

Public Document Pack

GOVERNANCE DOCUMENTS CIRCULATED AT THE MEETING IN RELATION TO ITEM 9(a)



To: All Members of the Council

COUNCIL

The undernoted items were circulated in connection with the meeting of the **COUNCIL** to be held here in the Town House on **MONDAY, 5 MARCH 2018 at 10.30am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

9(a) Target Operating Model - Supporting Governance Framework - OCE/18/025
(Pages 3 - 206)

Website Address: www.aberdeencity.gov.uk

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ANNEX A

Standing Orders for Council, Committees and Sub Committees

- 2.2.3 Appointment of a Business Manager and Depute Business Manager;
- 2.5 In the absence of the Business Manager, the Depute Business Manager will fulfil the duties of the Business Manager.
- 2.6 There will be no more than one appointment made to the roles of:
- Lord Provost;
 - Depute Provost;
 - Depute Leader (if appointed);
 - Business Manager;
 - Depute Business Manager; and
 - Convener.
- 2.7 The Convener and Vice Convener of the Audit, Risk and Scrutiny Committee must be a member of the opposition.
- 5.1 Any Member elected or appointed as Lord Provost, Depute Provost, Leader or Co-Leaders of the Council, Depute Leader of the Council, Business Manager or Depute Business Manager, or as Convener or Vice Convener can only be removed from office by a resolution by Full Council following a Notice of Motion submitted at least three weeks prior to the Council meeting in accordance with Standing Order 12.
- 5.4 Following debate, a proposal as to whether to remove from office the office bearers detailed at Standing Order 5.1 will be voted on and decided by simple majority.
- 12.5 Prior to a Notice of Motion appearing on an agenda, the Convener will determine competency.
- 12.17 Any motion proposing a nomination for Freedom of the City must be signed by at least 23 Members of the Council.
- 13.2.5 Administration Leaders
- 13.2.8 Business Manager
- 13.12 Any officer listed under Standing Order 13.1 will have the authority to withdraw his/her report from the agenda, following consultation with the Business Manager.
- 14.6 Competency in respect of Standing Order 14.5 will be determined by the Convener.
- 14.12 Competency in respect of Standing Order 14.11 will be determined by the Convener.

- 28.3.3 the Council is meeting to consider its annual revenue budget, in which case the Convener of the City Growth and Resources Committee will have the prior right to the motion. Following the moving of each budget, the spokesperson of the biggest Opposition Group will have the right to propose an amendment.
- 28.13.1 In respect of the motion which proposes any element of the Council annual budget, the Council Leader will have the right to sum up.
- 29.7 Summing up a Council budget – 10 minutes
- 30.2.1 In respect of the motion which proposes any element of the Council annual budget, the Council Leader will have the right to sum up.
- 31.2 A Member can move that an alternative method of voting is used, such as roll call or show of hands, by means of a Procedural Motion.
- 33.1 Immediately following a vote at Committee or Sub Committee, one third of the membership of the Committee or Sub Committee may refer the matter to the Council, a Committee or Sub Committee for a decision, unless the Convener determines otherwise (see Glossary for calculation).

Original Standing Order 33.3 deleted due to rewording of 33.1 above

- 39.2 Meetings will last no longer than six hours.
- 39.2.1 If a meeting continues beyond six hours, and where there has been no break in proceedings, the Convener must call a twenty minute break in proceedings in line with the Working Time Regulations 1998.
- 42.1 Non-material amendments can be made to the Standing Orders by the Chief Officer - Governance, following consultation with the Business Manager, without the requirement to report to Council.

45. Member Access to Documents

- 45.1 The additional rights of access to documents for Members are as set out in Appendix 5 to the Standing Orders.

Glossary

Business Manager

A Councillor appointed by Council to liaise with Chief Officers and Members of all parties in respect of Council business and governance matters.

Depute Business Manager

A Councillor appointed by Council who acts as Business Manager in the absence of the Business Manager.

Appendix 3

- 1.2 The Panel will be chaired by the Convener of the City Growth and Resources Committee unless otherwise agreed by the Members on the Appointment Panel.

Appendix 4

7. The Convener of the Staff Governance Committee and Leader of the Council, whom failing the Business Manager, will be entitled to attend all meetings of the joint negotiating bodies responsible for the negotiation of conditions of service for the Council's employees.

Appendix 5

New Appendix 5 – Member Access to Documents

Financial Regulations

5.3.4 Uncollectable/Bad Debt and Write Off of Debt

The Chief Officer - Finance has authority to write off debts up to £25,000.

Procurement Regulations

Reg 3.9(e)

Add "subject to Procurement Regulation 4.1.1.3" after the word "Council".

Reg 4.1.1.2

Delete "up to £1,000,000 (both supplies/services and works)" from the heading.

Delete "up to £1,000,000 (both supplies/services and works) shall be listed on the workplan to be submitted by the relevant Director or Chief Officer in accordance with Procurement Regulation 14.6. Each individual contract will also require a Business Case (conforming to a template approved by the Head of Commercial and Procurement Services) seeking authority to conduct a procurement for the purchase of supplies, services or works to be submitted by the relevant Chief Officer to the Head of Commercial and Procurement Services and the approval of the Head of Commercial and Procurement Services, prior to procurement being undertaken"

And replace with "shall be listed on the workplan to be submitted by the relevant Director or Chief Officer in accordance with Procurement Regulation 14.6. Each individual contract will also require a Business Case (conforming to a template approved by the Head of Commercial and Procurement Services) to be submitted by the relevant Chief Officer to the Strategic Commissioning Committee and the approval of that Committee prior to the procurement being undertaken."

Reg 4.1.1.3

Delete and replace with new Procurement Reg 4.1.1.3: -

Contracts above £5,000 for consultancy and accountancy services and services provided by Advocates and QCs

Where the estimated value of a contract or appointment for: -

- a) Business and management consultancy and related services;
- b) Financial consultancy and accountancy related services; or
- c) Services provided by Advocates or QCs;

exceeds £5,000, the relevant Chief Officer may only give authority to engage the services following consultation with the Leader of the Council.

In determining the estimated contract value of any contract or appointment covered by this Regulation 4.1.1.3, each individual contract or appointment shall be considered separately and there shall be no aggregation of separate contracts or appointments for the purposes of arriving at an estimated expenditure.”

Reg 4.1.1.4 (iv)

Delete “£1 million” on the 2nd line and replace with “the thresholds stated in Procurement Regulation 4.1.1.2”.

Delete “of expenditure of £1 million” in the 5th line and replace with “the applicable thresholds”.

Reg 8.7.1

After “sub-contractors” in the 1st line, add “shall be done in accordance with Procurement Regulation 4.1.1.3. Such appointments”

Reg 14.6

In the 3rd and 4th lines replace “Head of Commercial and Procurement Services” with “Strategic Commissioning Committee”.

Reg 15.2(iii)

In the 1st column delete “up to £1 million” and replace with “and above”.

In the 3rd column delete “Submission of a Business Case by the relevant Chief Officer to the Chief Officer of the Integrated Health & Social Care Partnership, and approval by the Chief Officer of the Integrated Health & Social Care Partnership, prior to procurement being undertaken”

and replace with “Submission of a Business Case by the relevant Chief Officer to the IJB or, if applicable, the Strategic Commissioning Committee and approval by the IJB or the Strategic Commissioning Committee prior to the procurement being undertaken.”

Reg 15.2(iv)

Delete (i.e. the 4th row in the table)

Reg 15.5.2

After “approved by” add “the IJB or, if applicable, the Strategic Commissioning Committee in advance of the procurement being undertaken”

Reg 15.5.3

Delete.

Powers Delegated to Officers

General Delegation 6 - reference to outwith the United Kingdom deleted.

General Delegation 24 - amended to reflect that where the Chief Officer proposes to refuse an application it must be referred to the appropriate committee.

General Delegation 26 - addition of “which has been hereby delegated, and in compliance with the ACC Procurement Regulations.

General Delegation 34 - replacement of the relevant Committee Convener(s) with the Business Manager.

General Delegation 37 - reworded to “Following consultation with the Leader of the Council, to submit a Council response to an external consultation on an operational matter, thereafter to inform the relevant Convener and Vice Convener and notify all Group Leaders that the response has been submitted.”

General Delegation 38 (responding to an external consultation on a policy matter) - deleted.

Chief Executive 3 - revised wording:- “Following consultation with the Chief Officer - Governance and the Chief Officer - People and Organisation, to authorise a settlement agreement with an employee below Tier 3, including in relation to his/her leaving the Council’s employment. Settlement agreements with employees at Tier 3 and above can only be authorised following consultation with the Chief Officer - People and Organisation, the Chief Officer - Governance and the Leader of the Council.”

Chief Officer - Early Intervention and Community Empowerment. Libraries 2 – delete reference to opening hours and refer any changes to City Growth and Resources Committee for approval.

Chief Officer - Capital - 5 - Leader of the Council added in terms of consultation and Convener of the City Growth and Resources Committee specified.

Chief Officer - People and Organisation - 5 - revised wording:- “Following consultation with the Chief Executive, to approve applications for Voluntary Severance and Early Retirement for officers below Tier 3. Applications from officers at Tier 3 and above should only be approved following consultation with the Chief Executive and the Leader of the Council.”

Chief Officer - People and Organisation - 9 - revised wording:- “Following consultation with the Chief Executive and Chief Officer - Governance, to authorise a settlement agreement with an employee below Tier 3, including in relation to his/her leaving the Council’s employment. Settlement agreements with employees at Tier 3 and above can only be authorised following consultation with the Chief Executive, Chief Officer - Governance and the Leader of the Council.”

Chief Officer - Corporate Landlord - 13 - Leader of the Council added in terms of consultation.

Chief Officer - Corporate Landlord - 14 - £1million reduced to £250,000.

Chief Officer - Strategic Place Planning - 2(d) deleted - determine applications for Modifications or Discharge of Planning Obligations etc.

Chief Officer - Strategic Place Planning - 3 - Convener of the relevant Committee changed to Convener of the Planning Development Management Committee and Business Manager added.

Chief Officer - Governance - 1 - Lord Provost replaced with Business Manager in terms of consultation.

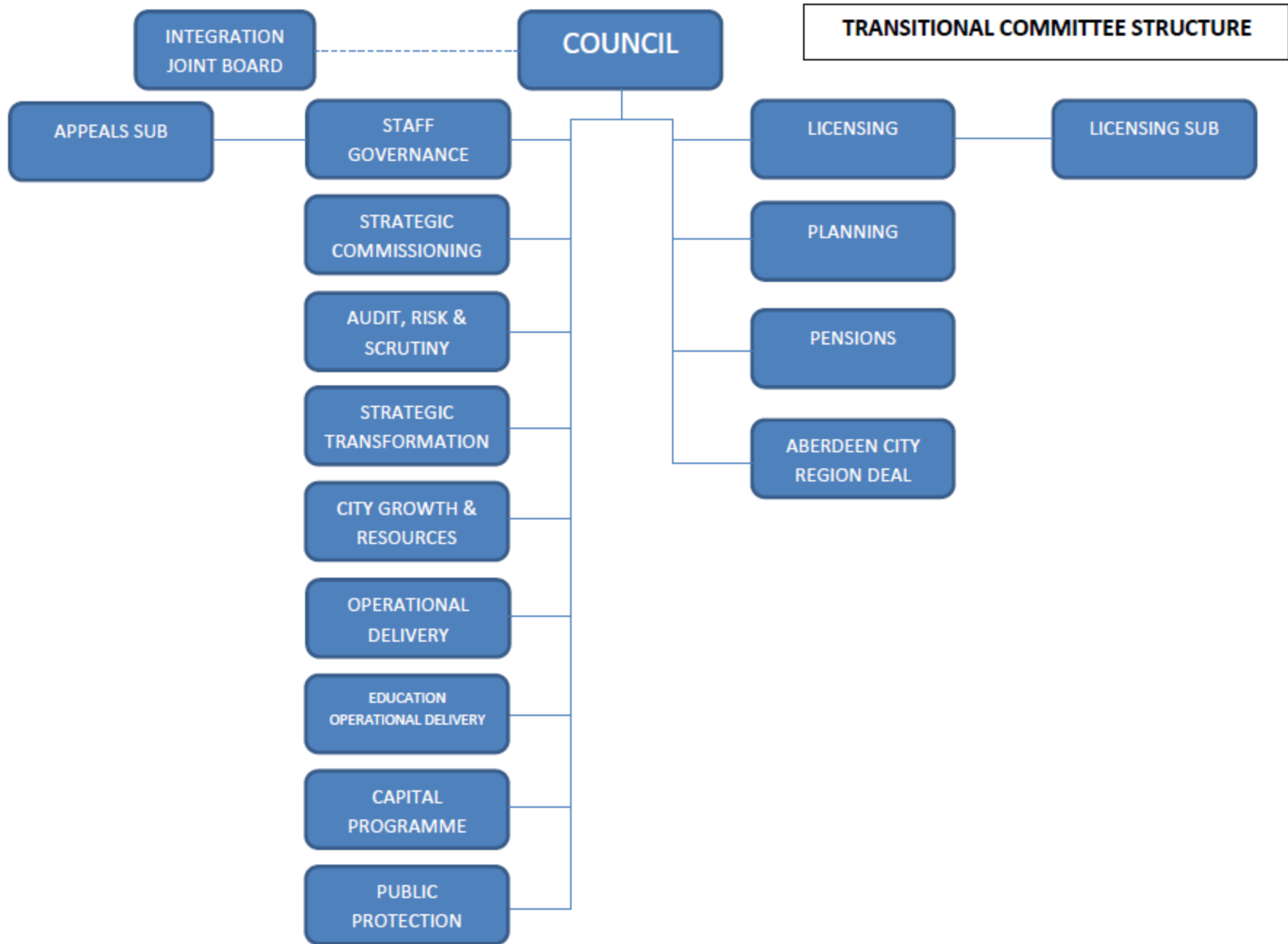
Chief Officer - Governance - 38 - replacement wording:- “To authorise the Lord Provost whom failing the Depute Provost to incur expenditure to meet the expenses of his/her office on the provision of reasonable hospitality, whether within or outwith the city, to representatives of other authorities, organisations, members of the Council or others.”

ABERDEEN CITY COUNCIL

COMMITTEE TERMS OF REFERENCE

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INTRODUCTION

1. The Council derives its authority from the Local Government (Scotland) Act 1973 and subsequent legislation. In exercising all of its functions and undertaking its responsibilities it must comply with the law.
2. Under s57 of the 1973 Act, the Council is permitted to appoint committees, or with other Councils, joint committees, to discharge any functions which the Council could itself discharge.
3. Under s56(1) of the 1973 Act, the Council is permitted to delegate the discharge of functions to officers. The Committee terms of reference should be read in the context of the Scheme of Delegation to Officers. Any delegation made to an officer shall not prevent the Council or relevant committee or sub committee from exercising the power so delegated.
4. The Council has also delegated powers to the Integration Joint Board of the Aberdeen City Health and Social Care Partnership under the Public Bodies (Joint Working) (Scotland) Act 2014.
5. A committee can in turn appoint sub committees to exercise any function delegated to it.
6. In accordance with Standing Order 45.7, Council can determine any matter which would otherwise fall to be determined by a committee or sub committee and under Standing order 45.8, a committee can determine any matter which would otherwise fall to be determined by one of its sub committees.
7. A committee can at any time refer or make a recommendation on any matter delegated to it to Council, and a sub committee can refer or make a recommendation on any matter delegated to it to Council or to its parent committee.
8. Any decision taken by a committee or sub committee is deemed to be a decision of Council itself.
9. These committee and sub Committee remits may be amended only after consideration of a report to Council or the appropriate parent committee by the Chief Officer – Governance.
10. Non material amendments to these committee and sub committee terms of reference can be made by the Chief Officer - Governance, following consultation with the Business Manager without the requirement to report to Council or the appropriate parent committee.
11. Any non material amendments made by the Chief Officer – Governance will be notified to members once completed.
12. The Terms of Reference will be reviewed annually by the Chief Officer – Governance.
13. All committee remits will be subject to the overarching remit of the Strategic Transformation Committee.
14. In exercising their functions, the Council, its committees and sub committees shall meet their equalities obligations and take full account of their responsibilities to those customers and citizens with protected characteristics. In particular, in accordance with Unicef's Child

Friendly Cities and Communities Programme, they will ensure that children are allowed a voice in decisions which affect both them and their city.

ABERDEEN CITY COUNCIL

The Council itself reserves the following functions:

1. The setting of council tax in accordance with s93(1) of the Local Government Finance Act 1992 or the setting of a reduced amount of council tax under s94 of that Act or paragraph 3 of Schedule 7 to that Act.
2. The setting of a balanced budget annually, including the setting of fees and charges. The borrowing of money in terms of section 56(6)(d) of the Local Government (Scotland) Act 1973.
3. The approval of any annual investment strategy or annual investment report required by any consent issued by Scottish Ministers under s40 of the Local Government in Scotland Act 2003.
4. The approval of the Council's Treasury Management Policy and Strategy.
5. The determining of an application for planning permission for a development where a pre determination hearing is held in terms of s38A(1) of the Town and Country Planning (Scotland) Act 1997.
6. The appointment of committees and the number and allocation of seats, the appointment and removal from office of the Lord Provost, Depute Provost, Leader or Co Leaders and/or Depute Leader, a convener for each committee and a vice convener as appropriate and the approval of senior councillor allowances.
7. The approval of the Local Development Plan.
8. Consideration of each committee's annual report of its effectiveness.
9. The consideration of reports by the Standards Commission for Scotland and the overseeing of members' standards of conduct.
10. The establishing of Appointment Panels in accordance with Standing Orders..
11. The approval of the Council's Scheme of Governance.
12. The approval of the Scheme of Establishment for Community Councils.

Executive Lead: Chief Executive

GENERAL DELEGATIONS TO COMMITTEES

1. Each committee can settle claims against the Council arising out of the functions supervised by the committee, irrespective of value so long as the amount can be met from an approved budget.
2. Each committee can vire within those functions in its remit, to the extent set out in the Financial Regulations.
3. Each committee and Sub Committee can determine any applications for loans, grants, donations and subscriptions except where an officer has exercised a delegated power.
4. Each committee can appoint up to five members, consistent with the principles of political balance, to attend any meeting or conference relevant to the interests of the committee subject to the following provisions:
 - 4.1 no more than two members will be appointed to attend a conference outwith the European Union without the approval of the City Growth and Resources Committee;
 - 4.2 in the case of a meeting or conference of interest to more than one committee, no more than six members and officers will be appointed without the approval of the City Growth and Resources Committee; and
 - 4.3 in the event of a disagreement among committees, the matter will be determined by the City Growth and Resources Committee.
5. Each committee will consider and respond to petitions addressed to the Council as they relate to its functions, in accordance with the petitions procedure.
6. Except where an officer has chosen to exercise a delegated power, each committee can approve bids to awards programmes or for external funding relative to the functions which it oversees, subject to budget provision.
7. Each committee will, where appropriate:
 - 7.1 approve Council policies relative to its function;
 - 7.2 approve appointments to outside bodies relative to its function;
 - 7.3 oversee the requirement to achieve Best Value in performing its role; and
 - 7.4 oversee its own risk register, annual report on effectiveness and committee planner, within the approved budget.
8. Until the Strategic Commissioning Committee begins approving annual workplans by each director, reports on projects, procurement exercises and other pieces of work already underway will be reported to the most appropriate committee. During this interim period, committees will be authorised to determine such of these reports as may be placed before them.

EXCLUSIONS FROM DELEGATION TO COMMITTEE

1. Incurring revenue expenditure for which no provision or insufficient provision has been made in the revenue budget, except with the approval of the City Growth and Resources Committee.

- 2.** Acquiring or disposing of any land or buildings or associated interests, except with the approval of the City Growth and Resources Committee.
- 3.** Making representations to or appointing a deputation to meet any Government Minister or Government Department in relation to the financing of the Council or any of its services, except with the approval of the City Growth and Resources Committee.

URGENT BUSINESS COMMITTEE

To deal with items of business of an urgent nature that cannot wait for the next meeting of Council or the appropriate committee or sub committee.

Subject to paragraph 5 below, to exercise all functions of the Council, Committee or Sub Committee which would otherwise have dealt with the matter.

1. A meeting of the Committee will be called by the Chief Officer - Governance on the instruction of the Chief Executive where the Chief Executive and the Business Manager are satisfied that the relevant business is urgent.
2. The Chief Officer - Governance may Subject to the Business Managers approval add further matters to the agenda of a meeting already called only where the Chief Executive and the Business Manager are satisfied that the matters are urgent.
3. Before considering any item of business, the Committee will determine whether the item is urgent and requires to be considered, and if it does, the special circumstances will be specified in the minute.
4. If the Committee resolves not to consider the matter, the item of business will be placed on the agenda for the next scheduled meeting of the Council, Committee or Sub Committee as appropriate.
5. The Committee cannot consider, in terms of Standing Order 5.3, any business relating to the removal of a member from office.

Executive Lead: Chief Executive

STRATEGIC COMMISSIONING COMMITTEE

PURPOSE OF COMMITTEE

1. To approve all external commissioning activity by the Council, including the approval of service specifications, performance frameworks and outcomes. This includes where the Council commissions from its Arm's Length External Organisations (ALEOs).
2. To approve all internal commissioning activity of Council, including the approval of grants and associated conditions, service specifications, performance frameworks and outcomes.
3. To review annual workplans to be submitted by each director which will specify every contract expected to be procured over the year ahead except where delegated to officers, to approve business cases for any contract with estimated expenditure over £250,000, and to call in any contract on any workplan with an estimated value of below £250,000 and require the business case to be approved by the Strategic Commissioning Committee instead of by the Head of Commercial and Procurement Services.
4. To prepare a Commissioning Strategy for the Council, to review the impact of all commissioned services and the extent to which they have achieved the outcomes intended and to approve improvement actions.
5. To approve a strategic commitment to invest in the prevention and reduction of the demand for services.
6. To approve the Council's strategic approach to joint and integrated commissioning across the public and private sectors to ensure that the needs of customers and citizens are met.
7. To identify potential efficiencies and improvements in quality and outcomes, including across partner organisations and public services.
8. To develop a role in the strategic allocation of resources to outcomes in consultation with the City Growth and Resources Committee.

REMIT OF COMMITTEE

The following authority is delegated to the Committee under the four headings of the Commissioning Cycle:-

1. Analysis

- 1.1 to commission a regular Population Needs Assessment to understand the needs which public bodies must address.
- 1.2 to receive in-depth analysis of key groups, priorities and challenges across public services.
- 1.3 to receive a service review, sufficiency and market analysis to understand existing and potential provider strengths and weaknesses, and opportunities for improvement or change in providers will be identified.
- 1.4 through appropriate forums, to consider the experience of customers and citizens.

- 1.5** to identify resources needed and risks involved in implementing change and/or continuing with the status quo.

The Council's Business Intelligence function will support the Analysis stage of the Commissioning Cycle.

2. Planning

- 2.1** to review a Gap Analysis following the Public Needs Assessment which will identify which services are needed and which are available currently, and will provide guidance on how the gaps will be addressed within existing resources.
- 2.2** to approve commissioning intentions, outcomes and priorities as part of the annual business planning cycles.
- 2.3** to commission the development of a Strategic Outcomes Framework reflecting the Local Outcome Improvement Plan (LOIP), the views of customers and citizens, and the best evidence of effective interventions.
- 2.4** through appropriate forums, to ensure that services to be commissioned are co-designed to meet customers' needs.
- 2.5** to approve a Commissioning Strategy/Prospectus which identifies clear service development priorities and specific targets for efficient, effective, equitable and sustainable achievement.

The Council's Business Intelligence function and the Commissioning function will support the Planning stage of the Commissioning Cycle.

3. Doing

- 3.1** to ensure that appropriate supply management and capacity building (market facilitation) is in place to ensure a good mix of resilient service providers, that offer customers an element of choice in how their needs are met;
- 3.2** through appropriate forums, to ensure that relationships with existing and potential providers are maintained and draw on partner expertise;
- 3.3** to ensure that the co-design of service specifications is based on the delivery of positive outcomes with a preventative focus on demand reduction; and
- 3.4** to approve procurement strategies to meet agreed outcomes to enable officers to purchase and contract services and to decommission services that do not meet the needs of the population group.

The Council's Commissioning function will support the Doing stage of the Commissioning Cycle.

4. Reviewing

- 4.1** to review information from individual contracts, specifications or service level agreements (including partners) in order to monitor the impact of services and the extent to which they have achieved the purpose and outcomes intended;
- 4.2** to commission reviews of agreed priority services and make recommendations to service providers, both in house and external, to further improve outcomes;

- 4.3 to receive an analysis of any changes in legislative requirements, population need and reviewing the overall impact of services to identify revisions needed to the strategic priorities and targets;
- 4.4 to monitor service delivery against expected outcomes and plans; and
- 4.5 to monitor the changing policy and strategic context to identify opportunities to work differently to improve outcomes.

The Business Intelligence function and the Commissioning function will support the Reviewing stage of the Commissioning Cycle.

JOINT WORKING WITH OTHER COUNCIL COMMITTEES:

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together. Specifically:

- 1. the Strategic Commissioning and the City Growth and Resources Committees will cooperate to ensure that resources are allocated strategically to support outcomes.
- 2. the Strategic Commissioning and the Operational Delivery Committees will cooperate to ensure that the internally commissioned services have clear service specifications which identify contributions to the LOIP outcomes and that sufficient funding is available to deliver the service specification.
- 3.

JOINT WORKING WITH NON COUNCIL BODIES:

This Committee is outward facing and will engage with appropriate forums to engage with partners, the third sector and communities in order to ensure a joint and integrated commissioning approach.

Executive Lead: Director of Commissioning

CITY GROWTH AND RESOURCES COMMITTEE

PURPOSE OF COMMITTEE

1. To oversee and monitor the development and approval of appropriate short, medium and long term financial strategies and plans for the Council in light of available funding.
2. To review the in-year financial performance of the Council and its committees and to make appropriate recommendations where a forecast overspend is projected.
3. To oversee and ensure adherence to the Council's budgetary control system.
4. To oversee and monitor the development and approval of an appropriate strategy for the Council's estate, including plans for investment, disposal and maintenance.
5. To oversee and monitor the development, approval and delivery of Council place based strategies to support the City's plans for future economic growth.
6. On receipt of the annual re-assessment of the Council's credit rating, to advise Council on appropriate financial strategies in order to preserve or improve the Council's credit rating.

REMIT OF COMMITTEE

1. Budgets

The Committee will:

- 1.1 approve an Investment Strategy for the Council;
- 1.2 oversee the Council's resources – finance, systems and technology, staff and property; and
- 1.3 monitor all Councils budgets, and in particular:
 - 1.3.1 scrutinise service budget monitoring reports;
 - 1.3.2 hold budget holders to account for the proper control of the budget which they are responsible;
 - 1.3.3 ensure that the Council's budget is always balanced;
 - 1.3.4 approve changes to the budget including to vire between Service budgets where this is in excess of the amount delegated in the Financial Regulations and Scheme of Delegation;
 - 1.3.5 approve use of the Council's General Reserve;
 - 1.3.6 scrutinise the implementation of plans and monitor budgets accordingly; and
 - 1.3.7 oversee the Code of Guidance on Funding External Bodies and Following the Public Pound to ensure that the Council meets its duties.

2. City Growth and Place

The Committee will:

- 2.1 receive the annual report from the Economic Policy Panel set up to support the annual re-assessment of the council's credit rating;
- 2.2 determine the Council's strategies for city growth and place planning except in relation to major infrastructural planning; and
- 2.3 consider reports on key actions by the Council towards the delivery of the Regional Strategy and the Inward Investment Plan.

3. Property and Estates

The Committee will:

- 3.1 oversee a Portfolio Management Strategy for the Council;
- 3.2 approve an Estate and Investment Strategy; and
- 3.3 Oversee the acquisition and disposal of land and property.

JOINT WORKING WITH OTHER COMMITTEES:

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically:-

The City Growth and Resources Committee and Strategic Commissioning Committee will cooperate to ensure that resources are allocated strategically to support outcomes.

The City Growth and Resources Committee and the Capital Programme Committee will cooperate in promoting City Growth and Place Planning.

JOINT WORKING WITH NON COUNCIL BODIES:

The Committee, through its lead officers, will regularly consider key issues arising through other external organisations, including:

- the Aberdeen City Region Deal Joint Committee
- Opportunity North East
- the Regional Advisory Board
- Aberdeen Inspired
- VisitAberdeenshire
- the Scottish Cities Alliance
- the Aberdeen Renewables Energy Group
- the Strategic Development Planning Authority
- EU Regional and Thematic Groups
- the World Energy Cities partnership
- CoSLA

- coordinating structures emerging from the Council's Urban Governance Framework

Executive Lead: Director of Resources

CAPITAL PROGRAMME COMMITTEE

PURPOSE OF COMMITTEE

1. To oversee and monitor the development, approval and delivery of the Council's capital programme, including:
 - 1.1 those projects flowing from the City Centre Masterplan, the Aberdeen City Region deal, the Common Good and General Fund Capital Programme and the Housing Revenue Account, and
 - 1.2 those interventions that contribute to the overall place outcomes for the City as a result of investment in infrastructure.
2. To oversee major infrastructure planning in the City.

REMIT OF COMMITTEE

1. The Committee in relation to the capital programme will:-
 - 1.1 scrutinise and approve outline and full business cases for supporting new capital investments, ensuring that all appropriate consultation has been undertaken;
 - 1.2 review progress in the delivery of the benefits of the capital programme through receipt and scrutiny of Post Project Evaluations (PPE's) and Post Occupancy Evaluations (POE's); and
 - 1.3 request a report to allow for the detailed consideration of any project which is of particular concern or interest.
2. The Committee, in relation to major infrastructural planning, will oversee and monitor the Local Development Plan, subject to a final approval being given by Council.

JOINT WORKING WITH OTHER COMMITTEES:

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically:-

The Capital Programme Committee and Strategic Commissioning Committee will cooperate to ensure that resources are allocated strategically to support outcomes.

The Capital Programme Committee and City Growth and Resources Committee will cooperate to promote city growth and place planning.

