

ABERDEEN CITY COUNCIL

Town House,  
ABERDEEN, 9 December 2019

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Lord Provost Barney Crockett, Chairperson;  
Depute Provost Jennifer Stewart; and

COUNCILLORS

GILLIAN AL-SAMARAI  
YVONNE ALLAN  
CHRISTIAN ALLARD MEP  
ALISON ALPHONSE  
PHILIP BELL  
MARIE BOULTON  
DAVID CAMERON  
JOHN COOKE  
NEIL COPLAND  
WILLIAM CORMIE  
SARAH CROSS  
STEVEN DELANEY  
ALAN DONNELLY  
JACQUELINE DUNBAR  
LESLEY DUNBAR  
SARAH DUNCAN  
STEPHEN FLYNN  
GORDON GRAHAM  
ROSS GRANT  
MARTIN GREIG  
DELL HENRICKSON  
RYAN HOUGHTON

MICHAEL HUTCHISON  
CLAIRE IMRIE  
FREDDIE JOHN  
JENNIFER LAING  
DOUGLAS LUMSDEN  
SANDRA MACDONALD  
NEIL MacGREGOR  
AVRIL MacKENZIE  
ALEXANDER McLELLAN  
CIARÁN McRAE  
M. TAUQEER MALIK  
THOMAS MASON MSP  
JESSICA MENNIE  
ALEXANDER NICOLL  
AUDREY NICOLL  
JAMES NOBLE  
JOHN REYNOLDS  
PHILIP SELLAR  
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=6759&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.**

**WELCOME**

1. The Lord Provost welcomed the following three newly elected Councillors:
  - Councillor Cross, Scottish Conservative and Unionist, Bridge of Don Ward;
  - Councillor Mennie, Scottish National Party, Bridge of Don Ward; and
  - Councillor Audrey Nicoll, Scottish National Party, Torry/ Ferryhill Ward

**ADMISSION OF BURGESSES**

2. 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:-

Atli Arnason, Managing Director, Aberdeen  
 Seonaidh Baker, Operations Manger, Incorporated Trades, Aberdeen  
 Gary Catto, Engineer, Aberdeen  
 Dr Duncan Cockburn, Director of Policy and Planning, Robert Gordon University, Aberdeen  
 Anne Donald, Teacher (Retired), Aberdeen  
 John Dunn, Marine Research (Retired), Aberdeen  
 Ronald Findlay, Police Officer (Retired), Aberdeen  
 Geoffrey Marston, Police Officer (Retired), Aberdeen  
 Forbes McCallum, Deputy Lieutenant City of Aberdeen, Aberdeen  
 Dr Olga Runcie, Consultant Psychiatrist, Aberdeen  
 David Strachan, Company Director, Aberdeen  
 Fraser Henderson, Financial Services Administrator, Aberdeen

**URGENT BUSINESS**

3. At this stage, Councillor Flynn requested that the following notice of motion be accepted as urgent business onto today's agenda by the Lord Provost:

That the Council agrees that Councillor Houghton be removed from office as the Business Manager.

Councillor Flynn advised that the matter was urgent as he was not aware of the matter in advance of the deadline for notices of motion and in light of the suspension of the Councillor Houghton from the Conservative and Unionist Group he believed that consideration of him continuing in the position as Business Manager was urgent.

The notice of motion was ruled incompetent by the Lord Provost as it did not comply with the terms of Standing Order 5.1 (Removal from Office).

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

That the Council suspend Standing Order 5.1 (Removal of Office).

On a division, there voted:-

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For the procedural motion (22) - Councillors Al-Samarai, Allard MEP, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Alexander Nicoll, Audrey Nicoll, Noble, Townson and Yuill.

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

**The Council resolved:-**

to reject the procedural motion.

**In accordance with Standing Order 31.7, Councillors Al-Samarai, Allard MEP, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Alexander Nicoll, Audrey Nicoll, Noble, Townson and Yuill intimated their dissent against the foregoing decision.**

**DECLARATIONS OF INTEREST**

4. The following declarations of interest were intimated at this stage:

Councillor Mason MSP declared a general interest by virtue of his position as a Member of the Scottish Parliament for North East Scotland.

Councillor Allard MEP declared a general interest by virtue of his position as a Member of the European Parliament for Scotland.

In relation to item item 9(d) (Governance Review of Trusts – Update) (Article 10 of this minute refers), the following declarations were made:

- The Lord Provost declared a non financial interest as the sole elected member who was a Trustee of a Trust that bore the Lord Provost's title and which was proposed to receive the remaining funds from Trusts that were proposed to be wound up. The Lord Provost considered that the nature of his interest required him to leave the meeting prior to consideration of the item. The Depute Provost would assume the Chair for this item.
- Councillor Boulton declared an interest as a member of the McBey Trust and the Aberdeen Music Festival Trust (Aberdeen International Youth Festival). Councillor Boulton considered that the nature of her interests did not require her to leave the meeting.
- The Depute Provost declared an interest as a member of the McBey Trust. The Depute Provost considered that the nature of her interest did not require her to leave the meeting.

