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ADDITIONAL CIRCULATION



To: All Members of the Council

Town House,
ABERDEEN, 26 February 2016

COUNCIL

The undernoted items are circulated in connection with the meeting of the **COUNCIL** to be held here in the Town House on **WEDNESDAY, 2 MARCH 2016 at 10.30am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

3 Requests for Deputations

Three requests for deputation have been received in support of item 8(a) from **Unite**, **GMB** and **UCATT** respectively. These requests are not competent as Standing Order 10(1) states that applications must relate to substantive report on the agenda - therefore Standing Orders will require to be suspended if the Council want to hear the deputations.

GENERAL BUSINESS

7(e) Powers Delegated to Integration Joint Board for Health and Social Care (Pages 3 - 24)

7(f) Aberdeen Inspired - BID Ballot (Pages 25 - 30)

7(g) Transport Implications - City Centre Masterplan Projects (Pages 31 - 38)

7(h) Twining and International Partnerships (Pages 39 - 44)

7(i) Devolution of Additional Powers to the Council (Pages 45 - 54)

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

COMMITTEE	Council
DATE	2 nd March, 2016
DIRECTOR	Richard Ellis
TITLE OF REPORT	Powers Delegated to Integration Joint Board for Health and Social care
REPORT NUMBER	CG/16/022
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

- 1.1 The report summarises the statutory powers to be delegated by the Council and NHS to the Integration Joint Board for Health and Social Care (IJB) effective from 1st April, 2016.

2. RECOMMENDATION(S)

- 2.1 That the Council :-
(i) notes the powers being delegated under legislation;
(ii) notes the total budget to be delegated to the IJB of £88.157 million;
and
(iii) authorises the Chief Officer to facilitate and implement any Directions issued by the IJB.

3. FINANCIAL IMPLICATIONS

- 3.1 The delegation of the budgets to the IJB is significant for the Council in that responsibility for the adult social care budget and specified housing budgets transfers to the IJB. The Council will continue to hold the budget for the sums delegated to the IJB.

4. OTHER IMPLICATIONS

- 4.1 There are a number of governance implications as the IJB will be responsible for services delivered previously by the Council and the NHS. The IJB is in the process of organising its governance procedures.

5. BACKGROUND/MAIN ISSUES

- 5.1 At its meeting on 4th March, 2015, Council approved the draft Health and Social Care Integration Scheme for its interest and agreed that it

be submitted to the Scottish Government. The Scheme was approved by the Scottish Government after minor amendment with effect from 6th February, 2016. The final Scheme can be found here:-

<http://www.aberdeencityhscp.scot/en/progress/>

5.2 Attached at Appendix 1 of the report is an extract from the Scheme showing the functions delegated by local authorities to the IJB by virtue of the Public Bodies (Joint Working) (Scotland) Act 2014.

5.3 At Appendix 2 is an extract from the Council's Scheme of Delegation setting out the powers delegated to the Head of Adult Social Care Services under the Chief Officer, Adult Health and Social Care, in October, 2014. These delegations will require to be authorised by the IJB with effect from 1st April, 2016, and from that date will be removed from the Council's Scheme of Delegation by virtue of the 2014 Act and the Integration Scheme. In addition, any functions currently delegated to committees or to officers which will be undertaken by the IJB in terms of the legislation will also stand delegated to it from 1st April.

5.4 In addition, the Council is required to authorise the Chief Officer to facilitate and implement any Directions issued by the IJB.

5.5 FINANCE DELEGATIONS

5.5.1 The budgets relating to the functions outlined in Appendix 2 are then duly delegated to the IJB. Based on the General Fund revenue budget approved by Council at its meeting on 25th February, 2016, and the HRA budget approved by Council on 16th December, 2015, the total budgets delegated by the Council to the IJB would be as follows:

	<u>£000</u>	<u>£000</u>	<u>£000</u>
Adult Social Care:			
Sum identified in appendix 9 to budget report		86,605	
Add: IJB share of corporate pay award provision		<u>414</u>	
		87,019	
Less: IJB budget savings approved	-700		
share of corporate savings	<u>-23</u>		
		<u>-723</u>	
			86,296
Housing General Fund:			
Aids & Adaptations			770
Housing Revenue Account:			
Aids & Adaptations		1,000	
Garden Maintenance		<u>91</u>	
			<u>1,091</u>
Total budgets delegated to IJB			88,157

5.5.2 Members will be aware that the Local Government Finance Circular No. 7/2015 version 4 announced an additional £250 million transfer from the NHS to Health and Social Care partnerships for the purposes of ensuring improved outcomes in social care. Whilst this is included

within our settlement letter the funding has been provided to NHS Grampian and the Scottish Government have now indicated that this funding will be £9.5 million (split £4.75 million for additional spend and £4.75 million for the Integration Fund Contribution).

5.5.3 Appendix 9 to the General Fund revenue budget incorporated into the adult social care budget the impacts of the 2016/17 Local Government finance settlement. This included provision of additional growth into the budget to meet the cost of rolling out the living wage to external care providers, and a saving of £4.75m in line with the guidance indicated above.

5.5.4 Those delegated budgets which relate to the Housing Revenue Account remain ring-fenced for that purpose and would not be available to support non-HRA expenditure.

6. IMPACT

Improving Customer Experience –

6.1 Although this report is for information, there will be an impact on customers by virtue of the legislative changes, as has been reported previously.

Improving Staff Experience –

6.2 In terms of the legislation, Council and NHS staff will remain employed by their current employer. The Chief Officer, Adult Health and Social Care, and Chief Finance Officer will derive their delegated powers from the IJB, which will be required to authorise such powers to be delivered with effect from 1st April, 2016.

Improving our use of Resources –

6.3 The budgets previously controlled by the Council and Health Board for the delivery of adult health and social care services will be transferred to the IJB with effect from 1st April, 2016.

Corporate -

6.4 The Council and Health Board have been working together to facilitate the integration of adult health and social care functions, as required by statute, through the Transitional Leadership Board, from its inaugural meeting in February, 2014.

Public –

6.5 This report is for information and explains the functions to be transferred to the Aberdeen City IJB from 1st April, 2016. There will undoubtedly be media interest in the joint service delivery and media interest is managed through a joint post established at the Health Village.

7. MANAGEMENT OF RISK

7.1 This report is for information, but the risks associated with integration would be for consideration through the appropriate Service Risk Registers. The IJB is establishing a Scrutiny and Performance Systems Committee to consider risk on an ongoing basis.

7.2 A risk to the Council is that from 2017/18 onwards it would be liable to share any overspend on the overall IJB budget, rather than only the element directly managed by the Council. However, it is a clear expectancy of the Integration Scheme that the Chief Officer of the IJB will deliver the agreed outcomes within the total resources delegated to the IJB, and the scheme also contains provisions for recovery plans to be agreed and for dealing with any residual overspend. The sIJB has agreed to create a Scrutiny and Performance Systems Committee to oversee the financial performance of the IJB.

8. BACKGROUND PAPERS

8.1 There are none.

9. REPORT AUTHOR DETAILS

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Annex 2

Part 1

Functions delegated by the Local Authority to the Integration Joint Board

Schedule 2 Regulation 2
Part 1

Functions prescribed for the purposes of section 1(7) of the Public Bodies (Joint Working) (Scotland) Act 2014

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>

National Assistance Act 1948⁽¹⁾

Section 48
(Duty of councils to provide temporary protection for property of persons admitted to hospitals etc.)

The Disabled Persons (Employment) Act 1958⁽²⁾

Section 3
(Provision of sheltered employment by local authorities)

The Social Work (Scotland) Act 1968⁽³⁾

⁽¹⁾ 1948 c.29; section 48 was amended by the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 39, paragraph 31(4) and the Adult Support and Protection (Scotland) Act 2007 (asp 10) schedule 2 paragraph 1.

⁽²⁾ 1958 c.33; section 3 was amended by the Local Government Act 1972 (c.70), section 195(6); the Local Government (Scotland) Act 1973 (c.65), Schedule 27; the National Health Service (Scotland) Act 1978 (c.70), schedule 23; the Local Government Act 1985 (c.51), Schedule 17; the Local Government (Wales) Act 1994 (c.19), Schedules 10 and 18; the Local Government etc. (Scotland) Act 1994 (c.49), Schedule 13; and the National Health Service (Consequential Provisions) Act 2006 (c.43), Schedule 1.

