

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 11 October 2023

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Lord Provost David Cameron, Chairperson;
Depute Provost Steve Delaney; and

COUNCILLORS

GILLIAN AL-SAMARAI
NURUL HOQUE ALI
CHRISTIAN ALLARD
ALISON ALPHONSE
KATE BLAKE
JENNIFER BONSELL
MARIE BOULTON
DESMOND BOUSE
RICHARD BROOKS
HAZEL CAMERON
DONNA CLARK
JOHN COOKE
NEIL COPLAND
WILLIAM CORMIE
BARNEY CROCKETT
SARAH CROSS
DEREK DAVIDSON
LEE FAIRFULL
EMMA FARQUHAR
GORDON GRAHAM
ROSS GRANT
MARTIN GREIG

DELL HENRICKSON
RYAN HOUGHTON
MICHAEL HUTCHISON
MICHAEL KUSZNIR
GRAEME LAWRENCE
SANDRA MACDONALD
NEIL MacGREGOR
ALEXANDER McLELLAN
KEN McLEOD
CIARAN McRAE
M. TAUQEER MALIK
DUNCAN MASSEY
JESSICA MENNIE
ALEX NICOLL
MIRANDA RADLEY
MRS JENNIFER STEWART
KAIRIN VAN SWEEDEN
LYNN THOMSON
DEENA TISSERA
SIMON WATSON
and
IAN YUILL

Lord Provost David Cameron, in the Chair.

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.

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ANNOUNCEMENT

1. In response to a request from Councillor Kusznr, the Lord Provost stated that the current conflict in Israel and Gaza was truly worrying and would hopefully be resolved with very little, if any, further civilian loss of life. He added that his thoughts, and he would like to think the thoughts of the whole Council, were with the innocent residents of the area at this time.

NOTIFICATION OF URGENT BUSINESS

2. The Lord Provost advised that he had agreed to add a verbal update from the Chief Officer - Corporate Landlord on the latest situation with Reinforced Autoclaved Aerated Concrete (RAAC) in Council properties to the agenda as a matter of urgency in terms of Section 50B(4)(b) of the Local Government (Scotland) Act 1973; and that the agenda would be adjusted, if required, in order to hear the update this day due to the urgency of the situation.

The Council resolved:-

to note the position.

DETERMINATION OF EXEMPT BUSINESS

3. 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:-

11.1 Options Appraisal on Working Arrangements with our ALEOs - exempt appendices

Councillor Malik moved as a procedural motion, seconded by Councillor Tissera:-

That the Council consider the item in public.

On a division, there voted:-

For the procedural motion (21) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Cross, Farquhar, Graham, Grant, Houghton, Kusznr, Lawrence, Macdonald, McLeod, Malik, Massey, Mrs Stewart, Thomson, Tissera and Watson.

Against the procedural motion (24) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Nicoll, Radley, van Sweeden and Yuill.

The Council resolved:-

- (i) to reject the procedural motion; and
- (ii) in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of item 11.1

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so as to avoid disclosure of exempt information of the class described in paragraph 6 of Schedule 7A of the Act.

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

4. Councillor Nicoll advised that he had a connection in relation to agenda items 9.1 (Annual Performance Reports - 2022/2023 for all Tier 1 ALEOs), 9.2 (Options Appraisal on Working Arrangements with our ALEOs) and 11.1 (exempt appendices for item 9.2) by reason of a close family member he held power of attorney for being in the care of Bon Accord Care, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Cooke advised that he had a connection in relation to items 9.1, 9.2 and 11.1 by virtue of being an observer to the Board of Sport Aberdeen, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillors Fairfull, Greig, Henrickson and Mrs Stewart advised that they had a connection in relation to items 9.1, 9.2, and 11.1 as Council appointed Directors to the Board of Aberdeen Performing Arts, however having applied the objective test they did not consider that they had an interest and would not be withdrawing from the meeting.

Councillor Hutchison declared an interest in relation to item 9.4 (Finalised Draft George Street Masterplan) by reason of owning and living in a property within the George Street Masterplan footprint and stated that he would withdraw from the meeting for that item. Councillor Hutchison advised that he would also withdraw from the meeting for item 5.1 (Deputation Requests) on the basis that there was a request relating to item 9.4.