JOINT WORKING WITH NON COUNCIL BODIES:

The Committee, through its lead officers, will regularly consider key issues arising through other external organisations, including:

- the Aberdeen City Region Deal Joint Committee
- Opportunity North East
- the Regional Advisory Board
- Aberdeen Inspired
- VisitAberdeenshire
- the Scottish Cities Alliance
- the Aberdeen Renewables Energy Group
- the Strategic Development Planning Authority
- EU Regional and Thematic Groups
- the World Energy Cities partnership
- CoSLA
- coordinating structures emerging from the Council's Urban Governance Framework

Executive Lead: Director of Resources

OPERATIONAL DELIVERY COMMITTEE

PURPOSE OF COMMITTEE

To oversee the delivery of internal services to customers, scrutinise performance and make improvements to those services, including Integrated Children's Services but excluding Educational services.

To ensure improvement to the Council's Public Performance Recording data, excluding Educational services.

REMIT OF COMMITTEE

The Committee will, for all services except Educational ones:-

1. hold the organisation to account for the performance of all in house services. It will oversee the delivery of all in house services in all areas in line with the outcomes set by the Strategic Commissioning Committee and improve results for Public Performance Recording by scrutinising Key Performance Indicators and rigorous performance management and ensuring that this:-
 - 1.1 is done in a manner which places the customer first and ensures the expected contribution to outcomes;
 - 1.2 improves the Council's position in national tables; and
 - 1.3 adheres to financial targets.
2. provide evidence to the Strategic Commissioning Committee, as requested, on the contribution of in house services to outcomes;
3. approve improvements to operational delivery where officers do not have the power to do so;
4. oversee health and safety obligations to customers and citizens in the operational delivery of services;
5. explore options for transforming the service delivery model; and
6. note proposed peer reviews and inspections within the Local Area Network plan for the cycle.

JOINT WORKING WITH OTHER COMMITTEES:

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically:-

1. The Strategic Commissioning Committee and the Operational Delivery Committee will cooperate to ensure that the internally commissioned services have clear service specifications, identifying contribution to the LOIP outcomes and that sufficient funding is available to deliver the service specification;
2. The Strategic Commissioning Committee will cooperate with the Strategic Transformation

Committee on opportunities to transform service delivery; and

3. The Education Operational Delivery Committee in view of the shared remit for improving the delivery of internal services to customers.

JOINT WORKING WITH NON COUNCIL BODIES:

Officers work closely with Internal Auditors, a service contracted from Aberdeenshire Council, and with external providers of assurance such as External Audit, Audit Scotland and external examining bodies. In addition, officers will work with local representative bodies such as the Disability Equity Partnership and Tenant Participation Groups to understand how effectively services are being delivered to customers and how they can be improved.

Executive Lead: Chief Operating Officer and the Director of Customer Services

EDUCATION OPERATIONAL DELIVERY COMMITTEE

PURPOSE OF COMMITTEE

To oversee the delivery of internal Educational services to customers, scrutinise performance and make improvements to those services.

To ensure improvement to the Council's Public Performance Recording data for Educational services.

REMIT OF COMMITTEE

The Committee will, for internal Educational services:-

7. hold the organisation to account for the performance of all in house services. It will oversee the delivery of all in house services in all areas in line with the outcomes set by the Strategic Commissioning Committee and improve results for Public Performance Recording by scrutinising Key Performance Indicators and rigorous performance management and ensuring that this:-
 - 1.4 is done in a manner which places the customer first and ensures the expected contribution to outcomes;
 - 1.5 improves the Council's position in national tables; and
 - 1.6 adheres to financial targets.
8. provide evidence to the Strategic Commissioning Committee, as requested, on the contribution of in house services to outcomes;
9. approve improvements to operational delivery where officers do not have the power to do so;
10. oversee health and safety obligations to customers and citizens in the operational delivery of services;
11. explore options for transforming the service delivery model; and
12. note proposed peer reviews and inspections within the Local Area Network plan for the cycle.

JOINT WORKING WITH OTHER COMMITTEES:

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically:-

4. The Strategic Commissioning Committee and the Operational Delivery Committee will cooperate to ensure that the internally commissioned services have clear service specifications, identifying contribution to the LOIP outcomes and that sufficient funding is available to deliver the service specification;
5. The Strategic Commissioning Committee will cooperate with the Strategic Transformation

Committee on opportunities to transform service delivery; and

6. The Operational Delivery Committee in view of the shared remit for improving the delivery of internal services to customers.

JOINT WORKING WITH NON COUNCIL BODIES:

Officers work closely with Internal Auditors, a service contracted from Aberdeenshire Council, and with external providers of assurance such as External Audit, Audit Scotland and external examining bodies. In addition, officers will work with local representative bodies such as the Disability Equity Partnership and the Aberdeen City Youth Council to understand how effectively services are being delivered to customers and how they can be improved.

EXTERNAL MEMBERSHIP

The Committee's membership will include seven persons with voting rights who are members for education items of business only (which will be identified clearly on the agenda) and who are not members of the Council. The seven external members will be appointed by the Council at its statutory meeting (or other meeting as appropriate) as follows:-

1. three persons representing religious bodies in accordance with the requirements of Section 124 (4) of the Local Government (Scotland) Act 1973, being:
 - 1.1 one representative of the Church of Scotland nominated in such manner as may be determined by the General Assembly of that church;
 - 1.2 one representative of the Roman Catholic Church nominated in such manner as may be determined by the Scottish Hierarchy of that church; and
 - 1.3 one other person appointed by the Council having regard:
 - 1.3.1 to the comparative strength within the City of Aberdeen of all the churches and denominational bodies having duly constituted charges regularly appointed places of worship there; and
 - 1.3.2 the representation provided for in (i) and (ii) above;
2. in accordance with the discretion conferred by Section 124 (3) of the Local Government (Scotland) Act 1973:
 - 2.1 two teachers employed in educational establishments managed by the Council nominated by Teachers' Consultative Forum, comprising one representative from primary and special needs, including nursery, and one representative from secondary; and
 - 2.2 two parent representatives, selected by Aberdeen City Parent Council Forum from within its own membership, comprising one representative from primary and special needs, including nursery, and one representative from secondary.

Education items are matters reported to the Operational Delivery Committee which relate to advising on or discharging the Council's functions as education authority which are under the responsibility of the Chief Officer of Integrated Children's and Family Services and the Corporate Landlord.

Executive Lead: Chief Operating Officer and the Director of Customer Services

AUDIT, RISK AND SCRUTINY COMMITTEE

PURPOSE OF COMMITTEE

- 1.** To provide a high-level assurance that the Council has robust arrangements for:
 - 1.1** Good governance including information governance, surveillance, fraud, bribery and corruption;
 - 1.2** Maintaining an effective control environment through an effective approach to risk management; and
 - 1.3** Reporting on financial and performance reporting.
- 2.** To monitor the effectiveness of the Internal Audit function and the Council's implementation of its recommendations.
- 3.** To monitor the Council's implementation of the recommendations of its external auditors.

REMIT OF COMMITTEE

1. Risk Management

The Committee will:

- 1.1** receive an annual review of the system of risk management and an annual report on the corporate risk register and related action plans;
- 1.2** receive reports from the ALEO Assurance Hub on the monitoring and mitigation of risks to the Council associated with its ALEOs;
- 1.3** receive reports from providers of independent assurance; and
- 1.4** receive reports to provide assurance on the Council's information governance.

2. Internal Audit

The Committee will:

- 2.1** Contribute to and approve the Internal Audit Annual Plan;
- 2.2** consider reports issued by Internal Audit;
- 2.3** monitor compliance with Internal Audit recommendations; and
- 2.4** ensure that there is an adequately resourced Internal Audit service and monitor its performance.

3. External Audit

The Committee will:

- 3.1** consider reports prepared by the Council's External Auditor;
- 3.2** monitor the Council's relationship with the external Auditor; and
- 3.3** monitor compliance with External Audit recommendations.

4. Annual Reports and Accounts

The Committee will:

- 4.1** consider and approve the Council's Annual Report and Annual Accounts; and
- 4.2** consider and approve the annual governance statement.

5. Legal obligations

The Committee will:

- 5.1** seek assurance on the effectiveness of the whistleblowing policy; and
- 5.2** monitor and seek assurance on the effectiveness of the Council's compliance with its statutory obligations relating to surveillance, information governance, bribery, corruption and fraud.

6. Scrutiny

The Committee will:

- 6.1** where appropriate, review minuted actions from all Committees with the exception of the Planning Development Management and Licensing Committees and the Appeals Sub Committee to ensure good practice; it will not prevent any decision being taken, will only review the effectiveness of decision making or monitoring and may make recommendations to Council;
- 6.2** consider any previously unscrutinised issue, process or practice provided that the matter has been the subject of a report to Council or Committee and the consideration of the subject matter concluded by Council or said Committee;
- 6.3** on occasion, and as it sees fit, seek information from partner organisations, contractors or other stakeholders such as Community Councils or groups of interest on any particular issue;
- 6.4** oversee the Council's continued commitment and adherence to the key elements of good governance;
- 6.5** oversee the implementation of the Council's ALEO Assurance Framework;
- 6.6** oversee the Council's Code of Corporate Governance;
- 6.7** provide independent assurance on the integrity of financial reporting and annual governance processes and oversee the effectiveness of internal control functions;
- 6.8** request, where appropriate and in terms of any contract or agreement, representatives of external organisations to attend and contribute to meetings; and

6.9 receive reports from regulatory bodies and those providing external assurance such as the Scottish Public Services Ombudsman and Inspector of Crematoria, ensure that the Council responds appropriately and monitor compliance with recommendations.

JOINT WORKING WITH OTHER COMMITTEES:

The Committee will maintain an awareness of issues of mutual interest arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Areas of mutual interest may include, but will not be restricted to:

1. a relationship with the Public Protection Committee in terms of the systems in place to manage the public protection risks; and
2. a relationship with the Staff Governance Committee in terms of the system in place to manage the health and safety risks.

JOINT WORKING WITH NON COUNCIL BODIES:

The Committee, through its lead officers, will work jointly with external regulatory bodies to ensure that Council benefits from external review and assurance.

Executive Lead: Chief Officer – Governance

STAFF GOVERNANCE COMMITTEE

MEMBERSHIP

Elected members

Local trades union representatives as advisers

PURPOSE OF COMMITTEE

1. To further develop the existing partnership approach between the Council and all trade unions in order to support the Council becoming an employer of choice.
2. To oversee the Framework Agreement for Industrial Relations (“the FAIR agreement”).
3. To act as a consultative body between management, elected members and trade unions, and act as a forum for discussion, on matters affecting conditions of service. This will be one of the ways in which the Council meets consultation requirements.
4. To oversee the development, approval and monitoring of staff governance standards.
5. To oversee the development, approval and monitoring of a workforce strategy which ensures the Council has a workforce fit for the capabilities required to deliver the Target Operating Model.
6. To oversee the development and approval of all staff policies.
7. To provide a channel of communication, co-operation and involvement between the Council and trade union representatives on all relevant health and safety matters.
8. To act as a safety committee within section 2(7) of the Health and Safety at Work etc Act 1974 and to keep under review measures taken to ensure the health and safety at work of employees.
9. To monitor the Council’s compliance with its policies and procedures to ensure it complies with all health and safety legislation.
10. To take the lead in establishing and promoting values for the organisation and its staff which will reflect public expectation about the conduct and behaviour of public officials.

REMIT OF COMMITTEE

1. Partnership approach arrangements

The Committee will:

- 1.1 develop the partnership approach between the Council and trade unions; and
- 1.2 provide a forum, where appropriate, for discussion on and resolution of matters of common interest and/or concern, including but not restricted to:-
 - 1.2.1 conditions of service, or reorganisation/restructure affecting conditions of service (except teachers); and

1.2.2 arrangements for the training and welfare of all staff; and

1.3 consider reports by the Director of Resources on matters following a request by a trade union advisor provided always that the Director is satisfied that the matter is appropriate and relevant to the remit of the Committee and that it raises no question of individual employee issues.

2. Staff Governance Standards

The Committee will:

2.1 determine staff governance standards and regularly review their effectiveness; and

2.2 consider relevant evidence (qualitative and quantitative) to monitor compliance with the staff governance standards.

3. Workforce Strategy

The Committee will:

3.1 determine and monitor the compliance with a Workforce Strategy which reflects the requirements of a 21st century Council in terms of staff and skills and attributes; and

3.2 approve an annual training plan for the whole organisation that ensures that all staff registered with a professional body are able to meet the requirements of their professional body.

4. Council Policies Affecting Staff

The Committee will:

4.1 develop, approve and monitor the implementation of all staff policies; and

4.2 oversee equality in employment and ensure that the Council as an employer, complies with its statutory equal pay and other equality responsibilities.

5. Health, Safety & Wellbeing of Staff

The Committee will:

5.1 actively reinforce health, safety and wellbeing roles and responsibilities amongst staff;

5.2 receive appropriate levels of assurance to monitor compliance with health and safety legislation;

5.3 scrutinise and review health, safety and wellbeing policy, performance, trends and improvements;

5.4 approve and keep under review the Corporate Health and Safety Annual Audit Plan;

5.5 consider reports on health, safety and wellbeing from all services of the Council to help ensure that services are complying with relevant policies; and

5.6 monitor compliance with health and safety recommendations.

6. Establishing and Promoting Values for the Organisation

The Committee will:

6.1 develop, approve and promote a Behavioural Framework for the Council; and

6.2 develop and approve a Leadership and Management Framework to ensure that the highest standards of staff management are in place as a key determinant of shaping the organisational culture.

7. Employment Appeals and Disputes

The Committee will be responsible for approving and keeping under review the procedure for the Appeals Sub Committee.

JOINT WORKING WITH OTHER COMMITTEES OF THE COUNCIL

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together. This will help to ensure that relevant information is shared to aid understanding of workforce performance matters.

A key relationship will be required with the Strategic Transformation Committee in order to be assured that staff are being properly engaged and consulted with on specific transformation proposals.

JOINT WORKING WITH NON COUNCIL BODIES

The Committee, through its lead officers, will work jointly with external bodies such as the Health and Safety Executive to ensure that Council benefits from external review and assurance.

EXECUTIVE LEAD: Director of Resources

APPEALS SUB COMMITTEE

- 1.** To determine all delegated staff employment issues raised in accordance with Council policy where provision exists for an appeal to the former Appeals by Employees Committee or this Sub Committee.
- 2.** The Sub Committee shall operate in terms of the agreed procedure.
- 3.** The Sub Committee shall comprise five elected members drawn from the pool of membership of the Staff Governance Committee and the quorum shall be three.
- 4.** The Sub Committee will:
 - 4.1** determine appeals raised in accordance with Council policy where a right to appeal exists against dismissal or final written warning arising from hearings where the right

of appeal exists; and

- 4.2** determine disputes notified by Trades Unions in accordance with the Council's disputes resolution procedures.

PUBLIC PROTECTION COMMITTEE

PURPOSE OF COMMITTEE

To provide assurance on the statutory regulatory duties placed on the Council for:

- Child protection
- Adult protection
- Consumer protection and environmental health
- Civil contingency responsibilities for local resilience and prevention
- Building control

To undertake the Council's duties in relation to the Police and Fire and Rescue Services under the Police and Fire Reform (Scotland) Act 2012

REMIT OF COMMITTEE

1. Child and Adult Protection

The Committee will seek assurance from the Child and Adult Protection Committees on:

- 1.1** the impact and effectiveness of child and adult support and protection improvement initiatives, including:
 - 1.1.1** delivery of national initiatives and local implications;
 - 1.1.2** learning from significant case reviews;
 - 1.1.3** quality assurance;
 - 1.1.4** training and development; and
 - 1.1.5** local evidence based initiatives;
- 1.2** effective working across child and adult protection; and
- 1.3** statistics relating to the Child Protection Register and the Vulnerable People's Database, whilst noting that it has no remit to challenge entries.

The Committee will also consider the Chief Social Work Officer's Annual Report.

2. Local Resilience

The Committee will:

- 2.1** oversee compliance with the Council's duties relating to resilience and local emergencies; this includes reviewing staffing arrangements for incident management as well as the system for incident management;
- 2.2** oversee compliance with the council's duties relating to the provision of a city mortuary, and its adequacy for supporting the needs of mass fatalities;
- 2.3** ensure that services maintain and review Business Continuity Plans in accordance

with the priorities allocated to them;

- 2.4 consider relevant local, regional and national lessons learnt reports and recommendations and monitor their implementation; and
- 2.5 consider the results from the Council's self-assessment on resilience and CONTEST duties and monitor the implementation of associated action plans.

3. Protective Services

The Committee will:

- 3.1 seek assurance from the Council's performance in relation to Trading Standards, Environmental Health (including the Public Mortuary) and Scientific Services;
- 3.2 scrutinise external inspection and audit reports relating to the above services;
- 3.3 approve statutory plans aimed at protecting the public and delivered by or in partnership with Environmental Health and Trading Standards services; and
- 3.4 receive a summary of findings from statutory sampling and analysis work carried out by or on behalf of the Environmental Health and Trading Standards services.

4. Building Control

The Committee will consider reports on:

- 4.1 major incidents and fatal accident inquiries and any resulting impact and responsibilities placed on the Council;
- 4.2 informal and formal activity by Building Standards in relation to public safety and dangerous buildings; and
- 4.3 informal and formal activity by Building Standards in relation to public safety for unauthorised building work and the unauthorised occupation of buildings.

5. Police and Fire and Rescue Service

In respect of the Council's responsibilities in relation to the Scottish Police Authority, the Police Service of Scotland and the Scottish Fire and Rescue Service, the Committee will:

- 5.1 contribute to and comment on the Strategic Police Plan and the Strategic Fire and Rescue Plan when consulted by the relevant national authority;
- 5.2 respond to consultation by the Chief Constable on the designation of a local commander and by the Scottish Fire and Rescue Service on the designation of a local senior officer;
- 5.3 be involved in the setting of priorities and objectives for the policing of Aberdeen and for the Scottish Fire and Rescue Service for the undertaking of its functions in Aberdeen;
- 5.4 specify policing measures the Council wishes the local commander to include in a local policing plan;

- 5.5** approve a Local Police Plan submitted by the local commander and to approve a Local Fire and Rescue Plan prepared by the local senior officer and submitted by the Scottish Fire and Rescue Service;
- 5.6** monitor service provision and delivery in Aberdeen and provide feedback to the local commander and the local senior officer;
- 5.7** consider reports, statistical information and other information about the policing of Aberdeen and the undertaking of the Fire and Rescue function in Aberdeen provided in response to the Council's reasonable requests;
- 5.8** agree, with the local commander, modifications to an approved local police plan at any time; and
- 5.9** liaise with the local commander and local senior officer with regard to the undertaking by them of the community planning duties of the Chief Constable and the Scottish Fire and Rescue Service.

JOINT WORKING WITH OTHER COMMITTEES:

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together. This will help inform the work of the Committee, specifically:

- 1.** the relationship with the Audit, Risk and Scrutiny Committee in terms of the systems in place to manage the public protection risk; and
- 2.** the relationship with the Staff Governance Committee in terms of ensuring staff have the required skills to underpin public protection.

JOINT WORKING WITH NON COUNCIL BODIES:

The Committee, through its lead officers, will work jointly with external regulatory bodies and statutory partners to ensure that Council is able to provide a high standard of public safety.

It will have close links with the work of the Aberdeen City Health and Social Care Partnership's Clinical Governance Committee to explore shared risks and responses to adverse events, the preparation of action plans and the sharing of best practice and learning.

STRATEGIC TRANSFORMATION COMMITTEE

PURPOSE OF COMMITTEE

To be responsible for the overall Target Operating Model and Strategic Design principles.

To agree the overall Transformation Portfolio goals, objectives and priorities and to provide strategic direction to the Transformation Portfolio as follows:

1. to ensure that service improvements and savings are delivered in line with the Council's Transformation Objectives, namely:
 - 1.1 to deliver the Digital Strategy by 2020;
 - 1.2 to deliver the Target Operating Model by 2020/2021; and
 - 1.3 to deliver benefits realisation (or savings) to allow balanced budgets to be agreed over five years (2018/19 to 2022/23).
2. to provide strategic direction to the Transformation Portfolio, as well as monitor progress and resolve issues that may compromise delivery of the objectives and agreed benefits.
3. to consider and make key decisions on business cases, proposals and cases for change, presented by the Programme Delivery Boards, in conjunction with the assurance and recommendations from the Control Boards.

No initiative will be added to the Transformation Portfolio or final strategic decision made in relation to the Transformation Portfolio without consideration by this Committee.

REMIT OF COMMITTEE

The Committee will:

1. allocate funding as appropriate from the Transformation Fund within the agreed budget and will control and allocate these sums on a savings/cost reduction return for investment basis;
2. provide oversight and stewardship of the Programmes in the Transformation Portfolio, and will undertake overall management of, and approve major proposals for change to, the Council's resources, including finance, people, staffing structures, systems and technology, and property;
3. monitor and manage each Programme's progress, benefits realisation (savings) and impact;
4. monitor spend against profiled budget and forecast outturns of the Transformation Fund;
5. identify, prioritise and allocate resources at a strategic level to programmes and projects, re-aligning where necessary;
6. determine the recommendations in business cases, proposals and cases for change from Programme Delivery Boards and will utilise existing public sector procurement framework agreements to engage a strategic digital partner to work with services to identify digital outcomes and support their delivery within the Target Operating Model;

7. manage high-level interdependencies and risks associated with all Transformation Programmes and the wider portfolio of change;
8. establish an over-arching effective communications and engagement strategy, sharing key messages with employees, members and partners as required; and
9. review and approve Transformation Portfolio communications.

JOINT WORKING WITH OTHER COUNCIL COMMITTEES

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together. Specifically, key relationships will be required with:-

- the Operational Delivery Committee which will continue to explore options for the transformation of service delivery ; and
- the Staff Governance Committee in order to be assured that staff are being properly engaged and consulted upon specific transformation proposals.

JOINT WORKING WITH NON COUNCIL BODIES

Executive Lead: Chief Executive

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

PURPOSE OF COMMITTEE

To ensure the effective undertaking of the Development Management and Building Standards duties of the Council.

REMIT OF COMMITTEE

The Committee will:

1. determine all applications for consent or permission except those local applications which fall to be determined by an appointed officer under the adopted Scheme of Delegation or for which a Pre Determination Hearing has been held;
2. visit application sites where agreed;
3. authorise the taking of enforcement action;
4. make Orders and issue Notices;
5. approve development briefs and masterplans;
6. develop and adopt non-statutory development management guidance (supplementary planning guidance);
7. conduct pre-determination hearings in pursuance of the provisions contained within Section 38A of the Town and Country Planning (Scotland) Act 1997; and
8. review and approve policies and supplementary guidance relating to its function.

JOINT WORKING WITH OTHER COMMITTEES:

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically, key relationships will be required with the City Growth and Resources Committee which will oversee the preparation of the Local Development Plan to the point where it will be approved by Council.

JOINT WORKING WITH NON COUNCIL BODIES:

The Committee, through its lead officers, will work jointly as appropriate with the Scottish Environment Protection Agency, Historic Environment Scotland and the Planning and Architecture Division of the Scottish Government.

Executive Lead: Chief Officer – Place

LICENSING COMMITTEE

PURPOSE OF COMMITTEE

To deal with the functions of the Council in relation to all licensing matters under the Civic Government (Scotland) Act 1982 and all other Acts (not falling specifically within the remit of the Licensing Board or any other Committee) covering personal or other licences, certificates and permits. This includes but is not restricted to applications for:

Licences under Civic Government (Scotland) Act 1982

Mandatory Licences

- Metal Dealer's Licences
- Indoor Sports Entertainment Licences
- Skin Piercing and Tattoo Licences
- Houses in Multiple Occupation Licences
- Knife Dealer's Licences
- Taxi Booking Office Licences

Discretionary Licences

- Taxi and Private Hire Car Licences
- Taxi and Private Hire Car Driver's Licences
- Second Hand Dealer's Licences
- Boat Hire Licences
- Street Trader's Licences
- Market Operator's Licences
- Public Entertainment Licences
- Late Hours Catering Licences
- Window Cleaner's Licences
- Sex Shop Licences
- Permission to organisations for public charitable collections and public processions

Miscellaneous Licences under other Legislation

- Houses in Multiple Occupation - Housing (Scotland) Act 2006
- Registration of Private Landlords - Antisocial Behaviour etc.(Scotland) Act 2004
- Theatre Licence – Theatre Act 1968
- Cinema Licence - Cinema Act 1985
- Safety in Sports Grounds - Safety in Sports Ground Act 1975

POWERS OF COMMITTEE

The Committee will:

1. consider applications for the grant, renewal, revocation, variation or suspension of any licence as appropriate;
2. consider applications and reviews for Houses in Multiple Occupation under the Housing (Scotland) Act 2006 (the responsibility for all other matters relating to the licensing of houses in Multiple Occupation resting with the Operational Delivery Committee);
3. consider all other matters relating to licensing including the setting of taxi fares and the designation of taxi stances;
4. oversee the Council's functions under the Safety of Sports Ground Act 1975;
5. consider landlord registration applications under the Antisocial Behaviour Etc (Scotland) Act 2004;
6. consider film classifications under The Cinemas Act 1985;
7. review and approve policies relating to its function;
8. consider theatre licences under the Theatre Act 1968; and
9. consider which of the optional licences they will invoke and which categories of activity within those licence categories shall be licenced under the Civic Government (Scotland) Act 1982.

JOINT WORKING WITH OTHER COMMITTEES:

The Committee, through its lead officers, Convener and Vice Convener, will regularly consider key issues arising through other committees of the Council, including the Public protection Committee. This will help ensure that matters of mutual interest are dealt with in the most efficient and effective way.

JOINT WORKING WITH NON COUNCIL BODIES:

Executive Lead: Chief Officer – Governance

LICENSING SUB COMMITTEE

Members of the Sub Committee will be members of the Licensing Committee and any substitute who is not on the parent Committee will have completed the required training.

The Sub Committee will:

1. consider any application referred to it by the Licensing Committee for the grant, renewal, revocation, variation or suspension of any licence; and
2. consider and determine any urgent business placed before it by the Chief Officer - Governance relating to any matters falling within the remit of the Licensing Committee.

PENSIONS COMMITTEE

PURPOSE OF COMMITTEE

To discharge all the functions and responsibilities relating to the Council's role as administering authority for the North East Scotland Pension Funds (NESPF) including:-

1. overseeing the administration of the Local Government Pension Scheme (LGPS) in accordance with the LGPS (Scotland) Regulations 2014 and other relevant regulations,
2. managing the investment of the NESPF in accordance with the LGPS (Management and Investment of Funds) (Scotland) Regulations 2010 (as amended);
3. receiving regular training to enable the Committee members to make effective decisions under the LGPS Regulations, other relevant legislation and to make decisions in compliance with the Pensions Regulator Code of Practice; and
4. working alongside the Fund's Local Pension Board, considering any pension compliance matters raised.

Where reference is made to 'the Fund', this refers to the Main Fund (the North East Scotland Pension Fund) and the Transport Fund (the Aberdeen City Council Transport Fund).

POWERS OF COMMITTEE

1. Risk Management

The Committee will:

- 1.1 ensure effective risk management of the Fund;
- 1.2 set the investment objective and strategy in light of the Funds liabilities and appoint or remove Fund Managers or new vehicles in furtherance of the strategy; and
- 1.3 ensure that an effective system of internal financial control is maintained.

2. Internal and External Audit

The Committee will:

- 2.1 approve the annual audit plans; and
- 2.2 consider all reports prepared by the Council's Internal and External Auditors in relation to the Pension Fund.

3. Annual Report and Accounts

The Committee will:

- 3.1 review and approve the annual report and accounting statement.

4. Legal obligations

The Committee will ensure:

- 4.1** compliance with the Local Government Pension Scheme (Scotland) Regulations as amended and with all other legislation governing the administration of the Fund; and
- 4.2** adherence to the principles set out in the Pension Regulator's Code of Practice.

5. Scrutiny

The Committee will:

- 5.1** monitor the performance of Fund Managers; and
- 5.2** determine applications for Admitted Body status.

JOINT WORKING WITH OTHER COUNCIL COMMITTEES:

The Committee, through its lead officers, will regularly consider key issues arising through other committees, in particular the Resources Management and Staff Governance Committees.

JOINT WORKING WITH NON COUNCIL BODIES:

The Committee, through its lead officers, will work jointly with the Fund's Investment Consultant and Actuary in the management of the Fund and with external contacts such as the provider of the pensions IT programme.

Executive Lead: Director of Resources

ABERDEEN CITY REGION DEAL JOINT COMMITTEE

(Draft approved at CRD JC 9 Feb)

The Aberdeen City Region Deal Joint Committee is a Joint Committee established by Aberdeen City Council and Aberdeenshire Council (the “Constituent Authorities”) under sections 56 and 57 of the Local Government (Scotland) Act 1973.

The creation of the Joint Committee represents the joint commitment of the Constituent Authorities and Opportunity North East (“ONE”) to support and oversee the implementation of the Aberdeen City Region Deal.

In particular it shall have the power to:

1. Approve Business Cases for City Region Deal projects and any other related documentation with the exception of those where approval is reserved to either or both of the Constituent Authorities.
2. Make recommendations to the Constituent Authorities and ONE in respect of projects within the City Region Deal Strategic and Policy plans.
3. Monitor the effectiveness of the implementation and the delivery of the City Region Deal and to report to the Constituent Authorities on progress.
4. Receive updates from the United Kingdom and Scottish Governments in connection with any aspect of the City Region Deal, projects relating to the Memorandum of Understanding signed by the United Kingdom and Scottish Governments and the Constituent Authorities or additional United Kingdom and Scottish Government investment and any related projects.
5. Approve (i) the overall programme funding for the City Region Deal; and (ii) the detailed breakdown and use of the Constituent Authorities’ financial contributions to the City Region Deal in relation to such overall programme funding for the City Region Deal where this relates to programme funding already committed and approved by the relevant Constituent Authority
6. Approve operational expenditure within agreed Aberdeen City Region Deal Joint Committee budgets allocated by the Constituent Authorities and/or ONE in order to further the aims of the City Region Deal.
7. Provide feedback to the United Kingdom Government and Scottish Government on the implementation of the City Region Deal and any strategic, economic or infrastructure activities associated with the City Region Deal.
8. To appoint three representatives and three named substitutes of ONE to the membership of the Joint Committee.