⁽³⁾ 1968 c.49; section 1 was relevantly amended by the National Health Service (Scotland) Act 1972 (c.58), schedule 7; the Children Act 1989 (c.41), Schedule 15; the National Health Service and Community Care Act 1990 (c.19) (“the 1990 Act”), schedule 10; S.S.I. 2005/486 and S.S.I. 2013/211. Section 4 was amended by the 1990 Act, Schedule 9, the Children (Scotland) Act 1995 (c.36) (“the 1995 Act”),

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
Section 1 (Local authorities for the administration of the Act.)	So far as it is exercisable in relation to another integration function.
Section 4 (Provisions relating to performance of functions by local authorities.)	So far as it is exercisable in relation to another integration function.
Section 8 (Research.)	So far as it is exercisable in relation to another integration function.
Section 10 (Financial and other assistance to voluntary organisations etc. for social work.)	So far as it is exercisable in relation to another integration function.

schedule 4; the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13) (“the 2003 Act”), schedule 4; and S.S.I. 2013/211. Section 10 was relevantly amended by the Children Act 1975 (c.72), Schedule 2; the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 13; the Regulation of Care (Scotland) Act 2001 (asp 8) (“the 2001 Act”) schedule 3; S.S.I. 2010/21 and S.S.I. 2011/211. Section 12 was relevantly amended by the 1990 Act, section 66 and Schedule 9; the 1995 Act, Schedule 4; and the Immigration and Asylum Act 1999 (c.33), section 120(2). Section 12A was inserted by the 1990 Act, section 55, and amended by the Carers (Recognition and Services) Act 1995 (c.12), section 2(3) and the Community Care and Health (Scotland) Act 2002 (asp 5) (“the 2002 Act”), sections 8 and 9(1). Section 12AZA was inserted by the Social Care (Self Directed Support) (Scotland) Act 2013 (asp 1), section 17. Section 12AA and 12AB were inserted by the 2002 Act, section 9(2). Section 13 was amended by the Community Care (Direct Payments) Act 1996 (c.30), section 5. Section 13ZA was inserted by the Adult Support and Protection (Scotland) Act 2007 (asp 10), section 64. Section 13A was inserted by the 1990 Act, section 56 and amended by the Immigration and Asylum Act 1999 (c.33), section 102(2); the 2001 Act, section 72 and schedule 3; the 2002 Act, schedule 2 and by S.S.I. 2011/211. Section 13B was inserted by the 1990 Act sections 56 and 67(2) and amended by the Immigration and Asylum Act 1999 (c.33), section 120(3). Section 14 was amended by the Health Services and Public Health Act 1968 (c.46), sections 13, 44 and 45; the National Health Service (Scotland) Act 1972 (c.58), schedule 7; the Guardianship Act 1973 (c.29), section 11(5); the Health and Social Service and Social Security Adjudications Act 1983 (c.41), schedule 10 and the 1990 Act, schedule 9. Section 28 was amended by the Social Security Act 1986 (c.50), Schedule 11 and the 1995 Act, schedule 4. Section 29 was amended by the 1995 Act, schedule 4. Section 59 was amended by the 1990 Act, schedule 9; the 2001 Act, section 72(c); the 2003 Act, section 25(4) and schedule 4 and by S.S.I. 2013/211.

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
Section 12 (General social welfare services of local authorities.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 12A (Duty of local authorities to assess needs.)	So far as it is exercisable in relation to another integration function.
Section 12AZA (Assessments under section 12A - assistance)	So far as it is exercisable in relation to another integration function.
Section 12AA (Assessment of ability to provide care.)	
Section 12AB (Duty of local authority to provide information to carer.)	
Section 13 (Power of local authorities to assist persons in need in disposal of produce of their work.)	
Section 13ZA (Provision of services to incapable adults.)	So far as it is exercisable in relation to another integration function.
Section 13A (Residential accommodation with nursing.)	
Section 13B (Provision of care or aftercare.)	
Section 14 (Home help and laundry facilities.)	
Section 28 (Burial or cremation of the dead.)	So far as it is exercisable in relation to persons cared for or assisted under another integration function.
Section 29 (Power of local authority to defray expenses of parent, etc., visiting persons or attending funerals.)	

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
Section 59 (Provision of residential and other establishments by local authorities and maximum period for repayment of sums borrowed for such provision.)	So far as it is exercisable in relation to another integration function.

The Local Government and Planning (Scotland) Act 1982⁽⁴⁾

Section 24(1)
(The provision of gardening assistance for the disabled and the elderly.)

Disabled Persons (Services, Consultation and Representation) Act 1986⁽⁵⁾

Section 2
(Rights of authorised representatives of disabled persons.)

Section 3
(Assessment by local authorities of needs of disabled persons.)

Section 7 (Persons discharged from hospital.)	In respect of the assessment of need for any services provided under functions contained in welfare enactments within the meaning of section 16 and which have been delegated.
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Section 8 (Duty of local authority to take into account abilities of carer.)	In respect of the assessment of need for any services provided under functions contained in welfare enactments (within the meaning set
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⁽⁴⁾ 1982 c.43; section 24(1) was amended by the Local Government etc. (Scotland) Act 1994 (c.39), schedule 13.

⁽⁵⁾ 1986 c.33. There are amendments to sections 2 and 7 which are not relevant to the exercise of a local authority's functions under those sections.

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
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out in section 16 of that Act) which are integration functions.

The Adults with Incapacity (Scotland) Act 2000⁽⁶⁾

Section 10
(Functions of local authorities.)

Section 12
(Investigations.)

Section 37
(Residents whose affairs may be managed.)

Only in relation to residents of establishments which are managed under integration functions.

Section 39
(Matters which may be managed.)

Only in relation to residents of establishments which are managed under integration functions.

Section 41
(Duties and functions of managers of authorised establishment.)

Only in relation to residents of establishments which are managed under integration functions.

Section 42
(Authorisation of named manager to withdraw from resident's account.)

Only in relation to residents of establishments which are managed under integration functions.

Section 43
(Statement of resident's affairs.)

Only in relation to residents of establishments which are managed under integration functions.

Section 44
(Resident ceasing to be resident of authorised establishment.)

Only in relation to residents of establishments which are managed under integration functions.

Section 45
(Appeal, revocation etc.)

Only in relation to residents of establishments which are managed under integration functions.

⁽⁶⁾ 2000 asp 4; section 12 was amended by the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13), schedule 5(1). Section 37 was amended by S.S.I. 2005/465. Section 39 was amended by the Adult Support and Protection (Scotland) Act 2007 (asp 10), schedule 1 and by S.S.I. 2013/137. Section 41 was amended by S.S.I. 2005/465; the Adult Support and Protection (Scotland) Act 2007 (asp 10), schedule 1 and S.S.I. 2013/137. Section 45 was amended by the Regulation of Care (Scotland) Act 2001 (asp 8), Schedule 3.

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
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The Housing (Scotland) Act 2001⁽⁷⁾

Section 92 (Assistance to a registered for housing purposes.)	Only in so far as it relates to an aid or adaptation.
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The Community Care and Health (Scotland) Act 2002⁽⁸⁾

Section 5
(Local authority arrangements for of residential accommodation outwith Scotland.)

Section 14
(Payments by local authorities towards expenditure by NHS bodies on prescribed functions.)

The Mental Health (Care and Treatment) (Scotland) Act 2003⁽⁹⁾

Section 17
(Duties of Scottish Ministers, local authorities and others as respects Commission.)

Section 25 (Care and support services etc.)	Except in so far as it is exercisable in relation to the provision of housing support services.
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Section 26 (Services designed to promote well-being and social development.)	Except in so far as it is exercisable in relation to the provision of housing support services.
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⁽⁷⁾ 2001 asp 10; section 92 was amended by the Housing (Scotland) Act 2006 (asp 1), schedule 7.

⁽⁸⁾ 2002 asp 5.

⁽⁹⁾ 2003 asp 13; section 17 was amended by the Public Services Reform (Scotland) Act 2010 (asp 8), section 111(4), and schedules 14 and 17, and by the Police and Fire Reform (Scotland) Act 2012 (asp 8), schedule 7. Section 25 was amended by S.S.I. 2011/211. Section 34 was amended by the Public Services Reform (Scotland) Act 2010 (asp 8), schedules 14 and 17.

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
Section 27 (Assistance with travel.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 33 (Duty to inquire.)	
Section 34 (Inquiries under section 33: Co-operation.)	
Section 228 (Request for assessment of needs: duty on local authorities and Health Boards.)	
Section 259 (Advocacy.)	

The Housing (Scotland) Act 2006⁽¹⁰⁾

Section 71(1)(b) (Assistance for housing purposes.)	Only in so far as it relates to an aid or adaptation.
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The Adult Support and Protection (Scotland) Act 2007⁽¹¹⁾

Section 4 (Council's duty to make inquiries.)	
Section 5 (Co-operation.)	
Section 6 (Duty to consider importance of providing advocacy and other.)	
Section 11 (Assessment Orders.)	

⁽¹⁰⁾ 2006 asp 1; section 71 was amended by the Housing (Scotland) Act 2010 (asp 17) section 151.

⁽¹¹⁾ 2007 asp 10; section 5 and section 42 were amended by the Public Services Reform (Scotland) Act 2010 (asp 8), schedules 14 and 17 and by the Police and Fire Reform (Scotland) Act 2012 (asp 8), schedule 7. Section 43 was amended by the Public Services Reform (Scotland) Act 2010 (asp 8), schedule 14.

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
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Section 14
(Removal orders.)

Section 18
(Protection of moved persons' property.)