Councillor Allard advised that he had a connection in relation to item 9.5 (North East of Scotland Investment Zone Proposal) as a Council appointed Director of Opportunity North East, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillors Hutchison and Macdonald advised that they had a connection in relation to items 9.2 and 11.1 as Council appointed Directors to the Board of Aberdeen Heat and Power Ltd, however having applied the objective test they did not consider that they had an interest and would not be withdrawing from the meeting.

Councillor Brooks advised that he had a connection in relation to items 7.1 (Citizen Assemblies) and 9.1 as the Chair of TLC Foodbank, which worked in partnership with CFINE and Instant Neighbour, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Grant advised that he had a connection in relation to items 9.1 and 9.4 as an employee of Aberdeen Inspired, however having applied the objective test he did not consider that he had an interest and did not intend to withdraw from the meeting.

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The Lord Provost and Councillor Blake advised that they had a connection in relation to items 9.1, 9.2 and 11.1 as Council appointed Directors to the Board of Aberdeen Sports Village, however having applied the objective test they did not consider that they had an interest and would not be withdrawing from the meeting.

In accordance with Article 4 of the minute, Councillor Hutchison left the meeting for the following item having declared an interest.

DEPUTATION REQUESTS

5. The Council received a deputation from Ms Rachel Mearns from Aberdeen Academy of Performing Arts, who spoke in connection with the Finalised Draft George Street Masterplan report.

Ms Mearns advised that she ran Aberdeen Academy of Performing Arts which had always operated in the city centre and had been based in Jopp's Lane since 2010. She advised that the George Street Masterplan was a great idea and she wanted to see the area improve, however she felt a number of things had been overlooked, for example none of the businesses in Jopp's Lane had been contacted during the consultation. She added that she only found out about it online and had attended a meeting on 21 September.

Ms Mearns expressed concern at the proposed narrowing of the road and other traffic management proposals which she felt would not work in Jopp's Lane. She highlighted that many of her customers came by car to drop off their children and alterations to the road layout in the area could have catastrophic consequences for her business - customers would simply stop coming if they couldn't access the premises very easily. She underlined that the area needed improved CCTV and lighting as people did not feel safe, however the area would become a ghost town if it was not accessible by car.

Ms Mearns emphasised that the road layout did not need to be changed and questioned the accuracy of the traffic modelling data which appeared to have been collated on 14 July when schools were off and her business was also closed for the holiday period, therefore there would have been a significant reduction in traffic in the area as a result.

Ms Mearns acknowledged the Council had been facing difficult budgetary decisions but questioned how money could be spent on unnecessary road changes when cuts were being made to the music service and libraries and pools were closing. She implored the Council not to forget about local businesses when making decisions as their livelihoods depended on it.

Members asked questions of Ms Mearns and thanked her for deputation.

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MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 23 AUGUST 2023

6. The Council had before it the minute of the special meeting of Aberdeen City Council of 23 August 2023.

The Council resolved:-

to approve the minute.

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 23 AUGUST 2023

7. The Council had before it the minute of meeting of Aberdeen City Council of 23 August 2023.

The Council resolved:-

to approve the minute subject to amending Article 5 to reflect that it was Councillor Malik who had queried the accuracy of the Urgent Business Committee minute of 7 July 2023 in terms of the absence of the special circumstances regarding urgency.

MINUTE OF ADJOURNED MEETING OF ABERDEEN CITY COUNCIL OF 11 SEPTEMBER 2023

8. The Council had before it the minute of the adjourned meeting of Aberdeen City Council of 11 September 2023.

Councillor Malik moved as a procedural motion, seconded by Councillor Tissera:-

That Article 1 of the minute be amended to reflect the following addition in bold:-

At this juncture the press and public were excluded from the meeting following Councillor Malik raising various issues concerning library closures and the closure of Bucksburn Swimming Pool, **including concern around there being no report back to elected members on library closures and the closure of Bucksburn Swimming Pool following Aberdeen City Council's own citizens being required to go to court to stop such closures**, so as to avoid the disclosure of exempt information of the class described in paragraph 12 of Schedule 7A of the Act.

