

CITY GROWTH AND RESOURCES COMMITTEE

ABERDEEN, 6 February 2020. Minute of Meeting of the CITY GROWTH AND RESOURCES COMMITTEE. Present:- Councillor Lumsden, Convener; Councillor Grant, Vice-Convener; and Councillors Boulton, Cooke, Jackie Dunbar, Laing, McLennan (as substitute for Councillor Cooke for article 21 and Councillor Jackie Dunbar for article 22), Alex Nicoll, Yuill and Wheeler.

The agenda and reports associated with this minute can be found [here](#).

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 13.1 (Workplans and Business Cases - Capital - Exempt Appendix), 13.2 (Town Centre Fund - Exempt Appendix), 13.3 (Booking of Educational Establishments), 13.4 (Disposal of 165-167 Crown Street & 77-79 Bon Accord Street), 13.5 (Property Sale Report - Disposal of Ground Leases), 13.6 Community Asset Transfer - Tillydrone Library and Family Centre), 13.7 (Disposal of 120 Westburn Road) and 13.8 (Aberdeen City Council Housing Programme - Exempt Appendix) 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 during consideration of the above items so as to avoid disclosure of information of the classes described in the following paragraphs of Schedule 7(A) to the Act:- articles 19 and 26 (paragraph 8), article 20 (paragraph 9), article 21 (paragraphs 1 and 11), articles 22, 23, 24 and 25 (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 were intimated:-

- (1) Councillor Cooke declared an interest in item 13.3 (Booking of Educational Establishments) by virtue of him being a Council appointed Board Member of Sport Aberdeen. 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;
- (2) Councillor Yuill declared an interest in item 11.3 (Low Emission Zone Options) by virtue of him being a Council appointed substitute member of Nestrans Board. He considered that the nature of his interest did not require him to leave the meeting and therefore chose to remain in the meeting for consideration of the item; and
- (3) Councillor Nicoll declared an interest in item 11.3 (Low Emission Zone Options) by virtue of him being a Council appointed member of Nestrans Board. He considered

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that the nature of his interest did not require him to leave the meeting and therefore chose to remain in the meeting for consideration of the item.

DEPUTATIONS

3. The Convener advised that a request for deputation had been received by Ms Kelsey Gillies, Asthma UK and British Lung Foundation Partnership relating to item 11.3 (Low Emission Zone Options) and that the delegation would be heard immediately prior to the aforementioned item.

MINUTE OF PREVIOUS MEETING OF 5 DECEMBER 2019 - FOR APPROVAL

4. The Committee had before it the minute of its previous meeting of 5 December 2019, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE PLANNER

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

The Committee resolved:-

- (i) to remove items 15 (Community Transfer - Leased Community Centres), item 25 (Review of Leased Centres and Learning Centres) and item 49 (CCTV and Traffic Management Services - Marischal College Relocation) and item 51 (Schoolhill Public Realm Enhancement) for the reasons outlined in the planner;
- (ii) to note the reason for the reporting delay in relation to item 10 (External Funding Plan) and item 11 (Local Authority Bus Services/Controlled Bus Companies);
- (iii) that in relation to item 9 (Business Case for the Refurbishment of Harlaw Road Pavilion), to note the reason for the reporting delay and that officers would seek to submit a report to the Council's budget setting process; and
- (iv) to otherwise note the content of the Committee Planner.

REVIEW OF LEASED CENTRES AND LEARNING CENTRES - REFERRAL FROM OPERATIONAL DELIVERY COMMITTEE OF 9 JANUARY 2020

6. The Committee had before it a referral from the Operational Delivery Committee of 9 January 2020, relating to the Review of Leased Centres and Learning Centres.