Section 22
(Right to apply for a banning order.)

Section 40
(Urgent cases.)

Section 42
(Adult Protection Committees.)

Section 43
(Membership.)

Social Care (Self-directed Support) (Scotland) Act 2013⁽¹²⁾

Section 3 (Support for adult carers.)	Only in relation to assessments carried out under integration functions.
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Section 5
(Choice of options: adults.)

Section 6
(Choice of options under section 5: assistances.)

Section 7
(Choice of options: adult carers.)

Section 9
(Provision of information about self-directed support.)

Section 11
(Local authority functions.)

Section 12
(Eligibility for direct payment: review.)

⁽¹²⁾ 2013 asp 1.

Column A
Enactment conferring function

Column B
Limitation

Section 13
(Further choice of options on material
change of circumstances.)

Only in relation to a choice under
section 5 or 7 of the Social Care
(Self-directed Support) (Scotland) Act
2013.

Section 16
(Misuse of direct payment: recovery.)

Section 19
(Promotion of options for self-directed
support.)

Part 2

Functions, conferred by virtue of enactments, prescribed for the purposes of section 1(7) of the Public Bodies (Joint Working) (Scotland) Act 2014

Column A

Enactment conferring function

Column B

Limitation

The Community Care and Health (Scotland) Act 2002

Section 4⁽¹³⁾

The functions conferred by
Regulation 2 of the Community Care
(Additional Payments) (Scotland)
Regulations 2002⁽¹⁴⁾

⁽¹³⁾ Section 4 was amended by the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13), schedule 4 and the Adult Support and Protection (Scotland) Act 2007 (asp 10), section 62(3).

⁽¹⁴⁾ S.S.I. 2002/265, as amended by S.S.I. 2005/445.

Part 3

Functions, conferred by virtue of enactments, prescribed for the purposes of section 1(5) of the Public Bodies (Joint Working) (Scotland) Act 2014

In addition to the functions that must be delegated, the Council has chosen to delegate the following functions to the extent that they relate to adults.

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>

Criminal Procedure (Scotland) Act 1995

Section 51(1)(aa), 51(1)(b) and 51(5)
(Remand and committal of children and young persons in to care of local authority).

Section 203
(Local authority reports pre-sentencing.)

Section 234B
(Report and evidence from local authority officer regarding Drug Treatment and Testing Order.)

Section 245A
(Report by local authority officer regarding Restriction of Liberty Orders.)

Management of Offenders etc. (Scotland) Act 2005

Section 10
(Arrangements for assessing and managing risks posed by certain offenders.)

Section 11
(Review of arrangements.)

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>

Social Work (Scotland) Act 1968

Section 27

(Supervision and care of persons put on probation or released from prison.)

Section 27ZA

(Advice, guidance and assistance to persons arrested or on whom sentence is deferred.)

Part 2

Services currently provided by the Local Authority which are to be integrated

- Social work services for adults and older people
- Services and support for adults with physical disabilities and learning disabilities
- Mental health services
- Drug and alcohol services
- Adult protection and domestic abuse
- Carers support services
- Community care assessment teams
- Support services
- Care home services
- Adult placement services
- Health improvement services
- Aspects of housing support, including aids and adaptations
- Day services
- Local area co-ordination
- Respite provision
- Occupational therapy services
- Reablement services, equipment and telecare
- Criminal justice services

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CHIEF OFFICER, ADULT HEALTH AND SOCIAL CARE

HEAD OF ADULT SOCIAL CARE SERVICES

- 1) To provide home help facilities in terms of Section 14 of the Social Work (Scotland) Act 1968.
- 2) To bury or cremate any person who was in the care of or receiving help from the Council immediately before their death or was a child being looked after by the local authority and recover expenses in terms of Section 28 of the Social Work (Scotland) Act 1968.
- 3) To defray expenses of parents, relatives or other connected persons in respect of visiting a person, other than a child, in the care of the authority or receiving assistance from the authority or a child who is being looked after by the authority, or attending the funeral of such a person in terms of Section 29 of the Social Work (Scotland) Act 1968 as amended by paragraph 15(13) of Schedule 4 of the Children (Scotland) Act 1995.
- 4) To remove persons from establishments in terms of the Social Work (Scotland) Act 1968.
- 5) To inspect establishments registerable under the Social Work (Scotland) Act 1968.
- 6) To ensure that persons in establishments in the Council's area are visited from time to time in terms of the Social Work (Scotland) Act 1968.
- 7) To recover any charges for services provided in terms of the Social Work (Scotland) Act 1968 and the Mental Health (Scotland) Act 1984 or under or by virtue of Part II of the Children (Scotland) Act 1995 all in terms of Section 87 and Section 78A of the Social Work (Scotland) Act 1968.
- 8) To prepare a plan for the provision of community care services in the Council's area in terms of Section 5A of the Social Work (Scotland) Act 1968 as inserted by Section 52 of the National Health Service and Community Care Act 1990.
- 9) To operate a procedure as approved by the Council for the receipt and investigation of complaints in terms of Section 5B of the Social Work (Scotland) Act 1968.
- 10) To make arrangements with voluntary or other organisations or persons for residential accommodation where nursing is provided for people who appear to need such accommodation in terms of Section 13A of the Social Work (Scotland) Act 1968 as inserted by Section 56 of the National Health Service and Community Care Act 1990.

- 11) To provide services to chronically sick and disabled persons in terms of Section 2 of the Chronically Sick and Disabled Persons Act 1970.
 - 1) To assess needs when requested to do so by a disabled person or their carer in terms of Section 4 of the Disabled Persons (Services, Consultation and Representation) Act 1986.
 - 2) To assess the ability of carers to provide care in terms of Section 12A of the Social Work (Scotland) Act 1968.
 - 3) To provide information on Social Work Department services and any relevant services of other authorities or organisations in terms of Section 1 of the Chronically Sick and Disabled Persons Act 1970.
 - 4) To have the power to make direct payments under Section 12B of the Social Work (Scotland) Act 1968.
- 12) To make arrangements for the provision, equipping and maintenance of residential accommodation and the care of the person for the time being resident in accommodation so provided in terms of the Mental Health (Scotland) Act 1984.
- 13) To make arrangements for the exercise by the Council of its functions in respect of persons under guardianship in terms of the Mental Health (Scotland) Act 1984.
- 14) To make arrangements for the provision of any ancillary or supplementary services in terms of Section 7(1)(c) of the Mental Health (Scotland) Act 1984.
- 15) To make arrangements for the supervision of persons suffering from mental handicap who are neither liable to detention in a hospital nor subject to guardianship in terms of the Mental Health (Scotland) Act 1984.
- 16) To provide after care services for any persons who are or have been suffering from mental disorder in terms of the Mental Health (Scotland) Act 1984.
- 17) To appoint Mental Health Officers in terms of the Mental Health (Scotland) Act 1984.
- 18) To receive patients who have attained the age of 16 years into guardianship in terms of the Mental Health (Scotland) Act 1984.
- 19) To provide or secure the provision of suitable training and occupation for persons suffering from mental handicap who are over school age within the meaning of the Education (Scotland) Act 1980 in terms of the Mental Health (Scotland) Act 1984.
- 20) To petition for the appointment of a curator bonis and to carry out duties in respect of protection of property of patients in terms of the Mental Health (Scotland) Act 1984.
- 21) To authorise Mental Health Officers to enter and inspect premises and to provide information for the purpose of the issue of a warrant to search for and remove patients in terms of Section 117 of the Mental Health (Scotland) Act 1984.

- 22) To make arrangements for the exercise by the Council of its functions in respect of persons under the Mental Health (Care and Treatment) (Scotland) Act 2003 and the Adults with Incapacity (Scotland) Act 2000 including
 - a) To make arrangements for the provision, equipping and maintenance of residential accommodation and the care of the person for the time being resident in accommodation so provided
 - b) To apply for and implement welfare and financial guardianships or intervention orders and any other ancillary or supplementary services or orders under the Adults with Incapacity (Scotland) Act 2000
 - c) To appoint Mental Health Officers
 - d) To make arrangements for the supervision and provision of services for people who are the subject of Compulsory Treatment Orders whether community or hospital based
 - e) To make arrangements for provision of any ancillary or supplementary services.
- 23) To apply for orders under Section 47 of the National Assistance Act 1948 removing people in need of care and attention to suitable premises.
- 24) To provide temporary protection under Section 48 of the National Assistance Act 1948 for the moveable property of people admitted to hospital, residential establishments and other places.
- 25) To supervise and care for persons put on probation, released from prison or subject to a Community Service Order and to provide the necessary social background reports and other reports to the Court as required in terms of Section 27 of the Social Work (Scotland) Act 1968.
- 26) To provide supervision for the purpose of assisting and advising an offender in regard to payment of a fine in terms of Section 217 of the Criminal Procedure (Scotland) Act 1995.
- 27) To supervise people placed on a Supervised Attendance Order for default of a fine in terms of Section 235, 236 or 237 of the Criminal Procedure (Scotland) Act 1995.
- 28) To supervise people placed on a Drug Treatment and Testing Order in terms of Sections 89-95 of the Crime and Disorder Act 1998.
- 29) To jointly establish arrangements with other Responsible Authorities for the assessment and management of the risks posed by certain high risk offenders as defined by Section 10 of the Management of Offenders etc (Scotland) Act 2005.
- 30) To provide a throughcare service to prisoners during their period of imprisonment and who will be subject to supervision following release as specified by Section 71 of the Criminal Justice (Scotland) Act 2003.
- 31) Jointly with Scottish Ministers to establish arrangements for the assessment of management of the risks posed by custody and community prisoners in accordance with Section 7 of the Custodial Sentences and Weapons Act 2007.