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- Councillors Al-Samarai Delaney, Donnelly, Houghton and Lumsden all declared an interest as members of the Proctor's Orphanage Trust. None of the Councillors considered that the nature of their interest required them to leave the meeting.

In relation to item 9(f) (Progress Update on Armed Forces Covenant accreditation process) (Article 12 of this minute refers), the following declarations were made:

- Councillor Hutchison declared an interest in by virtue of his position as a serving member of the Armed Forces Reserves. Councillor Hutchison considered that the nature of his interest did not require him to leave the meeting prior to consideration of the item.
- Councillors Henrickson and Houghton declared an interest as former members of the Armed Forces but did not consider that the nature of their interests required them to leave the meeting.
- Councillor Mennie declared an interest by virtue of her partner's position as a serving member of the Armed Forces Reserves. Councillor Mennie did not consider that the nature of her interest required her to leave the meeting.

#### **MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 2 SEPTEMBER 2019**

5. The Council had before it the minute of meeting of Aberdeen City Council of 2 September 2019.

**The Council resolved:-**

to approve the minute as a correct record.

#### **BUSINESS PLANNER**

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

**The Council resolved:-**

- to note that item 4 (Aberdeen Local Development Plan) had been delayed to the next meeting of Council on 2 March 2019 as the Council was awaiting a report from the Scottish Government regarding the Strategic Development Planning Authority before the proposed Local Development Plan could be published; and
- to note the business planner.

#### **APPOINTMENT OF EXTERNAL MEMBERS - EDUCATION OPERATIONAL DELIVERY COMMITTEE - GOV/19/402**

7. The Council had before it a report by the Chief Officer - Governance which sought approval for the appointment of two new parent representatives to the Education Operational Delivery Committee.

**The report recommended:-**

that the Council agree the appointment of Ms Tracey Blackie and Mr Rick Sansom as the new parent representatives on the Education Operational Delivery Committee with immediate effect.

**The Council resolved:-**

to approve the recommendations.

**LICENSING BOARD VACANCY - GOV/19/427**

8. The Council had before it a report by the Chief Officer - Governance which informed the Council in terms of s4(2) of Schedule 1 to the Licensing (Scotland) Act 2005 ("the 2005 Act") of the resignation of a Member of the Licensing Board, and sought the appointment of a Member to fill the resultant vacancy in terms of s2(4) of Schedule 1 of the 2005 Act.

**The report recommended:-**

that the Council –

- (a) note the resignation of Councillor John from the Licensing Board as of 2 September 2019; and
- (b) hold an election at the meeting of 9 December to appoint a Member to fill the vacancy on the Licensing Board.

**The Council resolved:-**

- (i) to approve recommendation (a); and
- (ii) to appoint Council MacKenzie to fill the vacancy on the Licensing Board.

**FAMILY LEAVE FOR ELECTED MEMBERS - GOV/19/429**

9. The Council had before it a report by the Chief Officer - Governance which provided details of guidance which was endorsed by COSLA (Convention of Scottish Local Authorities) Leaders and issued to Scottish Councils to consider adopting which would support Elected Members during periods of maternity, paternity, shared parental and adoption leave.

**The report recommended:-**

that the Council agree to adopt COSLA's "Family Leave Guidance for Councils", as appended to the report.

**The Council resolved:-**

to approve the recommendation.

## DECLARATION OF INTEREST

In accordance with Article 4 of this minute, the Lord Provost left the meeting prior to consideration of the following item of business. The Depute Provost assumed the chair for this item of business only.

### GOVERNANCE REVIEW OF TRUSTS - UPDATE - GOV/19/446

10. With reference to Article 12 of the minute of its meeting of 10 September 2018, the Council had before it a report by the Chief Officer - Governance which provided an update on the ongoing work to review, wind up and/or amalgamate uneconomic or obsolete Trusts.

#### The report recommended:-

that the Council –

- (a) acting in their capacity as trustees of the Educational Trusts listed in Appendix A:-
  - (i) approve the proposed actions in relation to each Trust as detailed in Appendix A; and
  - (ii) instruct the Chief Education Officer, following consultation with the Chief Officer – Governance, to take any necessary steps to implement these proposals;
- (b) acting in their capacity as trustees of the Children’s Social Work Trusts listed in Appendix B:-
  - (i) approve the proposed actions in relation to each Trust as detailed in Appendix B; and
  - (ii) instruct the Chief Officer – Integrated Children’s and Family Services, following consultation with the Chief Officer – Governance, to take any necessary steps to implement these proposals;
- (c) acting in their capacity as trustees of the Adult Social Work Trusts listed in Appendix C:-
  - (i) approve the proposed actions in relation to each Trust as detailed in Appendix C; and
  - (ii) instruct the Chief Officer – Aberdeen City Health and Social Care Partnership (ACHSCP), following consultation with the Chief Officer – Governance, to take any necessary steps to implement the proposals;
- (d) acting in their capacity as trustees of the Arts and Culture Trusts listed in Appendix D:-
  - (i) approve the proposed actions in relation to each Trust as detailed in Appendix D; and
  - (ii) instruct the Chief Officer – City Growth, following consultation with the Chief Officer – Governance, to take any necessary steps to implement these proposals;
- (e) acting in their capacity as trustees of the Trusts listed in Appendices A to D, instruct the Chief Officer – Governance, following consultation with the Chief Officer – Finance, to obtain authorisation from relevant regulatory authorities to vary the constitutions of the Trusts with a balance sheet of less than £20,000 to allow trustees to apply reserves;

