, public safety and amenity.

Councillor Delaney moved his Notice of Motion and explained the rationale behind his request.

The Committee resolved:-

- (i) to note with concern that the lift at one of our sheltered blocks broke down at the end of 2018 and took five days to repair meaning that some residents were unable to access or leave their homes over a five day period; and
- (ii) to instruct the Chief Officer - Corporate Landlord to report to the council budget meeting on 5th March 2019 outlining a high level estimated cost of procuring and fitting stair lifts to all Council owned sheltered housing which has upper floors in the interests of the dignity of residents, public safety and amenity.

COUNCIL FINANCIAL PERFORMANCE, QUARTER 3, 2018/19 - RES/19/002

6. The Committee had before it a report by the Director of Resources which provided information on the financial position of the Council, as at quarter 3 (December 2018) and the full year forecast position for the financial year 2018/19, including (1) General Fund and Housing Revenue Account (HRA) revenue and capital accounts and the associated Balance Sheet; and (2) Common Good Revenue Account and Balance Sheet.

The report recommended:-

that the Committee -

- (a) note the following:-
 - (1) Progress made to date to achieve budgeted savings;
 - (2) General Fund and HRA financial performance to the end of Quarter 3 as detailed in Appendix 1;
 - (3) Common Good financial performance to the end of Quarter 3 as detailed in Appendix 3;
 - (4) General Fund forecast revenue and capital positions as detailed in Appendix 2;
 - (5) HRA forecast revenue and capital positions as detailed in Appendix 2;
 - (6) Common Good forecast position as detailed in Appendix 2; and
 - (7) Group Entities forecast revenue position as detailed in Appendix 4.
- (b) note the information provided by the Chief Officer – Finance in the report that the Council has continued to reduce expenditure in line with the Committee instruction

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however new and continuing pressures in key areas (such as the increased pay award offered in December 2018; and needs associated with looked after children) are not likely to be fully offset by the year end. This means that there is a forecast deficit on the General Fund for the year;

- (c) agree that the Council continue to minimise expenditure in the remaining weeks of the year to offset the cost pressures in the system;
- (d) note that if the final outturn exceeds budget for the year, that this is met from the Council's uncommitted balances; and
- (e) approve the increases in payments to foster carers, adopters and associated services as detailed in Appendix 5 of the report.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) to instruct officers to circulate additional information to the Committee in relation to "Free from Serious Disrepair" figures in Appendix 2.

STRATEGIC INFRASTRUCTURE PRIORITIES AND THE SCOTTISH LOCAL GOVERNMENT PENSION SCHEME - RES/19/188

7. With reference to article 8 of the minute of meeting of 27 November 2018, the Committee had before it a report by the Director of Resources which provided information on how Scottish local government pension funds could invest locally, with specific reference to the strategic infrastructure priorities identified in the Regional Economic Strategy, City Region Deal and City Centre Masterplan.

The report recommended:-

that the Committee instruct the Chief Officer – Finance to explore the opportunities for a strategic partnership between the Council and the North East Scotland Pension Fund (NESPF) for the purposes of supporting local infrastructure investment, and to report on the feasibility of this within three committee cycles.

The Committee resolved:-

to approve the recommendation.

STAFF TRAVEL POLICY - RES/18/150

8. The Committee had before it a report by the Director of Resources which sought approval of the amended staff travel policy.

The report recommended:-

that the Committee –

- (a) approve the Staff Travel Policy appended to this report; and
- (b) approve that the policy be implemented from 1st April 2019.

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The Committee resolved:-

to approve the recommendations.

WORLD ENERGY CITIES PARTNERSHIP AGM, PRESIDENCY AND TRAVEL - PLA/19/178

9. The Committee had before it a report by the Chief Officer – City Growth which requested consideration of the Lord Provost seeking the Presidency of the World Energy Cities Partnership at the organisation’s next AGM and sought approval for travel to CERAAweek in Houston in March 2019.

The report recommended:-

that the Committee –

- (a) approve the Lord Provost seeking nomination to become the President of the World Energy Cities Partnership at its AGM in September 2019 and note the wider opportunities this would bring for the city; and
- (b) to approve travel and accommodation for the Lord Provost and one officer to attend CERAAweek in Houston in March 2019.

The Committee resolved:-

- (i) to approve the recommendations;
- (ii) to instruct the Chief Officer – City Growth to circulate a Service Update in relation to the tangible economic benefits for the city in relation to the WPEC presidency; and
- (iii) to note that in relation to section 5.5 of the report, officers advised that they had checked with the WECP who confirmed that liability insurance was in place for Directors and officers.

TORRY CRUYFF COURT - COM/19/174

10. The Committee had before it a report by the Director of Customer Services which provided information on investment proposals and sought approval for the use of resources for a Cruyff Court in Torry, Aberdeen.