- 32) To make provision for the safeguarding of vulnerable adults in terms of the Adult Support and Protection (Scotland) Act 2007.
- 33) To make provision for and enable access to self directed support across care groups in terms of the Social Care (self-directed Support) (Scotland) Act 2013.
- 34) To agree funding for care packages subject to the agreed financial guidance.
- 35) To consider each application for Home Care on its merits and to vary the charge at their discretion.

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	2 March 2016
DIRECTOR	Pete Leonard
TITLE OF REPORT	Aberdeen Inspired BID Ballot
REPORT NUMBER	CHI/16/047
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

To provide the Council with an update on the progress of Aberdeen Inspired, the Business Improvement District (BID) for the city; and to recommend to the Council on whether it votes to renew the BID for the next five years.

2. RECOMMENDATION(S)

It is recommended that the Council votes to renew the Aberdeen BID for a five-year second term.

3. FINANCIAL IMPLICATIONS

The successful renewal of the Ballot will require the Council to meet the cost of an additional levy on its non-domestic properties in the BID area based on the rateable value of those properties. This levy is estimated to be in the order of £45,000 per annum. If the renewal ballot is successful, the Aberdeen Inspired Business Plan indicates that a minimum estimated £6.5m will be available for implementation improvement proposals.

4. OTHER IMPLICATIONS

If the BID is not renewed there is a policy and reputational risk for the Council if it fails to build upon an already successful initiative that has been delivering tangible improvements to the BID area in its first five year term, and have received positive evaluation from BID levy payers.

A full equality and human rights impact was not required, as this proposal will have a positive impact for all the equality target groups.

5. BACKGROUND/MAIN ISSUES

What is a Business Improvement District (BID)?

A BID is a partnership between a local authority and the city centre business community with the objective of developing and implementing projects that the local authority are not required to provide considered to be beneficial to the trading environment within the boundary of a clearly defined commercial area.

Aberdeen BID history

The BID for Aberdeen covers the heart of the city centre and contains the main retail, office and leisure areas. The first Aberdeen five-year BID term was established in 2011 as a result of a successful ballot to establish the BID. The BID is run by Aberdeen Inspired which is led and funded by the business community and are running a ballot for a renewal.

Eligible voters and the ballot process

The BID ballot is a confidential postal ballot. A notice of ballot was sent to all eligible voters by 21st January 2016, followed by the ballot papers on 4th February 2016. All eligible voters (i.e. those persons liable to pay non-domestic rates on properties with a rateable value of or above £27,500) will have one vote or where an eligible person is liable for non-domestic rates in the BID area for more than one property, they shall be eligible to cast more than one vote and will also be required to pay the levy for each of the properties they occupy. The Council currently owns 14 premises within the BID area.

Eligible persons have six weeks to cast their vote before the ballot closes at 5pm on Thursday 17th March 2016. Of those that vote, over 50% by number and 50% by combined rateable value must vote in favour of the BID. This is intended to balance the interests of small and large ratepayers. In addition there is a requirement in terms of turnout for a minimum of 25% of eligible persons and combined rateable value.

The ballot paper should be completed by placing a cross in either a 'YES' or 'NO' box, as a response to the question: 'Are you in favour of a BID?'

BID funding levy

Aberdeen Inspired believe that a BID levy is an equitable and fair way of funding additional projects and services that the Council are not required to provide and this has been in place already for the first five year term of the BID. If the BID is renewed, businesses (with a rateable value of or above £27,500) in the BID area will be required to pay a levy on their non-domestic rate bills. A general levy of 1% based on the rateable value for each property which exceeds the threshold has been agreed by Aberdeen Inspired's Board of Directors. Many small businesses will not be required to pay, whilst still benefiting from the improved conditions.

Along with significant voluntary contributions, the Council may also provide a degree of funding, subject to approval, to help augment the BID levy for city centre projects and initiatives that may also contribute to the Council's own

priorities, and specifically the City Centre Masterplan and delivery programme.

The BID duration

It is proposed that the Aberdeen BID is in operation for a further period of five years from 1st April 2016 to 31st March 2021. At the end of the five year period, further consultation is required, together with a new business plan and a successful renewal ballot to enable the BID to continue for another five year period.

What has been achieved so far in the first term of the BID

The work of Aberdeen Inspired in the first five years of the BID has been focussed around building an attractive city centre, marketing and promotion of the city, creating a safe and secure city centre, getting people out and about the city and providing a united voice for businesses for the city's future. Projects have included:

- Creative lighting scheme installed around Golden Square illuminating the central statue of the Duke of Gordon and surrounding area.
- A partnership project resulting in the opening of an exciting new roof garden on the top of the St Nicholas Shopping Centre.
- Co-funding 60 Big Belly refuse bins fitted with solar powered compactors
- Organising, funding and co-funding winter and xmas festivals
- Funded a range of TV adverts promoting Aberdeen for food, drink, events, sports, festive attractions, retail sector, etc.
- In 2015-16 co-funded the ongoing roll-out of a number of innovative way-showing signs to improve orientation, navigation and journey planning for visitors to the city.
- Spearheading the successful bid to achieve Purple Flag Award status.
- Significant funding for Visit Aberdeen to promote Aberdeen as a visitor destination.

In January 2014 Aberdeen Inspired commissioned the Aberdeen & Grampian Chamber of Commerce (AGCC) Research Unit to conduct an independent evaluation of its activities. The findings of this evaluation reflect analysis of a survey delivered by AGCC with city centre businesses and found:

- Strong awareness of the Aberdeen Inspired brand (79%) which increased since 2013 (63%)
- When asked about a re-ballot 73% would vote for the Business Improvement District (BID) to continue
- Unprompted high awareness of the Big Belly Bins campaign that translated into businesses reporting this project as having had a positive impact on the city centre.
- Scope for Aberdeen Inspired to significantly increase awareness of its activities, projects, themes and impacts was also identified

Looking forward to a next five year term

In February 2015 Aberdeen Inspired created a renewal consultation process with levy payers. This helped identify the issues that levy payers would like addressed and has helped Aberdeen Inspired produce a detailed project plan for 2016-17 and for later years. The four priority themes of Aberdeen Inspired are: -

- i. Attractive City Centre: Making the Silver City sparkle with a range of aesthetic projects, including a focus on Union Street and its visual appeal
- ii. Promoting Our City Centre: Through exciting and engaging events, cultural activity and positive promotion of Aberdeen
- iii. Safe and Welcoming City Centre: Continuing efforts to enhance the visitor experience and building on the city's growing reputation as a safe and welcoming place to be with projects ranging from seagull control to hotel and retail focused initiatives
- iv. Helping Your Business: Providing a unified voice on behalf of levy payers, lobbying Aberdeen City Council and other relevant bodies as well as providing data and analysis designed to enhance business planning.

6. IMPACT

Improving Customer Experience –

The renewal of the BID will help ensure all stakeholders and partners continue to work closely with the private sector to secure the long-term economic wellbeing and prosperity of Aberdeen.

Improving Staff Experience –

The BID renewal will help ensure collaboration and leadership, across the Council's services, and collaborating across the government, other public and private sectors, to support delivery of the Council's priorities, as well as those of Aberdeen Inspired.

Improving our use of Resources –

The BID renewal and subsequent governance arrangements will help ensure the most effective and efficient use of resources that align to the overall economic priorities of the Council.

Corporate -

The Council's role on Aberdeen Inspired's Board of Directors to support delivery will ensure it maintains its key leadership role in the long term economic growth of the city.

Public – N/A

8. BACKGROUND PAPERS

Aberdeen Inspired Business Plan 2016-21

http://aberdeeninspired.com/wp-content/uploads/2016/01/AbdnReInspired_BusinessPlan.pdf

9. REPORT AUTHOR DETAILS

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ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	2 March 2016
DIRECTOR	Pete Leonard
TITLE OF REPORT	Transport Implications – City Centre Masterplan Projects
REPORT NUMBER	CHI/16/006
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

This report advises Members of progress to date on the various instructions of Council on 16 December 2015 relating to the transport implications of a number of the City Centre Masterplan projects.

