

Item 4.1 - Minutes

Finance and Resources Committee

2.00pm, Wednesday, 13 May 2015

Present

Councillors Rankin (Convener), Bill Cook (Vice-Convener), Corbett, Dixon, Edie, Godzik, Ricky Henderson, Jackson, Keil (substituting for Councillor Griffiths), McVey, Ross, Walker and Whyte.

1. Deputation: Merchiston Community Council - Proposed Sale: Boroughmuir High School, Viewforth, Edinburgh

The Committee agreed to hear a deputation from Marianna Clyde of Merchiston Community Council.

The main points raised by Ms Clyde were:

- The proposed bid for the purchase of Boroughmuir High School from Out of the Blue had received support from the local community, demonstrated by the numbers in attendance at a public meeting called to discuss the matter and the volume of signatures collected on the supporting petition.
- Other Community Councils in the area were supportive of the bid.
- The area was already densely populated therefore more housing would put extra pressure on already stretched local services.
- In the bid by Cala Management Ltd, the price of land per sq ft is £405 which would be considered as affordable housing.
- The Out of the Blue bid would provide potential for jobs and businesses to move into the area and therefore benefit the local economy.

The Convener thanked the Deputation for their presentation and invited them to remain for the Committee's consideration of the report by the Acting Director of Services for Communities.

2. Deputation: Out of the Blue - Proposed Sale: Boroughmuir High School, Viewforth, Edinburgh

The Committee agreed to hear a deputation from Malcolm Fraser from Friends of Out of the Blue, Viewforth Community Hub.

The main points discussed were:

- The arts organisations using the spaces provided by Out of the Blue could link with local Schools allowing pupils the opportunity to interact with businesses.
- There was growth in demand for spaces for art businesses.

- The proposed bid for the purchase of Boroughmuir High School from Out of the Blue would not require planning permission.
- There was the potential to erect 17 Housing Association homes on the site.
- Increased business in the area would increase footfall on the local High Street.

The Convener thanked Mr Fraser for his presentation and invited him to stay for the Committee's consideration of the report by the Acting Director of Services for Communities.

3. Deputation: Friends of Out of the Blue, Viewforth Community Hub - Proposed Sale: Boroughmuir High School, Viewforth, Edinburgh

The Committee agreed to hear a deputation from Rob Hoon from Out of the Blue.

The main points raised by Mr Hoon were:

- Out of the Blue had a proven track record of successful social enterprise and had been active in Edinburgh since 1994.
- Any development for the Boroughmuir site would use environmentally sustainable methods and materials.
- The site could provide work space for over 200 artists and classes for a predicted 40,000 adults and children.
- The proposal from Out of the Blue would fall in line with 6 Council pledges.

The Convener thanked Mr Hoon for his presentation and welcomed him to remain for the Committee's consideration of the report by the Acting Director of Services for Communities.

4. Proposed Sale: Boroughmuir High School, Viewforth, Bruntsfield – report by the Acting Director of Services for Communities

Committee considered a report which sought approval for the sale of the existing site of Boroughmuir High School to the highest bidder, CALA Management Limited, on the terms and conditions outlined in this report.

Motion

- 1) To approve the recommendations in the report, and note that there was a significant number of unfunded capital investment priorities across the Council, as outlined in Appendix 2 of the report *Capital Investment Programme 2015-16 to 2019 -20* considered by the Finance & Resources Committee on 15 January 2015.
- 2) To recognise that the Capital Investment Programme was dependent on capital receipts and that the realisation of additional receipts would enable the Council to address further infrastructure requirements.