These terms of reference will be kept under review by the Constituent Authorities, ONE and the Joint Committee throughout the implementation of the City Region Deal to ensure sufficient accountability of public funds provided through City Region Deal funding.

Executive Lead for the Council: Chief Officer – City Growth

POWERS DELEGATED
TO OFFICERS

POWERS DELEGATED TO OFFICERS

DEFINITIONS, PRINCIPLES AND INTERPRETATION

DEFINITIONS

The Council means Aberdeen City Council.

ACC Procurement Regulations means the Aberdeen City Council Procurement Regulations 2018.

ACC Financial Regulations means Aberdeen City Council's Financial Regulations.

Chief Officers means (i) the Chief Executive and Directors of the Council; (ii) Council officers whose job titles include the term "Chief Officer"; (iii) the Council's Head of Commercial and Procurement Services; (iv) the Chief Officer of the Aberdeen City Health and Social Care Partnership; and (v) the Chief Finance Officer of the Aberdeen City Health and Social Care Partnership.

Scheme of Governance means the Council's Scheme of Governance, comprising the Committee Terms of Reference; the Powers Delegated to Officers; Standing Orders for Council, Committee and Sub Committee Meetings; ACC Financial Regulations; ACC Procurement Regulations; and the Member Officer Relations Protocol.

PRINCIPLES

1. This Powers Delegated to Officers document applies from 1 April 2018 and sets out the powers delegated by the Council to officers, pursuant to the Local Government (Scotland) Act 1973. This Powers Delegated to Officers document is intended to facilitate the efficient conduct of Council business by clearly setting out the nature and extent of the powers delegated to officers by the Council.
2. The powers delegated to officers in terms of this Powers Delegated to Officers document are subject to change by decision of the Council in accordance with the Scheme of Governance.
3. The Local Government (Scotland) Act 1973 requires the Council to maintain a list specifying those powers which are exercisable by officers and stating the titles of those officers. This Powers Delegated to Officers document is produced in compliance with that duty.
4. Any delegation made to an officer under this Powers Delegated to Officers document shall not prevent the Council or relevant Committee from exercising the power so delegated provided that the matter in question has not already been determined.

5. This Powers Delegated to Officers document does not permit delegation to an officer of a power which is reserved to the Council or one of its Committees or Sub-Committees.
6. The Council shall exercise all its powers and duties in accordance with the law and the Council's constitutional documents. In particular, the exercise of any power contained within this Powers Delegated to Officers document shall be in accordance with the provisions of the Scheme of Governance and shall be subject to there being sufficient funding available to cover the costs of exercising that power. In exercising such a power, the relevant officers shall have due regard to relevant Council policy. In exercising such a power, the relevant officers should be mindful of the potential for political sensitivity or controversy and, where appropriate, should consider consulting with elected members or referring the matter to Council or one of its Committees or Sub Committees. Some of the powers contained herein expressly require consultation with elected members.
7. Except where prohibited by law, Chief Officers may sub-delegate any of their delegated powers to their deputies or such other officer(s) as they may consider appropriate. Any such sub-delegations shall be made in writing or confirmed in writing as soon as reasonably practicable. Chief Officers will remain accountable for decisions taken by their sub-delegates. Section 50G of the Local Government (Scotland) Act 1973, regarding maintenance of a list of powers exercisable by officers, shall be complied with.
8. An interim Chief Officer, or an individual formally acting up as a Chief Officer, shall be treated as a Chief Officer for the purposes of this Powers Delegated to Officers document.
9. In the event that a Chief Officer is unavailable, his/her deputy or (where the Chief Officer is an officer of the Council) the Chief Executive of the Council will have delegated authority to take urgent decisions in the absence of the Chief Officer in question.

INTERPRETATION

1. References to any legislation, circulars, directions, plans, policies, procedures, regulations and guidance include reference to those things as re-named, amended, replaced or superseded and are to be taken as referring to the nearest equivalent as may exist from time to time. References to any legislation include all subordinate legislation made under that legislation from time to time.
2. References to any committees, departments, services and officer titles include reference to those things as re-named, amended, replaced or superseded and are to be taken as referring to the nearest equivalent as may exist from time to time.

3. All references to the doing of any thing or the taking of any action, step or measure, except where the context otherwise requires, include reference to the instructing of or arranging for same.
4. All references to the signing, serving, giving or issuing of any notice or other document include reference to any and all of those actions (and instructing or arranging for such serving, giving or issuing).
5. References to “officers”, “staff” and “employees” mean those of the Council, except where the context otherwise requires.
6. References to “including” (and “include” and any variation thereof) mean including without limiting the generality of any description preceding such term.
7. In the event of any conflict or inconsistency between this Powers Delegated to Officers document and any legislation or rule of law, that legislation or rule of law shall prevail. In the event of any incorrect citation of, or reference to, legislation in this Powers Delegated to Officers document, the relevant provision(s) of this Powers Delegated to Officers document shall be read as referring to the correct legislation.

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GENERAL DELEGATIONS TO CHIEF OFFICERS

The following General Delegations may be exercised by any Chief Officer - but only in relation to a function or matter which falls within their remit or area of responsibility. This is subject to any express restriction of the exercise of the power to certain Chief Officers only.

- 1) To exercise any powers conferred on Council officers by any Management Rules or Byelaws made under the Civic Government (Scotland) Act 1982 or Local Government (Scotland) Act 1973 respectively.
- 2) To authorise officers within their function or service to exercise all or any of the statutory powers which have been allocated by the Council to their function or service, with any such authorisations being documented.
- 3) To sign, give, issue and serve:
 - (a) statutory notices, statutory orders and other statutory documents, and
 - (b) other notices, orders and documents of a legal nature (except deeds and contracts),and to exercise any powers pursuant to any such notices, orders and documents.
- 4) To offer services of staff to other local authorities or public or statutory bodies:
 - (a) in emergencies where the protection of the public is at risk or where such services are otherwise essential in the circumstances, or
 - (b) subject to the ACC Procurement Regulations, where the Chief Officer identifies an opportunity for income generation for the Council.
- 5) To provide consultancy services to other persons or organisations and make charges for same, subject always to the provisions of the ACC Procurement Regulations and ACC Financial Regulations.
- 6) To make visits and attend events, meetings, conferences, courses and seminars (and to authorise members of staff to so visit and attend) within the United Kingdom, where s/he considers this to be in the interests of the Council and sufficient budgetary provision exists to cover the cost.
- 7) To authorise settlement or repudiation of any claim made against the Council (whether by litigation or otherwise), following consultation with the Chief Officer - Governance, and provided that sufficient budgetary provision exists to cover any payment to be made in settlement.
- 8) To instruct the raising by the Council of any court or tribunal proceedings, or the taking by the Council of any other legal action, and to instruct the enforcement of any orders or decrees obtained thereby.
- 9) To instruct the defence by the Council of any court or tribunal proceedings, or other legal action, raised or taken against the Council.

- 10) To approve expenditure under the Council's Relocation Policy provided that sufficient budgetary provision exists to cover such expenditure.
- 11) To accept gifts on behalf of the Council and to record such gifts in accordance with the Council's policy on gifts and hospitality.
- 12) To incur expenditure not exceeding £500 on any one occasion on the provision of appropriate hospitality to members and officers of national government, local authorities or public authorities visiting the city, or to consultants or others assisting or co-operating with officers of the Council in carrying out any of the Council's functions provided that the expenditure can be met from existing budgets.
- 13) To exercise all powers delegated to him/her as a Chief Officer in terms of the ACC Procurement Regulations.
- 14) To approve changes in hours for existing authorised posts, provided that sufficient budgetary provision exists.
- 15) To approve termination of service on medical or capability grounds where such a course of action is supported by a recommendation by the Council's occupational health provider; and to approve termination of service on grounds of trust or confidence or on any other lawful grounds.
- 16) To take all decisions regarding employment, retirement, dismissal and training of staff in terms of the Council's Conditions of Service and the Council's employment policies.
- 17) To submit Business Cases to the Establishment Control Board in respect of proposed restructuring, including establishing new posts, converting or making changes to posts, changing grades and changing job titles, following consultation with the Chief Officer - People and Organisation and the Chief Officer - Finance and the relevant trades unions.
- 18) To make appointments to all posts below the level of Chief Officer including Chief Officer posts which are below second tier level.
- 19) To agree to acquire second hand goods up to a value of £50,000 without a competitive quotation being obtained, provided that he/she obtains in writing (including e-mail) the prior agreement of the Head of Commercial and Procurement Services before effecting the purchase and that the ACC Procurement Regulations are otherwise complied with.
- 20) To create and amend procedures, protocols and guidance.
- 21) To implement Council decisions and policies.
- 22) To authorise, following consultation with the Chief Officer - Governance, the entering into, variation, extension or termination of any:

- (a) non-disclosure agreements in relation to commercial matters;
 - (b) confidentiality agreements in relation to commercial matters; or
 - (c) agreement, protocol, memorandum of understanding or other document relating wholly or mainly to the sharing or processing of information.
- 23) Following consultation with the Convener of the City Growth and Resources Committee, to approve applications for, and to accept, grant funding, provided that the terms and conditions of such funding have been approved by the Chief Officer - Finance and the Head of Commercial and Procurement Services before acceptance.
- 24) To approve the making of small grants of up to £10,000 for organisations and £2,000 for individuals, following consultation with the Chief Officer - Finance, and provided that sufficient budgetary provision exists and the grant is made subject to terms and conditions approved by the Head of Commercial and Procurement Services. Where the Chief Officer proposes to refuse an application for such a grant, the application must be referred to the appropriate committee for determination.
- 25) To approve purchase orders and authorise payments; and to approve officer signatory lists and officer authorisation levels in relation to the raising and approval of purchase orders and the authorisation of payments.
- 26) Following consultation with the Chief Officer - Governance or the Head of Commercial and Procurement Services as appropriate, to approve the entering into of any contractual, legal or other documentation which may be necessary or expedient in connection with the proper exercise of any power, or the proper taking of any decision, by the Chief Officer in question which has been hereby delegated, and in compliance with the ACC Procurement Regulations.
- 27) To purchase equipment, goods and services where the expenditure has been approved by the Council, in compliance with the ACC Procurement Regulations and ACC Financial Regulations.
- 28) To approve responses to requests for information made under the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004 and to take any other action in connection with such requests; and to authorise other officers to approve such responses or take such action.
- 29) To approve responses to complaints made to the Council and to take any other reasonable and proportionate action in relation to such complaints and to authorise other officers to approve such responses or take such action, all in terms of the Complaints Handling Procedure.
- 30) To appoint persons (i) as interim Chief Officers; or (ii) to act up as Chief Officers.

- 31) To produce and issue reports required of the Council by legislation, the UK or Scottish governments, regulatory bodies or other external bodies.
- 32) Following consultation with the Chief Officer - Governance, to make:
- amendments to Council policy in order to reflect the law, government guidance, regulators' guidance and other Council policies; and
 - minor or consequential amendments to Council policies including, but not limited to, the correction of obvious, technical or clerical errors and taking account of changes to any names or titles.
- 33) When acting as Duty Emergency Response Coordinator (DERC):
- to take, or arrange for the taking of, any action on behalf of the Council which s/he considers necessary in the event of:
 - an emergency (as "emergency" is defined in the Civil Contingencies Act 2004); or
 - any incident that requires the implementation of special arrangements in order to:
 - maintain statutory services at an appropriate level;
 - support the emergency services and other organisations involved in the immediate response;
 - provide support services for the community and others affected by the incident;
 - enable the community to recover and return to normality as quickly as possible; and
 - provide aid to other local authorities,
- with any such action being reported to a future meeting of the Council or relevant committee or sub committee as an item on the agenda; and
- to implement, or arrange for the implementation of, the provisions of the Civil Contingencies Act 2004 and the Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005.
- 34) Following consultation with the Business Manager and, where relevant, ward members, to determine Participation Requests and the outcome improvement process to apply, and to report back to committee where necessary.
- 35) To order the cessation of any work which is in breach of health and safety legislation or which otherwise poses an unacceptable risk of harm or loss.
- 36) To operate the Scheme of Virement as set out within the ACC Financial Regulations.

- 37) **Directors, Chief Officer - Governance, Chief Officer - Strategic Place Planning and Chief Officer - City Growth only**: Following consultation with the Leader of the Council, to submit a Council response to an external consultation on an operational matter, thereafter to inform the relevant Convener and Vice Convener and notify all Group Leaders that the response has been submitted.
- 38) **Chief Executive and Directors only**: To transfer or reallocate staff, activities, responsibilities and functions within the Council's Functional Structure, whether on an interim or permanent basis. For the avoidance of any doubt, this delegated power does not cover such transfers to outside organisations.

CHIEF EXECUTIVE

1) To take, or arrange for the taking of, any action on behalf of the Council which s/he considers necessary in the event of:

- an emergency (as “emergency” is defined in the Civil Contingencies Act 2004), or
- any incident that requires the implementation of special arrangements in order to:
 - maintain statutory services at an appropriate level;
 - support the emergency services and other organisations involved in the immediate response;
 - provide support services for the community and others affected by the incident;
 - enable the community to recover and return to normality as quickly as possible; and
 - provide aid to other local authorities,

with any such action being reported to a future meeting of the Council or relevant committee or sub committee as an item on the agenda.

2) To implement, or arrange for the implementation of, the provisions of the Civil Contingencies Act 2004 and the Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005.

3) Following consultation with the Chief Officer - Governance and the Chief Officer - People and Organisation, to authorise a settlement agreement with an employee at Tier 3 or below, including in relation to his/her leaving the Council’s employment. Settlement agreements with employees above Tier 3 can only be authorised following consultation with the Chief Officer - People and Organisation, the Chief Officer - Governance and the Leader of the Council.

DIRECTOR OF CUSTOMER

CHIEF OFFICER - CUSTOMER EXPERIENCE

Revenues and Benefits

1. To administer, collect and enforce recovery of council tax and non-domestic rates in accordance with appropriate regulations, legislation and council policy.
2. To administer and assess housing benefit claims, council tax reduction applications and the scheme for discretionary housing payments, grant benefit and reductions in accordance with appropriate regulations and determine appeals on such applications and claims.
3. To administer the Scottish Welfare Fund in accordance with the terms of the Welfare Funds (Scotland) Act 2015 and associated delegated legislation.
4. To write off debt in accordance with the ACC Financial Regulations.

Payroll

5. To administer the Council's payroll system.

Finance

6. To collect and enforce recovery of all service income due to the Council, excluding housing rents, in accordance with appropriate regulations and legislation.
7. To administer the residual car loans scheme and to take appropriate action to recover any arrears.
8. To administer any employee benefits scheme operated by the Council and to take any appropriate action in connection therewith.
9. To administer the corporate travel scheme and approve any variation from the scheme.
10. To approve the amount and payment of subsistence and travel expenses to officials undertaking business on behalf of the Council outwith the city of Aberdeen in accordance with the National Scheme of Conditions of Service.
11. To implement the Scheme of Members' Payment as approved by the Scottish Government.

12. To approve the amount and payment of subsistence and travel expenses to Members undertaking business on behalf of the Council outwith the city of Aberdeen in accordance with regulations issued from time to time by the Scottish Government.
13. To make arrangements to collect sums due to the Council under the Council's "Contributing to your Care" charging policy for non-residential care services.
14. To make arrangements to collect sums due to the Council under the national "Charging for Residential Care" scheme.
15. To administer the direct payments scheme under section 12B of the Social Work (Scotland) Act 1968.
16. To make payments due to social care providers, foster carers, adopters etc.

CHIEF OFFICER - EARLY INTERVENTION AND COMMUNITY EMPOWERMENT

Libraries

1. To exercise statutory powers to provide and manage public libraries; to provide and manage the Council's library and information service.
2. To prescribe loan periods for articles borrowed from the Council's libraries and collections; and to make charges for the borrowing of items, other than books or periodicals from the Council's collections or the provision of any service provided at libraries.
3. To grant permission for the reproduction of photographs, documents or books and to impose appropriate charges.
4. To grant applications for permission to use accommodation within the Central Library or any community library on the usual terms, conditions and charges applying thereto.

Community Learning

5. To attend to the general management of community centres and community learning centres within the Council's ownership.
6. To manage the Creative Learning Programme.
7. To provide programmes of adult education.

Housing Allocations

8. To maintain a common housing register and to allocate Council homes in accordance with the Council's letting and allocation policies.

Housing Tenancies

9. To manage Council tenancies and housing estates in line with service policies, tenancy agreements and relevant legislation including, but not limited to, the various Housing (Scotland) Acts; and to sign, and authorise officers to sign, tenancy agreements relating to Council houses.
10. To sign, and to authorise Local Housing Managers to sign, Notices of Proceedings for Recovery of Possession of Council houses, in terms of the Housing (Scotland) Act 2001.
11. To instruct the raising on behalf of the Council of proceedings for recovery of possession of Council houses on any of the grounds specified in paragraphs 1

- 15 inclusive of Part 1 of schedule 2 to the Housing (Scotland) Act 2001 or otherwise in terms of that Act or on any other lawful grounds.

12. To authorise Local Housing Managers to instruct the raising on behalf of the Council of proceedings for recovery of possession of Council houses on grounds of rent arrears, in terms of the Housing (Scotland) Act 2001.
13. To deal with cases of unauthorised or irregular occupation of Council houses by persons other than the tenant and to instruct the raising on behalf of the Council of proceedings for recovery of possession of such Council houses.
14. To make decisions, and take or instruct all necessary action, in relation to succession to Council house tenancies and vacancy and abandonment of Council houses.
15. To authorise home loss and discretionary payments under the provisions of the Land Compensation (Scotland) Act 1973, schedule 2 of the Housing (Scotland) Act 2001 and related legislation, regulations and guidance.

Housing Revenue Account

16. To authorise year-end accounts for the Housing Revenue Account.
17. To authorise payments from the Housing Revenue Account as required to maintain the wellbeing of tenants.
18. To maintain a current Housing Revenue Account Business Plan.
19. To write off Former Tenants' Arrears and associated housing debts in accordance with the ACC Financial Regulations.

Communities

20. To administer funding, develop and maintain appropriate governance arrangements for the Fairer Aberdeen Fund and the Common Good Fund.
21. To deliver participatory budgeting, following consultation with the Convener of the City Growth and Resources Committee and the Chief Officer - Finance, provided that sufficient budgetary provision exists for the purpose for which the participatory budgeting process is being delivered.
22. To update and maintain Locality Plans.
23. Following consultation with the Chief Officer - Governance, to create, amend and implement procedures concerning the Community Empowerment (Scotland) Act 2015, including in relation to Participation Requests, all in accordance with Council policy.

Homelessness

24. To undertake the Council's statutory responsibilities in terms of the Prevention of Homelessness and Homelessness provision in line with the Housing (Scotland) Acts.
25. To provide out of hours emergency services for homeless persons, including the carrying out of urgent repairs.
26. To assess homeless applications and provide a range of temporary and permanent accommodation in accordance with the Housing (Scotland) Acts and Homelessness (Scotland) Act 2003.
27. To administer a homelessness prevention fund in order to prevent and reduce instances of homelessness.
28. To increase the relative priority of homeless families and couples where the short-term supply and demand for housing is impacting on the Council's statutory duty to offer appropriate permanent housing.
29. To write off debts in relation to homelessness in accordance with the ACC Financial Regulations.

Antisocial Behaviour

30. To prepare and review a Local Antisocial Behaviour Strategy, in consultation with the Chief Constable of the Police Service of Scotland, as required by Part 1 of the Antisocial Behaviour etc. (Scotland) Act 2004.
31. To authorise relevant officers to implement Part 5 of the Antisocial Behaviour etc. (Scotland) Act 2004.
32. To authorise applications for Antisocial Behaviour Orders (ASBOs) and interim ASBOs, to revoke or extend ASBOs, and the taking of other legal actions or measures under the Crime and Disorder Act 1998 and the Antisocial Behaviour etc. (Scotland) Act 2004.
33. To authorise action under Part 7 (Housing: Antisocial behaviour notices) of the Antisocial Behaviour etc. (Scotland) Act 2004.

Equalities

34. To manage and support encampments of Gypsy and Travelling Community to ensure that the needs of both the Gypsy and Travelling Community and the settled community are being met and liaise with the Chief Officer - Governance in cases of unauthorised encampments in considering whether to seek legal action for eviction on Council owned land.

35. To provide services to travelling persons including, but not limited to, the management and maintenance of a site for travelling persons.
36. To ensure that the Council complies with the Equality Act 2010 and its public sector general equality duty and specific equalities duties.
37. To engage with marginalised and seldom heard equality and communities of interest groups so that their issues and needs can be identified and addressed where appropriate in Council policy, plans and strategies.
38. To develop, publish, support, monitor and review the Council's Gaelic Action Plan.
39. To develop, publish, support, monitor and review the Council's BSL (British Sign Language) Action Plan.

Terrorism

40. To advise the Council on strategies and policies for the development and implementation of counter-terrorism programmes.

Parking, Bus Lanes and other Enforcement Activity

41. To undertake, arrange to be undertaken, authorise and instruct, and to appoint and authorise officers (whether City Wardens, officers in the Parking and Bus Lane Appeals Team or other officers) to undertake, arrange to be undertaken, authorise and instruct, all activity relating to parking enforcement in terms of (where applicable) the Road Traffic Act 1991, Road Traffic (Permitted Parking Area and Special Parking Area) (Aberdeen City Council) Designation Order 2003, Road Traffic Regulation Act 1984 and any other relevant legislation. This delegated power includes (but is not limited to):
 - (i) appointing and authorising City Wardens and other officers to be parking attendants and to issue Penalty Charge Notices;
 - (ii) issuing, and authorising officers in the Parking and Bus Lane Appeals Team and other officers to issue, Notices to Owner, Notices of Rejection and Charge Certificates;
 - (iii) taking, and authorising officers in the Parking and Bus Lane Appeals Team and other officers to take or arrange to be taken, any appropriate actions in relation to Notices to Owner, Notices of Rejection and Charge Certificates (such actions including, but not being limited to, considering and responding to representations, responding to the Parking and Bus Lane Tribunal for Scotland and instructing recovery action in relation to unpaid charges); and
 - (iv) taking, and authorising officers in the Parking and Bus Lane Appeals Team and other officers to take or arrange to be taken, any appropriate actions in relation to the immobilisation, removal, storage and disposal of vehicles.

42. To undertake, arrange to be undertaken, authorise and instruct, and to authorise officers (whether City Wardens, officers in the Parking and Bus Lane Appeals Team or other officers) to undertake, arrange to be undertaken, authorise and instruct, all activity relating to bus lane enforcement in terms of (where applicable) the Road Traffic Regulation Act 1984, the Aberdeen City Council (Bus Lanes in Aberdeen) (Amendment) Order 2009, the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011 and any other relevant legislation. This delegated power includes (but is not limited to):
- (i) issuing, and authorising officers in the Parking and Bus Lane Appeals Team and other officers to issue, Charge Notices and Charge Certificates; and
 - (ii) taking, and authorising officers in the Parking and Bus Lane Appeals Team and other officers to take or arrange to be taken, any appropriate actions in relation to Charge Notices and Charge Certificates (such actions including, but not being limited to, considering and responding to representations, responding to the Parking and Bus Lane Tribunal for Scotland and instructing recovery action in relation to unpaid charges).
43. To instruct, and to authorise City Wardens and other officers to undertake, environmental enforcement activity in terms of the Environmental Protection Act 1990, Refuse Disposal (Amenity) Act 1978, Road Traffic (Vehicle Emissions) (Fixed Penalty) (Scotland) Regulations 2003, Smoking, Health and Social Care (Scotland) Act 2005 and any other legislation relevant to public health.
44. To authorise City Wardens and other officers to issue fixed penalty notices in terms of the Dog Fouling (Scotland) Act 2003.

1. To engage with potential suppliers and to pilot new information and communications technologies (ICT) systems, subject to the ACC Procurement Regulations.
2. To implement hardware and software ICT solutions to meet business needs.
3. To alter ICT service hours and availability of ICT support.

DIRECTOR OF COMMISSIONING

- 1) To exercise all powers delegated to him/her in terms of the ACC Procurement Regulations.
- 2) To approve (or to nominate a person as having authority to approve) any procurement or contract, as a result of a Direction from the Integration Joint Board to the Council and/or a relevant business case, where the estimated value of the contract is of or above £50,000 (supplies/services) or £250,000 (works), subject to the approval of the Chief Officer - Finance and the Head of Commercial and Procurement Services.

HEAD OF COMMERCIAL AND PROCUREMENT SERVICES

- 1) To have overall responsibility for creating and amending procurement procedures in terms of the ACC Procurement Regulations and in accordance with Council policy.
- 2) To ensure that relevant Procurement Guidance Notes are in place and that necessary revisions are made to these on a regular basis to reflect changes in legislation, Council policy or good practice, in terms of the ACC Procurement Regulations.
- 3) To exercise all responsibilities and powers delegated to him/her under the ACC Procurement Regulations.
- 4) To sub-delegate his/her responsibilities and powers under the ACC Procurement Regulations to managers within his/her Service.
- 5) To enter into, vary, extend or terminate any contract or agreement in circumstances where, after consultation with the relevant Chief Officer, he/she is satisfied that it is competent and in the interests of the Council to do so.
- 6) To authorise the entering into of an agreement with any person (including another local authority) for:
 - (a) the supply by the Council to that person of any goods or materials;
 - (b) the provision by the Council for that person of any services;
 - (c) the use by that person of any property belonging to or facilities under the control of the Council and, without prejudice to paragraph (b) above, the placing at the disposal of that person of the services of any person employed in connection with the property or facility in question;
 - (d) the carrying out by the Council of works of maintenance in connection with land or buildings for the maintenance of which the person is responsible;
 subject to compliance with the Local Authorities (Goods and Services) Act 1970 and any other relevant legislation, and Aberdeen City Council keeping trading accounts for the relevant trading operation in accordance with proper accounting practices.
- 7) To arrange and effect, and to authorise the Insurance Officer to arrange and effect, all insurance cover on behalf of the Council.
- 8) To settle or repudiate, and to authorise the Insurance Officer and other officers to settle or repudiate, all claims made against the Council which involve the Council's insurers. Such settlement or repudiation shall follow consultation with other officers where necessary.

**CHIEF OFFICER - BUSINESS INTELLIGENCE AND PERFORMANCE
MANAGEMENT**

1. To put in place an appropriate framework and internal controls across all functions which provide assurance of effective and efficient organisational performance against the Council's outcomes.
2. To put in place an appropriate control environment and effective internal controls which provide assurance of adherence with the requirements of Statutory Performance Indicators for the statutory duty of Public Performance Reporting.

CHIEF OPERATING OFFICER

CHIEF OFFICER - INTEGRATED CHILDREN'S AND FAMILY SERVICES

Education

1. To take steps to discharge the duty of the Council, as education authority, to secure adequate and efficient provision of school education (including pre-school education), and in doing so:
 - a. having regard to the duty to ensure that education is directed to the development of the personality, talents and mental and physical abilities of children and young people (section 2 of the Standards in Scotland's Schools etc. Act 2000);
 - b. endeavouring to ensure that schools managed by them promote the physical, social, mental and emotional health and well-being of pupils (section 2A of that Act); and
 - c. raising standards in Scotland's schools (section 3D of that Act).
2. To prepare an accessibility strategy under the Education (Disability Strategies and Pupil's Educational Records) (Scotland) Act 2002.
3. To operate cross border arrangements for pupils from outside the Council's area (sections 23 and 24 of the Education (Scotland) Act 1980).
4. To make decisions as to limiting the capacity of schools, the management of roll capping and the reservation of school places in both primary and secondary school.
5. To set school commencement dates for primary schools (section 32 of the Education (Scotland) Act 1980).
6. To make decisions on requests for deferred entry to schools.
7. To determine the dates of local school holidays following consultation with other appropriate local authorities and parents.
8. To admit children to pre-school education (Children and Young People (Scotland) Act 2014).
9. To administer the Council's scheme of Devolved School Management.
10. To consider applications for early entry to school.
11. To manage and determine placing requests, including the publishing of information on arrangements in accordance with the provisions of sections 28A and 28B, and representing the Council at any placing appeal committee in accordance with sections 28E or 28F, of the Education (Scotland) Act 1980.
12. To manage and determine placing requests under schedule 2 to the Education (Additional Support for Learning) (Scotland) Act 2004 and represent the Council at any placing appeal committee or Additional Support Needs Tribunal.

13. To agree or refuse requests for access to pupil educational records in accordance with the Pupils' Educational Records (Scotland) Regulations 2003.
14. To enforce attendance at school, including the serving of notices, making and issuing Attendance Orders and instructing proceedings against parents in respect of children's non-attendance (sections 36, 37, 38, 39 and 43(2) of the Education (Scotland) Act 1980).
15. To allow pupils to miss school (section 34 of the Education (Scotland) Act 1980).
16. To exclude pupils from school (regulation 4 of the Schools General (Scotland) Regulations 1975).
17. To promote the involvement of the parents of pupils in attendance at schools in the education provided to those pupils (section 1 of the Scottish Schools (Parental Involvement) Act 2006).
18. To provide support and guidance to Parent Councils (Scottish Schools (Parental Involvement) Act 2006).
19. To consider applications and award bursaries (section 49 of the Education (Scotland) Act 1980).
20. To discharge the Council's duties in relation to the employment of children (Children and Young Persons (Scotland) Act 1937).
21. Following consultation with the Chief Officer - People and Organisation, to sign agreements reached by the Local Negotiating Committee for Teachers.
22. To provide or arrange in-service training for staff.
23. To provide the education authority's representatives on the Appointment Committees for all Statutory Appointments.
24. To provide work experience for pupils who are eligible (section 123 of the Education (Scotland) Act 1980).
25. To endorse applications for staff requiring registration with the Scottish Social Services Council (SSSC).
26. To consult on, prepare and publish a two year plan for day care services to children in need in terms of section 19 of the Children (Scotland) Act 1995 and section 55 of the Children and Young People (Scotland) Act 2014.
27. To provide early learning and childcare under section 27 of the Children (Scotland) Act 1995.
28. To carry out the consultation processes required by the Schools (Consultation) (Scotland) Act 2010.