2. RECOMMENDATION(S)

It is recommended that Members:

- i) Note the contents of this report, and
- ii) Agree the designs as detailed in this report for options for Broad Street for public consultation, and
- iii) Agree the time and format of the public consultation, and
- iv) Agree the timeline of reporting relating to the wider transportation implications of the City Centre Masterplan, and
- v) Instruct officers to report back to the Council in May 2016 on the outcomes of the Broad Street options public consultation, and
- vi) Instruct officers to report back to the Council in May 2016 on the outcomes of the wider transportation assessment of the City Centre Masterplan.

3. FINANCIAL IMPLICATIONS

- 3.1 The design of the Broad Street options for the purposes of public consultation has been accommodated from the £1.12M set aside within the contract with Muse for public realm works. The public consultation costs have been absorbed within existing budgets. The on-going transportation assessment of specific and wider implications of the City Centre Masterplan continues to be funded from the Non Housing

Capital allocation for Central Aberdeen Transport infrastructure, supported by contributions from the Nestrans programme.

- 3.2 Further financial implications will be included in future reports as new information becomes available.

4. OTHER IMPLICATIONS

- 4.1 The 'place' to be created in Broad Street may be subject to planning permission if there are engineering works due to the setting of Marischal College as a listed building. The involvement of the public and stakeholders such as Historic Scotland would be part of the planning process.

5. BACKGROUND/MAIN ISSUES

- 5.1 Reference is made to the report entitled 'Transport Implications – City Centre Masterplan Projects' reported to Council on 16 December 2015, wherein the following resolution was made:

- (i) *to note the outcomes of the transportation assessment and traffic modelling undertaken for the City Centre Masterplan interventions for Broad Street, Schoolhill/Upperkirkgate, Golden Square, Bon Accord Square, Schoolhill Pocket Park, Castlegate and Queen Street;*
- (ii) *to instruct officers to revoke with immediate effect the temporary traffic order stopping traffic from Virginia Street entering Guild Street and adjust traffic light sequences as necessary;*
- (iii) *to instruct officers to revoke with immediate effect the temporary traffic order stopping traffic on Broad Street and adjust traffic light sequences as necessary;*
- (iv) *to instruct officers to engage with Muse with a view to developing detailed designs for the layout of Broad Street, on the basis of:-*
 - (a) *status quo (full vehicle access)*
 - (b) *public transport and bicycle only access*
 - (c) *full pedestrianisation;*
- (v) *to agree that all of the above options be designed with the opportunity for Broad Street to be closed so it may be transformed into an event ready space for special events/occasions - and report back to the Council meeting on 2 March 2016 for approval. All options will be subject to public consultation;*
- (vi) *to agree that a structured approach to city centre public realm works is required and that full traffic modelling is required for all public realm works identified in the Masterplan before any decision of full/part pedestrianisation is taken by Council; and to instruct officers to report back with traffic modelling, timelines and options to the Council meeting on 2 March 2016; and*

- (vii) *to agree that all pedestrianisation options go out for full public consultation before final decisions are taken by Council.*

This report provides an update on progress in relation to each of the above instructions.

- 5.2 The temporary traffic regulation orders defined in (ii) and (iii) of the Council resolution were revoked at 1900 hours on Friday 18 December 2015.
- 5.3.1 Designs have been prepared to demonstrate what the space could look like for each option, showing a revised design with space for traffic limited to two lanes with no space for bus waiting, public transport and bicycle only access, and full pedestrianisation, respectively. Due to the time constraints meeting this instruction, designs will be displayed to Members on the morning of the Council meeting (2 March 2016) in the Council Chamber at 09:30.
- 5.3.2 The designs for Broad Street also identify the space available for events/ special occasions (including access to Marischal Square Quad to connect to events at that location) and this has been informed by knowledge and experience of events planning across the City in terms of public circulation, emergency access, different types of events and their space requirements. The permanently available events space on Broad Street remains much the same for all options. Limited additional temporary events space could be created on specific occasions via temporary road closures for options that maintain vehicular traffic in some way, subject to emergency access requirements. The types of events/ special occasions that could be considered for this space on Broad Street includes seasonal markets, concerts, significant cultural events i.e. tying in with events inside Marischal College Quadrangle, new annual festivals and sporting events.
- 5.3.3 The public has previously been consulted on what sort of place the area between Marischal College and Marischal Square can be. It is suggested that consultation at this stage should be to inform how the space is to be used (e.g. status quo, part-pedestrianisation and full pedestrianisation). The public can also make comment on what they think is appropriate with regards to the detail of the space such as: the materials, soft and hard landscaping, street furniture and any public art installations that might be included should the space be transformed in any way from the status quo. It is recommended that the consultation is undertaken on-line, and for those without internet access, an exhibition be installed at the Marischal College reception to maximise public engagement. It is anticipated that the consultation will take place for four weeks from Friday 4 March until Friday 1 April 2016.
- 5.3.4 It is therefore recommended that Members approve the designs for public consultation which will be undertaken on-line, or in person, as specified above, with the outcomes being reported back to Council in May 2016.

- 5.4.1 In accordance with the instruction from Finance, Policy and Resources Committee in September 2015, that the outcomes of Broad Street and Schoolhill/ Upperkirkgate were reported to full Council in December 2015, and Union Street/ Guild Street to full Council in March 2016, a programme of traffic modelling was agreed with consultants.
- 5.4.2 The full Council decision of December 2016 necessitated a review of this modelling programme due to the broader requirements requested by Members. Following discussion with the consultants early in 2016, a new schedule of traffic modelling was developed which would enable compliance with the December 2016 instruction to undertake '*full traffic modelling ... for all public realm works identified in the Masterplan*'. This programme, however, would not enable completion of the modelling in time to report back to full Council in March 2016.
- 5.4.3 This revised programme includes modelling of each public realm option within the Masterplan as separate entities, followed by the modelling of various combinations of the key projects, the outcomes of which will inform a structured approach to the optimal sequence of project delivery including mitigation at locations to offset traffic displacement.
- 5.4.4 At the time of drafting this report, testing has been completed on the individual public realm projects within the Masterplan and a programme of testing a range of combined projects is now underway. It is anticipated that these tasks can be completed with robust evidence in time for the next Council meeting on 11 May 2016.

6. IMPACT

6.1 Improving Customer Experience:

The contents of this report and the recommendations relate to the delivery of the City Centre Masterplan, which is aimed at improving the City Centre for all those who live in, work in and visit it. Further consultation with the public on options for Broad Street runs the risk of 'consultation fatigue' and may result in a negative customer experience. This could be mitigated by expanding this consultation to enable the public to help shape what the space could look like and its future use.

6.2 Improving Staff Experience:

A defined, fully resourced programme of delivery for the City Centre Masterplan with key stage decision making, committed to by the Council, will enable staff, with stakeholders and the public, to confidently and timeously realise the City Centre Masterplan. The recent appointment of the City Centre Director will assist this process.

6.3 Improving our use of Resources:

Internal resources and partnership working with developers have already been identified to continue to deliver the instructions of Council in December 2015. Further resources will continue to be required for the wider delivery of the transport network plan to support the successful delivery of the City Centre Masterplan, which has identified a range of benefits for citizens and business across the City. Internal resources will also be used to undertake the public consultation for Broad Street.

6.4 Corporate:

Positive decision making informing the progressive implementation of the City Centre Masterplan directly supports a range of policies and strategies including:

Aberdeen – the Smarter City vision:

- We will encourage and support citizens to participate in the development, design and decision making of services to promote civic pride, active citizenship and resilience.
- We will improve access to and increase participation in arts and culture by providing opportunities for citizens and visitors to experience a broad range of high quality arts and cultural activities.
- We will provide a clean, safe and attractive streetscape and promote bio-diversity and nature conservation. We will encourage wider access to green space in our streets, parks and countryside.
- We will invest in the city where that investment demonstrates financial sustainability based on a clear return on investment
- We will encourage cycling and walking.
- We will provide and promote a sustainable transport system, including cycling, which reduces our carbon emissions.

Single Outcome Agreement:

The 2013 Single Outcome Agreement has been informed by a range of public engagement exercises, including the 'City Voice' questionnaires, one of which reflected that *'61% of respondents stated that things had got a bit or much worse in relation to an 'attractive city centre'*. Delivery of the City Centre Masterplan will aim to address this.

Strategic Infrastructure Plan:

Stakeholder engagement which informed this Plan revealed that the 'poor state' of the City Centre is one of a number of issues identified as a common theme *'In terms of the attractiveness and marketing of the city to attract workers, visitors and investment...'*. This Plan also states that *'A high quality of life is integral to attracting and retaining the talent*

and investment needed to grow the economy. This sense of place, with a key emphasis on the city centre, is crucial in underpinning economic growth and essential in underpinning the necessary infrastructure requirements. One of the key goals of this Plan is City Centre Regeneration and the delivery of the City Centre Masterplan will contribute significantly to achieving this.

This Plan also recognises that a range of traffic management and transport network improvements in and around the City Centre, delivery air quality, road safety and economic benefits and support the key strategic priority around City Centre Regeneration. The development and delivery of a Sustainable Urban Mobility Plan for the City Centre, as part of the wider Masterplan, is also recognised as key to improving accessibility to all, increasing walking and cycling opportunities and improving public transport.

