

Public Document Pack

SECOND ADDITIONAL CIRCULATION



To: All Members of the Council

Town House,
ABERDEEN, 7 October 2015

COUNCIL

The undernoted items are circulated in connection with the meeting of the **COUNCIL** to be held here in the Town House on **THURSDAY, 8 OCTOBER 2015 at 10.30am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

GENERAL BUSINESS

- 6(b) Committee Places (Pages 3 - 6)
- 6(h) Introduction of a Communications Protocol - **WITHDRAWN**
- 6(j) Interim Director of Corporate Governance (Pages 7 - 12)

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Martyn Orchard on 01224 523097 or email morchard@aberdeencity.gov.uk

This page is intentionally left blank

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	8 October 2015
LEAD OFFICER	Chief Executive
TITLE OF REPORT	Committee Places
REPORT NUMBER	OCE/15/043
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

The report brings before the Council proposals for amending Committee places following the results of the Midsocket/Rosemount and the George Street/Harbour by-elections held on 1 October 2015.

2. RECOMMENDATION

That the Council -

- (a) approve the Committee places as contained within Appendix A;
- (b) agree that the composition of the Urgent Business Committee, Appeals Committee and Shadow Integration Joint Board remain unchanged;
- (c) agree that the composition of the Council's Sub Committees, Working Groups and Boards remain unchanged; and
- (d) appoint members to the following outside bodies to replace former Councillor Forsyth:-
 - Alcohol and Drugs Partnership
 - Aberdeen Domestic Abuse Partnership
 - Jack Wood Trust
 - Scottish Council for Single Homeless
 - Grampian Valuation Joint Board (substitute member)

3. FINANCIAL IMPLICATIONS

The report has minimal financial implications.

4. OTHER IMPLICATIONS

Any changes agreed will be put in place by staff in Committee Services with immediate effect.

5. BACKGROUND/MAIN ISSUES

As a result of the by-elections on 1 October 2015, the political composition of the Council is as follows:-

Labour - 17 members
SNP - 16 members
Liberal Democrat - 5 members
Independent Alliance Group - 3 members
Conservative - 2 members

The Administration (Labour/Independent Alliance/Conservative) has a majority of one.

The SNP Group require additional committee places to take account of the by-election results.

Section 15(5)(b) of the Local Government and Housing Act 1989 states that the principles in relation to the seats on any body which fall to be filled by appointments made by any relevant authority or committee of a relevant authority are that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's memberships.

In the above instance, the Administration represent the political group referred to, and they are therefore entitled to a majority of the seats on Committees. This makes exact proportionality impossible, as if all groups had the number of Committee places they were entitled to on a proportionate basis, the Administration would not have a majority of seats on all Committees.

To help minimise this anomaly, the Shadow Integration Joint Board has been taken out of the equation as there are only four Council places, and the Administration currently holds three of them (2 Labour, 1 SNP and 1 Conservative) which skews the figures. The Appeals Committee (3 Labour, 3 SNP, 1 Liberal Democrat, 1 Independent and 1 Conservative) and Urgent Business Committee (5 Labour, 5 SNP, 1 Liberal Democrat, 1 Independent and 1 Conservative) are not normally taken into account in terms of Committee places. It is proposed that the compositions of the Shadow Integration Joint Board, Appeals Committee and Urgent Business Committee remain unchanged.

Appendix A proposes revised Committee places. Broadly speaking, Finance, Policy and Resources, Audit, Risk and Scrutiny, Education and Children's Services, Communities, Housing and Infrastructure and Pensions are unchanged. The Planning Development Management, Licensing and Petitions Committees are all proposed to increase by two members to 17, 17 and 15 respectively.

Insofar as Sub Committees, Working Groups and Boards are concerned, it is proposed that the current compositions remain unchanged.

In regard to outside bodies, the SNP Group have already made appointments to the bodies that former Councillor May was previously appointed to. However, the following outside bodies require appointments in place of former Councillor Forsyth:-

- Alcohol and Drugs Partnership
- Aberdeen Domestic Abuse Partnership
- Jack Wood Trust
- Scottish Council for Single Homeless
- Grampian Valuation Joint Board (substitute member)

6. IMPACT

This report is housekeeping in nature, however it may be of interest to the public as a result of the recent by-elections.

7. MANAGEMENT OF RISK

If the Council failed to amend its committee places to take account of the by-election results, it would not be adhering to the principles of the Local Government and Housing Act 1989 in terms of political balance. However, it is noted that this is not a mandatory requirement due to those provisions of the 1989 Act having not been brought into force.