29. Following consultation with the Chief Executive and the Chief Officer - Governance, receiving notice of, representing the Council in and responding to referrals by the Children's Reporter to the Scottish Ministers under the Children's Hearings (Scotland) Act 2011.
30. To implement the duties and exercise the powers set out in the Education (Additional Support for Learning) (Scotland) Act 2004.
31. To implement the duties and exercise the powers set out in the Education (Scotland) Act 2016.
32. To consent to the withdrawal of children from school in terms of the Education (Scotland) Act 1980.
33. To authorise the approval of early retirement requests from teachers and non-teaching staff within the function in accordance with agreed policy.
34. To offer recruitment and retention incentive payments for hard to fill professional teaching posts.
35. To sign and date co-ordinated support plans in accordance with the Education (Additional Support for Learning) (Scotland) Act 2004 and the Education (Co-ordinated Support Plan) (Scotland) Regulations 2005.
36. To provide transport for pupils and students (section 51 of the Education (Scotland) Act 1980).
37. To provide child guidance services (section 4 of the Education (Scotland) Act 1980).
38. To provide school meals (section 53 of the Education (Scotland) Act 1980).
39. To provide clothing (section 54 of the Education (Scotland) Act 1980).
40. To license stage or theatrical performances by children (Children and Young Persons Act 1963).
41. To award Education Maintenance Allowances (section 73(f) of the Education (Scotland) Act 1980) in accordance with criteria and limits set by the Scottish Government.

Children's Social Work

42. To delegate the Chief Social Work Officer role to Lead Service Managers when the Chief Officer - Integrated Children's and Family Services is absent or as otherwise required. Any such delegation shall be made in writing.

43. To take necessary steps to discharge the Council's duties under the Social Work (Scotland) Act 1968, the Children (Scotland) Act 1995, the Children's Hearings (Scotland) Act 2011, the Social Care (Self-directed Support) (Scotland) Act 2013 and the Children and Young People (Scotland) Act 2014.
44. Where the carer of a person over 18 years of age is a child under 18 years of age, to assist Health and Social Care staff to assess the carer's needs and provide information about the assessment in terms of sections 12A, 12AA and 12AB of the Social Work (Scotland) Act 1968 and the Carers (Scotland) Act 2016.
45. To make direct payments to individuals to allow them to purchase community care services or, if they are disabled, to assist them to care for their children (aged up to 18 years) under the Social Care (Self-directed Support) (Scotland) Act 2013.
46. To make direct payments to 16 and 17 year olds with a disability and to parents of children under 18 with a disability to allow them to pay for children's services under the Social Care (Self-directed Support) (Scotland) Act 2013.
47. To bury or cremate any child or young person who was in the care of, or receiving help from, the Council immediately before their death in terms of section 28 of the Social Work (Scotland) Act 1968.
48. To decide whether to pay the expenses of parents, relatives etc. visiting people (including looked after children) who are being cared for or maintained in accommodation by the Council, or in attending funerals, in terms of section 20 of the Social Work (Scotland) Act 1968.
49. To provide and maintain whatever residential and other establishments are needed for the Council's functions under Part II of the Children (Scotland) Act 1995.
50. To recover from other local authorities any costs for services provided to people ordinarily resident in the areas of those authorities under the Social Work (Scotland) Act 1968, in terms of section 86 of that Act.
51. To authorise the following finance-related matters in accordance with ACC Financial Regulations and Council policies:
 - a. reimbursing carers and substitute carers for loss or damage (*ex gratia*) of up to £500,
 - b. reimbursing staff for loss or damage (*ex gratia*) of up to £500;
 - c. making payments to staff for emergency expenses (*ex gratia*) of up to £50; and
 - d. reimbursing neighbours and/or relatives of departmental carers for damage caused by service users (*ex gratia*), where it would be in the interests of the Council to maintain goodwill.

52. To provide reports and information to the courts in private law proceedings in terms of section 11 of the Matrimonial Proceedings (Children) Act 1958 and section 11 of the Children (Scotland) Act 1995.
53. To assess and recover contributions for “maintainable” children looked after by the Council in terms of sections 78 to 82 of the Social Work (Scotland) Act 1968.
54. Where there is an assessed need, to pay allowances to people who have children and young people residing with them in terms of section 50 of the Children Act 1975.
55. To provide an adoption service in accordance with section 1 of the Adoption and Children (Scotland) Act 2007.
56. To supervise and provide reports to the court in respect of non-agency adoptions in terms of sections 18 and 19 of the Adoption and Children (Scotland) Act 2007.
57. To take necessary or facilitative steps to implement arrangements for the adoption of children.
58. To provide adoption support plans under section 45 of the Adoption and Children (Scotland) Act 2007.
59. To approve and pay adoption allowances in terms of section 71 of the Adoption and Children (Scotland) Act 2007.
60. To secure the welfare of all foster children, receiving and assessing notifications, inspecting premises, imposing requirements and removing children from unsuitable premises (sections 3, 5, 6, 8, 9, 10 and 12 of the Foster Children (Scotland) Act 1984).
61. To publish information about services for children in terms of section 20 of the Children (Scotland) Act 1995.
62. To safeguard and promote the welfare of children looked after by the Council and give them the opportunity to fulfil their potential in terms of section 17 of the Children (Scotland) Act 1995.
63. To safeguard and promote the welfare of children in need, giving help “in kind or in cash” in terms of section 22 of the Children (Scotland) Act 1995.
64. To minimise the effect of disability on children, assessing the needs of children with or affected by disability, assessing the ability of their carers to meet those needs and providing information assessment in terms of sections 23, 24, and 24A of the Children (Scotland) Act 1995 and the Social Care (Self-directed Support) (Scotland) Act 2013.

65. To provide accommodation for children and young people when lost or abandoned or when no-one with parental responsibility can do it, in terms of section 25 of the Children (Scotland) Act 1995.
66. To provide accommodation for young people aged 18 to 21 years of age when to do so would safeguard and promote their welfare in terms of section 25 of the Children (Scotland) Act 1995.
67. To provide accommodation and maintenance for children looked after by the Council in terms of section 26 of the Children (Scotland) Act 1995.
68. To provide after-care for children (under 26 years of age) who were previously looked after by a local authority in terms of section 29 of the Children (Scotland) Act 1995 and continuing care under section 26A of the Children (Scotland) Act 1995.
69. To provide financial help towards maintaining, educating or training for young people who were looked after by the Council at the time of leaving school age in terms of section 30 of the Children (Scotland) Act 1995.
70. To review cases of children looked after by the Council in terms of section 31 of the Children (Scotland) Act 1995.
71. To remove children from residential establishments in terms of section 32 of the Children (Scotland) Act 1995.
72. To accept responsibility for orders made in respect of children in other parts of the United Kingdom where the child is now ordinarily resident in Aberdeen in terms of section 33 of the Children (Scotland) Act 1995.
73. To provide short-term refuges where a child may be at risk of harm in terms of section 38 of the Children (Scotland) Act 1995.
74. To make enquiries and provide information to the Principal Reporter to the Children's Panel where children may need compulsory measures of care in terms of section 60 of the Children's Hearings (Scotland) Act 2011.
75. Where a child may be at risk of significant harm, to investigate the matter and if need be apply for the following orders:
 - Child Assessment Order (under section 35 of the Children's Hearings (Scotland) Act 2011);
 - Child Protection Order (under sections 37 to 39 of the Children's Hearings (Scotland) Act 2011);
 - Emergency Child Protection Order to a Justice of the Peace (under section 55 of the Children's Hearings (Scotland) Act 2011); and
 - Exclusion Order (under sections 76 to 80 of the Children (Scotland) Act 1995).

76. To provide reports on children and their social background for a Children's Hearing in terms of section 66 of the Children's Hearings (Scotland) Act 2011.
77. To implement the measures contained in Orders made by a Children's Hearing under the Children's Hearings (Scotland) Act 2011.
78. To recommend that a Compulsory Supervision Order is reviewed by a Children's Hearing under the Children's Hearings (Scotland) Act 2011.
79. Where assessed as necessary, to apply to a court for a Permanence Order, or Permanence Order with authority to adopt, under sections 80-83 of the Adoption and Children (Scotland) Act 2007.
80. To apply for variation or revocation of a Permanence Order when there has been a material change of circumstances under section 99 of the Adoption and Children (Scotland) Act 2007.
81. To provide information to the Courts and arrange accommodation for the detention of children being prosecuted for, or convicted of, criminal offences in terms of sections 42, 43, 44 and 51 of the Criminal Procedure (Scotland) Act 1995.
82. To make purchases, outside the central purchasing arrangements, of necessary food, clothing and other essential items for children in care of the Council and living within the Council's residential establishments for young people.
83. To offer recruitment and retention incentive payments for hard to fill professional social work posts.

CHIEF OFFICER - OPERATIONS AND PROTECTIVE SERVICES

Roads and Infrastructure Services

1. To maintain a list of public roads including classification of roads network.
2. To manage and maintain all roads on a list of public roads including power to reconstruct, alter, widen, improve or renew any such road within approved budgets.
3. To exercise the control of road occupations, reporting to the next relevant committee if any member objects to the proposed decision.
4. To manage and implement the requirements of the New Roads and Street Works Act 1991.
5. To implement arrangements for both temporary and permanent traffic management and related street furniture.
6. To commence and complete the statutory procedure set out in the Local Authorities Traffic Order (Procedure) (Scotland) Regulations 1999 and undertake all necessary preparation prior to making orders under the Road Traffic Regulation Act 1984, sections 1, 2 and 4 (road traffic orders), only bringing the matter before the Operational Delivery Committee where, following consultation with such members as the Chief Officer deems appropriate, an objection is received or where there are unresolved outstanding objections arising from the statutory/public consultation process.
7. To make and sign permanent traffic orders and implement them where the statutory/public consultation process yields no objections or, where objections have been received, the orders have gained the appropriate committee approval; and to authorise second tier and third tier roads officers to sign and implement such orders in these circumstances.
8. To make and sign, and to authorise second and third tier roads officers to sign, temporary traffic orders.
9. To commence and complete the statutory procedure set out in the Road Humps (Scotland) Regulations 1998 and undertake all necessary preparation prior to making orders under the Roads (Scotland) Act 1984 relating to road humps, only bringing the matter before the Operational Delivery Committee where, following consultation with members (whether all members or simply ward members), objection is received or where there are outstanding objections arising from the statutory/public consultation process.
10. To commence and complete the statutory procedure set out in the Stopping Up of Roads and Private Accesses and the Redetermination of Public Rights

of Passage (Procedure) (Scotland) Regulations 1986 and undertake all necessary preparation prior to making orders under the Roads (Scotland) Act 1984 relating to stopping up and redetermination, only bringing the matter before the Operational Delivery Committee where, following consultation with members (whether all members or simply ward members), objection is received or where there are outstanding objections arising from the statutory/public consultation process.

11. To exercise operational management of “on-street” and “off-street” parking facilities.
12. To authorise the removal of private vehicles which have unpaid Penalty Charge Notices recorded against them in accordance with the Road Traffic Act 1984, Road Traffic Act 1991, Road Traffic (Permitted Parking Area) (Aberdeen City Council) Designation Order 2003 and the Removal and Disposal of Vehicle Regulations 1986 and any other relevant legislation.
13. To represent the Council’s interests with regard to coast protection and flood prevention matters including the development of the Flood Risk Management Plan.

Environmental Services

14. In accordance with the Burial and Cremation (Scotland) Act 2016 and associated Regulations:
 - following consultation with the Chief Officer - Finance, to accept bequests requiring provision by the Council for the upkeep and maintenance in perpetuity of individual graves and tomb stones in cemeteries under the control of the Council in such cases where the amount of the bequest is sufficient to cover the cost of maintenance and upkeep of the grave and of any tombstone;
 - to act as Registrar of Burials and Cremations and to act as the keyholder for crematorium buildings;
 - to ensure the proper disposal of the dead while taking into account requests of the bereaved;
 - to operate the Council’s crematorium and to maintain, renew and repair the crematorium buildings;
 - to provide facilities for and make available memorials to the dead;
 - to manage arrangements for appointments and statutory paperwork for disposal of the dead, including implementing, monitoring and maintaining systems and records of any disposal of the dead and issuing any extracts of such records;
 - to maintain identification of the remains throughout the process of cremating the dead; and
 - to arrange for the supervision of exhumations.
15. To carry out the Council’s duties in regards to the Wildlife and Natural

Environment (Scotland) Act 2011.

16. Following consultation with the Chief Officer - Governance, to negotiate, authorise and sign agreement(s) with NHS Grampian and their associated funeral service provider(s) to bury or cremate pregnancy loss provided by NHS Grampian, all in accordance with Scottish Government guidance and best practice.

Waste Services

17. To set commercial waste charges.
18. To authorise officers to enforce the provisions of the Environmental Protection Act 1990.
19. To remove and dispose of abandoned vehicles in terms of the Refuse Disposal (Amenity) Act 1978.
20. To authorise officers to remove, store and return to any owner any bin blocking a street.
21. Following consultation with the Chief Officer - Finance, the Head of Commercial and Procurement Services, and the Convener of the City Growth and Resources Committee, to agree that, notwithstanding the terms of the Council's Waste Service Contract, the commencement and handover dates have been achieved, provided that the Altens East Plant operator shall continue to use its reasonable endeavours to ensure the Altens East Plant Contractor passes the Plant Function Tests and Mass Balance Tests (as those terms are defined in the Waste Service Contract).
22. Following consultation with the Chief Officer - Finance, the Head of Commercial and Procurement Services, and the Convener of the City Growth and Resources Committee, to approve expenditure on repairs and maintenance to sites owned by the Council, that are procured by the Altens East Plant operator on behalf of the Council, provided that the Altens East Plant operator conducts the procurement in accordance with the ACC Procurement Regulations and that the expenditure is capable of being met from existing budgets.
23. Following consultation with the Chief Officer - Finance, the Head of Commercial and Procurement Services and the Convener of the Operational Delivery Committee, to negotiate and agree non material variations or supplemental agreements to the Waste Service Contract, including but not limited to, or as a consequence of:-
 - (a) variations necessitated due to a change in taxation and/or any applicable legislation or subordinate legislative provision, EU regulation or directive having direct effect, provision of common law or other binding law, requirement of any authorisation, licence,

permission, consent or permit or rule of any court of competent jurisdiction and any local, national or supranational agency, inspectorate, minister, ministry, official or public or statutory person (whether autonomous or not), or of the government of the United Kingdom or the European Union, which exists at any time during the life of the contract;

- (b) the approval of fixed term waste trials;
- (c) amendments to reporting requirements;
- (d) changes in the price index used for the indexation of elements of the contract prices; and
- (e) the approval of repairs and maintenance of sites owned by the Council that are serviced by the Altens East Plant operator under the Waste Management Services contract (for example Ness Farm, Hill of Tramaud).

24. Following consultation with the Chief Officer - Finance, the Head of Commercial and Procurement Services and the Convener of the Operational Delivery Committee, to negotiate and agree variations to the Waste Management Services Contract following a decision of the Council to:-

- (a) change its waste collection operations;
- (b) change the opening hours of Council sites serviced by the Altens East Plant operator under the Waste Services Contract;
- (c) close Council owned facilities currently serviced by the Altens East Plant operator under the Waste Services Contract; and
- (d) add new facilities to be serviced by the Altens East Plant operator under the Waste Services Contract.

25. Following consultation with the Chief Officer - Finance, the Head of Commercial and Procurement Services and the Convener of the Operational Delivery Committee, to negotiate and conclude the variations necessary to the Waste Management Services Contract in relation to the acceptance of third party recyclate and/or residual waste at Altens East Plant provided that the nature of those variations results in a net reduction of the Council's operational costs of the Altens East Plant.

26. Following consultation with the Chief Officer - Finance, the Head of Commercial and Procurement Services and the Convener of the Operational Delivery Committee, to give Suez consent to bid for:-

- (1) the inclusion of the Altens East Plant on framework agreements for waste and recycling services; and
- (2) individual contracts to provide waste and recycling services to third parties (i.e. other local authorities or commercial entities) using the Altens East Plant to process the waste and/or recyclate, as and when such opportunities arise, contingent upon the variation to the Waste Services Contract in number 25 above having been concluded.

Protective Services

27. To authorise officers as required in respect of the rights of entry and

- inspection contained in section 5 of Part I of the Civic Government (Scotland) Act 1982.
28. To authorise the issue of Certificates under section 39(4) of the Civic Government (Scotland) Act 1982 regarding the compliance of vehicles, kiosks or moveable stalls with relevant regulations made under section 1(3) of the Food Safety Act 1990.
 29. To authorise the issue of Certificates under section 50 of the Licensing (Scotland) Act 2005 regarding the compliance of premises with regulations made under section 1(3) of the Food Safety Act 1990 relating to construction, layout, drainage, ventilation, lighting and water supply or concerned with the provision of sanitary and washing facilities.
 30. To take such action as is necessary with regard to the administrative arrangements under Part 1 of the Food and Environmental Protection Act 1985.
 31. To authorise persons, under section 5 of the Food Safety Act 1990, to act in matters arising under the said Act.
 32. To appoint, under Regulation 5(6) of the Food Hygiene (Scotland) Regulations 2006, authorised officers for the purpose of enforcing the said Regulations.
 33. To designate, under section 5 of the Public Health etc. (Scotland) Act 2008, an appropriate number of competent persons for exercising, on behalf of the Council, the functions relating to protection of public health contained in the Act.
 34. To:
 - (i) enforce and ensure compliance with (and authorise officers to enforce and ensure compliance with) the Health and Safety at Work etc. Act 1974; and
 - (ii) appoint as inspectors under section 19 of that Act such persons as he/she considers necessary for carrying into effect the provisions of that Act and other relevant statutory provisions and, in each case, delegate to those persons the powers to be exercised by them.
 35. To take, or arrange for the taking of, any action necessary to comply with health and safety legislation and to appoint officers to undertake health and safety functions.
 36. To undertake Port Health duties under the Public Health (Scotland) Act 1945 and the Airports Authority Act 1965.
 37. To enforce and ensure compliance with (and to authorise officers to enforce and ensure compliance with) the relevant environmental health and public health provisions of the following legislation:
 - (a) Prevention of Damage by Pests Act 1949;

- (b) Public Health (Scotland) Act 2008;
 - (c) Caravan Sites and Control of Development Act 1960;
 - (d) Private Water Supplies (Scotland) Regulations 2006;
 - (e) Water Supply (Water Quality) (Scotland) Regulations 2000;
 - (f) Housing (Scotland) Act 1987;
 - (g) Housing (Scotland) Act 2006;
 - (h) Housing (Scotland) Act 2001;
 - (i) Control of Pollution Act 1974;
 - (j) Noise and Statutory Nuisance Act 1998;
 - (k) The Clean Air Act 1993;
 - (l) Civic Government (Scotland) Act 1982;
 - (m) Dog Fouling (Scotland) Act 2003 (pursuing recovery of unpaid fixed penalties and notifying the Procurator Fiscal of requests for hearings);
 - (n) Environmental Protection Act 1990;
 - (o) Control of Dogs (Scotland) Act 2010;
 - (p) any legislation relating to hazardous substances or radiation; and
 - (q) any other legislation relating to environmental health or public health matters.
38. To engage, as required, temporary staff in the event of an emergency mortuary being required for use, having regard to the scale of the emergency.
39. To authorise officers under section 7 of the Smoking, Health and Social Care (Scotland) Act 2005 to exercise the powers contained in section 7 and also in schedule 1 to the Act.
40. To appoint and authorise Licensing Standards Officers to exercise powers in terms of section 13 of the Licensing (Scotland) Act 2005.
41. To authorise officers to enforce the appropriate provisions of the following legislation:-
- (a) Animal Boarding Establishments Act 1963;
 - (b) Animal Health Act 1981;
 - (c) Animal Health and Welfare (Scotland) Act 2006;
 - (d) Breeding of Dogs Act 1973;
 - (e) Breeding and Sale of Dogs (Welfare) Act 1999;
 - (f) Dangerous Wild Animals Act 1976;
 - (g) Licensing of Animal Dealers (Young Cats and Young Dogs) (Scotland) Regulations 2009;
 - (h) Performing Animals (Regulation) Act 1925;
 - (i) Pet Animals Act 1951;
 - (j) Riding Establishments Act 1964 and Riding Establishments Act 1970;
 - (k) Zoo Licensing Act 1981;
 - (l) Animal By-Products (Scotland) Regulations 2003; and
 - (m) Animal By-Products (Scotland) (Enforcement) Regulations 2013.
42. To authorise any official veterinary surgeon, acting for the Council, for

any of the statutory purposes for which an official veterinary surgeon is required.

43. To appoint a chief inspector of weights and measures and authorise appropriately qualified officers to exercise the statutory functions of the Council as a local weights and measures authority.
44. To authorise the chief inspector of weights and measures to exercise the powers conferred on the Council, in its capacity as the local weights and measures authority, by consumer protection and trading standards legislation.
45. To exercise the Council's power to grant and refuse, renew, vary or revoke a petroleum storage certificate or a petroleum storage licence in terms of the Petroleum (Consolidation) Regulation 2014.
46. To authorise officers of the Trading Standards Service to issue, vary and revoke product safety notices under section 14 of the Consumer Protection Act 1987 and regulations 11 to 15 of the General Product Safety Regulations 2005.
47. To authorise officers of the Trading Standards Service to exercise the powers contained in the Tobacco and Primary Medical Services (Scotland) Act 2010.
48. To authorise officers of the Environmental Health and Trading Standards Services to enforce the Single Use Carrier Bags (Scotland) Regulations 2014.
49. To lodge objections or to make representations on the Council's behalf on applications for licences and the renewal and variation of licences, to the Council's Licensing Committee in cases where the Council are permitted by statute to object to such applications.
50. To appoint a public analyst and Food Examiner to perform the duties detailed in the relevant sections of the Food Safety Act 1990.
51. To appoint an Agriculture Analyst under section 67 of the Agriculture Act 1970.
52. To exercise the Council's power to grant, renew or amend an Explosives Licence in terms of the Explosives Regulations 2014.
53. To exercise the Council's power to refuse to issue or to revoke an Explosives Licence in terms of the Explosives Regulations 2014.
54. To exercise the Council's power to issue or refuse assent for an Explosives Licence, where the application is made to another relevant licensing authority in terms of the Explosives Regulations 2014.

55. To exercise the Council's power to issue or to refuse to issue or to revoke a licence to supply fireworks outwith the restricted dates in terms of the Fireworks Regulations 2004.

Private Sector Housing

56. To:
- (a) Implement all aspects of the Scheme of Assistance under the Housing (Scotland) Act 2006 and the Tenements (Scotland) Act 2004;
 - (b) Make third party applications to the Housing and Property Chamber First-Tier Tribunal for Scotland, under Chapter 4, Housing (Scotland) Act 2006; and
 - (c) Where instructed in writing by the Chief Officer of the Aberdeen City Integration Joint Board, to provide aids and adaptations for the homes of people with disabilities, where authorised within the Integration Joint Board approved budget available for the purpose and in accordance with approved policies.
57. To:-
- (a) Approve Houses in Multiple Occupation (HMO) Licence applications subject to the standard conditions, where there are no objections, concerns or contentious issues;
 - (b) Add additional conditions to HMO Licences, where such conditions are agreed by all parties under section 133, Part 5, Housing (Scotland) Act 2006;
 - (c) Refuse to consider HMO licence applications under section 129A, Part 5, Housing (Scotland) Act 2006;
 - (d) Grant HMO licence variation applications under section 138, Part 5, Housing (Scotland) Act 2006;
 - (e) Grant temporary exemption orders and extensions to same under sections 142 and 143, Part 5, Housing (Scotland) Act 2006;
 - (f) Make orders for the suspension of rent, etc. under section 144, Part 5, Housing (Scotland) Act 2006;
 - (g) Make requirements to require rectification of breach of HMO Licence conditions, under section 145, Part 5, Housing (Scotland) Act 2006; and
 - (h) Sign and serve (or arrange for or instruct the service of) HMO amenity notices and all notices of the above types of decision and take, or arrange for or instruct the taking of, any action necessary in connection with doing any of the foregoing, all in terms of the provisions of sections 146-153, Part 5, Housing (Scotland) Act 2006.
58. To:-
- (a) Approve applications for Landlord Registration where applicants are considered to be 'fit and proper' and where

there are no objections from Police Scotland in terms of spent or unspent criminal convictions and no other concerns about the applicant, all in terms of section 85, Part 8, Antisocial Behaviour etc. (Scotland) Act 2004;

- (b) Sign and serve (or arrange for or instruct the service of) Rent Penalty Notices under section 94, Part 8, Antisocial Behaviour etc. (Scotland) Act 2004; and
- (c) Waive Late Application Fees in relation to Landlord Registration when considered appropriate to do so.

- 59. To authorise the Housing Strategy and Performance Manager and the Private Sector Housing Strategy Officer to instruct the Chief Officer - Governance to prepare and sign "Notice of Potential Liability for Costs" as and when required.

DIRECTOR OF RESOURCES

1. To determine all matters (including Business Cases) submitted or referred to the Establishment Control Board.

CHIEF OFFICER - FINANCE

General Powers delegated to the Chief Officer - Finance as Proper Officer

1. To act as Proper Officer for the purposes of section 95 of the Local Government (Scotland) Act 1973 and to administer the financial affairs of the Council and take any necessary actions or decisions in accordance with the ACC Financial Regulations.
2. To delegate the role of Proper Officer for the purposes of section 95 of the Local Government (Scotland) Act 1973 to Service Managers when the Chief Officer - Finance is absent or as otherwise required. Any such delegation shall be made in writing.
3. To provide the financial administration of the Common Good Fund, Registered Charities, Trusts, Companies and any other funds managed by the Council.
4. To ensure the proper and safe custody of all funds administered by the Council.
5. To enquire into the financial standing of any organisation wanting to provide services with or to the Council in relation to any tender or contract.
6. To authorise the signature of cheques and other appropriate documentation on behalf of the Council.
7. To sign bank indemnities.
8. To approve monthly PPP unitary charge invoices to a value of £2million.
9. In respect of the Council's Arms-Length External Organisations, to make banking arrangements and provide letters of comfort, where appropriate.
10. To approve the purchase of second hand goods up to a value of £50,000.
11. To write off debt in accordance with the ACC Financial Regulations
12. Following consultation with the Convener of the City Growth and Resources Committee, to approve press releases to the London Stock Exchange through a Regulatory Information Service.

Accounting

13. To put in place an appropriate control environment and effective internal controls which provide assurance of effective and efficient operations, financial stewardship, probity and compliance with Council policy, legislation and codes of practice in accordance with the Council's Financial Regulations.
14. To produce and continuously review the Council's Financial Regulations and any related financial procedures, policies or codes of practice.
15. To provide financial services to other bodies, organisations etc. subject to a charge being made where appropriate.
16. To manage the Council's treasury management, including all borrowing and investment activities and banking arrangements.
17. To secure arrangements for the administration and accounting of VAT, payment of salaries and wages, receipt of monies, purchase cards, credit cards, match funding and imprest accounts.
18. To develop the budget preparation strategy and financial monitoring procedures, including reporting on progress with Council approved savings targets, for both the revenue budget and capital plan, including annual budgets, medium term financial plan and longer term financial planning.
19. To amend service budgets for new monies received or subsequent approvals during the year, with all such changes being recorded in the monitoring statements.
20. To prepare the Council's Annual Accounts in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom (CIPFA/LASAAC) for each financial year ending 31 March.
21. To select suitable accounting policies for the Council and ensure that they are consistently applied to the Council's accounts relating to each financial year.
22. To take appropriate action as part of the annual final accounts process to maximise the financial benefit to the Council within appropriate legislation, policies and regulations.
23. Following consultation with the Director of Resources, to make recommendations to the relevant committee in relation to the most appropriate use of specific capital receipts.
24. To be the primary point of contact for the Council's external auditors and provide information to them as required.
25. To submit all financial returns on behalf of the Council.
26. To authorise disposal or write off of obsolete or excess stock, scrap materials, stores differences and equipment that is obsolete or beyond economic repair,

where the value does not exceed £10,000, all in accordance with the ACC Financial Regulations.

27. To administer the residual housing advances scheme, to implement amendments to interest rates for such loans and to take appropriate action to recover any arrears.
28. To approve leasing arrangements, and arrange finance and operational leases, in relation to equipment and capital assets.
29. To authorise arrangements for electronic funds transfers.
30. Following consultation with the Chief Executive, Directors and the Head of Commercial and Procurement Services, to put in place a scheme of delegated financial limits.
31. To arrange for suitable independent audit of European Union funding claims to be carried out.
32. To determine the retention period for all books, forms and records related to financial matters.

Pensions Administration

33. To administer the North East Scotland Pension Fund in accordance with the Local Government Pension Regulations.
34. To implement investment arrangements for the North East Scotland Pension Fund in accordance with the Local Government Pension Regulations, including sourcing and appointment of investment fund managers within the approved strategy.
35. To appoint member representatives to serve on the Pension Board of the North East Scotland Pension Fund.
36. Following consultation with the Chief Officer - Governance, to agree participation by the North East Scotland Pension Fund in securities litigation.
37. To write off debt related to the North East Scotland Pension Fund, in accordance with the ACC Financial Regulations.

CHIEF OFFICER - CAPITAL

1. To deliver the Council's Capital Programme ("the Capital Programme"), including the Council's Non-Housing Capital Plan (NHCP) and the Council's Housing Capital Plan (HCP).
2. To maintain and oversee a governance structure for the delivery of the Capital Programme.
3. To ensure a governance framework is in place through which all projects in the Capital Programme will be evaluated and prioritised for development and delivery, subject to any appropriate Council or committee approval.
4. To ensure appropriate resources are in place to deliver the Capital Programme and, where necessary, to commit resources as required for such delivery.
5. Following consultation with the Chief Officer - Finance, the Chief Officer - Governance, the Leader of the Council and the Convener of the City Growth and Resources Committee, to allocate funds from the Construction Inflation budget for project management and other costs relating to the Capital Programme.
6. To make any necessary financial, legal and technical decisions in relation to construction projects, following the receipt of professional advice where appropriate and provided that sufficient budgetary provision exists to cover any cost involved.
7. To audit, assess and review the progress, quality and management of projects within the Capital Programme.
8. To report progress on the Capital Programme to the Corporate Management Team (CMT), elected members and the relevant committee, as appropriate.
9. Following consultation with the Director of Resources, to approve project proposals and outline business cases for potential capital projects to move to business case development.
10. Following consultation with the Director of Resources, to approve the business cases for new capital projects for onward submission to the relevant committee.
11. Following consultation with the Director of Resources, to consider and approve project change requests and authorise consequent amendments to key project criteria provided that sufficient budgetary provision exists to cover any cost involved.
12. To approve the allocation of external funding to individual projects.