6.5 Public:

The contents of this report are likely to be of public and media interest as it relates to the City Centre, a significant economic asset for the City and Region. An Equality and Human Rights Impact Assessment has been undertaken as part of the Aberdeen City Centre Masterplan and Delivery Programme presented to Council on 24 June 2015. A Privacy Impact Statement is not required for this report.

7. MANAGEMENT OF RISK

7.1 The risks inherent in not addressing the regeneration of the city centre are set out in the Strategic Infrastructure Plan. In view of the fact that the regeneration of the city centre is widely supported, there is a reputational risk to the Council if no improvements are made.

7.2 There is also a risk in not delivering the public realm works on Broad Street for the completion of Marischal Square in July 2017. Officers have been made aware that the contractors need a 52 week lead in time to deliver the public realm works for the scheduled completion of the development. Therefore, a decision must be made by July 2016.

7.3 If a decision is not made then there are the following risks:

- Reputational risk – undermines the Council investment into Marischal Square and the public/ stakeholders could perceive that the Council is unable to deliver improvements to the city centre on time or deliver the projects within the masterplan;
- Cost of delivery – although the £1.12M is safeguarded for works on Broad Street it would cost more and take longer to work through an agreement with another contractor at a later date;
- Attractive investment – there may be some risk in letting the spaces with the lack of a decision on the public realm and how this will tie in with the development;

- Traffic disruption – works at a later date will cause traffic disruption in the city centre and this is likely to be worse with Marischal Square in use; and
- Aesthetics – when Marischal Square is opened, Broad Street will look as it does at the moment as there will have been no improvements to the public realm.

8. BACKGROUND PAPERS

None

9. REPORT AUTHOR DETAILS

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ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	2 March 2016
DIRECTOR	Chief Executive
TITLE OF REPORT	Twinning & International Partnerships
REPORT NUMBER	OCE/16/012
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

The purpose of this report is to bring before Council application for financial assistance from the International Twinning Budget 2016-2017 and to make recommendations.

2. RECOMMENDATION(S)

That Council approve the following grant from the International Twinning Budget 2016-17:

- i) Contribution of £7,000 towards an arts in healthcare project between organisations in Aberdeen and Bulawayo, March-October 2016

3. FINANCIAL IMPLICATIONS

Full council approved the International Twinning Budget for 2016-2017 of £147,250. The approved budget from the Common Good Fund provides £102,000 of monies towards the support of twinning projects and/or visits with additional funds supporting associated costs with the programme, such as salaries. A total of £102,000 is available to support projects in 2016-17.

	Balance of budget available as at April 2016	£102,000
	Opening balance	£79,725
i)	Contribution towards an arts in healthcare project between organisations in Aberdeen and Bulawayo, March-October 2016	£7,000
	TOTAL	£7,000
	Closing Balance (if recommendation approved)	£70,725

4. OTHER IMPLICATIONS

The health and safety implications of all visits are taken into account during planning, with any exceptional implications addressed at the time of application.

The Twinning & International Partnerships Officer regularly reviews the travel advice provided by the Foreign and Commonwealth Office and is in close contact with counterpart officers in the twin cities to ensure information provided to participants is accurate and up-to-date.

Where individuals/groups from Aberdeen are travelling overseas, comprehensive pre-visit briefings are offered by the Twinning & International Partnerships Officer and all have the opportunity to ask questions and request support.

When participating in overseas visits, Council employees are covered by the Council's insurance policy while non-Council employees are instructed by the Twinning & International Partnerships Officer to obtain comprehensive travel insurance.

Long established twinning links will not be maintained without regular reciprocal visits and ongoing projects being initiated by communities, groups and individuals and there is the potential for the city's international image to be damaged if we don't continue to support established relationships.

Grants provided through the twinning budget provide individuals and communities from throughout Aberdeen City with the opportunity to engage with international twinning activities. In addition, incoming visitors to the city on twin city projects support the local economy through their participation at events and hospitality and retail expenditure while visiting the city.

The Twinning & International Partnerships Officer will provide a strong link between Aberdeen and our twin cities who also provide organisational support, advice and guidance when required.

They will also make recommendations on funding available to the group and offer support to foster a relationship with the city so that it is long lasting and beneficial to the people of Aberdeen without requiring on-going financial support from the public purse.

All groups participating in twin city activities are encouraged to develop sustainable relationships with their partner groups. Links between most of the twin cities of Aberdeen are active, and links which have not recently been engaged have been contacted to re-establish communications. It is important that all visits and projects through twinning are long-standing and fruitful to ensure their benefit to the local people of Aberdeen, to establish and promote positively the overseas image of Aberdeen and for best practice to be shared between cities.

5. BACKGROUND/MAIN ISSUES

These recommendations are made ahead of the Priority Based Budgeting and Common Good Fund Reviews and involve the allocation of funds made available from the 2016-17 budget:

i) Contribution of £7,000 towards an arts in healthcare project between organisations in Aberdeen and Bulawayo, March-October 2016

This project brings together partners from a variety of organisations involved with arts and healthcare in Aberdeen and Bulawayo. The aim of the project is to enhance the maternal healthcare environment within Bulawayo whilst also engaging local Aberdeen audiences with the city's international development work and providing local artists with the opportunity to become involved in international projects. This project will have several facets, including the travel of individuals from Aberdeen to Bulawayo to create workshops in the city and dissemination of information to Aberdeen audiences through public events.

This proposal has evolved from a previous project by the University of Aberdeen's Immpact Programme. Immpact have collaborated with healthcare professionals and creative practitioners from Bulawayo and Aberdeen throughout 2015 to create a series of engaging events and resources including: A play to highlight maternal healthcare issues in sub-Saharan Africa which was premiered at the May Festival and is now being used as part of the University's Global Humanities Lecture Series to fifth year medical students and has also been shown nationally at the Medical Students Conference; a platform for knowledge exchange with partners from Bulawayo visiting facilities and staff at Aberdeen Royal Infirmary and continuing interactive sessions via the internet; and the development of student exchanges between medical students from University of Aberdeen to United Bulawayo Hospitals, with the first student exchange intended to take place in 2016. Immpact's project has laid the foundations for future arts in healthcare projects between Aberdeen and Bulawayo.

This new project is a collaborative effort from several partners in the city involved in arts, healthcare and international development. These partners include individuals from Gray's School of Art, Grampian Hospital Arts Trust and creative practitioners as well as ongoing input from Immpact. The aim of this proposal is to bring partners together, collate information for the development of future projects and disseminate information to local and national audiences through the development of events and resources. This will be achieved by professionals from Aberdeen travelling to Bulawayo to view facilities, meet colleagues and co-create workshops. Once back in Aberdeen, these experiences and findings will form a public engagement programme which will include the creation of public events and e-publications. These events and resources will be used for teaching purposes at students at Gray's School of Art and medical students at the University of Aberdeen. Resources will also be shared by both educational institutions and wider networks, including Twinning and Creative Learning, to highlight the relationships between Aberdeen and Bulawayo and make new audiences aware of the international arts and healthcare work currently being undertaken in the city.

This initial proposal is the first in a series of future plans which will include: The creation of an art presence in Bulawayo Maternity Hospitals through follow-up visits, with wider engagement and hands-on activities in and outwith the Maternal Health Spaces; complementary exchange visits involving established and emerging artists, possibly from an art institution in Bulawayo and Gray's School of Art; as well as healthcare professionals from United Bulawayo Hospitals and Aberdeen Royal Infirmary; and enhance working arrangements between partners that will strengthen the twinning relationship between Bulawayo and Aberdeen to achieve long term sustainable impact and exchange.

The project benefits the lives of women in childbirth in and around Bulawayo through the creation of safe healthcare environments. There are also several benefits to Aberdeen, including: Increasing Aberdeen's international development profile; aiding the professional development of arts and healthcare professionals in the city; enhancing the diversity of public programmes within Aberdeen; creating learning resources for at least two educational institutions in the city; supporting creative talent in the city; and demonstrating Aberdeen's continued support of the twinning agreement with Bulawayo.

This application seeks a total of £7,000 towards travel expenses incurred by partners in Aberdeen and Bulawayo during the project as well as contributing towards the creation of public engagement activities in Aberdeen. The remaining project costs, including salaries and venue hire, will be met by the project partners.

The impact to the project if the following percentage reductions were applied by Council to this application is outlined below;

25% (£5,250) the impact would be a reduced visit of 4 days instead of 6 days, which would reduce the amount of information that can be gathered and the degree of engagement possible with key partners in Bulawayo.

50% (£3,500) the impact would be to reduce to 2 project participants travelling to Bulawayo, depending on which two of the three participants were to travel, it would compromise the continuity of the relationship building aspects, compromise the activities key to establishing organisational aspects of Art and Health facility working together, remove the public engagement aspect and limit the information gathered on the surfaces/spaces opportunities available within the health environment.