On a division, there voted:-

For the procedural motion (12) - Councillors Ali, Blake, Bonsell, Graham, Grant, Lawrence, Macdonald, Malik, Mrs Stewart, Thomson, Tissera and Watson.

Against the procedural motion (24) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Nicoll, Radley, van Sweeden and Yuill.

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Declined to vote (7) - Councillors Brooks, Cross, Farquhar, Houghton, Kuszniir, McLeod and Massey.

Absent from the division (2) - Councillors Boulton and Crockett.

The Council resolved:-

- (i) to reject the procedural motion; and
- (ii) to approve the minute.

MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 18 SEPTEMBER 2023

9. The Council had before it the minute of the special meeting of Aberdeen City Council of 18 September 2023.

Councillor Grant moved as a procedural motion, seconded by Councillor Ali:- That the minute be amended to include the detail of the questions and answers following the deputation within Article 3(C).

On a division, there voted:-

For the procedural motion (19) - Councillors Ali, Blake, Bonsell, Brooks, Crockett, Cross, Farquhar, Graham, Grant, Houghton, Kuszniir, Lawrence, Macdonald, McLeod, Malik, Massey, Thomson, Tissera and Watson.

Against the procedural motion (24) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Nicoll, Radley, van Sweeden and Yuill.

Declined to vote (2) - Councillors Boulton and Mrs Stewart.

The Council resolved:-

- (i) to reject the procedural motion; and
- (ii) to approve the minute.

MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 7 JULY 2023

10. The Council had before it the minute of meeting of the Urgent Business Committee of 7 July 2023.

The Council resolved:-

to approve the minute subject to amending (1) the sequence to reflect that the special circumstances regarding urgency had not been provided until after the division on the procedural motion within Article 1; and (2) a typographical error within Article 2 regarding Cycling UK.

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ANTI-POVERTY AND INEQUALITY COMMITTEE OF 30 AUGUST 2023 - CITIZEN ASSEMBLIES

11. With reference to Article 8 of the minute of the meeting of the Anti-Poverty and Inequality Committee of 30 August 2023, the Council had before it a report by the Chief Officer - Early Intervention and Community Empowerment which detailed plans and costs for a Citizens' Assembly. The matter had been referred to Council by six members of the Committee in accordance with Standing Order 34.1.

The report recommended:-

that the Anti-Poverty and Inequality Committee -

- (a) approve the approach to deliver an assembly on poverty and gender inequality in Aberdeen; and
- (b) instruct the Chief Officer - Early Intervention and Community Empowerment to give authority to conduct a procurement exercise, where the estimated contract value was below £50,000 (supplies/services).

The Anti-Poverty and Inequality Committee resolved to approve the recommendations.

Councillor Allard moved, seconded by Councillor Bouse:-

That the Council approve the decision of the Anti-Poverty Inequality Committee.

Councillor Kuszniir moved as an amendment, seconded by Councillor Grant:-

That the Council -

- (1) note progress on plans to facilitate Citizens' Assemblies on Poverty and Inequality;
- (2) instruct the Chief Officer - Early Intervention and Community Empowerment, in consultation with the Chief Officer - Finance and Chief Officer - Customer Experience, to cease further work on Citizens' Assemblies in light of the complexity, cost and risks regarding the effectiveness of Citizens' Assemblies; and
- (3) request that the Finance and Resources Committee reallocate any funds previously committed to Citizens' Assemblies to increasing available crisis grants, including children's winter clothing grants.

Following various disagreements between members during the course of debate and two adjournments, the Lord Provost called upon members to treat each other with respect at all times. In addition, the Interim Chief Officer - Governance (Assurance) reminded members that they had signed their declaration of acceptance of office and adherence to the Councillors' Code of Conduct. Furthermore, she underlined that this was a public meeting, as members were aware, and it was for members to regulate their own conduct in the meeting.

On a division, there voted:-

For the motion (24) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Nicoll, Radley, van Sweeden and Yuill.

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For the amendment (21) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Cross, Farquhar, Graham, Grant, Houghton, Kuszniir, Lawrence, Macdonald, McLeod, Malik, Massey, Mrs Stewart, Thomson, Tissera and Watson.

The Council resolved:-

to adopt the motion.