CHIEF OFFICER - PEOPLE AND ORGANISATION

1. To approve and arrange for the application of all matters which conform to the national conditions of service and local conditions of service of all categories of employees of the Council, or in the opinion of the Chief Officer - People and Organisation are minor variations acceptable to management, the employee and trade unions as appropriate.
2. Following consultation with the relevant Chief Officer, to create fixed term jobs within the Council where the duration of the contract is linked to available funding, including all costs. These positions will be filled in accordance with Council recruitment procedures.
3. To put in place arrangements for the appointment of Head Teachers and Depute Head Teachers in accordance with Council policy and the Parental Involvement in Head Teacher and Depute Head Teacher Appointments (Scotland) Regulations 2007.
4. To authorise requests for the extension of either full or half sickness allowance, including teachers, in exceptional circumstances following consultation with the relevant Chief Officer and where the costs of this extension can be met from within existing service budgets.
5. Following consultation with the Chief Executive, to approve applications for Voluntary Severance and Early Retirement for officers at Tier 3 and below. Applications from officers above Tier 3 should only be approved following consultation with the Chief Executive and the Leader of the Council.
6. To implement pay awards.
7. To approve, following consultation with the Convener of the City Growth and Resources Committee, minor changes to the equal pay and modernisation scheme or the buy-out of existing protective terms and conditions on the basis that any such change would be within budget.
8. To make non-material amendments to human resources policies where such amendments have been consulted on and agreed with recognised trade unions.
9. Following consultation with the Chief Executive and Chief Officer - Governance, to authorise a settlement agreement with an employee at Tier 3 or below, including in relation to his/her leaving the Council's employment. Settlement agreements with employees above Tier 3 can only be authorised following consultation with the Chief Executive, Chief Officer - Governance and the Leader of the Council.
10. To act as the representative of the Council when in negotiation with, and in statutory consultation with, trade unions.

CHIEF OFFICER - CORPORATE LANDLORD

Assistance to Local Industry

1. To discuss and negotiate, on a without prejudice basis, proposals and developments in terms of land transactions, premises and finance (following consultation with the Chief Officer - Finance) by way of assistance to local industry.

Proposals for Council-owned Property

2. To discuss and negotiate, on a without prejudice basis, proposals and developments for Council-owned property.
3. Following consultation with the Chief Officer - Governance, to make arrangements for the referral of compensation disputes to arbitration or the Lands Tribunal.
4. To declare property surplus to the requirements of the Council following consultation with service users.

Lease Management

5. To grant or decline applications for landlord's consent on terms and conditions reflecting market practice and the Council's interest including the charging of fees for the granting of landlord's consent.
6. To instruct the Chief Officer - Governance to pursue the irritancy of leases provided that the Chief Officer - Governance is satisfied that there are grounds for doing so.
7. To approve assignments or sub-leases either in whole or in part incorporating terms as necessary to protect the Council's interest.
8. To approve the grant of new leases and extensions and variations of existing leases, to agree rent reviews and terminations in respect of such leases and otherwise to attend to the general management of land and property in the Council's ownership, including the advertising of property for sale or lease.
9. Following consultation with the Chief Officer - Governance, to make arrangements for referral of a disputed revised rent or other dispute to arbitration in accordance with the terms of the lease in question.
10. To approve new leases to the Council from third parties and extensions and variations of existing leases from third parties, to agree rent reviews and terminations in respect of such leases, and to otherwise attend to the general management of land and property leased to the Council. This is on condition that terms and conditions for new leases of 21 years and over

are submitted to a relevant committee for approval.

11. To negotiate appropriate terms and conditions for the amendment of ground leases in cases where tenants are seeking landlord's consent for a partial sub-lease.
12. Following consultation with the Chief Officer - Governance, to alter/waive (in whole or in part) commercial rents in response to economic downturn subject to the Disposal of Land by Local Authorities (Scotland) Regulations 2010 and annual reporting to the relevant Committee.

Other Dealings with Land

13. Following consultation with the relevant service and the Leader of the Council, to decline offers to purchase Council land or property and offers to sell land or property to the Council.
14. To instruct the Chief Officer - Governance to acquire or sell land or property where the purchase or disposal price is less than £250,000 provided that such sale or acquisition represents the land or property's market value.
15. To authorise the granting of standard securities and charges in favour of the Council and the discharge of such standard securities and charges.
16. To instruct the Chief Officer - Governance to grant wayleaves and servitudes over any Council-owned property.
17. To pay statutory disturbance and home loss payments where appropriate in terms of the Land Compensation (Scotland) Acts.

Adoption of Amenity Areas

18. Following consultation with the Chief Officer - Operations and Protective Services, to adopt amenity areas subject to the areas being brought up to a standard suitable for adoption and the owners paying the Council a capitalised maintenance charge.

Rateable Values

19. Following consultation with officers within the relevant service, to make representations on, negotiate and agree Rateable Values for properties where there is a Council interest as proprietor, tenant or occupier, in relation to any Valuation Notice served on the Council.

Planning Representations

20. To make representations on the Council's behalf to the Chief Officer - Strategic Place Planning for submission to the Planning Development Management Committee, in situations where notice has been served on the Council as a party having a notifiable interest in neighbouring land which is subject to a planning application.

Replacement of Warm Air Heating Systems

21. To approve applications, based on medical need, to replace warm air heating systems with conventional heating systems.

Community Empowerment (Scotland) Act 2015

22. Following consultation with the Chief Officer - Governance, to administer the Council's Common Good Register as required under the Community Empowerment (Scotland) Act 2015.
23. To process and determine applications under the Community Empowerment (Scotland) Act 2015 to purchase or lease land owned by the Council, subject always to the duty to carry out a review of a case under section 86(2) being discharged by the relevant committee.

Education and Cultural Property

24. To provide, maintain and equip schools and other buildings (section 17 of the Education (Scotland) Act 1980).
25. To deal with the use of educational premises for licensed functions.
26. To grant or refuse any application for a let of Education property.
27. To make the necessary financial, legal and technical decisions based on professional advice in relation to capital and revenue based school building and refurbishment projects and provided that sufficient budgetary provision exists to cover any cost involved.
28. To oversee budgets associated with the Council's scheme of Devolved School Management.
29. To grant applications for permission to use accommodation within the Art Gallery, Provost Skene's House and the Maritime Museum on the usual terms, conditions and charges. However, the Chief Officer - Corporate Landlord will refer to the relevant committee for decision any application which s/he is not prepared to grant or where s/he wishes to make a material change to the usual terms, conditions and charges.

Housing Revenue Account (HRA) - Asset Management and Repairs

30. To approve or decline applications from tenants of Council houses for:

- (a) erection of lock-up garages;
- (b) installation of car runways;
- (c) erection of boundary enclosures including walls, fences, gates, etc.;
- (d) erection of outbuildings including, but not limited to, garden sheds, greenhouses and pigeon lofts;
- (e) external alterations and additions to houses including, but not limited to, enclosures of verandas, erection of satellite dishes, replacement of external doors and replacement windows; and
- (f) internal alterations and additions to houses including, but not limited to, replacement of sink units, kitchen fitments and bathroom suites, installation of bathroom showers, central heating, removal of internal coal cellars, removal of coal fires and installation of alternative forms of heating, and electrical rewiring and upgrading.

31. To arrange for payments to be made in terms of section 29 of the Housing (Scotland) Act 2001 to Council tenants at the termination of a Scottish secure tenancy in respect of improvements carried out by them, including the construction of garages, during the currency of the tenancy, with the consent of the Council, in terms of Council policy.

32. To determine, following consultation with the Chief Officer - Finance, such annual increase, if any, as may be required in licence fees, registration fees, and the other charges as may be determined by the appropriate committee.

33. To arrange for payments to be made in terms of section 234 of the Housing (Scotland) Act 1987 where a tenant is required to remove from their house in order to facilitate the carrying out of repairs or where the Chief Officer - Corporate Landlord in the exercise of his/her delegated powers arranged for the provision of temporary or permanent re-housing to tenants in houses which are affected by a modernisation scheme.

34. Following consultation with the Chief Officer - Early Intervention and Community Empowerment, to authorise Area Housing Managers to either terminate or continue within the various categories of tenancy and to grant or decline future applications from organisations to lease Council-owned properties.

35. To instruct the carrying out at the Council's expense of works necessary to comply with notices and orders served by the Council in terms of the Housing (Scotland) Act 1987 and the Housing (Scotland) Act 2006 and to take appropriate action to recover the costs from the parties concerned.

36. To grant or decline applications for retrospective Landlord's consent

in relation to work carried out by a tenant in connection with section 28 of the Housing (Scotland) Act 2001, but on condition that all other statutory consents and approvals are retrospectively obtained.

37. To serve on the owners concerned, on the instruction of the Director of Resources, Demolition Orders, Revocation of Demolition Orders or Closing Orders in circumstances where properties have been restored to the tolerable standard.

38. To serve Closing Orders on vacant Below Tolerable Standard dwellings as may be instructed by the Director of Resources.

39. To act as the Responsible Person for the purposes of section 3 of the Property Factors (Scotland) Act 2011.

Sales of Property

40. To instruct the Chief Officer - Governance to dispose of individual properties following a value for money appraisal where this option is considered by the Chief Officer - Corporate Landlord to be the most appropriate for the Housing Revenue Account, subject to (a) market value being achieved; and (b) consultation with ward members on the proposals.

41. Relative to the sale of Council houses under the Housing (Scotland) Act 1987, to decide whether to pursue recovery of any proportion of discount remaining repayable, following the sale of the house by a creditor following upon the default of the borrower.

CITY GROWTH AND PLACE PLANNING

CHIEF OFFICER - STRATEGIC PLACE PLANNING

The powers delegated below take account of the fact that all planning applications which come within the category of “Local Development”, as defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, are dealt with under a separate Scheme of Delegation prepared in accordance with the provisions of section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) - this is contained at Appendix 2.

1. The Chief Officer - Strategic Place Planning or any appropriate person nominated by him/her for the purpose (that Chief Officer and any such appropriate person hereinafter referred to as the “Appointed Officer”) has the following delegated powers:

To determine applications for:

- planning permission (including planning permission in principle) and
- applications for the approval of consent, agreement or approval required by a condition imposed on a grant of planning permission or planning permission in principle

All in respect of applications falling within the category of “major development” as defined within the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 **except** where that application:-

- (i) has been made by or on behalf of;
 - (a) an elected member of the Council or a member of staff employed within the Strategic Place Planning function of the planning authority; or
 - (b) the Chief Executive or any other member of the Corporate Management Team of the planning authority,- all as determined from the contents of the application form;
- (ii) requires to be the subject of formal notification to the Scottish Ministers as defined in the Schedule to the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 (or any other Scottish Government Direction);
- (iii) is an Environmental Impact Assessment (EIA) application for which a validated EIA has been submitted;
- (iv) is being recommended for approval and has been the subject of formal timeous objection by the local Community Council within whose area the application site falls;
- (v) is being recommended for approval and has been the subject of six or more timeous letters of representation (following advertisement and/or notification) that express objection or concern about the proposal;
- (vi) is being recommended for approval and has been the subject of formal objection from the Roads Authority or the Council’s Environmental Health service;

- (vii) is being recommended for approval and is considered by the Appointed Officer to be contrary to the adopted development plan strategy.
2. Under the terms of section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended) and section 69 of the Local Government (Scotland) Act 1973, in relation to applications for major developments, and following consultation with the Chief Officer - Governance, to:
 - (a) negotiate and conclude legal agreements related to planning and other related applications decided by the Appointed Officer;
 - (b) negotiate and conclude legal agreements related to planning and other related applications decided by Full Council, committee or Scottish Ministers provided the Appointed Officer considers such agreements to be in accordance with the original decision on the application;
 - (c) determine applications for Modifications or Discharge of Planning Obligations under section 75A in relation to planning applications determined by the Appointed Officer
 - (d) to participate in the promotion and development of Good Neighbour Agreements under section 75D.
 3. To determine, following consultation with the Chief Officer - Governance, the Convener of the Planning Development Management Committee and the Business Manager, whether to appeal a decision of the Scottish Ministers which overturned or modified a decision of the committee or Full Council and thereafter, if applicable, to instruct the making of such an appeal.
 4. To determine planning and other applications given a willingness to approve at the Planning Development Management Committee and for which Section 75 Agreements are not completed or developer obligations are not paid within 6 months of the date on which the committee agreed a willingness to approve.
 5. To determine applications for Listed Building consent and Conservation Area consent subject to any of the applicable exceptions contained in paragraph 1 above and provided that the Scottish Ministers, if notified, have either made no observations or where observations have been made which can competently be made the subject of appropriate planning conditions, to determine these applications with those conditions attached.
 6. To determine Hazardous Substance Consent applications under the Planning (Hazardous Substances) (Scotland) Act 1997 and the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015.
 7. To determine whether planning or other applications that have been lodged or pre-application proposals require planning or other consent.
 8. To determine requests for non-material variation of major and national planning applications in terms of section 64 of the Town and Country Planning (Scotland) Act 1997 (as amended).

9. To issue planning consents where Full Council or any relevant committee of the Council are minded to grant a development and the Scottish Ministers, having been notified, indicate no objections or intention to intervene, or the period for so indicating has expired.
10. To deal with Proposal of Application Notices in terms of section 35B of the Town and Country Planning (Scotland) Act 1997 (as amended) and Pre-Application Screening Notices in terms of section 35A(3) of that Act.
11. To determine applications for advertisement consent.
12. To determine, in accordance with the applicable Environmental Impact Assessment Regulations, whether or not a particular planning application requires to be supported by an Environmental Statement (Screening Opinion) and the scope of any such Statement (Scoping Opinion).
13. To determine applications related to Prior Notification or Prior Approval made under the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 Schedule 1 for the following:
 - i. Part 1A - Class 6G: Free standing wind turbine within the residential curtilage;
 - ii. Part 1B - Class 6K and 6L: Biomass facilities on agricultural or forestry land;
 - iii. Part 6 - Class 18: Agricultural buildings;
 - iv. Part 7 - Class 22: Forestry buildings and operations;
 - v. Part 13 - Class 39 and 40: Public gas transporters and electricity undertakings;
 - vi. Part 20 - Class 67: Development by electronic communications code operators;
 - vii. Part 23 - Class 70: Demolition of buildings;
 - viii. Part 24 - Class 71: Toll road facilities;
 - ix. Any other types of prior notification or prior approval that might come forward in future amendments to the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 Schedule 1.
14. To determine Certificates of Lawfulness under the Town and Country Planning (Scotland) Act 1997 (as amended) where, in the opinion of the Appointed Officer, there is no reasonable doubt that the use or development is or would be:-
 - lawful without further planning approval; or
 - unlawful
15. To give, serve, issue and sign the following notices, all under the Town and Country Planning (Scotland) Act 1997 (as amended), following consultation with the Chief Officer - Governance:
 - Notices under section 33A requiring an Application for Planning Permission for a Development already carried out;
 - Planning Contravention Notices under section 125;
 - Stop Notices under section 140;

- Temporary Stop Notices under section 144A;
 - Breach of Condition Notices under section 145;
 - Fixed Penalty Notices under section 136A;
 - Completion Notices under section 61;
 - Notices in terms of Land Adversely Affecting the Amenity of Neighbourhood under section 179
16. To instruct applications for interdict in terms of section 146 of the Town and Country Planning (Scotland) Act 1997 (as amended) in order to restrain breaches of planning control.
 17. To develop and maintain a Development Management Charter and Enforcement Charter under section 158A of the Town and Country Planning (Scotland) Act 1997 (as amended).
 18. To take, following consultation with the Chief Officer - Governance, any necessary enforcement action in respect of unauthorised advertisements, poster panels (hoardings) or fly posting.
 19. To make an order to revoke or modify planning permission where any owner, lessee or occupier of land affected, or such other person who in the opinion of the Appointed Person will be affected by the order, have notified the planning authority in writing that they do not object to the order under sections 65 and 67 of the Town and Country Planning (Scotland) Act 1997 (as amended).
 20. To determine all applications for Certificates of Appropriate Alternative Development under section 25 of the Land Compensation (Scotland) Act 1963.
 21. To issue a deemed refusal under section 39 of the Town and Country Planning (Scotland) Act 1997 (as amended) where, in the opinion of the Appointed Officer, a similar application has been refused within the previous 2 years and there has been no significant change in the relevant parts of the development plan or other material considerations since the last decision.
 22. To grant or refuse applications to fell, lop or top trees protected by Tree Preservation Orders or by virtue of their inclusion within Conservation Areas.
 23. To approve the making, signing, serving and confirmation of provisional Tree Preservation Orders.
 24. To determine applications for the serving of High Hedge notices, to vary or revoke such notices and to take enforcement action to ensure compliance with such notices.
 25. To make observations on behalf of the planning authority on routine proposals by statutory undertakers.
 26. To make observations on behalf of the planning authority to consultation requests from Aberdeenshire Council in respect of applications for

development in Aberdeenshire.

27. To make observations on behalf of the planning authority on consultation requests from Marine Scotland in respect of development applications.
28. To prepare Habitat Regulation Appraisals (HRAs) as required under the EU Habitats Directives.
29. To make any necessary changes to the wording of the development plan, prior to adoption, where those changes are drafting matters or other matters of a minor nature which do not materially affect any policy or proposal in the plan.
30. To make any necessary changes to the wording of supplementary planning guidance, where those changes are drafting or technical matters or other matters of a minor nature which do not materially affect the substance or effect of the guidance.
31. To implement arrangements for traffic management or related street furniture.
32. To promote the construction of new roads and infrastructure schemes where the scheme is included in the Regional Transport Strategy, Local Transport Strategy, Structure Plan/Strategic Development Plan and Local Plan/Local Development Plan and associated budget.
33. To act as verifier for the purposes of the Building (Scotland) Act 2003 and to exercise the following functions of the Council under that Act:
 - Building Warrant Applications
 - Accept/Reject Completion Submissions
 - To grant extensions to life of building warrants and to the periods of use of buildings intended to have a limited life provided such requests are reasonable
34. To act as local authority for the purposes of the Building (Scotland) Act 2003 and to exercise the following functions of the Council under the Act:
 - Dangerous Building Notices
 - Defective Building Notices
 - Enforcement Notices
35. To determine Raised Structures applications under section 89 of the Civic Government (Scotland) Act 1982.
36. To determine Planning & Building Standards Certificates under section 50 of the Licensing (Scotland) Act 2005.
37. To comment on behalf of the Council on Notices of Requirements served by the Firemaster under the Fire (Scotland) Act 2005.
38. To initiate Temporary and Permanent Stopping Up Orders and Right of Way Diversion Order procedures under the Town and Country Planning (Scotland)

Act 1997

39. To approve the making, signing and serving of any notices and orders in relation to public rights of outdoor access in terms of the Land Reform (Scotland) Act 2003 and other relevant legislation.
40. To maintain a list of adopted core paths and aspirational core paths and review that list when appropriate, as the Appointed Officer sees fit.
41. To construct, alter, widen, improve or renew adopted core paths and aspirational core paths within approved budgets, including power to maintain.
42. To grant construction consent for new private roads, to determine the value of security to be lodged and arrange for their adoption in terms of the appropriate legislation; and, in the event that construction proceeds in the absence of such security, to instruct enforcement action.
43. To allocate funds to projects funded by developer contributions, following consultation with the Chief Officer - Finance.
44. Following consultation with the Convener of the Operational Delivery Committee and relevant ward members, to carry out the functions of the Council under section 97 of the Civic Government (Scotland) Act 1982, including naming any street or road, altering an existing name and giving each of the premises in it such distinguishing number as thought fit, subject to the Chief Officer - Strategic Place Planning being satisfied that any proposed name is not contentious.
45. To agree with the Scottish Government replacement projects from the approved Strategic Housing Investment Plan (SHIP) to the Strategic Local Programme Agreements.

Definitions

A “*timeous objection*” from the Community Council means any written representation - stating explicitly that it is objecting - received from the Community Council within whose area the application is located either:-

- (i) no later than 3 full days after the expiry of the time period specified for representations to be made following the date of notification or, if applicable, advertisement of the application (whichever is the later);
or
- (ii) later than a date agreed in writing with the planning authority prior to expiry of the period in 1(i) above.

A “*timeous letter of representation*” means

- (i) any written electronic representation, or hardcopy hand delivered, representation received on or before the expiry of the time period specified for representations to be made following the date of notification or, if applicable, advertisement of the application (whichever is the later); or
- (ii) any hardcopy representation received via the postal service (i.e. Royal Mail) no later than 3 full days after the expiry of the time period specified for representations to be made following the date of notification or, if applicable, advertisement of the application (whichever is the later).

“Letter of representation” is to be construed in light of the following:

- if more than one representation is submitted from a single individual or a single e-mail address, this only counts as one representation
- a single letter with a number of signatures from one postal address counts as only one representation
- a petition (i.e. the same comment or letter submitted on behalf of and signed by multiple individuals from the same or different addresses) is counted as one representation
- a representation will only be counted if it is from a specified e-mail address or street address and from a specified individual(s)

Culture

1. To purchase any works of art or museum exhibits within any such financial limits as may be set by the Council.
2. To make bookings for exhibitions, recitals and other cultural events within the city within any such financial limits as may be set by the Council.
3. To grant permission to reproduce works of art in approved publications and to impose an appropriate charge.
4. Following consultation with the Head of Commercial and Procurement Services, to grant loans of items from the collections held by the Council to outside bodies.
5. To apply for any and all necessary licenses to ensure the delivery of catering and hospitality services (alcohol, public entertainment) under the relevant licensing legislation.

Economic Development

6. To negotiate on behalf of the Council with existing and prospective investors in relation to all forms of economic activity in the city.
7. To investigate and secure sources of external funding and negotiate appropriate partnerships where required.
8. To identify and develop partnerships with other bodies and companies who can contribute to the city's economic development.
9. Following consultation with the Head of Commercial and Procurement Services, to make a financial contribution to the activities described in powers 6 to 8 immediately above by way of loans or grants, in accordance with any criteria approved by the relevant committee.
10. To negotiate on behalf of the Council with prospective events, conference organisers and third party funders in relation to attracting events/conferences to the city that contribute to the Council's economic priorities.
11. Following consultation with the Chief Officer - Finance and the Head of Commercial and Procurement Services, to award subvention funding up to a maximum of £200,000 per annum to support the venue operator appointed by Aberdeen City Council to attract new business events to the Aberdeen Exhibition & Conference Centre and the new Aberdeen arena, as per the contractual agreements in place.

GOVERNANCE

CHIEF OFFICER - GOVERNANCE

General Legal/Governance

- 1) Following consultation with the Chief Officer - Finance and/or the Head of Commercial and Procurement Services, where applicable, and the Business Manager, to amend the Council's Scheme of Governance documentation to:
 - correct obvious, technical or clerical errors;
 - reflect the law (including changes to the law), government guidance, regulators' guidance and other Council policies; and
 - take account of any changes to names or titles and to make any other minor or consequential amendments.
- 2) To designate any Manager, Team Leader or Solicitor within the Governance function to perform appropriate functions of the Chief Officer - Governance.
- 3) To act as Monitoring Officer and nominate a Deputy Monitoring Officer, in terms of section 5 of the Local Government and Housing Act 1989.
- 4) To engage, instruct or appoint external legal advisers (including, but not limited to, private firms, counsel and solicitor advocates) and expert witnesses.
- 5) To raise, defend, conduct, enter into, appear in, withdraw or abandon any court, tribunal or other legal proceedings on behalf of the Council and/or the Licensing Board and/or such other bodies as the Council may from time to time determine (or otherwise attend to the interests of the Council, the Licensing Board or the body in question in relation to any such proceedings), with the authority to:
 - settle or compromise any such proceedings;
 - instruct the enforcement of any orders or decrees obtained in any such proceedings;
 - accept service of any document in connection with any such proceedings; and
 - take any other action in relation to any such proceedings as s/he considers appropriate.
- 6) To finalise the membership of committees and sub committees, where compositions have been agreed by Council or committee, upon notification of names from members; this shall include making changes to the membership of committees and sub committees upon notification from members providing the agreed composition does not change.
- 7) To finalise appointments to outside bodies, where compositions have been agreed by Council or committee, upon notification of names from members, and notify outside bodies accordingly; this shall include making changes to appointments to outside bodies upon notification from members providing the

agreed composition does not change. This shall not apply where named appointments are required to be made by Council.

- 8) To maintain the Council's Register of Outside Bodies.
- 9) To make minor amendments to the Constitution for Community Councils and amend the population figures for Community Council areas on an annual basis.
- 10) To act as the nominated representative of the Council (as data controller) and as the Council's Data Protection Officer, all in terms of the Data Protection Act 1998, the General Data Protection Regulation (GDPR), any other relevant legislation and any relevant Council policy and procedures; and to approve, implement and amend procedures relating to data protection and the GDPR.
- 11) To oversee compliance with any Council policy or procedure on fraud, bribery or corruption.
- 12) To exercise all powers assigned to the Monitoring Officer under any Council policy or procedure.
- 13) To be responsible for the safe custody of the title deeds of all land and property in the ownership of the Council, the Minutes and other records of the proceedings of the Council, its committees and sub committees and all other records belonging or relating to the Council which are not more appropriately retained by another Chief Officer. This responsibility may be exercised by arrangement with any other local authority or authorities.
- 14) To refer matters to external bodies, including (but not limited to) Police Scotland and the Crown Office and Procurator Fiscal Service, where he/she considers it appropriate to do so.
- 15) To appoint authorising officers in terms of the Regulation of Investigatory Powers (Scotland) Act 2000 ("RIPSA"), subject always to the terms of the Regulation of Investigatory Powers (Prescription of Offices, etc. and Specification of Public Authorities) (Scotland) Order 2010 and any such appointee having already undertaken RIPSA training.
- 16) To appoint designated persons in terms of Part I, Chapter II (Acquisition and Disclosure of Communications Data) of the Regulation of Investigatory Powers Act 2000, subject to any such appointee having already undertaken appropriate training.
- 17) To appoint non-Council employees as officers of the Council.
- 18) To maintain and amend the Council's lists of proper officers and statutory appointees.

Pensions

19) To enter into, on behalf of the Council, all agreements and other documents concerning the administration of the North East Scotland Pension Fund, including but not limited to:

- investment management agreements;
- limited partnership agreements;
- admission agreements;
- bond documentation;
- tender documentation;
- side letters;
- powers of attorney;
- forms of adherence;
- forms of due diligence; and
- tax documentation

where authorised to do so by the Chief Officer - Finance or an officer nominated by the Chief Officer - Finance for this purpose.

Licences, Civic Government (Scotland) Act 1982 etc.

- 20) To act as, or appoint, a Clerk to the Licensing Board; and to appoint a Depute Clerk to the Licensing Board to exercise the powers of the Clerk to the Licensing Board.
- 21) To authorise officers to exercise the powers (including, but not limited to, entry and inspection) contained within section 5 of the Civic Government (Scotland) Act 1982 and paragraph 20 of Schedule 2 to the Civic Government (Scotland) Act 1982.
- 22) In relation to applications for the grant, variation or renewal of licences, orders, permits and registrations under the Civic Government (Scotland) Act 1982 and its associated regulations, the Theatres Act 1968, the Cinemas Act 1985 and the Deer (Scotland) Act 1996, to:
- (i) determine such applications;
 - (ii) refuse to accept incompetent applications; and
 - (iii) impose conditions which are non-contentious and agreed by all parties, except where valid objections or representations in respect of the application have been received and have not, in the opinion of the Chief Officer - Governance, been withdrawn or satisfactorily addressed or resolved.
- 23) To deem an application for the renewal of a licence under Part II of the Civic Government (Scotland) Act 1982 made up to 28 days after the expiry of the licence to be an application made before the date of expiry.
- 24) To authorise officers within the Governance function to inspect and test vehicles and taximeters in terms of section 11 of the Civic Government (Scotland) Act 1982.
- 25) To authorise officers to carry out inspection and enforcement functions in relation to knife dealers' licences in terms of sections 27E, 27F and 27G of the Civic Government (Scotland) Act 1982.

- 26) To authorise the immediate temporary suspension of licences under the Civic Government (Scotland) Act 1982 without a hearing where there is or is likely to be a serious threat to public order or public safety.
- 27) To approve vehicles which comply with the specification for licensing as wheelchair accessible taxis.
- 28) To authorise officers to exercise powers of entry to, and inspection of, sports grounds as defined by section 11 of the Safety of Sports Grounds Act 1975.
- 29) To determine requests for film classification under the Cinemas Act 1985 where a U or PG certificate is sought.

Stock Exchange Bonds

- 30) To develop and maintain Insider Lists in connection with any stock exchange bonds issued by the Council.
- 31) To take or instruct any other actions which may be required in order to ensure the Council's compliance with any law, regulations, guidance, codes or stock exchange requirements relating to any stock exchange bonds issued by the Council.

Schools/Education

- 32) To make arrangements for the clerking of the School Placings and Exclusions Appeals Committee.
- 33) To reject school placing appeals and exclusion appeals which s/he considers are not competent.
- 34) To appoint external members to the pool of members for the School Placings and Exclusions Appeals Committee who fall into the following categories, subject to their attendance at a training session and a clear PVG check being returned:
 1. parents of children of school age;
 2. people who, in the opinion of the Chief Officer - Governance, have experience in education; or
 3. people who, in the opinion of the Chief Officer - Governance, are acquainted with the educational conditions in the area of the Council.
- 35) To institute proceedings on behalf of the Council as Education Authority in terms of section 43 of the Education (Scotland) Act 1980.

Legal Documentation

- 36) To sign (and to authorise officers to sign) deeds, contracts, agreements, notices, orders and other documents to which the Council is a party, such signing to be in

accordance with any relevant legislation.