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The Operational Delivery Committee resolved:-

- (a) to recommend to the City Growth and Resources Committee that they instruct the Chief Officer – Corporate Landlord to replace the existing leases and management agreements with ten year leases (or leases for such shorter periods as the tenants may wish) only; such leases to give the Council the power to terminate the leases at any time by providing 12 months' notice, on specified grounds, and otherwise to contain such provisions as are agreed with the tenants; and
- (b) notes that the leased community centre management committees will require to seek independent legal advice during the negotiation of new leases and recommends to the City Growth and Resources Committee that they instruct that the Council will meet the reasonable costs of this and that the Chief Officer – Corporate Landlord report to the relevant committee on how this can be facilitated.

The Committee resolved:-

- (i) to instruct the Chief Officer – Corporate Landlord to replace the existing leases and management agreements with ten year leases (or leases for such shorter periods as the tenants may wish) only; such leases to give the Council the power to terminate the leases at any time by providing 12 months' notice, on specified grounds, and otherwise to contain such provisions as are agreed with the tenants; and
- (ii) to note that the leased community centre management committees will require to seek independent legal advice during the negotiation of new leases and that the Council will meet the reasonable costs of this.

PERFORMANCE MANAGEMENT FRAMEWORK REPORTING - PLACE FUNCTION - COM/20/017

7. The Committee had before it a report by the Chief Officer - Business Intelligence and Performance Management which outlined the key performance management and framework measures relating to the Place function, incorporating the City Growth and Strategic Place Planning Clusters.

The report recommended:-

that the Committee scrutinise and offer comment on the performance information contained in the appendix attached to the report.

The Committee resolved:-

- (i) approves the recommendation; and
- (ii) instruct officers to investigate the possibility of including base line figures in the appendix for future reports.

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CREDIT RATING ANNUAL REVIEW - RES/20/040

8. With reference to article 15 of the minute of meeting of full Council of 14 December 2016, the Committee had before it a report by the Director of Resources which provided an overview of the recent credit rating annual review and outcome.

The report recommended:-

that the Committee note the outcome of the annual review was affirmation of the Aa3 rating, with the economic outlook reduced to 'negative' from 'stable', in line with the recent change to the UK's rating.

The Committee resolved:-

to approve the recommendation.

EMPLOYABILITY PIPELINE - PLA/20/022

9. With reference to article 14 of the minute of meeting of 27 November 2018, the Committee had before it a report by the Chief Officer – City Growth which sought approval to reject the offer of a grant for phase 2 of the employability pipeline project from the European Social Fund, due to the Fund currently being suspended by the European Commission.

The report recommended:-

that the Committee –

- (a) approve the withdrawal of the application to the European Social Fund for grant funding made in May 2018 relating to phase 2 of the Employability Pipeline Project;
- (b) instruct the Chief Executive to inform the Managing Authority of the European Social Fund of this decision in writing; and
- (c) instruct the Chief Officer - City Growth, to seek to identify alternative sources of funding to support employability activity in Aberdeen.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) to regret the Scottish Government's non-compliance with EU Commission audit requirements and consequential loss of funding to Aberdeen City Council and associated projects and instructs the Chief Officer – City Growth to write to the Scottish Government to urgently provide an alternative funding mechanism to support the associated projects.

WORKPLANS AND BUSINESS CASES - CAPITAL - COM/20/048

10. The Committee had before it a report by the Chief Operating Officer which presented a procurement workplan where capital expenditure was included for the

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Operations Functions to Committee for review and to seek approval of the total estimated capital expenditure for the proposed contract as contained in the Procurement Business Case(s) appended to the report.

The report recommended:-

that the Committee –

- (a) review the workplan for the Operations Function as detailed in the appendices;
- (b) where a Business Case has been submitted, approve the total estimated capital expenditure for the proposed contract and delegates authority to the Head of Commercial & Procurement Services following consultation with the relevant Chief Officer to procure appropriate works and services, and enter into any contracts relating thereto; and
- (c) note that Business Cases for procurements exercises to be commenced after 6th February 2020 will be submitted on a phased basis to future meetings of the City Growth and Resources Committee.

The Business Case related to the Memorial Stone Stabilisation.

The Committee resolved:-

to defer consideration of this item to the Council's budget setting process.