8. BACKGROUND PAPERS

None

9. REPORT AUTHOR DETAILS

Martyn Orchard
Senior Committee Services Officer
Legal and Democratic Services
morchard@aberdeencity.gov.uk
01224 523097

Appendix A

	No. of members	Labour	SNP	Liberal Democrat	Independent	Conservative
Finance, Policy and Resources	17	7	6	2	1	1
Audit, Risk and Scrutiny	17	7	6	2	1	1
Education and Children's Services	19	8	7	2	1	1
Communities, Housing and Infrastructure	19	8	7	2	1	1
Planning Development Management	17	6	6	2	2	1
Licensing Committee	17	7	6	2	2	0
Pensions	9	3	3	1	1	1
Petitions	15	6	6	1	1	1
Total	130	52	47	14	10	7

SUBMISSION OF LATE REPORT

NAME OF COMMITTEE : Council
DATE OF COMMITTEE : 8th October 2015
TITLE OF REPORT : Interim Director of Corporate Governance



Reason for late submission of report:-

Exploration of options undertaken by the Chief Executive following the Appointment Panel meeting of 11th September has led to the identification of a preferred way forward for recommendation to elected members.

Reason why Committee is requested to consider report as a matter of urgency:-

A Council decision is required as quickly as possible in order to move forward on filling the vacancy.

We hereby authorise the submission of the attached report as a proposed late item for Committee:

Convener/Vice-Convener : 
Date : 7th October 2015
Director/Representative : 
Date : 7th October 2015

This page is intentionally left blank

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	8 th October 2015
LEAD OFFICER	Chief Executive
TITLE OF REPORT	Interim Director of Corporate Governance
REPORT NUMBER	OCE/15/044
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

At its meeting of 11th September 2015 the Appointment Panel resolved to make no appointment to the post of Director of Corporate Governance and requested the Chief Executive to assess the various options and report to the relevant committee. This report seeks the Council's approval for the appointment of an Interim Director of Corporate Governance.

2. RECOMMENDATIONS

That the Council resolves:

- i. that the Chief Executive makes all necessary arrangements to engage the services of an Interim Director of Corporate Governance;
- ii. that the Chief Executive reports to committee during spring 2016 on the work of the Interim Director; and
- iii. that the Chief Executive reports to Council during autumn 2016 on options for the recruitment to the permanent post of Director of Corporate Governance.

3. FINANCIAL IMPLICATIONS

The sum of £147,000 a year is currently being saved by the Council through the Director of Corporate Governance post being vacant.

The proposed weekly fee for the post of Interim Director is £4,775 inclusive of the margin charged by the executive search company sourcing the individual and a weekly contribution towards the costs of travel and accommodation.

It is proposed to bring in the Interim Director for a period of up to 30 weeks from November 2015 to June 2016 (excluding four weeks unpaid leave split between December 2015/January 2016 and April 2016).

The cost of the appointment will be met from the salary budget for the Director of Corporate Governance.

4. OTHER IMPLICATIONS

The appointment of the Interim Director of Corporate Governance will be by way of a contract between the Council and the executive search company sourcing the individual.

5. BACKGROUND/MAIN ISSUES

The post of Director of Corporate Governance has been vacant since July 2014 and the Appointment Panel decision not to appoint to it at the meeting on 11th September 2015 was the third time that the recruitment and selection process had failed to identify a preferred candidate.

The Director of Corporate Governance post is a key strategic member of the Corporate Management Team overseeing and developing the delivery of a number of core services vital to the Council's operations. It is not sustainable for the Chief Executive to continue to deliver both her own role and that of the Director of Corporate Governance. Given that each of the Heads of Service within the Corporate Governance team has major priorities to address in their own right, it is also felt that acting up is not a viable option.

Given the above and as the Council has sought interest in the role on three separate occasions over the past 13 months and failed to appoint on each, it is felt that the preferred option is now to appoint on an Interim basis, recognising that to secure a candidate of the calibre required a premium will have to be paid over the set salary rate for the post.

As such, it is recommended that the Council agrees that the Chief Executive makes all necessary arrangements to engage the services of an Interim Director of Corporate Governance. The intention would be to have an individual in place during November 2015.

6. IMPACT

**Improving Customer Experience; Improving Staff Experience;
Improving our use of Resources; Corporate; Public**

The role of Director of Corporate Governance is key both in helping to shape the Council's activities across all these priority areas and in

providing vital support to the Chief Executive and the other members of the Corporate Management Team to deliver the Council's services.

The Interim Director role will be key in working with the Corporate Management Team in developing and delivering medium term financial plans during a period of continued austerity within the United Kingdom as well as working and supporting officers throughout both the organisation internally and with external partners to ensure that the Council obtains Best Value for a number of key projects within the City that are going to be developed over the next 18 months.

7. MANAGEMENT OF RISK

The subject matter of the report addresses the risk to the Council of continuing to operate with a vacancy in one of the key Corporate Management Team roles.

8. BACKGROUND PAPERS

None

9. REPORT AUTHOR DETAILS

Ciaran Monaghan
Head of Service, Office of Chief Executive
cmonaghan@aberdeencity.gov.uk
01224 522293

This page is intentionally left blank