The report recommended:-

that the Committee –

- (a) note the existing £250,000 budget within the Non-Housing Capital Programme to establish a second Cruyff Court, and approves the acceptance and utilisation of the £50,000 in-kind/financial contribution from the Johan Cruyff Foundation for the project; and
- (b) instruct the Chief Officer - Early Intervention and Community Empowerment to submit the project to the budget process for funding the ongoing running costs of the second Cruyff court.

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The Committee resolved:-

to approve the recommendations.

STRATEGIC BUY BACK POLICY - RES/19/173

11. The Committee had before it a report by the Director of Resources which sought approval to update the policy and process on the strategic re-acquisition of former council houses.

The report recommended:-

that the Committee approve the revised set of criteria and process highlighted in Appendices A and B, where the Council will consider re-acquiring any former Council house

The Committee resolved:-

- (i) to approve the recommendation; and
- (ii) instruct the Director of Resources to provide additional context in relation to “this figure does not include the costs incurred providing a valuation, legal fees and other miscellaneous costs” at section 4.1 (bullet point) of the report.

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

TORRY CRUYFF COURT - EXEMPT APPENDIX

12. The Committee had before it an exempt appendix relating to the Torry Cruyff Court report. (Article 10 of this minute refers).

The Committee resolved:-

to note the information contained within the exempt appendix.

STRATEGIC BUY BACK POLICY - EXEMPT APPENDIX

13. The Committee had before it an exempt appendix relating to the Strategic Buy Back Policy report. (Article 11 of this minute refers).

The Committee resolved:-

to note the information contained within the exempt appendix.

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PROPOSAL TO IN-SOURCE THE HORIZONS SERVICE MANAGEMENT AND ADMIN FUNCTIONS TO ABERDEEN CITY COUNCIL - HSCP/18/125

14. The Committee had before it a report by the Chief Officer – Aberdeen City Health and Social Care Partnership which sought approval for Aberdeen City Council to in-source the management and administrative functions of the Horizons Rehabilitation Service currently provided by Bon Accord Care.

The report recommended:-

that the Committee approve the in-sourcing of Horizons Rehabilitation Service management and administrative functions from 1 April 2019, subject to direction from the Integration Joint Board that Aberdeen City Council provides the said functions.

The Committee resolved:-

to approve the recommendation.

SUBSIDENCE IN FLATS ON ERROLL PLACE AND ERROLL STREET - RES/19/154

15. The Committee had before it a report by the Director of Resources which highlighted the ongoing situation regarding subsidence which was affecting 52 flatted properties in Erroll Place and Erroll Street outlining the four options considered in terms of dealing with the subsidence and recommended the most economically viable option.

The report recommended:-

that the Committee, subject to the agreement of the private owners within the affected properties –

- (a) approve the option to demolish the flats in Erroll Place and Erroll Street. This being the most economically viable method of dealing with the subsidence impacting on all properties on the site;
- (b) instruct the Chief Officer - Corporate Landlord to allocate sufficient funding within the Housing Revenue Account and Housing Capital Programme for 2019/20 and 2020/21 to meet the various costs involved in undertaking the demolition of flats in Erroll Place and Erroll Street;
- (c) approve a priority status for current tenants residing at the site to be permanently rehoused in alternative housing with the following provisions:
 - (1) approve the provision of payments equivalent to a Home Loss Payment and Disturbance Payments to tenants when they move with immediate effect;
 - (2) approve that families who have male and female children currently sharing a bedroom can be rehoused in larger accommodation to meet their future needs.
 - (3) delegate authority to the Chief Officer - Early Intervention and Community Empowerment to place tenants on the Urgent List with the highest priority

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- (and further prioritised by the length of their current tenancy) and give flexibility in terms of areas of choice, house sizes and number of offers;
- (4) note that with immediate effect, all void properties across the city will initially be considered for offer to appropriate tenants whose homes are impacted by the recommendations contained within this report;
 - (5) delegate authority to the Chief Officer - Corporate Landlord to negotiate with the said private owners in Erroll Place and Erroll Street and conclude agreements to purchase their properties at a price that would include compensation, capped legal fees and all other cost that they may properly and reasonably incur;
 - (6) delegate authority to the Chief Officer - Early Intervention and Community Empowerment to consider tenants for alternative types of housing appropriate to their needs; and
- (d) approve the funding for the creation of a fixed term post, for a period of two years, of Housing Officer to manage the rehousing of residents, noting that recruitment of this post will be subject to the approval of the Establishment Control Board.