- 3) To note that the Council was also committed to re-provide facilities at Leith Primary, given the forced closure of the Duncan Place building.
- 4) To agree that any additional funding received from the sale of the Boroughmuir site (beyond the sum already allocated to the provision of the new school) should be used to provide funding to these priorities.
- 5) To agree that the additional funding should be prioritised toward:
 - a. the site acquisition for a long term solution to rising rolls in south Edinburgh.
 - b. the re-provision of facilities at Leith Primary school.
- 6) To note that funding the site acquisition for a long term solution to rising rolls in south Edinburgh would allow Health and Social Care to move forward with the provision of a new care home in the city and therefore welcomed the Capital Coalition's continuing commitment to tackle the issue of rising rolls in our schools; invest in school buildings, and provide better care for our most vulnerable residents.
- 7) To note the Council's ongoing support to developing arts and cultural spaces in Edinburgh, as shown by projects such as the ongoing in transforming the old North British Rubber Company building in Fountainbridge into an arts centre some 600m away from the Boroughmuir site.
- 8) To recognise Out of the Blue's desire to provide further arts, cultural and social space within Edinburgh and requested that Council officers met with Out of the Blue to discuss how they could work in partnership to achieve our joint aims.
- 9) To request an updated Capital Investment report was presented to the Finance and Resources Committee in Autumn 2015 outlining incoming receipts and projects to be prioritised through the budget process.

- moved by Councillor Rankin, seconded by Councillor Cook.

Amendment 1

- 1) To note the marketing and selection process carried out to arrive at the preferred Bidder.
- 2) To approve the disposal of the existing school site to CALA Management Limited (CALA), on terms and conditions as set out in this report, and on other terms and conditions to be agreed by the Acting Director of Services for Communities and in consultation with the Head of Legal Risk and Compliance.

- moved by Councillor Whyte, seconded by Councillor Jackson.

Amendment 2

- 1) To note the marketing and selection process carried out to arrive at the preferred Bidder.
- 2) To request a further report within two cycles which fully appraised the merits of the Out of the Blue Arts and Educational Trust bid and the extent to which it delivered on economic development, regeneration, public health, social

wellbeing, environmental wellbeing or any other benefits for the neighbourhood or city more generally.

- 3) To note that the forthcoming Community Empowerment (Scotland) Bill, when the relevant sections would be commenced, would require the council to consider community asset transfer requests in the terms of section 2 above and so the current sale process was an opportunity to rehearse that emerging policy process.
- 4) To request also that the report examined whether and to what extent key aspects of the Out of the Blue Arts and Educational Trust bid could be delivered, in part, on the current Boroughmuir High School site and/or adjacent to the site to which Boroughmuir High School is moving in 2016.

- moved by Councillor Corbett, seconded by Councillor Edie.

Voting

For the motion	- 9
For amendment 1	- 2
For amendment 2	- 2

Decision

To approve the motion by Councillor Rankin.

(References – Act of Council, 12 December 2013 (No 12); report by the Acting Director of Services for Communities, submitted.)

5. Minutes

Decision

To approve the minute of the Finance and Resources Committee of 19 March 2015 as a correct record.

6. Key Decisions Forward Plan

The Finance and Resources Committee Key Decisions Forward Plan from 13 May 2015 to 4 June 2015 was presented.

Decision

To note the Key Decisions Forward Plan from 13 May 2015 to 4 June 2015.

(Reference – Finance and Resources Committee Key Decisions Forward Plan, 13 May 2015 to 4 June 2015, submitted.)

7. Rolling Actions Log

The Finance and Resources Committee Rolling Actions Log for 29 August 2013 to 19 March 2015 was submitted.

Decision

- 1) To note the Rolling Actions Log.

- 2) To note that Items 10, 12, 15, 16, 17, 18 and 19 were recommended for closure.
(Reference – Rolling Actions Log, 29 August 2013 to 19 March 2015, submitted.)

8. Health and Social Care revenue budget – further progress update

An update was provided on the extent of the progress made towards securing the medium and longer-term sustainability of the Health and Social Care revenue budget. The Chief Executive was instructed at the Finance and Resources Committee meeting of 3 February 2015 and 19 March 2015 to take forward a number of specific actions to secure the medium to long term sustainability of the Health and Social Care budget.