75% (£1,750) the impact would make the project no longer feasible if funding limits to only one participant travel, and this limits the future viability of the project.

Expenditure	
Staff costs (relating to preparation, delivery and post event)	
• Project co-ordinator (12days)	£2,160
• Grampian Hospital Arts Trust (GHAT) Advisor on art	£1,400

and health care (10 days)	
• GHAT support staff (15 hours)	£150
• Creative writer (6 days)	£1,200
• Maternal Health Advisor (2 days)	£1,000
• Public Relations Advisor (4 days)	£1,000
Visas	£105
Consumables (inc. gifts, etc)	£455
Flights	£2,550
Accommodation & Subsistence	£2,340
Aberdeen public event	£2,350
Total	£14,710
Income	
Contribution from partners	
• GHAT staff costs	£1,550
• Sue Fairburn	£2,160
• Dr Julia Hussein	£1,000
• Shane Strachan	£1,200
• Shelagh Barr	£1,000
• Public event - Venue Hire provided by Gray's School of Art and GHAT	£700
• Public event - Workshop materials provided by Gray's School of Art	£100
Total	£7,710
Expenditure-Income	£14,710- £7,710
Total requested	£7,000

6. IMPACT

Improving Customer Experience –

The International Twinning Grant is available to all residents and groups within Aberdeen.

Aberdeen's twin city partnership initiatives:

- Foster international understanding and friendship and an appreciation of cultural diversity;
- Provide Aberdeen's citizens with an awareness of, and insight into, international issues and perspectives and their impact on Aberdeen and Scotland;
- Promote the image and raise the profile of the city overseas;

and

- Provide a forum for the exchange of knowledge, expertise, skills, ideas and best practice in any given field.

Improving Staff Experience –

The Twinning and International Partnerships Officer works closely with internal departments to create partnerships and projects between Aberdeen City Council and twin cities, regularly working with the Education, City Events and Civic Teams amongst others.

Improving our use of Resources –

The International Twinning Grant is funded through the Common Good Fund. Recommendations for grant allocations are presented to council committee and all reports detailing grant allocations are readily available through the council website.

Corporate -

Promoting and supporting international exchanges, involving various communities of interest, significantly contributes to Aberdeen City Council's Smarter City Vision and to the actions of the Single Outcome Agreement. The outlined twinning projects also align with the cultural strategy vision as it allows for improved communication of cultural opportunities, helps with changing the perception of the city, to develop a stronger cultural identity and to have increased levels of effective partnership working.

Public –

Human Rights, Equalities and Diversity: Aberdeen City Council has in place a range of statutory and discretionary plans, schemes and policies to promote equality. Officers endeavour to target groups and communities which have not previously had experience of international visits or exchanges, or have been under-represented in twin city activities. Applicants complete an equal opportunities monitoring form as part of the application process.

8. BACKGROUND PAPERS

None used

9. REPORT AUTHOR DETAILS

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ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	2 March 2016
INTERIM DIRECTOR	Richard Ellis
TITLE OF REPORT	Devolution of Additional Powers to the Council
REPORT NUMBER	CG/16/050
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

To explore how additional powers devolved from the Scottish Government to the Council could be used to facilitate delivery of the Council's priorities and contribute to the delivery of the Regional Economic Strategy.

2. RECOMMENDATION(S)

It is recommended that Council:

- a) Note the contents of this report; and
- b) Instruct the Head of Economic Development to provide an 'options appraisal' of the devolution of existing and proposed (via the Scotland Bill) powers and the different levers that could be available to the Council.

3. FINANCIAL IMPLICATIONS

There are no direct financial implications arising from this report.

4. OTHER IMPLICATIONS

This section must include any legal, resource, personnel, property, equipment, sustainability and environmental, health and safety and/or policy implications.

5. BACKGROUND/MAIN ISSUES

5.1 Background

At its meeting in December 2015, the Council approved Securing the Future of the North East Economy – a 20-year Vision for the Well-being

of the Place & Our People, a new economic strategy for the city and the region.

It proposes four key Programme Areas to deliver the longer term vision for the economy: investment in infrastructure, inclusive economic growth, innovation and internationalisation. Within these programmes, actions include:

- Submission of a City Region Deal to fast track development of infrastructure;
- Development of an investment plan that will look at alternative financial models that can be used to invest in and deliver regional infrastructure needs;
- Delivery of City Centre Masterplan projects;

The City Region Deal is a mechanism to support delivery of a number of the priorities in the regional economic strategy. The Council has been developing these proposals with the UK and Scottish Governments, in partnership with Aberdeenshire Council and the private sector. On 29 January 2016 it signed a Heads of Terms Agreement on the Deal. This confirms the commitment by the two governments to jointly invest £250m in supporting proposals under innovation, digital and transport connectivity and supporting the Aberdeen Harbour Expansion. All of the Aberdeen City Region Deal partners stated their commitment to exploring the most appropriate financial models to deliver the proposals.

At its meeting on 16 February 2016, the Finance, Policy and Resources committee considered the report “City Deal “Heads of Terms” Agreement” and agreed the following amendment to the recommendations contained within the report:

“Instructs the Chief Executive to bring a report to the next meeting of Council on 2nd March 2016 detailing how the Aberdeen City Region Deal can be strengthened to meet our economic objectives through the use of additional powers devolved from the Scottish Government to the Council. The City Region Deal is not just about accelerated investment; giving Aberdeen further decision making tools in fiscal and non-fiscal areas such as Non-Domestic Rates, Council Tax setting, Air Passenger Duty, Tourism Charge and Land and Buildings Transaction Tax to name but a few will help change the way we work to stimulate growth within the economy of Aberdeen and the wider North East.”

5.2 Policy Drivers

City Centres tend to be home to the most productive jobs, and Gross Value Added (GVA) per head in Aberdeen City and the surrounding region is £36,000, above both Scottish and UK levels of £22,000 and £24,000 respectively.

In Aberdeen, while the city is home to a large share of regional jobs, and the consequent tax contribution to the UK and Scottish governments, the surrounding council areas provide accommodation for the workers that generate these taxes, but provide revenues, primarily in the form of Council Tax, to the neighbouring council areas.

There are 190,000 people working in the city¹, and using commuter flows based on the 2011 Census, about 56,000 commute in from Aberdeenshire, 4,000 from Angus and Moray and 10,000 from the rest of Scotland/ UK/ globally.

The regional economy depends on efficient connectivity into Aberdeen, and infrastructure investment is critical to delivery of the economic objectives of the city. Investment in the public infrastructure has not kept pace with the economic growth delivered by the City and region in recent decades and to enhance regional competitiveness, different financial levers will need to be considered in the context of how the Council delivers infrastructure and the 'fiscal' relationships within the larger economic geographies.

Current UK Tax System

There are a wide variety of taxes currently in existence which fall within the responsibility of either the UK or Scottish Governments and from 2016/17 both governments in the case of Income Tax. The main taxes are presented below:

Description	UK Government	Scottish Government
<i>Direct Taxes</i>		
Income Tax	x	x
National Insurance	x	
<i>Indirect Taxes</i>		
Value Added Tax	x	
Excise Duties (Alcohol, Tobacco and Fuel)	x	
Betting & Gaming Duties	x	
Vehicle Excise Duty (Road Tax) & Road Levy Duty	x	
Air Passenger Duty	x	
Insurance Premium Tax	x	
Landfill Tax	x	
Scottish Landfill Tax		x
Climate Change Levy	x	
Aggregates Levy	x	
<i>Capital Taxes</i>		
Capital Gains Tax	x	
Inheritance Tax	x	
Stamp Duty Land Tax	x	
Stamp Duty on Shares	x	
Land & Buildings Transaction Tax (LBTT)		x
<i>Company Taxes</i>		

¹ 2014 Business Register & Employment Survey

Corporation Tax	x	
Petroleum Revenue Tax	x	
Bank Levy	x	
National Non Domestic Rates		x
Local Taxes		
Council Tax		x

5.3 The Scotland Act 2012

To increase fiscal autonomy and strengthen accountability, the Scotland Act 2012 introduced a number of new financial powers for the Scottish Parliament from April 2015:

- Land and Buildings Transaction Tax (LBTT) – previously Stamp Duty Land Tax (SDLT), a tax on land and buildings transactions
- Scottish Landfill Tax – previously Landfill Tax, a tax on waste disposal to landfill
- Borrowing and Cash Reserve – allows the Scottish Government to borrow for capital purposes in addition to that for revenue purposes and to operate a cash reserve.

In addition, from April 2016 the Scottish Parliament can set a Scottish Rate of Income Tax each year for Scottish Taxpayers.