At this juncture, the Lord Provost advised that he was bringing forward item 9.1 (Annual Performance Reports - 2022/2023 for all Tier 1 ALEOs) as the next item of business.

ANNUAL PERFORMANCE REPORTS - 2022/2023 FOR ALL TIER 1 ALEOS: ABERDEEN PERFORMING ARTS; ABERDEEN SPORTS VILLAGE; BON ACCORD CARE; SPORT ABERDEEN - COM/23/305

12. The Council had before it a report by the Chief Officer - Commercial and Procurement which presented the annual performance reporting of the Council's four tier one Arm's Length External Organisations (ALEOs) covering financial year 2022/23: Aberdeen Performing Arts; Aberdeen Sports Village; Bon Accord Care; and Sport Aberdeen.

The report recommended:-

that the Council note the annual performance reports for each of the tier one ALEOs.

Councillor McLellan moved, seconded by the Depute Provost:-

That the Council approve the recommendation.

Councillor Malik moved as an amendment, seconded by Councillor Thomson:-

That the Council -

- (1) note the Annual Performance Reports for each of the tier one ALEOs;
- (2) note the comments of the Bon Accord Care Managing Director "Whilst acknowledging the current challenges for Bon Accord Care and the wider Health and Social Care sector, I remain optimistic that there are great opportunities to grow and develop as a key partner and expert provider in the delivery of services across the city.";
- (3) note the positive contribution Aberdeen Performing Arts plays to the wellbeing of Aberdeen with its three magnificent venues - Music Hall, His Majesty's Theatre and the Lemon Tree;
- (4) note the positive impact Aberdeen Sports Village has had on our communities right across the city of encouraging healthy and active lifestyle choices for all; continually identifying and developing relationships with those from varied backgrounds and groups of individuals with health concerns; and supporting wider social issues such as child obesity, underprivileged families, and adult loneliness;
- (5) note the comments of the Sport Aberdeen Managing Director in relation to Bucksburn Swimming Pool where the company board faced a challenging set of decisions regarding the sustainability of all the facilities and services, which regrettably led to the withdrawal of service management at both the

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- Beach Leisure Centre and Bucksburn Swimming Pool (BSP), with the latter giving rise to the formation of the Save BSP Campaign Group; and
- (6) agree the decision by Aberdeen City Council and Sport Aberdeen in respect of the closure of Bucksburn Pool is entirely the fault of the SNP budget which was delivered by Councillor McLellan and approved by majority in March 2023.

During the course of debate, Councillor Yuill advised that he had a connection in relation to the matter by virtue of his appointment by the Council to the Board of NHS Grampian, however having applied the objective test he did not consider that had had an interest and would not be withdrawing from the meeting.

On a division, there voted:-

For the motion (24) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Nicoll, Radley, van Sweeden and Yuill.

For the amendment (21) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Cross, Farquhar, Graham, Grant, Houghton, Kuszniir, Lawrence, Macdonald, McLeod, Malik, Massey, Mrs Stewart, Thomson, Tissera and Watson.

The Council resolved:-

- (i) to adopt the motion;
- (ii) to note that the Managing Director of Sport Aberdeen would discuss matters regarding opening hours at the Beacon Centre with Councillor Lawrence outwith the meeting;
- (iii) to note that the Managing Director of Sport Aberdeen would circulate information to elected members following the meeting with regard to Sport Aberdeen's Health Intervention Partnership Programmes; and
- (iv) to thank the representatives of the ALEOs for their attendance and contributions.

With reference to Article 2 of the minute, the Lord Provost advised that the RAAC Briefing would be taken at this juncture.

RAAC BRIEFING

13. The Council received a presentation by the Chief Officer - Corporate Landlord on RAAC which covered the following areas:-

- What RAAC is and the potential defects
- An update on inspection and testing that had taken place
- The potential RAAC remedies
- What had been found so far in public buildings and Council housing
- Aberdeen City Council's further response - work plan, including the establishment of an officer working group with associated remit

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During the course of questions, Councillor Yuill advised that he had a connection in relation to the matter by virtue of his appointment by the Council to the Board of NHS Grampian, however having applied the objective test he did not consider that had an interest and would not be withdrawing from the meeting.