Decision

- 1) To note the report and that a further update, including the initial results of the external review, will be considered by the Committee on 4 June 2015.
- 2) To instruct the Chief Executive to attend the next Finance and Resources Committee on 4 June 2015 with a report and action plan containing clear information on the mitigating actions that had been taken to reduce the overspend within Health and Social Care and the work that had been carried out across Directorates to reduce expenditure, and all actions that had been taken to ensure a balance budget was achieved, as well as the outcome of the review of the Health and Social Care budget that had been carried out by KPMG.

Declaration of Interest

Councillor Edie declared a financial interest as Chair of the Care Inspectorate.

(References – Finance and Resources, 19 March 2015 (Item 5); report by the Chief Executive, submitted.)

9. Health and Social Care Integration Update

A progress report on the Integration Programme was presented. This included an update on the Integration Scheme and noted the requirement to review the Council governance arrangements in line with the responsibilities of the Integration Joint Board (IJB).

Decision

- 1) To note the submission of the Final Integration Scheme.
- 2) To note the Scottish Government timeline for approval.
- 3) To note the work in progress.
- 4) To note the indicative timeline to establish the Integration Joint Board (IJB) and delegate functions and resources.

Declarations of Interest

Councillor Edie declared a financial interest as Chair of the Care Inspectorate.

(References – Health, Social Care and Housing Committee, 21 April 2015 (Item 15); report by the Director of Health and Social Care, submitted.)

10. Impact on Providers of Recent Employment Appeal Tribunal Judgements - Night Time 'Sleepover' Support Costs

Details were provided on the cost pressures faced by providers of sleepover services following the ruling by the Employment Appeal Tribunal (EAT) that care workers were entitled to be paid the National Minimum Wage for hours worked including those during these sleep-in shifts.

Decision

- 1) To note the significant cost pressure arising directly for providers and indirectly for the Council following the Employment Appeal Tribunal ruling.
- 2) To note the risk of legal challenge faced by providers if they do not comply with National Minimum Wage legislation
- 3) To note the risks arising for the Council in the event providers are unable to recover the increased costs they face and stop providing sleepover services
- 4) To agree payment rates made by the Council for each hour of sleepover service purchased should be increased, with effect from 1 April 2015, to the level of the National Minimum Wage
- 5) To agree to consider a potential source of funding and to include this in the action plan that the Chief Executive would bring to the next Finance and Resources Committee on 4 June 2015.

Declarations of Interest

Councillor Edie declared a financial interest as Chair of the Care Inspectorate.

(Reference – report by the Director of Health and Social Care, submitted.)

11. Revenue Budget Framework 2016/20 update

Committee were provided with the results of a review of the key income and expenditure assumptions contained within the Council's long-term financial plan.

Decision

- 1) To note the results of the review of the main assumptions underpinning the long-term financial plan, reaffirming the need to deliver at least £67 million of savings over the next three years and some £107 million over the period to 2019/20.
- 2) To note the additional measures taken since the previous update geared towards securing the delivery of a sustainable, priority-based budget in 2016/17 and future years.
- 3) To note that a further report on the Council's wider financial strategy would be presented to the Committee's next meeting on 4 June 2015.

(References – Finance and Resources Committee, 19 March 2015 (Item 11); report by the Director of Corporate Governance, submitted.)

12. Council Transformation Programme: Status Report

An update was provided on the Council transformation programme, aimed at delivering a lean and agile Council, centred on customers, services and communities.

Decision

To note the status of the Council Transformation Programme.

(References – Finance and Resources Committee, 19 March 2015 (Item 8); report by the Director of Corporate Governance, submitted.)

13. Culture and Sport: Income Generation in Museums and Galleries

Details were provided on the ways in which the Museums and Galleries service provided by Culture and Sport was maximising income streams across its venues, services and activities.

Decision

To note the report.

(References – Culture and Sport Committee, 10 March 2015 (Item 3); report by the Director of Corporate Governance, submitted.)

14. Report by the Accounts Commission – An overview of local government in Scotland 2015

The Committee considered a report by Audit Scotland, on behalf of the Accounts Commission on the financial challenges being faced by Scottish local authorities.