COUNCIL FINANCIAL PERFORMANCE, QUARTER 3, 2019/20 - RES/20/032

11. The Committee had before it a report by the Director of Resources, which provided the financial position of the Council as at Quarter 3 (31 December 2019) and the full year forecast position for the financial year 2019/20, including:-

- General Fund and Housing Revenue Account (HRA and capital accounts; and associated Balance Sheet; and
- Common Good Revenue Account and Balance Sheet.

The report recommended:-

that the Committee –

- (a) note the positive cash position that has been achieved for the General Fund and HRA to the end of Quarter 3 as detailed in Appendix 1 of the report;
- (b) note the Common Good financial performance to the end of Quarter 3 as detailed in Appendix 3 of the report;
- (c) note that the revenue budgets for the General Fund, HRA and Common Good are on target to achieve a balanced position for 2019/20 as detailed in Appendix 2 of the report;
- (d) note that the capital expenditure for the General Fund will be lower than budgeted, which will result in project budgets being carried forward into 2020/21; and for the Housing Capital programme the estimate remains that the budgeted funding requirements will be achieved, as detailed in Appendix 2 of the report; and

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- (e) approve the budget virements for Housing Capital as detailed in Appendix 2 of the report.

The Committee resolved:-

- (i) to approve the recommendations; and
 (ii) to thank all officers who were involved in the preparation of the report.

DONALD COLMAN PLAQUE - PLA/20/029

12. The Committee had before it a report by the Chief Officer – City Growth which sought approval for the erection of a plaque to Donald Colman, Footballer, International Coach and inventor of the touchline dugout at 342 King Street, Aberdeen.

The report recommended:-

that the Committee approve the erection of a plaque to Donald Colman at 342 King Street.

The Committee resolved:-

- (i) to approve the recommendation; and
 (ii) that officers consider publishing the qualification criteria for memorial plaques on the website, and to omit this information from future reports.

THE PLANNING (SCOTLAND) ACT 2019 - PLA/20/011

13. The Committee had before it a report by the Chief Officer – Strategic Place Planning which provided an update on the expected implications for the Council resulting from the Planning (Scotland) Act 2019.

The report recommended:-

that the Committee agree, in terms of the discretionary powers afforded to Aberdeen City Council by the Planning (Scotland) Act 2019 (as described in paragraphs 3.10.1 to 3.10.11 of the report):-

- (a) to instruct the Chief Officer - Strategic Place Planning to propose to Aberdeenshire Council a partnership for the production of a Regional Spatial Strategy for the Aberdeen City Region;
 (b) that no current need for a Masterplan Consent Zone exists with the Council's administrative boundary;
 (c) that no current need for a Short Term Let Control Area exists with the Council's administrative boundary;
 (d) that any future decision on whether or not to charge discretionary planning fees would be considered through a Cost Benefit Analysis undertaken as part of the General Fund Revenue Budget process and the proposed budget for Strategic Place Planning; and

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- (e) that any necessary changes to the Council's Powers Delegated to Officers resulting from the Planning (Scotland) Act 2019 be undertaken through the annual review to the Council's Scheme of Governance, which is due to be presented to the Council meeting on 2 March 2020.

The Committee resolved:-

- (i) to approve the recommendations; and
(ii) to thank all officers who were involved in the preparation of the report.

LOW EMISSION ZONE OPTIONS - PLA/20/039

14. With reference to article 4 of this minute, the Committee received a deputation from Kelsey Gillies, Asthma UK and British Lung Foundation Partnership and Frank Toner.

Ms Gillies intimated that the British Lung Foundation was the only charity in the UK dedicated to looking after the nation's lungs and air pollution posed a significant threat to respiratory health, and as such, addressing this was a key part of their mission to ensure that everyone in society could breathe clean air, with healthy lungs.

Ms Gillies advised that whilst they were pleased to see Aberdeen City Council progressing with their low emission zone (LEZ) plans, they urged the council to provide a more detailed timeline of when they could expect a full low emission zone to be implemented which covered all vehicles, not just buses.