The Council resolved:-

- (i) to note the presentation and verbal update from the Chief Officer - Corporate Landlord;
- (ii) to thank the Chief Officer - Corporate Landlord, Chief Officer - Capital, Chief Officer - Early Intervention and Community Empowerment, their teams and other colleagues for their work in this area to date; and
- (iii) to note that service updates would be provided moving forward and, where appropriate, reports to the relevant committees as the situation unfolded.

At this juncture, the Lord Provost advised that he was bringing forward item 9.5 (North East of Scotland Investment Zone Proposal) as the next item of business.

NORTH EAST OF SCOTLAND INVESTMENT ZONE PROPOSAL - COM/23/316

14. The Council had before it a report by the Interim Chief Officer - City Growth which provided an update on the UK and Scottish Government's allocation of Investment Zone status to the North East of Scotland (Aberdeen City Council and Aberdeenshire Council administrative areas) and sought approval for the Council to participate in short-life steering and working groups with regional partners to design and establish the Investment Zone.

The report recommended:-

that the Council -

- (a) approve the Council's participation in the North East of Scotland Investment Zone Steering Group until the Regional Economic Partnership was formed;
- (b) agree to appoint Councillor Allard, Co-Leader, to be the Council's representative on the North East of Scotland Investment Zone Steering Group; and
- (c) instruct the Chief Officer - City Growth to report back to Council on the developed proposal.

Councillor Allard moved, seconded by Councillor Yuill:-

That the Council approve the recommendations.

Councillor Malik moved as an amendment, seconded by Councillor Watson:-

That the Council -

- (1) approve the recommendations;
- (2) note with disappointment that on neither the Steering Group or the Working Group, a Trade Union representative has been appointed, and instruct the Chief Officer - City Growth to discuss with Aberdeenshire Council and ONE the potential inclusion of a regional Trade Union representative on the

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proposed Steering Group, noting that this will not delay the submission of the Investment Zone proposal back to governments. And instruct the Chief Officer - City Growth to consult with Trade Unions prior to submission of the final proposal to Council; and

- (3) note section 5.4 of the report which states “The Investment Zone Technical Document requires a Local Authority to undertake the role of Accountable Body for a proposed Investment Zone”. Therefore, in order to protect the Council’s interest, when the governance for the future Investment Zone, including the Accountable Body is agreed, at Gateway three of the process, instruct the Chief Officer - City Growth to propose to Aberdeenshire Council and ONE that Councillor Allard, Co-Leader, be Chair of the board for the North East of Scotland Investment Zone.

At this juncture, the Council agreed to suspend Standing Order 40.2 to allow the meeting to continue beyond six hours.

During the course of debate, Councillor Grant advised that he had a connection in relation to the matter by virtue of his membership of the trade union Unite, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

On a division, there voted:-

For the motion (34) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Boulton, Bouse, Brooks, Hazel Cameron, Clark, Cooke, Copland, Cormie, Crockett, Cross, Davidson, Fairfull, Farquhar, Greig, Henrickson, Houghton, Hutchison, Kuszniir, MacGregor, McLellan, McLeod, McRae, Massey, Mennie, Nicoll, Radley, Mrs Stewart, van Sweeden and Yuill.

For the amendment (11) - Councillors Ali, Blake, Bonsell, Graham, Grant, Lawrence, Macdonald, Malik, Thomson, Tissera and Watson.

The Council resolved:-
to adopt the motion.

At this juncture, the Lord Provost advised that he was bringing forward item 9.11 (Appointment of an External Adviser to the Anti-Poverty and Inequality Committee) as the next item of business.

APPOINTMENT OF AN EXTERNAL ADVISER TO ANTI-POVERTY AND INEQUALITY COMMITTEE - CUS/23/311

15. The Council had before it a report by the Chief Officer - Early Intervention and Community Empowerment which sought approval for the appointment of a new external adviser to the Anti-Poverty and Inequality Committee.

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The report recommended:-

that the Council approve the appointment of Mr Edward Obi as a new external adviser to the Anti-Poverty and Inequality Committee.

The Council resolved:-

to approve the recommendation.

The Lord Provost advised that the meeting was being adjourned in terms of Standing Order 40.3 and that the remainder of the business would be considered at a future date which would be confirmed in due course.

- DAVID CAMERON, Lord Provost.