5.4 The Smith Commission

Following the referendum on Scottish independence in September 2014 the UK Government established the Smith Commission to consider what further powers should be devolved to the Scottish Parliament. Its report, published on 27 November 2014, set out a Heads of Agreement between the five main political parties on powers to be devolved, arranging them into three pillars:

- pillar 1: providing a durable but responsive constitutional settlement for the governance of Scotland
- pillar 2: delivering prosperity, a healthy economy, jobs, and social justice
- pillar 3: strengthening the financial responsibility of the Scottish Parliament

5.5 Pillar 3: Strengthening the financial responsibility of the Scottish Parliament

This considered a range of taxes and recommended the following:

- Income Tax – to remain a shared tax with the UK and Scottish Parliament sharing control with the Scottish Parliament having the power to set rates and bands.
- Air Passenger Duty – the power to charge tax on air passengers leaving Scottish airports be devolved to the Scottish Parliament including the ability to make its own arrangements regarding the design and collection of any replacement tax.

- Aggregates Levy – subject to legal issues being resolved, the power to charge tax on the exploitation of aggregate in Scotland be devolved to the Scottish Parliament, again with the ability to make its own arrangements around the design and collection of any replacement tax.
- Value Added Tax (VAT) – receipts raised in Scotland by the first 10 percentage points of the standard rate of VAT be assigned to the Scottish Governments budget with all other aspects remaining reserved to the UK Parliament.
- The following taxes to remain reserved to the UK Parliament – National Insurance Contributions, Capital Gains Tax, Inheritance Tax, Corporation Tax, all taxes in relation to oil and gas receipts, all aspects of Fuel Duty and Excise Duties.

5.6 The Scotland Bill 2015

The recommendations of the Smith Commission referred to above are contained within the Scotland Bill 2015 which is currently progressing through the UK Parliament.

Discussions have been ongoing between the UK and Scottish Governments with the aim of achieving Royal Assent ahead of the Scottish Parliamentary elections in May 2016.

It is worth noting that the UK and Scottish Governments on 23rd February 2016 confirmed that a deal had been reached on the financial basis for new powers to be devolved as part of the Scotland Bill. Details of the deal were to be published thereafter to allow scrutiny by Holyrood to begin. The reaching of this deal was a key milestone in the progression of the Bill.

5.7 Scottish Local Government Partnership (SLGP)

In January 2016 the SLGP published a Joint Devolution Policy Statement “A Scottish Local Government Partnership call for further devolution of powers from the Scottish Parliament”.

The policy statement follows the principle that Councils are best placed, along with local communities and businesses, to know what is required and what will deliver the best outcomes for their area and calls for a range of powers to be made available and for each area to use them to deliver local and national priorities, including:

- **“Fiscal Devolution and Financial Powers:** SLGP Councils should be given greater levels of fiscal autonomy, initially through greater freedoms and flexibilities of the existing Local Government tax powers of Council Tax and Non Domestic Rates. This would incentivise economic growth and ensure effective public services.

The range of powers could include the return of Non Domestic Rates setting and income retention to Local Government control, the extension of full business rates flexibility and retention, and the

ability to control levels of Council Tax. This would allow our member Councils to consider the scope for measures which would incentivise economic growth determined by local circumstances, for example discounts to start-ups and businesses in disadvantaged areas.”

The statement also states, “The Partnership believes our member Councils should have greater local influence over:

- **Scotland’s Fiscal Framework:** The SLGP, as significant contributors to Scotland’s Gross Value Added, should have greater local influence on Scotland’s Fiscal Framework to minimise any volatility to Scottish public sector finances. For example, the devolution of tax powers from Westminster will result in Scotland’s increased reliance on less predictable tax revenues.”
- The SLGP is looking to the Scottish Government for a commitment to champion further devolution to Local Government and urges that the powers transferred to the Scottish Parliament by the Scotland Bill be proactively used to benefit local people through giving Councils greater powers and authority.

5.8 Other Research and Discussion

5.8.1 The Council is a member of the Scottish Cities Alliance. Its recent paper, “Empowering Scotland’s Cities: Delivering Prosperity and Equality for Scotland’s Seven Cities, highlights the Smith Commission and subsequent Scotland Bill creates an opportunity to make step changes in local democracy and community empowerment and asks that Holyrood passes on to local areas all Non Domestic Rates and a proportion of the fiscal retention being granted to it by the Scotland Bill as well as the freedom to raise local taxes.

In response, and recognising that cities are the engines of Scottish economic growth, the Alliance is currently undertaking research the devolution of powers to Scotland’s cities. The objective of the study is to define the new powers needed for Scotland’s cities to thrive and make the case for changes to these powers. This will include the need for cities for city Councils to adapt further in response to financial challenges and to explore locally-generated revenues through levers such as council tax and/ or business rates, and infrastructure investment in cities, including housing, transport and digital priorities.

5.8.2 In November 2013, Aberdeen & Grampian Chamber of Commerce published a research study commissioned by this Council advising on:

- The impact of the existing financial settlement for Aberdeen City Council on the contribution Aberdeen makes to Scotland and the UK; and
- How a different or better funding settlement could benefit the City of Aberdeen and the remainder of Scotland.

It is not intended to cover the findings of the study in detail in this report but it is important to recognise that the study highlighted that with the funding settlement calculations unlikely to change the Council should enter into discussions and consider a number of options around alternative funding sources/methods.

More recently, Aberdeen & Grampian Chamber of Commerce has published its 2016 Scottish Parliament Election Manifesto, "Strong and sustainable, A plan for the North-East" which sets out its "recommendations to foster a progressive economy through changes in policy and the use of fiscal instruments".

5.8.3 The First Minister has recently announced plans to fund local authorities using a combination of income tax and a reformed council tax. The plans would see the structure of council tax change to create a greater link between property value and the amount paid. In addition, local authorities would receive a share of income tax collected in their area as an incentive to increase economic growth.

5.9 Alternative Taxation Sources

In looking at the existing taxation systems it would be useful to consider alternative taxation or income raising powers that currently are either not utilised or do not exist. As an example, the Council could consider a Tourism Levy and the implementation of this locally, which could then be targeted into specific market sectors or complement existing spend levels to improve the economic outputs of the region.

Tourism is a key sector of Aberdeen economy. Over 1.5m trips to the region annually generate £420m spend, supporting more than 11,000 jobs in the city within 550 businesses. It is a key sector of the city's economy and is prioritised in the regional economic strategy.

The promotion and marketing of the City and the north east will be supported by the development of a new Destination Marketing Organisation (DMO), VisitAberdeenShire, that will begin operating on 1 April 2016. The Council will support the new company with an investment of £570,000 for 2016/17. However, and in the context of continuing financial pressures, the Council will be supporting the new company to explore alternative revenue generation potential in the form of a tourism levy.

Tourism promotion is frequently funded by this instrument across Europe, through a charge on people staying in hotels, that is reinvested back into tourism infrastructure, public realm, events and/ or marketing. Initial estimate based on current/ planned hotel rooms, average occupancy levels, suggest that a £1 levy per person per night could realise £2.7m annually.

5.9 Conclusions and Recommendations

The devolution of fiscal and other powers from the UK to the Scottish Parliament is ongoing and will continue in the coming years. In light of this, the argument for further devolution of powers from the Scottish Parliament to Local Government has been gaining pace and will continue to be discussed and debated through a variety of forums.

It is therefore recommended that the Council instructs officers to be proactive in seeking opportunities to participate in and influence future discussions on the devolution of powers to the Council and to undertake a cost-benefit analysis of the various options to devolve further powers to the Council.

6. IMPACT

Improving Customer Experience –

There are no implications arising directly from this report. However, any changes to the Council's funding may well impact on customers and would need to be considered at the appropriate time.

Improving Staff Experience –

There are no implications arising directly from this report. However, any changes to the Council's funding may well impact on staff and would need to be considered at the appropriate time.

Improving our use of Resources –

There are no implications arising directly from this report. However, any changes to the Council's funding would clearly affect resources and would need to be considered at the appropriate time.

Corporate –

It is a priority of the Council to support the long term financial and economic sustainability and growth of the City using the resources available to it.

In agreeing the recommendations of this report, opportunities for joint working with partner organisations will become available.

Public –

This report may be of interest to the public as it relates to funding.

7. MANAGEMENT OF RISK

No direct risks have been identified in relation to this report. However, any future proposals to change to the Council's funding will have risks

associated with them which would need to be considered at the appropriate time.

8. BACKGROUND PAPERS

A Survey of the UK Tax System, Institute for Fiscal Studies Briefing Note BN09, Published November 2014.

Preparations for the Implementation of the Scotland Act 2012, Audit Scotland, Published December 2014.

Report of the Smith Commission for Further Devolution of Powers to the Scottish Parliament, Published 27 November 2014.

SLGP Joint Devolution Policy Statement, A Scottish Local Government Partnership call for further devolution of powers from the Scottish Parliament, Published January 2016.

Discussion Document “Empowering Scotland’s Cities: Delivering Prosperity and Equality for Scotland’s Seven Cities”, Scottish Cities Alliance.

2016 Scottish Parliament Election Manifesto “Strong and sustainable, A plan for the North-East”, Aberdeen & Grampian Chamber of Commerce.

9. REPORT AUTHOR DETAILS

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