The Committee resolved:-

- (i) approve recommendations (a), (b) and (c) outlined above;
- (ii) approve the funding, from the Housing Revenue Account, for the creation of a seconded post, for the duration of the proposed project of Housing Officer to manage the rehousing of residents through the redeployment of existing resources to backfill vacancies, noting that recruitment of this post will be subject to the approval of the Establishment Control Board; and
- (iii) approve the issuing of a letter at the earliest possible time, following a decision on the recommendations, to all residents explaining the decision of the committee and what actions will be taken to support the residents impacted by that decision and subject to minor amendments outlined at the meeting relating to them seeking their own professional/legal advice.

COMMUNITY ASSET TRANSFER - WOODSIDE BURGH HALL - RES/19/177

16. The Committee had before it a report by the Director of Resources which advised members of the outcome of the community asset transfer request submitted in relation to the Woodside Burgh Hall.

The report recommended:-

that the Committee –

- (a) approve the recommendation for the community asset transfer of the Woodside Burgh Hall to the body outlined in the report for a consideration of the amount outlined within the report; and
- (b) instruct the Chief Officer – Governance to conclude the missives for the sale of the Woodside Burgh Hall incorporating various qualifications as are necessary to protect the Council's interests.

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The Committee resolved:-

- (i) approve recommendation (a) outlined above;
- (ii) instruct the Chief Officer – Governance to conclude the missives for the sale of the Woodside Burgh Hall incorporating various qualifications as are necessary including a pre-emption right and other terms to protect the Council's interests; and
- (iii) that in the event of the community transfer body not proceeding with the purchase as approved by the committee, and provided they don't appeal the decision, to instruct the Chief Officer – Corporate Landlord to progress the disposal of the Woodside Burgh Hall in line with the current vacant asset procedure.

DECLARATION OF INTEREST

In accordance with article 2 of this minute, the Convener withdrew from the meeting prior to consideration of the following item of business. Councillor Wheeler substituted for the Convener and the Vice Convener took the Chair for this item of business only.

SALE OF SITE, HOWES ROAD - RES/19/175

17. The Committee had before it a report by the Director of Resources which advised of an approach made by NHS Grampian to purchase a 0.71 hectare (1.76 acre) site at Howes Road for the construction of a medical centre.

The report recommended:-

that the Committee –

- (a) approve the proposal for the Council to sell the site on the agreed heads of terms to NHS Grampian c/o the Scottish Ministers; and
- (b) instruct the Chief Officer – Governance to conclude the appropriate legal agreement incorporating various qualifications as are necessary to protect the Council's interest.

The Committee resolved:-

to approve the recommendations.

PURCHASE OF SITE FOR SCHOOL, MILLTIMBER - RES/19/011

18. With reference to article 21 of the minute of meeting of 18 September 2018, the Committee had before it a report by the Director of Resources which provided details of the outcome of discussions with the owner of land within Milltimber which had been designated as a school site by the Planning Authority.

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The report recommended:-

that the Committee –

- (a) delegate authority to the Chief Officer – Corporate Landlord to agree the terms to purchase the site for the proposed new Milltimber Primary School, which would be at a price of no more than market value; and
- (b) instruct the Chief Officer – Governance to conclude missives for the purchase of the site incorporating appropriate various qualifications as are necessary to protect the Council's interest.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) to instruct the Chief Officer - Corporate Landlord to progress the current Milltimber School site in line with the current vacant asset procedure.

CONFIDENTIAL INFORMATION

The press and public were excluded from the meeting for consideration of the following item of business as it contained confidential information in terms of Section 50A of the Local Government (Scotland) Act 1973.

ABERDEEN HARBOUR BOARD - OPTION TO PURCHASE OR LEASE, NIGG BAY - RES/19/176

19. The Committee had before it a report by the Director of Resources which advised members of an approach made by Aberdeen Harbour Board (AHB) to enter into an option agreement for the sale or long term lease of areas of ground which were currently held by them under a short term lease.

The report recommended:-

that the Committee –

- (a) approve the proposal for the Council to enter into an option agreement for the sale or long-term lease of the subjects; and
- (b) instruct the Chief Officer – Governance to conclude the appropriate legal agreements incorporating various qualifications as are necessary to protect the Council's interest.

The Committee resolved:-

- (i) to approve the proposal for the Council to enter into an option agreement for the sale or long-term lease of the subjects shown in red in plan 2 on page 264 of the report;
- (ii) to instruct the Chief Officer – Governance to conclude the appropriate legal agreements incorporating various qualifications as are necessary to protect the

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- Council's interest including the ongoing STAG assessment and potential requirements; and
- (iii) to instruct the Chief Officer – Corporate Landlord to ensure any relevant agreements incorporate provision for public access to the Coastal Path following the termination of the existing short- term lease agreement.
 - **COUNCILLOR DOUGLAS LUMSDEN, Convener.**

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