Ms Gillies made reference to LEZ implementation plans in Edinburgh, Glasgow and London and the devastating impact of air pollution on human health.

Ms Gillies recommended that the Council agree a timeline which attempted to bring Aberdeen's low emission zone efforts in line with Edinburgh and Glasgow, with the latter being the first local authority to make progress with the low emission zone back in 2018, and was expected to achieve full compliance by 31 December 2022 with all vehicles entering the zone, required to meet the specified emissions standards.

Ms Gillies proposed that rather than copying Glasgow's five year implementation plan, Aberdeen City Council should also aim to ensure that all vehicle types were included in the Low Emission Zone by 2023. This would bring Aberdeen in line with other Scottish city councils and would ensure that they do not suffer a competitive disadvantage. Also, this would guarantee that Aberdonians could enjoy clean air and the associated health benefits as soon as possible and would also bring Aberdeen into alignment with numerous European Cities, such as Madrid, Berlin and Paris, who were all pushing towards zero emission zones.

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Ms Gillies and Mr Toner responded to questions from members, specifically regarding the proposed timeline and grace periods in terms of members of the public who were on low incomes who may be required to replace older vehicles.

The Committee thanked Ms Gillies and Mr Toner for their deputation.

With reference to article 15 of the minute of the previous meeting of 5 December 2019, the Committee had before it a report by the Chief Officer – Strategic Place Planning which sought approval to apply to the Traffic Commissioner for a Traffic Regulation Condition (TRC) for the purpose of reducing emissions from local bus services, and to undertake public and stakeholder engagement on options for a Low Emission Zone encompassing multiple vehicle types.

The report recommended:-

that the Committee –

- (a) agree that incremental improvements to the local public transport fleet is an appropriate first step in delivering a LEZ in Aberdeen;
- (b) instruct the Chief Officer – Strategic Place Planning to apply to the Traffic Commissioner for a TRC requiring that 20% of all local bus services in Aberdeen city centre achieve Euro VI (or better) compliance by 31st December 2020; and
- (c) instruct the Chief Officer – Strategic Place Planning to undertake public and stakeholder engagement on options for a city centre LEZ encompassing multiple vehicle types and report the outcomes of this process to the Committee in October 2020.

The Committee resolved:-

to approve the recommendations, subject to amending the percentage figure in recommendation (b) from 20% to 25%.

GRANITE CITY GROWING: ABERDEEN GROWING FOOD TOGETHER - PLA/20/013

15. With reference to article 9 of the minute of meeting of 26 September 2019, the Committee had before it a report by the Chief Officer – Strategic Place Planning which sought approval of the final version of Aberdeen’s community food growing strategy ‘Granite City Growing: Aberdeen Growing Food Together 2020’ along with its associated Environmental Report.

The report recommended:-

that the Committee –

- (a) approve the Granite City Growing: Aberdeen Growing Food Together 2020 strategy as contained in Appendix A of the report;
- (b) approve the development of an implementation plan 2020 to 2026 based on the vision and key actions; and

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- (c) approve the Granite City Growing SEA Environmental Report, as contained in Appendix B of the report.

The Committee resolved:-

to approve the recommendations.

TOWN CENTRE FUND - PLA/20/021

16. With reference to article 8 of the minute of meeting of 6 June 2019, the Committee had before it a report by the Chief Officer – City Growth, which presented additional options for project proposals and sought approval to distribute the allocation of funds to each identified project in relation to the Scottish Government Town Centre Capital Grant Fund, where Aberdeen City Council received an allocation of £1,351,000, and of which £137,497.50 remained unallocated.

The report recommended:-

that the Committee –

- (a) approve the request of additional funding for the Living Wall Project as per Appendix 1 of the report;
- (b) approve the allocation of funding for the Queen Street demolition projects as per Appendix 1 of the report; and
- (c) delegate authority to the Chief Officer - Capital, following consultation with Commercial and Procurement Services to consider and approve business cases (including estimated expenditure) for the recommended projects for the purposes of Procurement Regulation 4.1.1: and thereafter to procure appropriate works and services, and enter into any contracts necessary for the delivery of the recommended projects without the need for further approval from any other Committee of the Council.