Decision

- 1) To note the report by the Accounts Commission.
- 2) To refer the report to the Governance, Risk and Best Value Committee, as part of its work programme.

(References – Finance and Resources Committee, 19 March 2015 (item 11); report by the Director of Corporate Governance, submitted.)

15. Governance of Major Projects: progress report

An update report was provided on the major projects portfolio and the forthcoming assurance review schedule.

Decision

- 1) To note the current synopsis of the dashboard reports for the major projects portfolio set out in Appendix 1 of the report.
- 2) To note the current assurance review schedule for the first two quarters of 2015/16 as set out in Appendix 2 of the report.

(References – Finance and Resources Committee, 15 January 2015 (item 9); report by the Director of Corporate Governance, submitted.)

16. Contracts Awarded Under Delegated Authority (Waiver Reports) and Procurement Activity

An update was provided on contracts awarded under delegated authority through the Waiver of Standing Orders, as permitted in Section 9 of the Contract Standing Orders.

Decision

To note the report and the authorisations made under delegated authority.

(References – Finance and Resources Committee, 15 January 2015 (item 19); report by the Director of Corporate Governance, submitted.)

17. Insurance Policies Waiver of Contract Standing Orders

Approval was sought to wave Contract Standing Orders where justifiable and in the Council's best interests when tendering insurance programmes in order to achieve best value.

Decision

- 1) To approve the waiver of Council's Contract Standing Orders (CSOs) in relation to the purchase of insurance for the following risks: All Risks, Fidelity Guarantee and Professional Indemnity.
- 2) To note the Council's Insurance Advisers would obtain quotations from the insurance market.

(Reference – report by the Director of Corporate Governance, submitted.)

18. Review of Contract Procedures Relating to the Council ICT Procurement Process

Details were provided on the key activities undertaken through the ICT Services Procurement project. The progress in relation to the Invitation to Submit Refined Solution (ISRS) stage was highlighted and details of the process planned for the final stages of the project were explained.

Decision

- 1) To note the progress through the ISRS (Invitation to Submit Refined Solutions) stage of the procurement.
- 2) To note the Timeline for the completion of the next stages of the project;
- 3) To note updates would be provided to each Elected Member ICT and Digital Sounding Board.
- 4) To note the next update report would be provided to an additional meeting of the Finance and Resources Committee on 3 August 2015.

(References – Finance and Resources Committee, 19 September 2013 (Item 5); report by the Director of Corporate Governance, submitted.)

19. Council Contracts - Planning Update

An update was provided on current activities on renewal of contracts, both involving Commercial and Procurement Services and more widely across the Council.

Also outlined in the report were the processes by which contracts were controlled and supporting engagement activities underway to ensure continuous improvement, proactive planning and compliance with the Council's Contract Standing Orders and wider legal obligations.

Decision

To note the report and that a further report would be brought to the Finance and Resources Committee in six months to update on progress.

(References – Finance and Resources Committee, 3 February 2015 (item 13); report by the Director of Corporate Governance, submitted.)

20. Review of Payment Terms for Council Suppliers and Contractors

Decision

To continue consideration of this report to a future meeting of the Finance and Resources Committee.

(Reference – report by the Director of Corporate Governance, submitted.)

21. Design Team for Cycling Hub at Hunter's Hall Park - Award of Contract

Approval was sought to award the contract for the Multi-Discipline Design Team for the development of the project to RIBA (Royal Institute for British Architects) Stage C to Faithful and Gould for the contract sum of £136,500.

Decision

- 1) To approve the award of the contract for the multi-discipline design team to develop the designs to RIBA stage C to Faithful & Gould for the contract sum of £136,500 utilising the SCAPE Framework Agreement.
- 2) To note that once the funding requirement was confirmed, formal approval would be sought from the relevant Committee to proceed to the Construction Phase.
- 3) To request that a progress report was brought to the Finance and Resources Committee in two cycles.