37) To enter into, vary, extend or terminate any contract, agreement, protocol, memorandum of understanding or other legal document (or to arrange for any of these things to be done) in circumstances where, following consultation with the relevant Chief Officer, s/he is satisfied that it is in the interests of the Council to do so.

Civic Administration

38) To authorise the Lord Provost whom failing the Depute Provost to incur expenditure to meet the expenses of his/her office on the provision of reasonable hospitality, whether within or outwith the city, to representatives of other authorities, organisations, members of the Council or others.

CHIEF OFFICER OF THE ABERDEEN CITY INTEGRATION JOINT BOARD

(also referred to and known as the Chief Officer of the Aberdeen Health and Social Care Partnership)

- 1) To facilitate and implement Directions issued to Aberdeen City Council from the Integration Joint Board, on the instruction of the Chief Executive of Aberdeen City Council and in accordance with the requirements of the ACC Procurement Regulations.
- 2) To take necessary steps to discharge the Council's duties under the following legislation: *Social Work (Scotland) Act 1968, the Children (Scotland) Act 1995, the Social Care (Self-directed Support) (Scotland) Act 2013, the Children and Young People (Scotland) Act 2014, The Mental Health (Care and Treatment) (Scotland) Act 2003, the Adult Support and Protection (Scotland) Act 2007 and the Adults with Incapacity (Scotland) Act 2000.*
- 3) To comply with the 'Duty of local authority to assess needs'. Legislative Reference: *section 12(A) Social Work (Scotland) Act 1968, and amended under the National Health Service and Community Care Act 1990.*
- 4) To arrange for the protection of property of people who have gone into hospital or care. Legislative reference: *section 48 of National Assistance Act 1948.*
- 5) To provide domiciliary services where assessed as required. Legislative Reference: *section 14 of the Social Work (Scotland) Act 1968 [NB term domiciliary services replaced 'home help' within NHS & Community Care Act 1990].*
- 6) To bury or cremate any person over the age of 18 who was in the care of or receiving help from the Council immediately before their death. Legislative Reference: *section 28 of the Social Work (Scotland) Act 1968.*
- 7) To recover expenses from the estate of the deceased person or from any person who was liable to maintain the deceased person immediately before their death expenses incurred. Legislative Reference: *section 28 of the Social Work (Scotland) Act 1968.*
- 8) To make expenses payments to parents, relatives or other connected persons in respect of visiting a person, in the care of the authority or receiving assistance from the authority, and in the same financial circumstances to assist persons to attend the funeral of a person in the care of the authority. Legislative Reference: *section 29 of the Social Work (Scotland) Act 1968 as amended by paragraph 15(13) of Schedule 4 of the Children (Scotland) Act 1995.*

- 9) To recover or impose any charges for services provided. Legislative Reference: *section 87 and section 78A of the Social Work (Scotland) Act 1968, or under and by virtue of section 16, section 18 of the Social Care (Self-directed Support) (Scotland) Act 2013, or under and by virtue of section 28 of the Mental Health (Care and Treatment) (Scotland) Act 2003.*
- 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. Legislative Reference: *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 information on Adult Social Care services and any relevant services of other authorities or organisations. Legislative Reference: *section 1 of the Chronically Sick and Disabled Persons Act 1970.*
- 12) To provide services to chronically sick and disabled persons. Legislative Reference: *section 2 of the Chronically Sick and Disabled Persons Act 1970.*
- 13) To assess the ability of carers to provide care. Legislative Reference: *section 12A of the Social Work (Scotland) Act 1968. [Will be amended by the Carers (Scotland) Act]*
- 14) To have the power to enact the 'Options for Self-Directed Support', including make Direct Payments. Legislative Reference: *Social Care (Self-directed Support) (Scotland) Act 2013.*
- 15) To oversee the general functions under the *Adults with Incapacity (Scotland) Act 2000*:
- (a) to supervise a guardian appointed with functions relating to the personal welfare of an adult in the exercise of those functions;
 - (b) to consult the Public Guardian and the Mental Welfare Commission on cases or matters relating to the exercise of functions under this Act in which there is, or appears to be, a common interest;
 - (c) to receive and investigate any complaints relating to the exercise of functions relating to the personal welfare of an adult made -
 - i. in relation to welfare attorneys;
 - ii. in relation to guardians or persons authorised under intervention orders;
 - (d) to investigate any circumstances made known to them in which the personal welfare of an adult seems to them to be at risk;
 - (e) to provide a guardian, welfare attorney or person authorised under an intervention order, when requested to do so, with information and advice in connection with the performance of his functions in relation to personal welfare under this Act.
- 16) 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. Legislative Reference: *section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003.*

- 17) To make arrangements for the exercise by the Council of its functions in respect of persons subject to guardianship. Legislative Reference: *Adults with Incapacity (Scotland) Act 2000*.
- 18) To make arrangements for the provision of any ancillary or supplementary services. Legislative Reference: *Mental Health (Care and Treatment) (Scotland) Act 2003*.
- 19) 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. Legislative Reference: *Mental Health (Scotland) Act 1984*.
- 20) To appoint Mental Health Officers. Legislative Reference: *section 32 of the Mental Health (Care and Treatment) (Scotland) Act 2003*.
- 21) To receive patients who have attained the age of 16 years into guardianship. Legislative Reference: *section 57 of the Adults with Incapacity (Scotland) Act 2000*.
- 22) To provide or secure the provision of suitable training and occupation for persons suffering from mental handicap who are over school age. Legislative Reference: *Education (Scotland) Act 1980 in terms of the Mental Health (Scotland) Act 1984*.
- 23) 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. Legislative Reference: *sections 33 and 35 of the Mental Health (Care and Treatment) (Scotland) Act 2003*.
- 24) 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 make arrangements for the supervision and provision of services for people who are the subject of Compulsory Treatment Orders whether community or hospital based; and
 - (d) to make arrangements for provision of any ancillary or supplementary services.
- 25) To apply for orders for the purpose of removing people in need of care and attention to suitable premises. Legislative Reference: *section 35 of the Mental Health (Care and Treatment) (Scotland) Act 2003 and section 14 of the Adult Support and Protection (Scotland) Act 2007*.

- 26) To make provision for the safeguarding of vulnerable adults. Legislative Reference: *Adult Support and Protection (Scotland) Act 2007*.
- 27) To supervise persons subject to a Community Payback Order, Unpaid Work Order, or release from prison related Order and to provide the necessary social background reports and other reports to the Court. Legislative Reference: *The Management of Offenders etc. (Scotland) Act 2005*.
- 28) To provide supervision for the purpose of assisting and advising an offender in regard to payment of a fine. Legislative Reference: *section 217 of the Criminal Procedure (Scotland) Act 1995*.
- 29) To supervise people placed on a Supervised Attendance Order for default of a fine. Legislative Reference: *section 235, 236 or 237 of the Criminal Procedure (Scotland) Act 1995*.
- 30) To supervise people placed on a Drug Treatment and Testing Order. Legislative Reference: *sections 89-95 of the Crime and Disorder Act 1998*.
- 31) To jointly establish arrangements with other Responsible Authorities for the assessment and management of the risks posed by certain high risk offenders. Legislative Reference: *section 10 of the Management of Offenders etc. (Scotland) Act 2005*.
- 32) To provide a throughcare service to prisoners during their period of imprisonment and who will be subject to supervision following release. Legislative Reference: *section 71 of the Criminal Justice (Scotland) Act 2003*.
- 33) To jointly, with Scottish Ministers, establish arrangements for the assessment of management of the risks posed by custody and community prisoners. Legislative Reference: *section 9 of the Custodial Sentences and Weapons (Scotland) Act 2007*.
- 34) In conjunction with the Director of Commissioning, to monitor the performance of any contract for the provision of Health and Social Care facilities services, or both, on the Council's behalf.
- 35) To authorise the provision of aids and adaptations for the homes of people with disabilities within the approved budget available for the purpose and in accordance with approved policies.
- 36) To take, or arrange for the taking of, any action necessary to comply with health and safety legislation and to appoint officers to undertake health and safety functions.

APPENDIX 1 - PROPER OFFICERS AND STATUTORY APPOINTEES

PROPER OFFICERS

The undernoted officers are appointed to act as Proper Officer for the following purposes:

Legislation	Function	Officer
Any other legislation (not included in the below list) which requires certain functions to be exercised by a Proper Officer		<ul style="list-style-type: none"> • Chief Executive
Local Government (Scotland) Act 1973 Section 33A	Councillors' declaration of acceptance of office	<ul style="list-style-type: none"> • Chief Executive • Chief Officer - Governance • Service Manager - Legal Services • Senior Democratic Services Manager
Section 34	Receipt of Councillors' resignations	<ul style="list-style-type: none"> • Chief Executive • Chief Officer - Governance
Section 43 and Schedule 7 paragraph 1(4)	Receipt of requisition for special Council meeting	<ul style="list-style-type: none"> • Chief Officer - Governance • Service Manager - Legal Services • Senior Democratic Services Manager
Section 43 and Schedule 7 paragraph 2(1)	Signing summons to attend Council meeting	<ul style="list-style-type: none"> • Chief Executive • Chief Officer - Governance • Service Manager - Legal Services • Senior Democratic Services Manager
Section 43 and Schedule 7 paragraph 2(2)	Receipt of notice by Councillor of alternative address:	<ul style="list-style-type: none"> • Chief Officer - Governance • Service Manager - Legal Services • Senior Democratic Services Manager

Legislation	Function	Officer
Section 50B	Excluding reports containing exempt information from public, and providing documents to the press	<ul style="list-style-type: none"> • Chief Officer - Governance • Service Manager - Legal Services • Senior Democratic Services Manager
Section 50C	Providing a written summary of the proceedings where minutes are excluded from public, without disclosing the exempt information.	<ul style="list-style-type: none"> • Chief Executive • Chief Officer - Governance
Section 50D	Compiling a list of background papers to a report to be open to inspection by members of the public	<ul style="list-style-type: none"> • Senior Democratic Services Manager
Section 50F	Determining documents which are not open to inspection and would disclose exempt information.	<ul style="list-style-type: none"> • Chief Executive • Chief Officer - Governance
Section 92	Dealing with the transfer of securities	<ul style="list-style-type: none"> • Director of Resources • Chief Officer - Finance
Section 95	Administration of the Council's financial affairs	<ul style="list-style-type: none"> • Chief Officer - Finance
Section 128	Educational Endowments	<ul style="list-style-type: none"> • Chief Officer - Governance
Section 145	Ordnance Survey applications sent to the proper officer of the local authority.	<ul style="list-style-type: none"> • Chief Officer - Early Intervention and Community Empowerment
Section 189	Instituting, defending or appearing in legal proceedings	<ul style="list-style-type: none"> • Chief Officer - Governance • Service Manager - Legal Services
Section 190	Service of legal proceedings, notices, etc., will be duly served on the authority if served on the proper officer of the authority.	<ul style="list-style-type: none"> • Chief Officer - Governance • Service Manager - Legal Services

Legislation	Function	Officer
Section 191	Signing any claim on behalf of the Council in any sequestration, liquidation or other such proceedings in which the Council is entitled to make a claim and may act on behalf of the Council in connection with that claim in all respects.	<ul style="list-style-type: none"> • Chief Officer - Governance • Service Manager - Legal Services
Section 193	Signing notices, orders, authenticating documents etc.	<ul style="list-style-type: none"> • Chief Officer with responsibility for the relevant function to which the notice, order etc. relates
Section 197	Inspection and deposit of documents	<ul style="list-style-type: none"> • Chief Officer - Governance
Section 202	Authenticating byelaws	<ul style="list-style-type: none"> • Chief Officer - Governance
Section 202B	Certifying a true copy of an entry in register of byelaws	<ul style="list-style-type: none"> • Chief Officer - Governance
Section 204	Evidence of byelaws - copy of a byelaw purporting to be made by the Council upon which is endorsed a certificate purporting to be signed by the proper officer.	<ul style="list-style-type: none"> • Chief Officer - Governance
Section 206	The admission of honorary freemen and keeping a roll containing the names of persons admitted to be freemen.	<ul style="list-style-type: none"> • Chief Officer - Governance
Section 231	Application to sheriff in cases of difficulty -making application to the sheriff on questions arising from the Local government (Scotland) Act 1973	<ul style="list-style-type: none"> • Chief Officer - Governance

Legislation	Function	Officer
Civic Government (Scotland) Act 1982 Section 112	Execution of management rules	<ul style="list-style-type: none"> • Chief Officer - Governance
Section 113	Evidence of management rules	<ul style="list-style-type: none"> • Chief Officer - Governance
Local Government and Housing Act 1989 Section 2	Lists of politically restricted posts – proper officer to maintain a list of politically restricted posts	<ul style="list-style-type: none"> • Director of Resources • Chief Officer - People and Organisation
Local Government (Scotland) Acts 1973 and 1975, Local Government Finance Act 1992 and associated delegated legislation	All administrative functions, including preparation of the Assessment Roll, preparation and issue of rates notices, collection of rates, receiving and settling claims for exemption from rates, handling objections to rates levels and the abatement, remission or repayment of rates under the relevant rating provisions	<ul style="list-style-type: none"> • Director of Resources • Chief Officer - Finance
Local Government Finance Act 1992 and associated delegated legislation	All administrative functions, including preparation and issue of council tax notices, collection of council tax, handling of objections to assessments and the exemption, abatement or remission of charges	<ul style="list-style-type: none"> • Director of Resources • Chief Officer - Finance
Local Government etc (Scotland) Act 1994 Section 16	Property held in trust	<ul style="list-style-type: none"> • Director of Resources • Chief Officer - Governance • Chief Officer - Finance
Requirements of Writing (Scotland) Act 1995 Schedule 2, paragraph 4(1)	Signing of documents	<ul style="list-style-type: none"> • Such officers as may be (or have already been) appointed by the Council in this respect
Local Authorities (Contracts) (Scotland) Regulations 1997 Regulation 4	Signing of Certificates	<ul style="list-style-type: none"> • Chief Officer - Governance • Chief Officer - Finance • Service Manager - Legal Services • Head of Commercial and Procurement

Legislation	Function	Officer
		Services <ul style="list-style-type: none"> • Relevant Delegated Procurers
Ethical Standards in Public Life etc (Scotland) Act 2000 (Register of Interests) Regulations 2003 Regulations 3-7	To set up, maintain and make available for public inspection the register of interests. This record will consist of the date of receipt of that notice, the name of the responsible person who gave that notice and a statement of the information contained in, or a copy of, that notice. The proper officer shall maintain that record in respect of any person until five years after the date that person ceases to be a responsible person.	<ul style="list-style-type: none"> • Service Manager Legal Services • Senior Democratic Services Manager • Chief Officer - Governance
Scottish Local Government Elections Order 2011) Schedule 1, Rule 60	Retention of documents following an election	<ul style="list-style-type: none"> • Chief Executive • Chief Officer - Governance
Community Empowerment (Scotland) Act 2015 Part 9 Section 116 *not yet in force - date to be appointed*	This section provides for the execution of allotment site regulation by proper officers. These regulations cover allotment allocation, rent, cultivation of allotments, maintenance of allotments, buildings or structures, keeping of livestock, access, sale or surplus produce etc.	<ul style="list-style-type: none"> • Such officers as may be (or have already been) appointed by the Council in this respect
Housing (Scotland) Act 2006 Section 140	A licence holder who requests the local authority to provide a certified copy of the HMO (Houses In Multiple Occupation) licence is, if the request is reasonable, entitled to be given such a certified copy. Section 140(4) provides that any such copy HMO licence which purports to be certified by a proper officer of the local authority is sufficient evidence of the terms of the HMO licence	<ul style="list-style-type: none"> • Such officers as may be (or have already been) appointed by the Council in this respect

Legislation	Function	Officer
Section 160	Certifying a HMO licence for entry in the HMO register	<ul style="list-style-type: none"> Such officers as may be (or have already been) appointed by the Council in this respect
Environmental Protection Act 1990 Section 33A (11)(a)	Signing a certificate for proceedings in relation to fixed penalty notices for contraventions of section 33(1)(a) and (c) (this is to be done by a proper officer with the responsibility mentioned in Section 95 of the Local Government (Scotland) Act 1973)	<ul style="list-style-type: none"> Chief Officer - Finance
Local Electoral Administration and Registration Services (Scotland) Act 2006 Sections 5,6 & 7	Section 5 imposes requirements on the proper officer to make relevant election documents available for inspection by members of the public. The proper officer must, on the request of any registered party or a person who was a candidate at the election, supply them with a copy of the marked copies of the register, the postal voters list, the list of proxies and the proxy postal voters list relating to the election.	<ul style="list-style-type: none"> Chief Officer - Governance
Discretionary Housing Payments (Grants) Order 2001 Art 3(3)	Signature of Claims (by the proper officer pursuant to section 95 of the Local Government (Scotland) Act 1973.)	<ul style="list-style-type: none"> Chief Officer - Finance

STATUTORY APPOINTEES

The undernoted officers are statutory appointees in terms of the undernoted legislation:

Legislation	Function	Officer
Social Work (Scotland) Act 1968 Section 3	Chief Social Work Officer	<ul style="list-style-type: none"> Chief Officer - Integrated Children's and Family Services
Representation of the People Act 1983 Sections 25, 41	Returning Officer	<ul style="list-style-type: none"> Chief Officer - Governance
sch 5, s6b	The proper officer is to prepare a list of rooms in schools and meeting rooms which candidates in the constituency are entitled to use	<ul style="list-style-type: none"> Such officers as may be (or have already been) appointed by the Council in this respect
Weights and Measures Act 1985 Section 72(1)(a)	Chief Inspector of Weights and Measures	<ul style="list-style-type: none"> Trading Standards Manager
Local Government and Housing Act 1989 Section 4	Head of Paid Service	<ul style="list-style-type: none"> Chief Executive
Section 5	Monitoring Officer	<ul style="list-style-type: none"> Chief Officer - Governance
Environmental Protection Act 1990 Section 149(1)	Officer appointed for the purposes of discharging the functions imposed or conferred on the Council for dealing with stray dogs in its area	<ul style="list-style-type: none"> Environmental Health Manager
Regulation of Investigatory Powers (Scotland) Act 2000 (i) Sections 6 and 7	Authorising Officers	<ul style="list-style-type: none"> Chief Executive (where required by statute) Protective Services Manager Revenues and Benefits Manager Housing Manager Other officers as appointed by Chief Officer - Governance
Regulation of Investigatory Powers Act 2000	Designated Persons	<ul style="list-style-type: none"> Protective Services Manager Other officers as appointed by Chief

		Officer - Governance
Licensing (Scotland) Act 2005 (i) Schedule 1, Paragraph 8	Clerk of the Licensing Board	<ul style="list-style-type: none"> Chief Officer - Governance
Valuation Joint Boards (Scotland) Order 1995 Schedule 2, Section 4	To act as the Treasurer of Grampian Valuation Board	<ul style="list-style-type: none"> Chief Officer - Finance
Education (Scotland) Act 2016 section 25	All education authorities must appoint a Chief Education Officer to advise the authority on carrying out the authority's legislative functions under this Act and other education Acts. The Chief Education Officer must be appropriately experienced, as determined by the authority.	<ul style="list-style-type: none"> To be appointed. Section 25 is not yet in force.
Registration of Births, Deaths and Marriages (Scotland) Act 1965 Section 7	District registrars/senior registrars.	<ul style="list-style-type: none"> Registrars
Local Government (Scotland) Act 1973 Section 95	Administration of the Council's financial affairs	<ul style="list-style-type: none"> Chief Officer - Finance
Local Government etc. (Scotland) Act 1994 Section 27	Assessor	<ul style="list-style-type: none"> Such officers as may be (or have already been) appointed by the Council in this respect
Mental Health (Care and Treatment) (Scotland) Act 2003 Section 32	Mental Health Officers	<ul style="list-style-type: none"> Mental Health Officers
Food Safety Act 1990 Section 27	Analysts	<ul style="list-style-type: none"> Such officers as may be (or have already been) appointed by the Council in this respect
Agriculture Act 1970 Section 67(3)	Agricultural Analyst/Depute Agricultural Analyst	<ul style="list-style-type: none"> Such officers as may be (or have already been) appointed by the Council in this respect

Data Protection Bill & GDPR Section 67 & Article 37(1) of GDPR	Data Protection Officer	<ul style="list-style-type: none"> • Chief Officer - Governance
Town and Country Planning (Scotland) Act 1997 Section 43A	To determine any application for planning permission for a development within the category of local developments or any application for consent, agreement or approval required by a condition imposed on a grant of planning permission for a development within that category.	<ul style="list-style-type: none"> • The Chief Officer - Strategic Place Planning and any appropriate person nominated by him/her for the purpose

This Section 43A Scheme of Delegation must be approved by the Scottish Ministers prior to it being adopted by the Council. Officers are required to send a copy of the Section 43A Scheme to the Scottish Ministers for approval. In the meantime, the current Section 43A Scheme of Delegation remains in place and can be found at: <https://www.aberdeencity.gov.uk/services/planning-and-building/planning-applications/scheme-delegation>

Scheme of Delegation for dealing with planning applications for Local Developments

[Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended)]

The Chief Officer - Strategic Place Planning or any appropriate person nominated by him/her for the purpose (that Chief Officer or any such appropriate person hereinafter referred to as the "Appointed Officer") has the following delegated powers:

1. To determine applications for:
 - planning permission (including planning permission in principle) and
 - applications for the approval of consent, agreement or approval required by a condition imposed on a grant of planning permission or planning permission in principle

All in respect of applications falling within the category of "local development" as defined within the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 **except** where that application:-

- (i) has been made by or on behalf of;
 - (a) an elected member of the Council or a member of staff employed within the Place Planning function of the planning authority; or
 - (b) the Chief Executive or any other member of the Corporate Management Team of the planning authority,
 - all as determined from the contents of the application form.
- (ii) requires to be the subject of formal notification to the Scottish Ministers as defined in the Schedule to the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 (or any other Scottish Government Direction);
- (iii) is an Environmental Impact Assessment (EIA) application for which a validated EIA has been submitted
- (iv) is being recommended for approval and has been the subject of formal timeous objection by the local Community Council within whose area the application site falls,
- (v) is being recommended for approval and has been the subject of six or more timeous letters of representation (following advertisement and/or

- notification) that express objection or concern about the proposal
- (vi) is being recommended for approval and has been the subject of formal objection from the Roads Authority or the Council's Environmental Health service
 - (vii) is being recommended for approval and is considered by the Appointed Officer to be contrary to the adopted development plan strategy.
2. Under the terms of section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended) and section 69 of the Local Government (Scotland) Act 1973, in relation to applications for local developments, and following consultation with the Chief Officer - Governance, to:
- (a) negotiate and conclude legal agreements related to planning and other related applications decided by the Appointed Officer;
 - (b) negotiate and conclude legal agreements related to planning and other related applications decided by Full Council, committee or Scottish Ministers provided the Appointed Officer considers such agreements to be in accordance with the original decision on the application;
 - (c) determine applications for Modifications or Discharge of Planning Obligations under section 75A in relation to planning applications determined by the Appointed Officer;
 - (d) determine applications for Modifications or Discharge of Planning Obligations under section 75A in relation to planning applications determined by Full Council, committee or Scottish Ministers as applicable, provided the Appointed Officer considers the modification or discharge to be in accordance with the original decision on the application;
 - (e) to participate in the promotion and development of Good Neighbour Agreements under section 75D.
3. To determine planning and other applications given a willingness to approve at and for which Section 75 Agreements are not completed or developer obligations are not paid within 6 months of the date on which agreed a willingness to approve was agreed by the Council.
4. To determine requests for non-material variation of planning applications in terms of section 64 of the Town and Country Planning (Scotland) Act 1997 (as amended).

The powers delegated to the appointed officer under paragraph 1 hereof are further qualified to the extent outlined in the provisions of Section 43A(6) of the Town and Country Planning (Scotland) Act 1997 (as amended). Accordingly, the Appointed Officer and Chief Officer - Strategic Place Planning, following consultation with the Convener of the Planning Development Management Committee may decide, for whatever reason, that the particular circumstances of an application which would in

terms of this Scheme fall to be determined by the Appointed Officer are such that the application should be determined by the Planning Development Management Committee.

Definitions

A “*timeous objection*” from the Community Council means any written representation - stating explicitly that it is objecting - received from the Community Council within whose area the application is located either:

- (i) no later than 3 full days after the expiry of the time period specified for representations to be made following the date of notification or, if applicable, advertisement of the application (whichever is the later); or
- (ii) later than a date agreed in writing with the planning authority prior to expiry of the period in 1(i) above.

A “*timeous letter of representation*” means

- (i) any written electronic representation, or hardcopy hand delivered, representation received on or before the expiry of the time period specified for representations to be made following the date of notification or, if applicable, advertisement of the application (whichever is the later); or
- (ii) any hardcopy representation received via the postal service (i.e. Royal Mail) no later than 3 full days after the expiry of the time period specified for representations to be made following the date of notification or, if applicable, advertisement of the application (whichever is the later)

“*Letter of representation*” is to be construed in light of the following:

- if more than one representation is submitted from a single individual or a single e-mail address, this only counts as one representation
- a single letter with a number of signatures from one postal address counts as only one representation
- a petition (i.e. the same comment or letter submitted on behalf of and signed by multiple individuals from the same or different addresses) is counted as one representation
- a representation will only be counted if it is from a specified e-mail address or street address and from a specified individual(s).

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Aberdeen City Council

**Standing Orders for Council, Committee and Sub
Committee Meetings**

Aberdeen City Council
Standing Orders for Council, Committee and Sub Committee Meetings

The Council will exercise all its powers and duties in accordance with the law and the Council's Scheme of Governance.

In the event of any conflict or inconsistency between these Standing Orders and legislation, the legislation shall prevail.

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COUNCIL

FIRST COUNCIL MEETING FOLLOWING AN ELECTION THE STATUTORY MEETING

1. Calling of Statutory Meeting

- 1.1** In a local government election year, the Council will hold its first meeting within 21 days of the election, on a date set by the Chief Officer - Governance.

2. Items of Business

- 2.1** The Returning Officer, whom failing such Councillor as the meeting may select, will chair the meeting until the Lord Provost is elected.
- 2.2** The agenda will include the following business:-
- 2.2.1** Receipt of notice of election of Councillors;
 - 2.2.2** Election of Lord Provost, Depute Provost, Leader or Co-Leaders, and Depute Leader of the Council;
 - 2.2.3** Appointment of a Business Manager and Depute Business Manager;
 - 2.2.4** Appointment of a Convener and Vice Convener(s) for Committees and Sub Committees of the Council;
 - 2.2.5** Appointment of Members to Committees;
 - 2.2.6** Nomination or appointment as the case may be of representatives to Boards, Joint Committees and Outside Bodies; and
 - 2.2.7** Approval of Senior Councillor allowances.
- 2.3** Where Standing Orders refer to the Leader of the Council, this will include reference at all times to Co-Leaders, if appointed.
- 2.4** Where any function in terms of the Standing Orders is attributed to the Leader of the Council, the Co-Leaders will determine who will undertake it and notify the Chief Executive on request.
- 2.5** In the absence of the Business Manager, the Depute Business Manager will fulfil the duties of the Business Manager.
- 2.6** There will be no more than one appointment made to the roles of:
- Lord Provost;
 - Depute Provost;
 - Depute Leader (if appointed);
 - Business Manager;
 - Depute Business Manager; and
 - Convener.
- 2.7** The Convener and Vice Convener of the Audit, Risk and Scrutiny Committee must be a member of the opposition.

- 2.8 Any External Member appointed by Council to any Committee or Sub Committee will have full voting rights on all matters considered relevant by the Council, Committee or Sub Committee, unless otherwise agreed by Council.
- 2.9 An External Member will remain as a member of the Committee or Sub Committee until the next ordinary election of Councillors, subject to their right to resign or their removal by the nominating body.
- 2.10 An External Member will be expected to comply with the Councillors' Code of Conduct.

3. Nominations and Appointments

3.1 General Procedures

- 3.1.1 When nominating or appointing Members to any office or position where there are a greater number of candidates than vacancies, the decision will be taken by a vote.
- 3.1.2 A Member will be entitled to vote for as many candidates as there are vacancies.
- 3.1.3 A Member must not vote more than once for any one candidate in any ballot.
- 3.1.4 In addition to the nominator and seconder, Members may speak in support of their own candidacy for a maximum of 5 minutes.

3.2 Voting in the Case of One Vacancy

- 3.2.1 Where only one vacancy requires to be filled and one candidate has an absolute majority of votes cast, that candidate will be declared elected, nominated or appointed, as the case may be.
- 3.2.2 Where only one vacancy requires to be filled and there are only two candidates and the vote results in a tie, the candidate to be removed will be determined by lot, using a method decided upon by the Clerk.
- 3.2.3 Where there are more than two candidates and the first vote does not produce an absolute majority in favour of any candidate, the candidate with fewest votes will be removed, and a fresh vote will take place between the remaining candidates.
- 3.2.4 This process will continue until one candidate has a majority of votes cast.

3.2.5 Where there is an equal number of votes for the candidates with fewest votes, an extra vote will be taken between those candidates.

3.2.5.1 The name of the candidate with the fewest votes will be removed from the process.

3.2.5.2 If an equal number of votes remains, the candidate to be removed will be determined by lot using a method decided upon by the Clerk.

3.3 Voting in the Case of Two or More Vacancies

3.3.1 Where there is more than one vacancy and the number of candidates exceeds the number of vacancies, the following method of voting shall apply:-

3.3.1.1 The number of candidates matching the number of vacancies that receive the highest number of votes cast will be duly elected, nominated or appointed, as the case may be.

3.3.1.2 Where there is an equal number of votes between two or more candidates, and where their respective proportion of the votes cast does not allow them to automatically take up a vacancy, an extra vote will be taken between those candidates. The candidate(s) receiving the highest number of votes cast will be duly elected, nominated or appointed, as the case may be.

3.3.2 In the event that Standing Order 3.3.1.2 still produces an equality of votes, the decision will be by lot using a method decided upon by the Clerk.

3.3.2.1 The first named candidate drawn will be elected, nominated or appointed, as the case may be, followed by the second named candidate, should there be more than two candidates with an equality of votes.

