

CAPITAL PROGRAMME COMMITTEE

ABERDEEN, 24 March 2021. Minute of Meeting of the CAPITAL PROGRAMME COMMITTEE. Present:- Councillor Boulton, Convener; Councillor Lumsden, Vice-Convener; and Councillors Cooke (as substitute for Councillor McRae), Graham, Laing, MacKenzie, McLellan, Audrey Nicoll and Yuill.

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 9.1 (Aberdeen Art Gallery Update) and 9.2 (Countesswells Primary School Update) with the press and public excluded from the meeting.

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 items 9.1 (Aberdeen Art Gallery Progress Report) and 9.2 (Countesswells Primary School Progress Report) so as to avoid disclosure of exempt information of the classes described in paragraphs 6, 9 and 12 (item 9.1) and 6 and 9 (item 9.2) of Schedule 7A of the Act.

DECLARATIONS OF INTEREST

2. Members were requested to intimate any declarations of interest in respect of the items on the agenda.

The Committee resolved:-

to note that Councillor Yuill declared an interest in item 9.1 (Aberdeen Art Gallery Progress Report) by virtue of him being an Aberdeen City Council appointed member of Robert Gordon's College Board of Governors and that he considered that the nature of his interest required him to leave the meeting at that item on the agenda.

MINUTE OF PREVIOUS MEETING OF 28 JANUARY 2021

3. The Committee had before it the minute of its previous meeting of 28 January 2021.

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The Committee resolved:-

- (i) in relation to item 2, resolution (i) to agree that the Director of Resources does not pursue the request at this time and try again in the future when pressures of the Covid-19 pandemic had ceased; and
- (ii) to otherwise 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 add B999 Shielhill Road Junction Improvements to the Planner; and
- (ii) to otherwise note the content of the business planner.

UNION TERRACE GARDENS PROJECT UPDATE - RES/21/063

5. With reference to article 6 of the minute of its meeting of 18 November 2020, the Committee had before it a report by the Director of Resources which provided an update on progress of the delivery of Union Terrace Gardens project, which had an anticipated completion date of Winter 2021.

The report recommended:-

That the Committee note the progress achieved to deliver the Union Terrace Gardens Redevelopment.

The Committee resolved:-

- (i) to thank the report author for her work on the project to date and to wish her well in her new employment; and
- (ii) to approve the recommendation contained in the report.

PROVOST SKENE HOUSE PROJECT UPDATE - RES/21/073

6. With reference to article 7 of the minute of its meeting of 18 November 2020, the Committee had before it a report by the Director of Resources which provided an update on the progress of works to refurbish Provost Skene's House.

The report recommended:-

That the Committee note the progress achieved in the delivery of Provost Skene's House refurbishment and that the internal fit-out works were now underway.

The Committee resolved:-

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- (i) to congratulate all staff involved with the project on the work to date on the project; and
- (ii) to approve the recommendation contained in the report.

NESS ENERGY PROJECT - RES/21/070

7. With reference to article 4 of the minute of its meeting of 18 November 2020, the Committee had before it a report by the Director of Resources which provided an update on the progress made with regards to the construction of the Ness Energy Project.

The report recommended:-

That the Committee –

- (a) note the progress achieved to date; and
- (b) note the financial position for the project.

The Committee resolved:-

to approve the recommendations contained in the report.

REPLACEMENT MILLTIMBER PRIMARY SCHOOL PROGRESS REPORT - RES/21/068

8. With reference to article 9 of the minute of its meeting of 18 November 2020, the Committee had before it a report by the Director of Resources which provided an update on the progress of the Milltimber Replacement School.

The report recommended:-

That the Committee -

- (a) note that the project formed part of the Education New Build Programme presented to the Capital Programme, Strategic Commissioning and City Growth and Resources Committees in September 2018 and that the project would contribute to the delivery of Aberdeen City Council's Early Learning and Childcare Expansion Programme of works; and
- (b) note the current on-going work leading to completion of the construction of the replacement Milltimber School in Spring 2022.

The Committee resolved:-

to approve the recommendations contained in the report.

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REPLACEMENT RIVERBANK PRIMARY SCHOOL - PROGRESS REPORT - RES/21/069

9. With reference to article 8 of the minute of its meeting of 18 November 2020, the Committee had before it a report by the Director of Resources which provided an update on the progress of the Replacement Riverbank Primary School.

The report recommended:-

That the Committee -

- (a) note that the project formed part of the Education New Build Programme presented to the Capital Programme, Strategic Commissioning and City Growth and Resources Committees in September 2018 and that the project would contribute to the delivery of Aberdeen City Council's Early Learning and Childcare Expansion Programme of works; and
- (b) note the current on-going work leading to completion of the construction of the Replacement Riverbank Primary School in Summer 2023.