- (f) acting in their capacity as trustees of the City of Aberdeen Council Guildry and Mortification Funds (SC011857), Lands of Skene (SC018533) and Lands of Torry (SC021299), note the progress of the reorganisation of these Trusts;
- (g) acting in their capacity as trustees of the Bridge of Don Fund (SC018551),
  - (i) approve the change of name of this charity from the Bridge of Don Fund to the Bridges of Aberdeen Heritage Trust; and
  - (ii) instruct the Chief Officer – Governance to take any necessary steps to implement this proposal;
- (h) acting in their capacity as trustees of the Robert Skene Mathew Bequest, Molly Craig Fund and Stewart Reid Memorial Fund:-
  - (i) instruct the Chief Officer – Governance, following consultation with the Chief Officer – Finance, to wind up the Trusts and transfer the funds to the Lord Provost’s Charitable Trust (SC028829); and
- (i) nominate an elected member for appointment as a trustee to Robb’s Trust.

**The Council resolved:-**

- (i) to approve the recommendations (a) to (h); and
- (ii) to nominate Councillor Cross for appointment as a trustee to Robb’s Trust.

**TREASURY MANAGEMENT POLICY AND STRATEGY - MID YEAR REVIEW - RES/19/432**

11. Council had before it a report by the Director of Resources which provided an update on Treasury Management activities undertaken to date during financial year 2019/20.

**The report recommended:-**

that the Council note the Treasury Management activities undertaken in the 2019/20 financial year to date, as detailed in the report.

**The Council resolved:-**

to approve the recommendation.

**PROGRESS UPDATE ON ARMED FORCES COVENANT ACCREDITATION PROCESS - CUS/19/461**

12. With reference to Article 15 of the minute of its meeting of 10 September 2018, the Council had before it a report by the Director of Customer which provided an update on progress made to date on the Armed Forces Covenant accreditation process.

**The report recommended:-**

that the Council -

- (a) note the progress made to date on the Armed Forces Covenant and Defence Employer Recognition Scheme (ERS); and
- (b) note the intention to submit an application for gold award accreditation by 31 March 2020.

**The Council resolved:-**

to approve the recommendations.

**NOTICE OF MOTION BY COUNCILLOR FLYNN**

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

“This Council:

1. notes that hundreds of thousands of women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little to no personal notification of the changes. In some cases, women had only two years notice of a six-year increase to their state pension age;
2. further notes that many women born in the 1950's were living in hardship with their retirement plans having been significantly changed. Many of these women were already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment. Women born in this decade were suffering financially;
3. understands that these women had paid their tax and national insurance with the expectation that they would be financially secure when reaching 60 and that it was not the pension age itself that was in dispute - it was widely accepted that women and men should retire at the same time;
4. agrees that the rise in the women's state pension age had been too rapid and had happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements;
5. calls upon the UK Government to make fair transitional state pension arrangements for all women born in the 1950s, who had unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification; and
6. instructs the Chief Executive to write to the Secretary of State for Work and Pensions to outline the council's position.

Councillor Flynn moved, seconded by Councillor Mennie:-

That the Council approve the notice of motion.

Councillor Laing moved as an amendment, seconded by Councillor Lumsden:-

That the Council -

- (a) agree the notice of motion;
- (b) note that Section 24 of the Scotland Act 2016 amends the Scotland Act 1998, allowing the Scottish Parliament to introduce Discretionary payments to top up reserved benefits to an individual who is entitled to a reserved benefit and appears to require financial assistance in addition to any amount the individual receives by way of reserved benefit;
- (c) note the 1998 Act, as amended, defines reserved benefit as, “a benefit which is to any extent a reserved matter;
- (d) note that the 1998 Act (as amended by Section 28 of the Scotland Act 2016) allows the Scottish Parliament to create new benefits which could include WASPI women; and
- (e) therefore, agree to instruct the Chief Executive to write to the First Minister urging the Scottish Government to use the powers of the Scottish Parliament to provide financial assistance to WASPI women should the UK Government fail to act.

On a division, there voted:-

For the motion (19) - Councillors Al-Samarai, Allard MEP, Alphonse, Cameron, Cooke, Copland, Cormie, Jackie Dunbar, Flynn, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Alexander Nicoll, Audrey Nicoll, Noble and Townson.

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

**The Council resolved:-**

to adopt the amendment.

- **BARNEY CROCKETT, Lord Provost.**