3.3.2.2 This process will continue until the number of candidates amounts to the same number of vacancies.

4. Duration of Appointments

4.1 Each appointment made under Standing Order 3 will stand until the next local government election, unless and until:

4.1.1 a Member resigns from that appointment; or

4.1.2 is removed by the Council as set out in Standing Order 5; or

- 4.1.3 in the case of a Leader, the Council agrees to that Member being a Co-Leader with another Member.

5. Removal from Office

- 5.1 Any Member elected or appointed as Lord Provost, Depute Provost, Leader or Co-Leaders of the Council, Depute Leader of the Council, Business Manager or Depute Business Manager, or as Convener or Vice Convener can only be removed from office by a resolution by Full Council following a Notice of Motion submitted at least three weeks prior to the Council meeting in accordance with Standing Order 12.
- 5.2 Any such Notice of Motion will form the first item of business at the next Full Council meeting.
- 5.3 Any such Notice of Motion can only be heard by Full Council and, for the avoidance of doubt, not by the Urgent Business Committee.
- 5.4 Following debate, a proposal as to whether to remove from office the office bearers detailed at Standing Order 5.1 will be voted on and decided by simple majority.
- 5.5 For the avoidance of doubt, there will be a casting vote in the event of there being no overall majority.
- 5.6 Where the Council agrees to remove a Co-Leader from their role, the removal from office will only apply to the named Member.
 - 5.6.1 The remaining Co-Leader will be determined to be the Leader of the Council, unless Council appoints a replacement Co-Leader.

6. Appointment and Employment of Officers

- 6.1 The processes which apply to the appointment and employment of officers are set out at Appendix 3 to this document.

COUNCIL AND COMMITTEE MEETINGS

7. Ordinary Meetings

- 7.1 Meetings of the Council, its Committees and Sub Committees will be held in line with the meeting timetable as approved by the Council.
- 7.2 No meetings will be held on a Saturday or Sunday or on public holidays observed by the Council.
- 7.3 It will be within the discretion of the Convener of the Council, a Committee or Sub Committee to cancel, advance or postpone an ordinary meeting to another date if in his/her opinion, acting reasonably; there is a good reason for so doing.

8. Special Meetings

- 8.1 A special meeting of the Council, a Committee or Sub Committee may be called at any time by its Convener.
- 8.2 A special meeting may also be called by at least a quarter of the Members of the Council, Committee or Sub Committee.
 - 8.2.1 In such instances a special meeting will be held within fourteen days of a written request being received by the Chief Officer - Governance.
 - 8.2.2 The written request must set out the business of the meeting and be signed by at least a quarter of the Members of the Council, Committee or Sub Committee.

9. Place of Meetings

- 9.1 All meetings of the Council, its Committees and Sub Committees will, unless otherwise determined by the Chief Officer - Governance in consultation with the Convener, take place in the Town House.

10. Notice of Meetings

- 10.1 At least five Clear Days before a meeting of the Council, Committee or Sub Committee, the time and place of the meeting will be published at the Council's offices.
 - 10.1.1 Standing Order 10.1 does not apply to the Urgent Business Committee nor the Licensing Sub Committee.
- 10.2 A Summons to attend the meeting including the list of business to be transacted at the meeting will be delivered:-
 - 10.2.1 by post to a Member's normal place of residence;

10.2.2 to such other address as a Member may specify; or
10.2.3 by email to an address provided by the Council.

10.3 If a Summons is not sent to or received by any Member, the meeting will still be valid.

11. Order of Business

11.1 Council Meetings

11.1.1 At an ordinary meeting of Council, the business shown on the agenda will (unless otherwise determined by the Convener) proceed in the following order:-

- 11.1.1.1 Admission of Burgesses
- 11.1.1.2. Determination of Urgent Business
- 11.1.1.3 Determination of Exempt Business
- 11.1.1.4 Declarations of Interest
- 11.1.1.5 Requests for Deputation
- 11.1.1.6 Minutes of Previous Meeting(s) of Council
- 11.1.1.7 Referrals from Committees
- 11.1.1.8 Committee Planner
- 11.1.1.9 General Business
- 11.1.1.10 Notices of Motion
- 11.1.1.11 Exempt / Confidential Business

11.2 Committee and Sub Committee Meetings

11.2.1 At an ordinary Committee or Sub Committee meeting, the business shown on the agenda will usually (unless otherwise determined by the Convener) proceed in the following order:-

- 11.2.1.1 Determination of Urgent Business
- 11.2.1.2 Determination of Exempt Business
- 11.2.1.3 Declarations of Interest
- 11.2.1.4 Requests for Deputation
- 11.2.1.5 Minutes of Previous Meeting
- 11.2.1.6 Committee Planner
- 11.2.1.7 Notices of Motion
- 11.2.1.8 Referrals from Council, Committees and Sub Committees
- 11.2.1.9 Finance, Performance, Risk and Service Wide Issues
- 11.2.1.10 General Business
- 11.2.1.11 Exempt / Confidential Business

OPERATION OF COUNCIL, COMMITTEE AND SUB COMMITTEE MEETINGS

12. Notices of Motion

- 12.1 A Member can submit a Notice of Motion to a Council, Committee or Sub Committee.
- 12.2 Notices of Motion should be submitted to the Clerk in writing at least three weeks prior to the meeting.
 - 12.2.1 The Clerk will then be responsible for collating the views of the relevant Director(s), Chief Officer - Governance, the Chief Officer - Finance and any other relevant Chief Officer(s) and presenting these to the Member.
- 12.3 Following the conclusion of the consultation set out in Standing Orders 12.1 and 12.2, the final written motion must be submitted by the Member to the Clerk by 12 noon two weeks prior to the meeting, along with any relevant correspondence.
- 12.4 Precise deadlines for all Council, Committee and Sub Committee meetings will be made available to Members on the internal website.
- 12.5 Prior to a Notice of Motion appearing on an agenda, the Convener will determine competency.
- 12.6 A Notice of Motion will be determined incompetent if:-
 - 12.6.1 The judgement of the relevant Director(s) is that the matter is already being pursued. In such circumstances, the Member may only resubmit the motion after a period of six months from the date of submission of the Notice of Motion;
 - 12.6.2 The terms of the motion could result in a breach in law;
 - 12.6.3 The motion proposes expenditure and does not identify a source of funding; or
 - 12.6.4 A motion in similar terms has already been submitted for the same meeting by another Member.
- 12.7 If the Convener rules the motion incompetent, it will not appear on the agenda for the meeting.
- 12.8 If the motion is ruled incompetent, the Member may submit a revised version, subject to adhering to the process outlined in Standing Orders 12.1, 12.2 and 12.3 above.

- 12.9 A Notice of Motion submitted to the Clerk outwith the deadlines referred to above, can only be accepted onto the agenda at the discretion of the Convener, prior to, or at the meeting of the Council, Committee or Sub Committee.
- 12.10 Standing Order 12.9 does not apply to any Notice of Motion submitted under Standing Order 5.1 (Removal of Office of Lord Provost, Depute Provost, Leader or Co-Leaders, Depute Leader of the Council or Convener or Vice Convener).
- 12.11 When submitting a Notice of Motion, outwith the deadlines referred to above, the Member will be required to specify why the motion should be considered as a matter of urgency.
- 12.12 If a Member who has submitted a Notice of Motion is absent from the meeting when the motion is due to be considered, the motion will not be considered at that meeting but will be put on the agenda for the next meeting.
- 12.13 If the Member is absent on the second occasion, the motion will fall.
- 12.14 If a Member is not a member of the Committee or Sub Committee where their motion is to be considered, they will be invited to the meeting to move or speak to the motion and sum up; however they will **not** be entitled to vote on the matter.
- 12.15 Members are permitted to submit joint notices of motion, however the 10 minute time limit for moving the motion will remain unchanged, which can be split between any or all of the Members who submit the joint motion.
- 12.16 A Member can make minor alterations to their motion, prior to speaking to it, with the consent of the Convener.
- 12.17 Any motion proposing a nomination for Freedom of the City must be signed by at least 23 Members of the Council.

13. Reports by Officers

- 13.1 Reports to the Council, Committees or Sub Committees will be in the name of the Chief Executive, Directors, Statutory and Chief Officers or by the Council's Internal or External Auditors.
- 13.2 Reports must be provided in draft to the following for consultation in accordance with the published timetable:-
 - 13.2.1 Chief Officer - Finance
 - 13.2.2 Chief Officer - Governance

- 13.2.3 Chief Executive
- 13.2.4 Clerk
- 13.2.5 Administration Leaders
- 13.2.6 Convener of the City Growth and Resources Committee
- 13.2.7 Convener and Vice Convener of Council or the relevant Committee or Sub Committee
- 13.2.8 Business Manager
- 13.3 Reports must also be provided in draft to the following officers for consultation, in cases where the report contains matters within their professional remit:-
 - 13.3.1 Chief Officer – Integrated Children’s and Family Services
 - 13.3.2 Chief Officer – People and Organisation
 - 13.3.3 Chief Officer – Digital and Technology
 - 13.3.4 Chief Officer - Commercial and Procurement Services
 - 13.3.5 Chief Officer – Corporate Landlord
 - 13.3.6 Chief Officer – City Growth
- 13.4 Standing Orders 13.2 and 13.3 do not apply to planning or licensing applications where there are no draft reports and separate statutory consultation procedures apply.
- 13.5 A report author must consult the local Members of a ward where the report contains proposals which will have an impact on that particular ward.
- 13.6 Where an initial report is prepared as a result of a Notice of Motion having been considered, the report author must consult the Member(s) who submitted the Notice of Motion.
- 13.7 A report will only be submitted for consideration by the Council, Committee or Sub Committee where the Clerk, Chief Officer – Finance and the Chief Officer – Governance have responded to the consultation on that report.
- 13.8 Subject to Standing Orders 13.9 to 13.12 below, final reports to be included on an agenda for a meeting of the Council, Committee or Sub

Committee must be submitted to the Clerk as specified in the timetable published by the Chief Officer - Governance.

- 13.9 If a report not listed on the agenda is submitted after the agenda for the meeting of the Council, Committee or Sub Committee has been published; the Convener must give authority for the report to be added to the agenda.
- 13.10 If a report listed on the agenda is submitted after the agenda has been published but more than three Clear Days before the meeting, no Late Docquet will be required.
- 13.11 If a report is submitted after the agenda has been published but less than three Clear Days before the meeting, the relevant Director must submit a Late Docquet to the Clerk explaining why the report is late and the special circumstances which require the item to be considered as a matter of urgency.
 - 13.11.1 In terms of Standing Order 35.3, the Docquet must also be signed by the Convener who will specify why the item should be considered at the meeting as a matter of urgency.
 - 13.11.2 Standing Order 13.11 does not apply to the Licensing Committee, Urgent Business Committee or Licensing Sub Committee.
- 13.12 Any officer listed under Standing Order 13.1 will have the authority to withdraw his/her report from the agenda, following consultation with the Business Manager.

14. Deputations

- 14.1 Every request for a deputation must be in writing and received by the Clerk at least two working days before the meeting to which it relates.
 - 14.1.1 For example, for a meeting on a Thursday, requests must be received by the end of the Monday; and for a meeting on a Tuesday, requests must be received by the end of the previous Thursday.
- 14.2 In the event that a report has not been published to enable a deputation request to comply with the deadline set out in Standing Order 14.1, deputation requests may still be submitted and put on to the agenda.
 - 14.2.1 In such instances, Standing Order 14.1 would require to be suspended at the meeting for the deputation to be heard.
- 14.3 The request must relate to a report on an agenda.

- 14.4 The request must state the report on which the deputation wants to be heard and the action (if any) the deputation would like the Council, Committee or Sub Committee to take in relation to the report.
- 14.5 The following deputation requests are not competent:-
- 14.5.1 Deputations which fail to comply with Standing Order 14.1
 - 14.5.2 Deputations which relate to reports containing confidential information (see Standing Order 21)
 - 14.5.3 Deputations which relate to the annual budget
 - 14.5.4 Deputations which relate to a petition
 - 14.5.5 Deputations which relate to a planning or licensing application
 - 14.5.6 Deputations which relate to matters that have alternative procedures for representation (which may include, but are not restricted to, the Council's proposed sale or let of a property which has been subject to a closing date and the Council's proposed tendering of goods, services or works).
- 14.6 Competency in respect of Standing Order 14.5 will be determined by the Convener.
- 14.7 Subject to Standing Order 14.2, if a deputation request is determined to be incompetent, it will not be put on the agenda for consideration.
- 14.8 Deputations cannot consist of more than three people.
- 14.9 No individual may form part of more than one deputation on the same matter.
- 14.10 A competent deputation request will be submitted to the relevant meeting of the Council, Committee or Sub Committee.
- 14.11 If, having heard the deputation, the Council, Committee or Sub Committee defer consideration of the report, no further request will be accepted from the same body or individuals in relation to the matter unless a new report containing substantially different information is submitted to a future meeting.
- 14.12 Competency in respect of Standing Order 14.11 will be determined by the Convener.
- 14.13 If a report on which a deputation has been heard is referred to another meeting of the Council, a Committee or Sub Committee, in order for the same body or individuals to be heard, a fresh request for a deputation must be submitted.

- 14.14 Deputations will be given a maximum of ten minutes to present their case, irrespective of the number of speakers.
- 14.15 Following the conclusion of the deputation, Members will be given the opportunity to ask questions of the deputation for a maximum of ten minutes.
 - 14.15.1 No questions can be asked of officers during this time period, and no debate or discussion will take place until the report is considered as part of the agenda.

15. Rights of Members to Attend Meetings

- 15.1 Subject to Standing Orders 12.14 and 15.2, any Member will be entitled to attend any Committee or Sub Committee meeting of which they are not a member and will, with the consent of the Convener, be entitled to ask questions or address the meeting.
 - 15.1.1 The Member may not propose or second any motion or amendment or vote.
- 15.2 A Member cannot be present at a meeting of a Committee or Sub Committee for which they are not a member when all of the following three conditions apply:-
 - 15.2.1 The press and public have been excluded from the meeting; **and**
 - 15.2.2 The meeting is likely to involve the taking of a decision which may affect the interests of any person or body following a hearing; **and**
 - 15.2.3 The person or body has a right in terms of the law, Standing Orders or other administrative procedure, to be heard at that meeting in person or through a representative.
- 15.3 Member attendance at other meetings within the UK will be in line with the procedure set out at Appendix 4 to this document.

16. Substitute Members

- 16.1 Members or Groups will be entitled to nominate substitutes to attend meetings of Committees and Sub Committees on their behalf, providing those substitutes have received relevant training as determined by the Council.
- 16.2 Bodies appointing External Members shall be permitted to appoint a named substitute for their substantive Member, providing those

substitutes have received relevant training as determined by the Council.

17. Failure to Attend Meetings

- 17.1** If a Member does not attend any meeting of the authority within a period of six consecutive months, the Chief Executive must report this to Council, unless leave of absence has been granted to the Member.
- 17.2** If the Council is not satisfied as to the cause of the failure to attend, the Member will cease to be a Member of the Council.
- 17.3** The Member will not cease to be a Member of the Council if the absence is due to the Member having been suspended by the Standards Commission.
 - 17.3.1** No report from the Chief Executive is required in these circumstances.

18. Chairing of Meetings

- 18.1** At any meeting of the Council, its Committees or Sub Committees, the chair will be taken by the Convener, or where the Convener is absent, the Vice Convener.
 - 18.1.1** In the event that there is more than one Vice Convener, it will be for those Members to determine which of them will chair the meeting.
 - 18.1.2** In the event that no agreement is reached between those Members, the decision will be taken by means of a procedural motion.
 - 18.1.3** In the absence of both Convener and Vice Convener(s), the Members present will appoint a Convener.

19. Quorum

- 19.1** The quorum of Council, Committees and Sub Committees will be one quarter of the total number of members of the Council, Committee or Sub Committee, or three members, whichever is the higher.

20. Attendance at Meetings by Chief Officers

- 20.1** All meetings will normally have advice available from the Chief Officer – Finance and the Chief Officer - Governance.
- 20.2** The attendance of all other officers is at the discretion of the appropriate Chief Officer, taking into account the business of the meeting and the Working Time Regulations 1998.

21. Exempt and Confidential Information

- 21.1 Agendas and reports containing Confidential Information will contain a declaration that the report is 'Not for Publication' because it contains Confidential Information as described in Appendix 1 to the Standing Orders.
- 21.2 Agendas and reports containing Exempt Information (exempt items) will contain a declaration that the report is 'Not for Publication' because it contains Exempt Information as described in Appendix 2 to the Standing Orders.
- 21.3 The public **may** be excluded from a meeting when an item of business is being considered, if it is likely that, if the public were present, Exempt Information would be disclosed.
- 21.4 The public **must** be excluded from a meeting when an item of business is being considered and it is likely that, if the public were present, Confidential Information would be disclosed to them in breach of an obligation of confidence.

22. Declarations of Interest

- 22.1 Any Member making a declaration of interest should:-
 - 22.1.1 indicate whether it is a financial or non-financial interest;
 - 22.1.2 include some information on the nature of the interest; and
 - 22.1.3 confirm whether or not they intend to withdraw from the meeting room.
- 22.2 A Member must withdraw from the meeting room, including from the public gallery, where they have declared an interest that prevents them from participating in the discussion of, and voting on, the item.

23. Introducing Reports

- 23.1 The Convener may identify that a report requires introduction from an officer, following which, Members will be given the opportunity to ask questions of officers.
- 23.2 To promote the effective management of the meeting, Members should seek clarification or advice on any points from officers in advance of the meeting.

- 23.3 When, in the opinion of the Convener, Members have had a reasonable opportunity to ask questions, the Convener will move to determination of the matter.

24. Speaking at Meetings

- 24.1 When addressing Members or officers at meetings, no Member or officer should use the first name of the person being addressed.
- 24.2 When referring to or addressing the Convener, Members and officers should address the Convener as 'Lord Provost', 'Convener' or 'Chair' as appropriate.

25. Order of Debate

- 25.1 If consensus cannot be reached on an item, the order of debate will be as follows:-
- 25.1.1 Motion moved and seconded
 - 25.1.2 Amendment(s) moved and seconded
 - 25.1.3 Debate
 - 25.1.4 Summing up for the amendment(s)
 - 25.1.5 Summing up for the motion
 - 25.1.6 Vote
- 25.2 Any Member wishing to speak at any meeting will address the Convener and restrict their remarks to the item of business before the meeting through:-
- 25.2.1 Asking questions
 - 25.2.2 Moving, seconding or supporting a motion or any relative amendment
 - 25.2.3 Moving or seconding a Procedural Motion; and
 - 25.2.4 Raising a Point of Order
- 25.3 Advisers to the Staff Governance Committee will be entitled to ask questions and participate in any debate, but will not be entitled to move a motion or amendment, nor participate in any vote.

26. Points Of Order

- 26.1 A Point of Order is a verbal objection made to the Convener that a statement or proposed procedure or action at the meeting may be in breach of the law, Standing Orders or **Councillors' Code of Conduct**.
- 26.2 Any Member may raise a Point of Order at any point in the meeting, and must specify which Standing Order, law or section of the **Councillors' Code of Conduct** will be, or has been, breached.
- 26.3 The Convener will decide how the Point of Order will be dealt with.

27. Procedural Motions

- 27.1 A Procedural Motion is a motion on the procedure being proposed or undertaken at the meeting, including, but not restricted to:-
 - 27.1.1 Moving exempt business to the public section of the agenda;
 - 27.1.2 Proposing a change to the minute;
 - 27.1.3 Proposing that an item be deferred to a later date;
 - 27.1.4 Proposing that an item be referred to another Committee or directly to full Council;
 - 27.1.5 Proposing that no further debate or questioning take place;
 - 27.1.6 Proposing the suspension of a Standing Order;
 - 27.1.7 Proposing an alternative method of voting; and
 - 27.1.8 Proposing that a planning site visit be undertaken
- 27.2 A Procedural Motion has to be moved and seconded, and Members will then vote on whether to support or oppose it.
- 27.3 When a Procedural Motion has been moved and seconded, it will be put immediately to the vote, without any debate.
- 27.4 If a Procedural Motion is not seconded, it will fall and this will be recorded in the minute.
- 27.5 Except where the Procedural Motion is to suspend Standing Orders in terms of Standing Order 40, for a Procedural Motion to be successful, it requires a simple majority of the vote.

28. Motions and Amendments

- 28.1 Where a motion and amendments are proposed prior to a Council, Committee or Sub Committee meeting, Members should provide a copy of the proposed wording to the Clerk as soon as reasonably practicable and, if possible, before the meeting commences.
- 28.2 The Clerk will then be responsible for collating the views of the following officers and presenting these to the Member:
 - 28.2.1 the relevant Director(s);
 - 28.2.2 Chief Officer – Governance;
 - 28.2.3 Chief Officer – Finance; and
 - 28.2.4 other relevant Chief Officer(s).
- 28.3 The Convener will have the prior right to the motion, except:-
 - 28.3.1 where he/she waives this right and allows another Member to have the prior right to the motion.
 - 28.3.2 where a written Notice of Motion submitted by a Member is moved; or
 - 28.3.3 the Council is meeting to consider its annual revenue budget, in which case the Convener of the City Growth and Resources Committee will have the prior right to the motion. Following the moving of each budget, the spokesperson of the biggest Opposition Group will have the right to propose an amendment.
- 28.4 When moving any motion or amendment, a Member will provide its terms in full, which will then require to be seconded by another Member.
 - 28.4.1 No Member will speak in support of a motion or amendment until it has been seconded.
- 28.5 All motions and amendments must be relevant to the report.
- 28.6 All amendments must differ from the motion and from each other substantially.
- 28.7 The Convener will offer any relevant officer an opportunity to address the meeting on the competency, relevancy or implications of any motion or amendment.
- 28.8 A motion or amendment is incompetent if it would require the incurring of expenditure and the source of funding is not identified.

- 28.9 A motion or amendment which identifies the source of funding as the Council's reserves will not be competent without advice being provided to the meeting by the Chief Officer - Finance.
- 28.10 The Convener will determine whether a motion or amendment is competent and relevant, and may seek advice from officers in this regard.
- 28.11 A motion or amendment moved but not seconded, or which has been ruled by the Convener to be incompetent will not be put to the vote but will be recorded in the minute.
- 28.12 If a motion or amendment is withdrawn, the mover and seconder can move or second and speak in support of a further motion or amendment.
- 28.13 No Member will speak more than once (except on a Point of Order, by asking a question or by moving a Procedural Motion) in a debate, except for the Members who moved the motion / amendment(s), who will have the right to sum up.
- 28.13.1 In respect of the motion which proposes any element of the Council annual budget, the Council Leader will have the right to sum up.
- 28.14 When there is only one amendment to the motion, the vote will be taken between the motion and the amendment.
- 28.14.1 Whichever is carried will be the resolution of the meeting.
- 28.15 Where there is more than one amendment to the motion, a vote will be taken between the last two amendments, and this process will be repeated until only one amendment remains.
- 28.15.1 A vote will then be taken between the motion and the remaining amendment.
- 28.15.2 Whichever is carried by majority will become the resolution of the meeting.
- 28.16 If an amendment proposes that no decision be taken, the first vote will be between it and the motion.
- 28.16.1 If the amendment is carried, the meeting will proceed to the next item of business.
- 28.16.2 If the amendment is not carried, it will be eliminated from the amendments which, with the motion, will be voted on in the usual way.

- 28.17 The processes outlined above will not apply to the Appointment Panel, unless this is agreed by Members of the Panel.

29. Time Allowed for Speaking

- 29.1 Moving a motion or amendment – 10 minutes
- 29.2 Seconding a motion or amendment – 5 minutes
- 29.3 Speaking in debate – 5 minutes
- 29.4 Summing up – 5 minutes
- 29.5 Moving a Council budget – no time limit
- 29.6 Seconding a Council budget – 10 minutes
- 29.7 Summing up a Council budget – 10 minutes

30. Closure of Debate

- 30.1 After eight or more Members have spoken (including the movers and seconders of motions and amendments), any Member who has not spoken can move as a Procedural Motion that no further debate take place.
- 30.2 If the Procedural Motion is agreed, the movers of the original motion and amendment(s) will have the right to sum up and the matter will thereafter be put to the vote.
- 30.2.1 In respect of the motion which proposes any element of the Council annual budget, the Council Leader will have the right to sum up.
- 30.3 If the Procedural Motion is defeated, the debate will continue.
- 30.4 Subsequent Procedural Motions that no further debate take place can be made after a further three Members have spoken.

31. Method of Voting

- 31.1 Votes will be taken by means of the electronic voting system at Council, and by roll call at Committees or Sub Committees, subject to Standing Orders:
- 31.1.1 (Votes in Respect of Two or More Vacancies); and
 - 31.1.2 (Motion by a Member for an Alternative Method of Voting).

- 31.1.1 Votes in respect of two or more vacancies may be taken by roll call.
- 31.2 A Member can move that an alternative method of voting is used, such as roll call or show of hands, by means of a Procedural Motion.
- 31.3 The Clerk will conduct the vote.
 - 31.3.1 No one will interrupt the proceedings (except to draw attention to an omission in the calling of a Member's name or to a Point of Order) until the result of the vote has been announced.
- 31.4 With the exception of Standing Order 40.1 (Suspending Standing Orders), a simple majority of those present and voting will decide the result of any vote between motions and amendments.
- 31.5 Subject to Standing Order 32.1 (Quasi-Judicial Items of Business), a Member who is absent when their name is called will be entitled to vote if they enter the meeting before the result of the vote is announced.
- 31.6 In the event of a tied vote, the Convener will have the casting vote, except where the vote relates to the appointment of a Member to any particular office.
 - 31.6.1 If the Convener chooses not to exercise their casting vote, lots will be drawn using a method decided upon by the Clerk.
- 31.7 Any Member wishing to record their dissent against the decision after a vote should do so immediately after the result has been announced, and this will be recorded in the minute.

32. Quasi-Judicial Items of Business

- 32.1 Where the Council, Committee or Sub Committee is required to determine an item of business which is of a Quasi-Judicial nature, a Member must be present in the meeting room for the duration of the item.
- 32.2 If a Member has left the room at any point during discussion of the item, they will not be permitted to participate in the determination of the item, nor any vote.

33. Referrals

- 33.1 Immediately following a vote at Committee or Sub Committee, one third of the membership of the Committee or Sub Committee may refer the matter to the Council, a Committee or Sub Committee for a decision, unless the Convener determines otherwise (see Glossary for calculation).

- 33.2** Subject to Standing Orders 33.3 and 33.4, should the matter be referred in terms of Standing Order 33.1, the Clerk will then arrange for the matter to be referred to the next meeting of Council, relevant Committee or Sub Committee for determination.
- 33.3** Standing Orders 33.1 and 33.2 will not apply to any proceedings relating to:-
- 33.3.1** The appointment of or retirement of staff;
 - 33.3.2** Grievance or disciplinary appeals by staff;
 - 33.3.3** School attendance;
 - 33.3.4** Bursaries;
 - 33.3.5** Admission of any particular child to school;
 - 33.3.6** Provision of school transport for any particular child;
 - 33.3.7** The granting of any licence, registration or certificate;
 - 33.3.8** Assumption of parental rights or adoption in the case of any individual; or
 - 33.3.9** Aids and adaptations to premises for the benefit of social work clients.
- 33.4** Where an item is referred to a meeting of the Council, Committee or Sub Committee, and it is not possible for the item to be open to the public for inspection at least three Clear Days before the meeting, the referring Committee or Sub Committee must specify why the item should be considered as a matter of urgency.
- 33.4.1** The Convener of the Council, Committee or Sub Committee to which the item is referred will then determine whether it is added to the agenda.

34. Minutes

- 34.1** The Clerk will prepare the minutes of meetings of the Council, its Committees and Sub Committees and any other meetings at which Members are represented, as may be determined by the Chief Officer - Governance.
- 34.2** The minutes will record the names of the Members who attended the meeting and will contain a summary of the business of the meeting as determined by the Clerk.

- 34.3 The Convener and Vice Convener will normally propose and second the minute as a true record unless either were not present, in which case any Member present at the meeting can either propose or second the minute as a true record.
- 34.4 At the meeting, if any Member challenges the accuracy of the minute, they can move a Procedural Motion that a correction is made.
- 34.5 Any corrections to the minute will be outlined in the subsequent minute.
- 34.6 Any discussion around the approval of the minute cannot extend to opening up discussion of the substantive issues detailed in the minute.

35. Powers of Convener

- 35.1 To preserve order and ensure that Standing Orders are followed.
- 35.2 To decide on the order of business and matters of competency and relevancy, unless otherwise specified.
- 35.3 To accept urgent business onto the agenda in terms of Section 50B(4)(b) of the Local Government (Scotland) Act 1973.
 - 35.3.1 The reason(s) why the matter must be considered urgently will be recorded in the minute of the meeting.
- 35.4 To ensure that all Members are given the opportunity to speak and to decide on the order in which they speak.
- 35.5 To rule on all Points of Order.
- 35.6 To adjourn the meeting at any time for any reason, and to determine the length of the adjournment.
- 35.7 When the Convener begins to speak, all other Members must stop speaking.
- 35.8 It will be within the discretion of the Convener of the Council, a Committee or Sub Committee to cancel, advance or postpone an ordinary meeting to another date if in his/her opinion, acting reasonably; there is a good reason for so doing.
- 35.9 The decision of the Convener on all matters in Standing Order 35 will be final.

36. Behaviour

- 36.1 All Members must behave respectfully at any meeting and should not behave in a manner that is improper, offensive or deliberately obstructs the business of the meeting.

- 36.2 All Members are bound by the **Councillors' Code of Conduct** and are responsible for complying with it at all times.
- 36.3 If a member of the public interrupts any meeting, the Convener may issue a warning to the person creating the disturbance or may order them to leave the meeting.
- 36.4 If there is general disturbance during any part of the meeting, the Convener may order that the public leave the meeting.

37. Suspension of Members

- 37.1 If any Member disregards the authority of the Convener, obstructs the meeting or, in the opinion of the Convener, acts in an offensive or disruptive manner at a meeting, the Convener may move, as a Procedural Motion, that the Member be suspended for the remainder of the meeting.
- 37.2 If seconded, the motion will be put to the vote immediately.
- 37.3 If the Procedural Motion is carried, the suspended Member will leave the meeting room immediately.
- 37.4 If the Procedural Motion is not carried, the Convener may call for an adjournment in the meeting.