The Committee resolved:-

to approve the recommendations contained in the report.

TORRY COMMUNITY HUB AND PRIMARY SCHOOL - PROGRESS REPORT - RES/21/074**10.**

With reference to article 10 of the minute of its meeting of 18 November 2020, the Committee had before it a report by the Director of Resources which provided an update on the progress of the Torry Community Hub and Primary School.

The report recommended:-

That the Committee -

- (a) note that the project formed part of the Education New Build Programme presented to the Capital Programme, Strategic Commissioning and City Growth and Resources Committees in September 2018 and that the project would contribute to the delivery of Aberdeen City Council's Early Learning and Childcare Expansion Programme of works; and
- (b) note the current on-going work leading to the anticipated completion of the construction of the Torry Community Hub and Primary School in Spring 2023.

The Committee resolved:-

to approve the recommendations contained in the report.

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ELC PROGRAMME PROGRESS REPORT - RES/20/208

11. With reference to article 7 of the minute of its previous meeting, the Committee had before it a report by the Director of Resources which provided an update on the progress of ELC Capital Projects. These projects will help meet Aberdeen City Council's Early Learning and Childcare Delivery Plan objectives by working with the Education Operations teams to help meet the Council's commitment to expand funded early learning and childcare from 600 hours to 1,140 hours by 2020.

The report recommended:-

That the Committee -

- (a) note that the Early Learning and Childcare Expansion Programme of works formed part of the overall Aberdeen City Council Capital Plan; and
- (b) note the progress made with the overall delivery of projects in lieu of the Covid-19 pandemic impact.

The Committee resolved:-

to approve the recommendations contained in the report.

CLUSTER RISK REGISTERS AND ASSURANCE MAPS - RES/21/067

12. The Committee had before it a report by the Director of Resources which presented the Cluster Risk Registers and Assurance Maps in accordance with Capital Programme Committee Terms of Reference and to provide assurance on the Council's system of risk management.

The report recommended:-

That the Committee note the Cluster Risk Registers and Assurance Maps set out in Appendices A and B to the report.

The Committee resolved:-

to approve the recommendation contained in 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.

DECLARATION OF INTEREST

In accordance with article 2 of this minute, Councillor Yuill withdrew from the meeting prior to consideration of the following item of business. He was substituted by Councillor Greig for this item of business only.

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ABERDEEN ART GALLERY PROGRESS REPORT - RES/21/066

13. The Committee had before it a report by the Director of Resources which provided an update in relation to the on-going contractual and legal process to reach a contract/financial settlement with the appointed Principal Contractor for the main works.

The report recommended:-

That the Committee -

- (a) note the background leading to the current assessment of key contractual dates; and
- (b) note the current contractual position and planned next steps to reach settlement with the Contractor and associated financial and reputational risks related to this approach.

The Committee resolved:-

to approve the recommendations contained in the report.

COUNTESSWELLS PRIMARY SCHOOL PROGRESS REPORT - RES/21/072

14. The Committee had before it a report by the Director of Resources which provided an update on the progress of the new Countesswells Primary School project.

The report recommended:-

That the Committee –

- (a) note that this project forms part of the Education New Build Programme presented to the Capital Programme, Strategic Commissioning and City Growth and Resources Committees in September 2018. The project will also contribute to the delivery of Aberdeen City Council's Early Learning and Childcare Expansion Programme of works;
- (b) note that design and commercial proposals have been developed for this project by Hub North Scotland, ready for implementation; and
- (c) instructs the Chief Officer Capital to advise future Capital Programme Committees of the revised programme and budget for the delivery of this project, taking into account: progress on obtaining ownership of the site, and receiving the outstanding developer contributions.

The Committee resolved:-

- (i) to note that this project formed part of the Education New Build Programme Presented to the Capital Programme, Strategic Commissioning and City Growth and Resources Committees in September 2018 and that the project would contribute to the delivery of Aberdeen City Council's Early Learning and Childcare Expansion Programme of works;

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- (ii) to note that design and commercial proposals had been developed for this project by Hub North Scotland, ready for implementation;
- (iii) to note the decision of Council on 3rd March 2021 in respect of the School Estate;
- (iv) to note the risk regarding legally binding developer obligations was highlighted at Council at its budget meeting on 10th March 2021.
- (v) to instruct the Chief Officer Capital to report back to the Capital Programme Committee on 26th May on the developer's current obligations under the Section 75 legal agreement and following consideration of all the risks to make recommendations to proceed or not to proceed with the project; and
- (vi) to agree that any delay to this project lay solely with the developer and not with the Council.

- **MARIE BOULTON, Convener**