(References – Culture and Sport Committee, 16 December 2014 (item 11); report by the Director of Corporate Governance, submitted).

22. Award and Extension of Health and Social Care Contracts

Approval was sought to award and extend various health and social care contracts as detailed in this report.

Decision

- 1) To approve the award of the contracts listed in Appendix 1 of the report on the basis of their special characteristics.
- 2) To approve the extension of the mental health and wellbeing contracts listed in Appendix 2 of the report at a reduced value until 31 March 2016 to allow for future arrangements to be addressed as part of the Integrated Joint Board Strategic Plan for Health and Social Care Services 2016-19
- 3) To approve the extension and/or transfer of the disability service contracts listed in Appendix 3 of the report.
- 4) To approve the proposed transfer of the contract listed in Appendix 4 of the report to the grants portfolio.

Declaration of Interest

Councillor Edie declared a financial interest as Chair of the Care Inspectorate.

(Reference – report by the Director of Health and Social Care, submitted).

23. Contract Award for Homeless Prevention – Young People's Services Foyer Approach

Committee considered a report which sought approval to award 12 contracts for the duration of a pilot to third sector organisations that currently provided support to young people to prevent homelessness.

Decision

- 1) To note that overall savings of £318,298 had been achieved reducing the annual budgeted expenditure from £1,525,469 to £1,207,171 from August 2015.
- 2) To note the collaborative work with service providers and other stakeholders carried out to date to achieve a foyer approach for the delivery of services to young people within Edinburgh with the aim of achieving the outcome of stable housing and jobs.
- 3) To approve the award of five contracts to provide visiting housing support to young people for the duration of an 18 month pilot (with an option to extend for a further six months to allow services to be re-procured). The organisations to be awarded contracts were: Barnardo's; Dean and Cauvin Trust; Link Living; Places for People and the Rock Trust. The total annual value of the contracts from August 2015 was £466,798.
- 4) To approve the award of six contracts to provide accommodation in the form of hostels for the duration of an 18 month pilot (with an option to extend for a further six months to allow services to be re-procured). The organisations to be awarded contracts were Barnardo's, Four Square (two contracts), Places for People, the

Rock Trust and Y-People. The total annual value of the contracts from August 2015 is £724,003.

- 5) To approve the award of one contract to the Edinburgh City Youth Café to provide group work to young people for the duration of an 18 month pilot (with an option to extend for a further six months to allow services to be reprocured). The total annual value of the contracts from August 2015 was £16,370.
- 6) To note that a further report would be provided to Committee identifying options for additional accommodation that could be used as part of the foyer approach.
- 7) To note the review process for the pilot as outlined in section 3.22 and 3.23 of the report.

Declaration of Interest

Councillors Edie and Corbett declared financial interests as Chair of the Care Inspectorate and an employee of Shelter Scotland respectively.

Councillor Keil declared a non-financial interest as Chair of the Dean and Cauvin Trust. (References – Finance and Resources Committee, 27 November 2014 (item 15); report by the Acting Director of Services for Communities, submitted).

24. Proposed lease of Custom House, Commercial Street, Leith

Approval was sought to grant an initial five year, followed by a 99 year lease, to Scottish Historic Buildings Trust as a suitable partner for the restoration of Custom House for a museum/heritage purpose.

Decision

To approve the grant of an initial five year internal repairing lease, and a further 99 year full repairing and insuring lease, of Custom House to the Scottish Historic Buildings Trust, on the terms and conditions contained in the report, and on other terms and conditions to be agreed by the Director of Services for Communities and the Head of Legal, Risk and Compliance.

(References – Act of Council, 21 August 2014 (No. 10); report by the Acting Director of Services for Communities, submitted).

25. 21st Century Homes – Development of the Site at North Sighthill – referral from the Health, Social Care and Housing Committee

The Health, Social Care and Housing Committee on 21 April 2015 considered a report on proposals on the development of the North Sighthill site. A mixed tenure housing development was proposed for the site. The report was referred to the Finance and Resources Committee to agree that part of the site was declared surplus to the requirements of the Housing Revenue Account (HRA) and to make this site available for disposal for development of private housing.