The Committee resolved:-

to approve the recommendations.

TRADE AND EUROPEAN PARTNERSHIPS TRAVEL PLAN 2019/20 UPDATE - PLA/20/024

17. With reference to article 15 of the minute of meeting of 25 April 2019, the Committee had before it a report by the Chief Officer – City Growth, which sought approval for an amendment to the international trade priorities for 2019-20 and for the associated travel plan.

The report recommended:-

that the Committee approve the changes to the Trade and European Partnerships Travel Plan as detailed in paragraph 4 of the report and outlined as follows:-

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- (1) the Lord Provost and one officer visit Esbjerg before the end of March 2020;
- (2) the Lord Provost and one officer attend CERAWeek, Houston 9-13 March 2020;
- (3) the Lord Provost and one officer to attend the HighWind Conference which will take place 17–19 March 2020 in Stavanger;
- (4) the Lord Provost and one officer to attend the Barents Sea Conference to be held in Hammerfest, Northern Norway on 20–22 April 2020;
- (5) one elected member and one officer to visit Tamaulipas, Mexico in April 2020 to explore the potential for relationship development with the state and with a view to sign a Memorandum of Understanding (MOU);
- (6) potential visits to Doha, Halifax, Karamay, Pemba and Brazil be reviewed as part of the Travel Plan for 2020–2021, and subject to Council budget setting process;
- (7) that Uganda be removed from the travel plan; and
- (8) delegate authority to the Chief Officer - City Growth to authorise only necessary and appropriate travel set out in paragraph 4 and associated expenditure to fulfil the travel plan occurring between April 2020 – March 2021, provided the cost of such travel is reasonable and does not exceed the budget allocation set out in the report.

Councillor Alex Nicoll, seconded by Councillor Yuill moved as a procedural motion:-
that the Committee defer consideration of this item to the Council’s budget setting process.

On a division there voted:- for the procedural motion (4) – Councillors Cooke, Jackie Dunbar, Alex Nicoll and Yuill; against the procedural motion (5) – the Convener, the Vice Convener and Councillors Boulton, Laing and Wheeler.

The Committee resolved:-

- (i) to reject the procedural motion; and
- (ii) to approve the recommendations, subject to amending recommendation (8) to read “delegate authority to the Chief Officer - City Growth in consultation with the Convener of the City Growth and Resources Committee to authorise only necessary and appropriate travel set out in paragraph 4 and associated expenditure to fulfil the travel plan occurring between April 2020 – March 2021, provided the cost of such travel is reasonable and does not exceed the budget allocation set out in the report.”

ABERDEEN CITY COUNCIL - HOUSING PROGRAMME - RES/20/049

18. The Committee had before it a report by the Director of Resources which provided an update on the development works that had been undertaken in relation to the Council house new build programme, including some works to refine and update the vision for the programme, but also to develop the future building specification requirements.

The report recommended:-

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that the Committee –

- (a) agree to adopt the Gold Technical Standards detailed at paragraph 3.13 of the report, for the new house build programme to meet the vision of the programme and to instruct the Chief Officer – Capital to incorporate this into the Council's High Level Employers Requirements with immediate effect; and
- (b) where on review of the tender returns the Gold Technical Standard cannot be achieved within a specific development site, agree to delegate authority to the Chief Officer – Capital to agree in consultation with the Chief Officer - Corporate Landlord and the Convener of the City Growth and Resources Committee, on an exception basis, variations to the standards.

The Committee resolved:-

to approve the recommendations.

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.

WORKPLANS AND BUSINESS CASES - CAPITAL - EXEMPT APPENDIX

19. The Committee had before it an exempt appendix relating to the Workplans and Business Cases - Capital report. (Article 10 of this minute refers).