Decision

To agree to make the land on the North Sighthill site available for disposal and to invite tenders for the development of Council homes and private housing.

(References – Health, Social Care and Housing Committee, 24 May 2011 (item 5); report by the Acting Director of Services for Communities, submitted.)

26. Framework Agreement for the provision of Commercial Estate Management and Residential Property Consultancy Services

Approval was sought for a two year framework agreement for the provision of professional advice and assistance on residential and commercial property issues. The majority of property transactions were dealt with in-house as there was not always the level of resource or expertise available to undertake all aspects of work for the Council's large and diverse portfolio of properties.

Decision

- 1) To approve the award of Lot 1, Commercial Estate Management Consultancy Services to:
 - Ryden LLP
 - DTZ Debenham Tie Leung Limited
 - Jones Lang LaSalle (JLL)
 - GVA Grimley Ltd (trading as GVA James Barr)
- 2) To approve the award of Lot 2, Residential Property Consultancy Services, to:
 - Rettie & Co
 - Ryden LLP
- 3) To note that services issued under the framework agreement would be by means of a mini competition or, where it was in the best interests of the Council or in circumstances of extreme urgency, direct award up to a value of £3,000.
- 4) To note that the terms of the Framework Agreement were for a two year period with the option to extend annually for a maximum of two further years.

(Reference – report by the Acting Director of Services for Communities, submitted.)

27. Award of Subsidised Childcare contracts for 2 years with the option to extend for 12 months

Committee considered a report which sought approval for the award of contracts for the supply of subsidised childcare places for a term of two years with an option to extend for up to one further year.

Decision

To approve the award of a two year contract for subsidised childcare delivery at Childcare Connections, Kidzcare in Craigmillar, North Edinburgh Childcare and Smile Childcare from 1 June 2015 to 31 May 2017 with the option to extend for a further 12 months.

Declaration of Interest

Councillor Edie declared a financial interest as Chair of the Care Inspectorate.

(References –Economy Committee, 19 November 2013 (item 1); report by the Director of Economic Development, submitted.)

28. Property Conservation – Programme Momentum Progress Report

An update was provided on the progress of the property conservation programme momentum.

Decision

- 1) To note the management information dashboard reports in Appendix 1 of the report.
- 2) To note the progress in financial recovery of this report.
- 3) To note that the new debt recovery arrangements with Morton Fraser commenced on 1 April and that a report on progress would be brought to the next Finance and Resources Committee.
- 4) To note the provisions put in place to maintain high levels of customer service throughout the debt recovery process as described in Appendix 2 of the report.

(References – Finance and Resources Committee, 19 March 2015 (item 28); report by the Director of Corporate Governance, submitted.)

29. Summary Report on Property Transactions concluded under Delegated Authority

The Committee were provided with information on all lease agreements, etc, concluded in terms of the Council's 'Scheme of Delegation to Chief Officials'.

Decision

To note that the 19 transactions detailed in the attached Appendix of the report had been concluded in terms of the Council's 'Scheme of Delegation to Chief Officials.'

(Reference – report by the Acting Director of Services for Communities, submitted.)

30. Proposed Ground Lease at Craiglockhart Sports Centre to Edinburgh Kayak Club

Approval was sought for authority to grant a 20 year ground lease to the Edinburgh Kayak Club of land at Craiglockhart Sports Centre for the erection of a new metal storage container.

Decision

To approve the grant of a new 20 year ground lease, of 60 square metres of ground at Craiglockhart Sports Centre (CSC), for the erection of a new metal storage container, to Edinburgh Kayak Club on terms and conditions contained in this report, and on other terms and conditions to be agreed by the Director of Services for Communities and the Head of Legal, Risk and Compliance.

(Reference – report by the Acting Director of Services for Communities, submitted.)

31. Disposal of Housing Revenue Land adjacent to 1 Murrayburn Park

Approval was sought to dispose of 153.18 sq m of Housing Revenue Account (HRA) amenity land, adjacent to 1 Murrayburn Park on the terms and conditions outlined in the report.

Decision

To approve the disposal of the land adjacent to 1 Murrayburn Park, extending to 153.18 sq m or thereby, to Mr Ayfol Uddin, on the terms and conditions outlined in the report, and on such terms and conditions to be agreed by the Director of Services for Communities and the Head of Legal, Risk and Compliance.

(Reference – report by the Acting Director of Services for Communities, submitted.)

32. Proposed Servitude for a Surface Water Drainage Pipe at Katesmill Road

Committee were provided a report which sought approval to grant servitude of the section of pipe which passes through land owned by the Council on Katesmill Road to Merchiston Castle School.

Decision

To approve the granting of a servitude for a surface water drainage pipe, to drain land at Merchiston Castle School, on the terms and conditions as set out in the report, and on such other terms to be agreed by the Director of Services for Communities and Head of Legal, Risk and Compliance.

(Reference – report by the Acting Director of Services for Communities, submitted.)

33. Proposed Sale of Land at 12-24 Bothwell Street, Edinburgh

Authority was requested to sell the land at 12-24 Bothwell Street to Downing Edinburgh Ltd (DEL) on the main terms contained within the report.

Decision

To approve the disposal of the land at Bothwell Street, extending to 0.0929 Ha (0.229 acre) or thereby, to Downing Edinburgh Limited (DEL) on the terms and conditions outlined in the report, and on such terms and conditions to be agreed by the Director of Services for Communities and the Head of Legal, Risk and Compliance.

(Reference – report by the Acting Director of Services for Communities, submitted.)

34. Balcarres Street Depot: Proposed sale to Lindemann Healthcare Ltd

The Convener ruled in terms of Standing Order 27.1(a) that this item, which included a recommendation which, if accepted, would require a change to the Finance and Resources Committee item 30 of 15 January 2015, should be considered due to a material change in circumstances.

Committee approval was sought for the provisionally agreed revised terms for the sale of the Council's surplus depot site at Balcarres Street.

Decision

To approve the sale of the former Depot at Balcarres Street to Lindemann Healthcare Ltd on the terms and conditions outlined in the report and on such other terms to be agreed by the Director of Services for Communities in consultation with the Head of Legal, Risk and Compliance.

(References – Finance and Resources Committee, 15 January 2015 (item 30); report by the Acting Director of Services for Communities, submitted.)

35. Resolution to consider in private

Decision

The Committee, under Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting for the following items of business on the grounds that they involved the disclosure of exempt information as defined in Paragraphs 6, 8 and 9 of Schedule 7(A) of the Act.

36. Property Conservation – Irrecoverable Sums; Debt Recovery and Settlements

An update was provided on irrecoverable sums approved under delegated authority and approval sought for irrecoverable sums in excess of £100,000 per project.

Decision

- 1) To note the irrecoverable sums of less than £50,000 authorised under delegated authority in Appendix 1 of the report.
- 2) To note the irrecoverable sums of between £50,000 and £100,000 authorised by the Programme Board under delegated authority in Appendix 2 of the report.
- 3) To authorise the irrecoverable sums in excess of £100,000 per project as set out in Appendix 3 of the report.
- 4) To note the settlement sums authorised to complainants and other affected owners under delegated authority in Appendix 4 of the report.
- 5) To note the provision for impairments and settlements in Appendix 5 of the report.

(References – Finance and Resources Committee, 19 March 2015 (item 28); report by the Director of Corporate Governance, submitted.)

37. Water of Leith Flood Protection Scheme Phase 2 Enabling Works and Legal Agreements

Approval was sought to enter into agreements with the Scottish Rugby Union, Scotia Gas Networks and Scottish Power in order to continue the main flood defence works on the Water of Leith.

Decision

As detailed in the Confidential Schedule, signed by the Convener.

(Reference – report by the Acting Director of Services for Communities, submitted.)