The Committee resolved:-

to defer consideration of this item to the Council's budget setting process.

TOWN CENTRE FUND - EXEMPT APPENDIX

20. The Committee had before it an exempt appendix relating to the Town Centre Fund report. (Article 16 of this minute refers).

The Committee resolved:-

to note the details contained within the exempt appendix.

DECLARATION OF INTEREST

In accordance with article 2 of this minute, Councillor Cooke withdrew from the meeting prior to consideration of the following item of business. Councillor McLennan substituted for Councillor Cooke for this item of business only.

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BOOKING OF EDUCATIONAL ESTABLISHMENTS - CUS/20/020

21. The Committee had before it a report by the Director of Customer Services which sought approval to in-source the management and administration of the booking and lettings of educational establishments, currently provided by Sport Aberdeen.

The report recommended:-

that the Committee approve the in-sourcing of the management and administration of the bookings and lettings of educational establishments from 1st March 2020.

The Committee resolved:-

to approve the recommendation.

DISPOSAL OF 165-167 CROWN STREET & 77-79 BON ACCORD STREET - RES/20/015

22. The Committee had before it a report by the Director of Resources which provided details in relation to the offers received to purchase 165-167 Crown Street and 77-79 Bon Accord Street.

The report recommended:-

that the Committee –

- (a) accept the recommendation as detailed in paragraph 3.9 of the report; and
- (b) instruct the Chief Officer – Governance to conclude missives for the sale of the properties incorporating various qualifications as are necessary to protect the Council's interest, together with any other matters as are required to complete the sale.

The Committee resolved:-

to approve the recommendations.

PROPERTY SALE REPORT - DISPOSAL OF GROUND LEASES - RES/20/044

23. The Committee had before it a report by the Director of Resources which provided details of an approach made by a company to purchase two commercial sites.

The report recommended:-

that the Committee –

- (a) approve the proposal for the Council to sell the sites on the agreed heads of terms to the Council's tenant; and

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- (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.

COMMUNITY ASSET TRANSFER - TILLYDRONE LIBRARY AND FAMILY CENTRE - RES/20/045

24. The Committee had before it a report by the Director of Resources which provided details of the outcome of the assessment of the asset transfer request submitted by a company for the Tillydrone Library and Family Centre.

The report recommended:-

that the Committee –

- (a) approve the recommendation to proceed with the Community Asset Transfer of the Former Tillydrone Library and Family Centre; and
- (b) instruct the Chief Officer – Governance to conclude missives for the sale of the former library and family centre incorporating various qualifications as are necessary to protect the Council's interests.

The Convener, seconded by the Vice Convener, moved as a procedural motion:-

to defer consideration of the report to the next meeting of this Committee to allow the company to further their community engagement to ensure that the geographical community is fully consulted.

On a division there voted:- for the procedural (6) – the Convener, the Vice Convener and Councillors Boulton, Laing, Wheeler and Yuill; against the procedural motion (3) – Councillors Cooke, Jackie Dunbar and Nicoll.

The Committee resolved:-

to adopt the procedural motion.

DISPOSAL OF 120 WESTBURN ROAD - RES/20/047

25. The Committee had before it a report by the Director of Resources which advised of an approach by the Council's tenant to purchase the ground landlord's interest in a site at 120 Westburn Road.

The report recommended:-

that the Committee –

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- (a) approve the recommendation to sell the site to the Council's sitting tenant 'CLAN' on the terms outlined in this report; and
- (b) instruct the Chief Officer – Governance to conclude missives for the sale of the site incorporating various qualifications as are necessary to protect the Council's interests.

The Committee resolved:-

to approve the recommendations.

ABERDEEN CITY COUNCIL HOUSING PROGRAMME - EXEMPT APPENDIX

26. The Committee had before it an exempt appendix relating to the Aberdeen City Council Housing Programme report. (Article 18 of this minute refers).

The Committee resolved:-

to note the details contained within the exempt appendix.

- **COUNCILLOR DOUGLAS LUMSDEN, Convener**