38. Filming, Photographing and Recording of Meetings

- 38.1 Other than the live webcasting of Council, Committee and Sub Committee meetings by Aberdeen City Council, any video or sound recordings or broadcasting of meetings, or the taking of any photographs, will be at the Convener's discretion.

39. Length of Meetings

- 39.1 The Convener can call a break in proceedings at any time.
- 39.2 Meetings will last no longer than six hours.
 - 39.2.1 If a meeting continues beyond six hours, and where there has been no break in proceedings, the Convener must call a twenty minute break in proceedings in line with the Working Time Regulations 1998.
 - 39.2.2 For the avoidance of doubt, the calculation of six hours will not include any adjournments.

- 39.3 If the meeting is adjourned to another date, the Convener, following consultation with the Clerk, will determine the time and date that the meeting will resume.

40. Suspending Standing Orders

- 40.1 Any Standing Order may be suspended at any meeting with the agreement of two thirds of the Members present and entitled to vote (see Glossary for calculation).

- 40.1.1 This will be done by means of a Procedural Motion.

- 40.2 The Member must specify which Standing Order they are proposing to suspend.

41. Altering Previous Decisions

- 41.1 It will not be competent for the Council, Committee or Sub Committee to alter or reverse a previous decision within a period of six months.

- 41.2 Standing Order 41.1 does not apply:-

- 41.2.1 where a Notice of Motion to that effect has been submitted, of which appropriate prior notice has been given in terms of Standing Order 12;

- 41.2.2 where the Council, Committee or Sub Committee approves a recommendation contained in a report to alter or reverse a previous decision; or

- 41.2.3 to ongoing negotiations between the Council and any other party.

42. Amendments to Standing Orders

- 42.1 Non-material amendments can be made to the Standing Orders by the Chief Officer - Governance, following consultation with the Business Manager, without the requirement to report to Council.

- 42.1.1 Such amendments will be notified to all Members once completed.

- 42.2 Material amendments to the Standing Orders, including the removal or addition of Standing Orders, may only be approved after consideration of a report to the Council by the Chief Officer - Governance.

43. Review of Standing Orders

- 43.1 The Standing Orders will be subject to annual review by the Chief Officer - Governance.

44. Monitoring Officer

- 44.1 A Monitoring Officer's report may be required where any proposal, decision or omission by the Council may breach or has breached the law or any statutory code of practice.

45. Member Access to Documents

- 45.1 The additional rights of access to documents for Members are as set out in Appendix 5 to the Standing Orders.

COMMITTEES AND SUB COMMITTEES

46. Delegation and Appointment to Committees and Sub Committees

- 46.1 The Council may appoint or disband Committees for any purpose at any time, and will delegate or refer to these Committees any matter it thinks fit.
- 46.2 Committees may appoint or disband Sub Committees for any purpose at any time, and will delegate or refer to these Sub Committees any matter they think fit.
- 46.3 Matters referred or delegated to Committees or Sub Committees will be set out in the Terms of Reference.
- 46.4 Committee and Sub Committee remits may be amended only after consideration of a report to Council or the appropriate parent Committee by the Chief Officer – Governance.
- 46.5 Each Committee and Sub Committee can delegate any of its delegated functions to a named officer.
- 46.6 Where a matter for consideration is not specifically referred to in the Terms of Reference, it will be competent for it to be considered by the Committee or Sub Committee with the most relevant Terms of Reference, as determined by the Chief Officer - Governance.
- 46.7 The Council may, at any time, deal with any matter falling within the Terms of Reference of any Committee or Sub Committee.
- 46.8 Similarly, a Committee may, at any time, deal with any matter falling within the Terms of Reference of any of its Sub Committees.
- 46.9 The Council will set the membership for each Committee and must reflect the political composition of the Council.
- 46.10 Committees will set the membership for each Sub Committee and must reflect the political composition of the Council.
- 46.11 Members of Sub Committees who are not Members of the parent Committee will be provided with relevant training where required.
- 46.12 The Council may establish Working Groups with no delegated powers for such functions as it deems necessary, consisting wholly of Councillors or otherwise.
- 46.13 On behalf of the Council, each Committee and Sub Committee can appoint representatives to outside bodies which provide services linked to, or associated with, the remit of that Committee or Sub Committee.

GLOSSARY

Agenda

A list of business to be considered at Council, Committee and Sub Committee Meetings.

Amendment

Where a motion has been put forward in respect of an item on the agenda, a Member may move an alternative proposal. The motion and amendment will then be debated and a vote taken between the two.

Business Manager

A Councillor appointed by Council to liaise with Chief Officers and Members of all parties in respect of Council business and governance matters.

Calculation of Quarter or Two Thirds of Members

If the figure is not a whole number it will be rounded up. This is to ensure that a quarter or two thirds will always be met.

Chief Officer - Finance

Where this document refers to the Chief Officer - Finance, it should be noted that this may also refer to his/her nominated officer.

Chief Officer - Governance

Where this document refers to the Chief Officer - Governance, it should be noted that this may also refer to his/her nominated officer.

Clear Days

For example if a letter is posted on Monday advising of a meeting on Friday, it gives 3 clear days' notice (i.e. Tuesday, Wednesday, Thursday) Saturday, Sunday and public holidays are included within the definition of Clear Days.

Clerk

The Committee Officer with responsibility for the administration of the Council, Committee or Sub Committee.

Committee

A Committee of the Council appointed in accordance with Standing Orders.

Committee Planner

A document containing outstanding and pending business that is placed on the agenda for each meeting.

Confidential Information

See Appendix 1 to this document.

Convener

The Chair of the Committee. Where 'Convener' is referred to in this document, this will also include the Lord Provost.

Council

Where 'Council' is referred to in this document, it refers to meetings of the Full Council.

Deputation

A request submitted by a member of the public to address a Council, Committee or Sub Committee meeting in respect of a report on a published agenda.

Depute Provost

The Vice Convener of the Council. The Depute Provost will act as Chair in the absence of the Lord Provost.

Depute Business Manager

A Councillor appointed by Council who acts as Business Manager in the absence of the Business Manager.

Exempt Information

See Appendix 2 to this document.

External Member

A representative appointed to any Committee or Sub Committee from outwith Aberdeen City Council who may have full voting rights.

Group

A number of Councillors who form a group. A group cannot be composed of a single member.

Group Leaders

The leaders of the individual political groups.

Late Docquet

A document which must accompany any reports that are not available for inspection by members of the public at least three clear days before a meeting. This contains the reason for lateness, an explanation of why the Council, Committee or Sub Committee requires to consider the report as a matter of urgency, and is signed by the Director and Convener. The Convener has ultimate discretion as to whether or not the item should be considered.

Lord Provost

The Convener of the Council. The Lord Provost is the civic head of the Council.

Minute

A summary of decisions from any Council, Committee or Sub Committee meeting prepared by the Clerk. This will not be a verbatim record.

Motion

An initial proposal of action submitted by a Member in respect of an item of business on an agenda.

Non-Material Amendments to Standing Orders

Such amendments may include the change of title for a particular post referred to in the Standing Orders, or an error in the text.

Notice of Motion

A request submitted by a Member in advance of a meeting of Council, a Committee or Sub Committee which may be placed on the agenda for an issue to be discussed and for a decision to be made.

Quasi-Judicial

Where the Council, Committee or Sub Committee has powers and procedures resembling those of a court of law or judge, and is obliged to objectively determine facts and draw conclusions from them so as to provide the basis of an official action.

Quorum

The minimum number of Members at a Council, Committee or Sub Committee meeting who must be present for valid transaction of business.

Sub Committee

A Sub Committee of any Council Committee appointed in accordance with Standing Orders.

Summons

A calling notice advising Members of the date, time and location of a Council, Committee or Sub Committee meeting.

Vice Convener

The Vice Chair of the Committee. The Vice Convener will act as Chair in the absence of the Convener (see Standing Order 18).

LOCAL GOVERNMENT (SCOTLAND) ACT 1973
SECTION 50(A)
DEFINITION OF CONFIDENTIAL INFORMATION

In accordance with section 50A of the Local Government (Scotland) Act 1973, Confidential Information means:

- information furnished to the authority by a Government department upon terms (however expressed) which forbid the disclosure of the information to the public; and
- information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court.

In either case the reference to the obligation of confidence is to be construed accordingly.

LOCAL GOVERNMENT (SCOTLAND) ACT 1973 SCHEDULE 7A

ACCESS TO INFORMATION: EXEMPT INFORMATION

DESCRIPTIONS OF EXEMPT INFORMATION (INCLUDING QUALIFICATIONS)

Employee/Office Holder:

1. Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder under, the authority.

Occupier:

2. Information relating to any particular occupier or former occupier of, or applicant for, accommodation provided by or at the expense of the authority.

Recipient of Council Service:

3. Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority.

Recipient of Financial Assistance:

4. Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the authority.

Particular Child:

5. Information relating to the adoption, care, fostering or education of any particular child or where any particular child is subject to a compulsory supervision order or interim compulsory supervision order (as defined respectively in sections 83 and 86 of the Children's Hearings (Scotland) Act 2011) information relating to the order. "Child" means a person under the age of 18 and any person who has attained that age and is in attendance as a pupil at a school.

Financial Affairs of Particular Person:

6. Information relating to the financial or business affairs of any particular person (other than the authority). Information is not exempt if it is required to be registered under the Companies Acts (as defined in section 2(1) of the Companies Act 2006) or similar legislation.

Social Work Relating to a Particular Person:

7. Information relating to anything done or to be done in respect of any particular person for the purposes of any of the matters referred to in section 27(1) of the Social Work (Scotland) Act 1968 (providing reports on and supervision of certain persons).

Proposed Expenditure On Contracts:

8. The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services **if and so long as** disclosure to the public of the amount there referred to would be likely to give an advantage to a person entering into, or seeking to enter into, a contract with the authority in respect of the property, goods or services, whether the advantage would arise as against the authority or as against such other persons.

Contractual Terms:

9. Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services **if and so long as** disclosure to the public of the terms would prejudice the authority in those or any other negotiations concerning the property or goods or services.

Tender For Contract:

10. The identity of the authority (as well as of any other person by virtue of paragraph 6 above) as the person offering any particular tender for a contract for the supply of goods or services.

Labour Relations:

11. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officeholders under, the authority **if and so long as** disclosure to the public of the information would prejudice the authority in those or any other consultations or negotiations in connection with a labour relations matter arising as mentioned in that paragraph.

Legal Proceedings:

12. Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with –
 - (a) any legal proceedings by or against the authority, or
 - (b) the determination of any matter affecting the authority (whether, in either case, proceedings have been commenced or are in contemplation).

Statutory Notices Etc:

13. Information which, if disclosed to the public, would reveal that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment **if and so long as** disclosure to the public might afford an opportunity to a person affected by the notice, order or direction to defeat the purpose or one of the purposes for which the notice, order or direction is to be given or made.

Crime:

14. Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Informant:

15. The identity of a protected informant.

PROTOCOL FOR APPOINTMENTS AND EMPLOYMENT

APPOINTMENT OF CHIEF OFFICERS

1. The Chief Executive, all Directors and Chief Officer posts at second tier level or above will be appointed by an Appointment Panel.
 - 1.1 Council will determine the composition of the Appointment Panel, which must reflect the political composition of the Council.
 - 1.2 The Panel will be chaired by the Convener of the City Growth and Resources Committee unless otherwise agreed by the Members on the Appointment Panel.
 - 1.3 Only those Members who participate in the shortlisting of candidates can participate in the interview and selection process.
2. The above process does not apply to Chief Officer posts in respect of the Integration Joint Board, which will be subject to separately agreed procedures.
3. With the exception of teaching staff, the appointment of all other staff will be delegated to the appropriate Chief Officer, or their named representative.
 - 3.1 The Chief Officer – People and Organisation and any officer nominated by the Chief Executive will be entitled to be represented at any interview or meeting relating to the appointment of staff.
4. There will be a period of at least seven days between the date a vacancy is advertised and the closing date for the receipt of applications.
5. The Panel or officer responsible for making the appointment will draw up a shortlist of suitably qualified applicants who will then be called for interview.
6. Following interview and the conclusion of any other relevant processes, the most suitable candidate will be appointed.
7. The list of applicants for any appointment will be treated as confidential and only the name and particulars of successful candidates will be recorded in the minutes of the Appointment Panel.
8. The determinations of the Panel will not be recorded in the minute.
9. The Convener will have the casting vote in the case of an equality of votes in relation to any point in the procedure.

OTHER EMPLOYMENT

10. The appointment of all employees of the Council will be based on merit.
11. Where a candidate for a Council vacancy is related to an Elected Member or Chief Officer of the Council, this should be disclosed on the job application form / supporting statement.
12. In this case, the Elected Member or Chief Officer will not be permitted:-
 - 12.1 to be involved in any part of the appointment process; nor
 - 12.2 to be involved in any direct working relationship with the appointee.
13. The above will also apply to any other HR procedures, such as grievance, disciplinary, job evaluation etc.
14. The appointment of teaching staff is subject to separately agreed procedures.
15. An employee of the Council must not engage in any activity falling within the scope of the Working Time Regulations 1998 without the approval of the Chief Officer – People and Organisation.
16. An employee of the Council must not engage in any work which is in competition with any function of the Council.
17. Employees are not permitted to use the equipment or resources of the Council in any outside employment or for the benefit of any voluntary or charitable organisation without the prior approval of their Director.
 - 17.1 In the case of Chief Officers, the approval must be from the Chief Executive.

MEMBER TRAVEL AND ATTENDANCE AT EXTERNAL MEETINGS

1. The Council Leader may attend meetings within the UK convened by or with other local authorities, Government departments, other statutory bodies or organisations at which matters relevant to the interests of the Council are to be considered.
 - 1.1 The Leader may be accompanied by an appropriate officer.
 - 1.2 The Leader may authorise an appropriate officer and/or any other Member of the Council to attend a meeting in his/her absence.
2. Similarly, the Convener of any Committee or Sub Committee may attend meetings within the UK convened by or with other local authorities, Government departments, other statutory bodies or organisations at which matters relevant to the interests of the Council are to be considered.
 - 2.1 The Convener may be accompanied by an appropriate officer.
 - 2.2 The Convener may authorise an appropriate officer and/or any other Member of the Committee to attend a meeting in his/her absence.
3. The Chief Executive may authorise any Chief Officer to attend any meeting, conference or seminar within the UK organised by any appropriate professional or public body.
4. Subject to the constitution of the Convention of Scottish Local Authorities (COSLA), the Members appointed by the Council will be entitled to attend all meetings of COSLA or its Committees, including the Annual General Meeting and Annual Conference.
 - 4.1 The Convener of any Committee or Sub Committee of the Council may attend any meeting of COSLA or one of its Committee where he/she reasonably considers attendance to be in the interest of the Council.
5. Where a Member of the Council has been appointed to any office by COSLA and the appointment has been notified to and approved by Council, he/she will be entitled to attend all meetings and conferences required by the appointment, without further approval by Council.
6. Members appointed to an outside body will be entitled to attend any ordinary meeting and the annual conference of that body.
7. The Convener of the Staff Governance Committee and Leader of the Council, whom failing the Business Manager, will be entitled to attend all meetings of the joint negotiating bodies responsible for the negotiation of conditions of service for the Council's employees.

- 7.1 The Convener may be accompanied by an appropriate officer(s).
- 7.2 The Convener may authorise any other Member of the Committee to attend a meeting in his/her absence.
8. The Lord Provost will be entitled to represent the City on all occasions within the UK when it is appropriate and customary for the City to be represented.
 - 8.1 Where it is appropriate that the Lord Provost be accompanied, the attendance of a Town Sergeant may be authorised by the Chief Executive.
 - 8.2 Where the Lord Provost is required to be accompanied as a result of an infirmity or disability, the travel and subsistence cost of the companion will be met by the Council on the same basis as the Lord Provost.
9. Any expenses and allowances payable to any Member attending a meeting or conference will be in accordance with the scheme approved by Council.
 - 9.1 Where a Member is required to be accompanied as a result of an infirmity or disability, the travel and subsistence cost of the companion will be met by the Council on the same basis as the Member.

ADDITIONAL RIGHTS OF ACCESS TO DOCUMENTS FOR MEMBERS OF LOCAL AUTHORITIES

1. Any document which is in the possession or under the control of a local authority and contains material which relates to any business to be transacted or proceedings at a meeting of -
 - (a) the authority or of a committee or sub-committee of the authority; or
 - (b) a statutory committee appointed by the authority, or any sub-committee of that committee, or
 - (c) a relevant body, any member of which was appointed by the authority, or of a committee or sub-committee of such a body

shall, subject to subsection (2) below, be open to inspection by any member of the authority and, in the case of a committee, sub-committee or relevant body, by any other member of the committee, sub-committee or relevant body.

2. Where it appears to the proper officer that a document discloses exempt information of a description for the time being falling within any of paragraphs 1 to 5, 7, 9, 11, 12 and 14 of Part I of Schedule 7A to this Act, subsection (1) above does not require the document to be open to inspection.
3. The Secretary of State may by order amend subsection (2) above -
 - (a) by adding to the descriptions of exempt information to which that subsection refers for the time being; or
 - (b) by removing any description of exempt information to which it refers for the time being.
4. Any statutory instrument containing an order under subsection (3) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.
5. The rights conferred by this section on a member of a local authority are in addition to any other rights he may have apart from this section.

Appendix F



Aberdeen City Council Procurement Regulations

2018

Aberdeen City Council Procurement Regulations

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1 Overview

- 1.1 The purpose of these Procurement Regulations is to:
- a) ensure that uniform contracting procedures of the highest standard are laid down for use throughout the Council;
 - b) secure compliance with the law;
 - c) ensure the Council obtains best value in its procurement activity and all resultant contracts;
 - d) provide a framework for detailed Procurement Guidance Notes; and
 - e) protect the Council and its staff.
- 1.2 This shall ensure the Council consistently acts in a transparent and proportionate manner and in a way that is equal and without discrimination. In turn this shall lead to value for money, and more sustainable outcomes.

2 Definitions

- 2.1 Throughout this document the following definitions shall apply:
- 2.1.1 **Annual Procurement Report** means a report published by the Council annually in relation to Regulated Procurements.
- 2.1.2 **Committee** means the Strategic Commissioning Committee of the Council with responsibility for monitoring best value, internal financial control, corporate governance (including procurement), or any other matter to which the procedure for award of Council contracts may be relevant.
- 2.1.3 **Concession Contract** means a works concession contract or a services concession contract as defined by the Concession Contracts (Scotland) Regulations 2016.
- 2.1.4 **Contract of Employment** means a contract between the Council and an individual that sets out an employee's employment conditions, rights, responsibilities and duties. This is distinct from an agreement to provide services for the Council, for example by a consultancy arrangement.
- 2.1.5 **Contract Value** means the estimated aggregate total value (total estimated value), excluding VAT, over the entire term of the Contract which the Council expects to be payable under the contract. In the case of a works concession contract or a services concession contract, the value shall be calculated on the basis of the total net turnover of the concessionaire generated over the duration of the contract, as estimated by the Council, in consideration for the works and services that are the object of the concession.
- 2.1.6 **Contracts Register** means a record of contract details currently in place within the Council.
- 2.1.7 **Corporate Procurement Strategy** means a document giving details on how the Council

intends to carry out regulated procurements as required by Section 15 of the Procurement Reform (Scotland) Act 2014.

- 2.1.8 **Council** means Aberdeen City Council.
- 2.1.9 **Delegated Procurement Authority (DPA)** means the authority that permits a Delegated Procurer to conduct a procurement, and to agree to award, amend or vary contracts for supplies, services or works on behalf of the Council.
- 2.1.10 **Delegated Procurer** means any officer holding Delegated Procurement Authority and authorised to carry out procurement activities.
- 2.1.11 **E-Tendering or Electronic Tendering** means a tendering process where the contract documents are published electronically and the tender response to these is also submitted electronically in the first instance. E-tender shall be construed accordingly.
- 2.1.12 **EU Procurement Directive** means the European legislative framework for public procurement in force at the time a procurement process is entered into.
- 2.1.13 **Framework Agreement** means an agreement between one or more contracting authorities and one or more suppliers. The purpose of such agreements is to establish the terms governing public contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged.
- 2.1.14 **Inside Information** means information which relates directly or indirectly to ACC or any of its group entities; has not been made public; is precise; and if it were made public, would be likely to have a significant effect on the prices of one or more of the Council's Bonds or could have an impact on the Council's credit rating.
- 2.1.15 **Procurement Guidance Note** means a supplement to these Procurement Regulations which gives detailed guidance on an area within the Procurement Regulations.
- 2.1.16 **Procuring Service** means the service department of the Council with responsibility for procuring any particular requirement for supplies, services or works on behalf of the Council or for the disposal of surplus materials.
- 2.1.17 **Proper Officer** means any officer in the employment of the Council who is duly authorised for the purpose of signing contracts on behalf of the Council under the Council's Scheme of Delegation or any other resolution of the Council authorising officers to sign contracts.
- 2.1.18 **Public Contracts Scotland** means the national portal for advertising public sector contract opportunities in Scotland, which may be found at www.publiccontractsscotland.gov.uk.
- 2.1.19 **Regulated Procurements** means a procurement where any contract formed will be a public contract the value of which is equal to or greater than the relevant contract Threshold, and which is not for the procurement of an excluded contract as defined in Section 4 of the Procurement Reform (Scotland) Act 2014.
- 2.1.120 **Relevant Legislation** means the Scottish procurement legislation in effect at the time

any procurement process is entered into, along with EU Procurement Directives and any other relevant applicable law.

- 2.1.21 **Terms and Conditions** means the special and general arrangements, provisions and requirements of a contract.
- 2.1.22 **Thresholds** means the financial value that determines how a procurement is to be undertaken.

3 Extent and Application

- 3.1 These Procurement Regulations are made under section 81 of the Local Government (Scotland) Act 1973.
- 3.2 These Procurement Regulations must be interpreted in accordance with the principles of openness, fairness and non-discrimination.
- 3.3 All Council personnel shall comply with the terms of the Procurement Regulations. Any breach or non-compliance with these Regulations must, on discovery, be reported immediately to the Head of Commercial and Procurement Services. The Head of Commercial and Procurement Services may consult other relevant officers, including the Chief Executive, in order to determine the appropriate action. Failure by any employee to comply with the Procurement Regulations or associated Procurement Guidance Notes may be grounds for disciplinary action.
- 3.4 Subject to the provisions of Paragraph 3.11, the Procurement Regulations shall apply to:
 - a) Any procurements undertaken by, or on behalf of, the Council with the intention of creating a contract or contracts (including the creation of a framework agreement) for the purchase of goods and/or services, or for the execution of works.
 - b) Any procurements undertaken by, or on behalf of, the Council with the intention to enter into a call-off contract under an external framework agreement. Prior to call-off from any external framework agreement, the Head of Commercial and Procurement Services must give written approval for the use of the proposed framework agreement.
 - c) Any amendment or variation of an existing contract for the purchase of goods or services, or for the execution of works, where:
 - i. that amendment or variation would exceed the parameters of the approval of the original procurement, or
 - ii. the aggregate contract value of the original contract and the variation of that contract would exceed a threshold requiring approval at a higher level, or
 - iii. the amendment would result in an assignation or novation to a new supplier.

- d) Any procurement undertaken by, or on behalf of, the Council with the intention of leading to the award of a public services concession contract or public works concession contract.
- 3.5 The Procurement Regulations are subject to the over-riding provisions of European, United Kingdom or Scots law governing public procurement. They are also subject to any statutory guidance issued from time to time by the EU Commission, UK Government or Scottish Government on public procurement.
- 3.6 When determining the contract value, the Delegated Procurer must take into account the aggregate value of the particular requirement for supplies, services or works across the whole Council. Where any single requirement is divided into Lots the Contract Value will equal the aggregate value of all the Lots. If the procurement of any such requirements is split amongst a number of contracts which, taken individually, are below the threshold values, each of these contracts will be subject to the relevant EU Procurement Directive in place at the time of the procurement in the same way as if the requirements were procured through a single large contract.
- 3.7 Contracts related for “care and support services” are subject to a Light-Touch Regime as defined in the legislation. Details of the services covered under this regime, and how the Council will procure such services are covered by Procurement Regulation 15 and also included within [Procurement Guidance Note 19](#).
- 3.8 All tendering for Supplies, Services and/or Works by a Delegated Procurer shall be carried out following consultation with the Head of Commercial and Procurement Services.
- 3.9 The following types of contract are exempted from the provisions of these Procurement Regulations:-
- a) Any contract of employment.
 - b) Any contract relating to the acquisition or disposal or lease of heritable property or any other interest in land.
 - c) Any award or receipt of a Grant.
 - d) Any contract for the Sponsorship of an event.
 - e) Any contract which relates to the appointment of legal counsel or expert witnesses in any legal proceedings on behalf of the Council subject to Procurement Regulation 4.1.1.3.
 - f) Any contract which, in the opinion of the Director of the procuring Service, or of the Chief Executive, is urgently required to prevent danger to life, serious risk to health or damage to property. Where practicable the Director or the Chief Executive shall consult with the Head of Commercial and Procurement Services before taking any action under this paragraph. In all circumstances where this exemption has been used:
 - i. the Head of Commercial and Procurement Services shall be notified as soon as reasonably practicable; and
 - ii. any contract entered into, varied or terminated on behalf of the Council must be noted in the Contracts Register and be reported to the appropriate Committee by the Delegated Procurer as soon as practicable.
 - g) Any contract that is to be performed in-house.

- 3.10 The Procurement Regulations may be suspended either in whole or in part by the Director of Commissioning and the Head of Commercial and Procurement Services in writing in respect of an award of any contract where the award of that contract is urgently required to meet the exigencies of the Service.
- 3.11 Where the Director of Commissioning and the Head of Commercial and Procurement Services have decided that the criteria for suspension of Procurement Regulations are fulfilled, then a contract may be awarded to the preferred supplier or contractor as appropriate and the reason(s) must be noted in the Contracts Register. Any contract made on behalf of the Council under this paragraph shall be reported to the Strategic Commissioning Committee by the Delegated Procurer as soon as practicable.
- 3.12 The Procurement Regulations must be read in conjunction with the Procurement Guidance Notes issued by the Head of Commercial and Procurement Services. Where there is any discrepancy between documents, the Procurement Regulations will take precedence.
- 3.13 Any query regarding the application or interpretation of the Procurement Regulations should be made in the first instance to Commercial and Procurement Services.

4 Procurement Procedures

4.1 Authority to Incur Expenditure

- 4.1.1 No tender shall be invited or contract entered into unless the total estimated expenditure has been previously approved. The method of authorising a procurement is dependent on the Contract Value as follows:

4.1.1.1 Contracts below £50,000 (supplies/services) or £250,000 (works)
Subject to budget approval, the relevant Chief Officer may give authority to conduct any procurement where the estimated value of contract is below £50,000 (supplies/services) or £250,000 (works). The procurement shall be undertaken by a Delegated Procurer in line with Section 4.3 of these Procurement Regulations.

4.1.1.2 Contracts above £50,000 (supplies/services) or £250,000 (works)
Contracts with an estimated value of above £50,000 (for supplies/services) or above £250,000 (works) shall be listed on the workplan to be submitted by the relevant Director or Chief Officer in accordance with Procurement Regulation 14.6. Each individual contract will also require a Business Case (conforming to a template approved by the Head of Commercial and Procurement Services) to be submitted by the relevant Chief Officer to the Strategic Commissioning Committee. The approval of that Committee is required prior to the procurement being undertaken.

4.1.1.3 Contracts above £5,000 for consultancy and accountancy services and services provided by Advocates and QCs

Where the estimated value of a contract or appointment for: -

- a) Business and management consultancy and related services;
- b) Financial consultancy and accountancy related services; or
- c) Services provided by Advocates or QCs;

exceeds £5,000, the relevant Chief Officer may only give authority to engage the services following consultation with the Leader of the Council.

In determining the estimated contract value of any contract or appointment covered by this Regulation 4.1.1.3, each individual contract or appointment shall be considered separately and there shall be no aggregation of separate contracts or appointments for the purposes of arriving at an estimated expenditure.”

4.1.1.4 Expenditure via Framework Agreements

Delegated Procurers may procure supplies, services and works under external framework agreements provided that authority to incur expenditure for each call-off contract has been approved in accordance with these Procurement Regulations and also provided that: -

- i. Use of an external framework agreement by the Council has been approved in writing by the Head of Commercial and Procurement Services,
- ii. No material change has been made to the call-off terms under the framework agreement and calling-off from the framework has been done in accordance with the procedures laid down within that framework,
- iii. All call-off contracts must be reported to the Head of Commercial and Procurement Services, and
- iv. If the aggregate Contract Value of call-off contracts under a framework agreement is likely to exceed the thresholds stated in Procurement Regulation 4.1.1.2 then the authority of the Strategic Commissioning Committee to incur the expenditure must be obtained in advance of the applicable thresholds being exceeded.

4.1.2 Exceeding approved contract value

4.1.2.1 Where a contract value has been previously approved by the relevant Chief Officer, or Committee and it becomes apparent to the Chief Officer of the procuring Service that the indicative total value of the contract as previously reported is likely to be exceeded, the relevant Chief Officer shall consult with the Head of Commercial and Procurement Services on what action requires to be taken and no further orders shall be made under the contract until such advice has been obtained.

4.1.2.2 In all cases where the contract value is likely to exceed what has previously been approved, and the additional cost is more than either the lesser of 1) £100,000; or 2) 50% of the approved contract value; the relevant Chief Officer shall ensure that a report on the matter is submitted to the next meeting of the Strategic Commissioning Committee for consideration. This regulation applies to contracts equal to or greater than £250,000. In such circumstances the indicative previously agreed total contract value cannot be exceeded without the relevant approval being received.

4.1.3 There shall be no artificial splitting of a contract to avoid the application of the provisions of Scottish, UK or EU procurement law and/or these Procurement Regulations

4.2 **Authority to Carry Out Procurements**

- 4.2.1 All contracts let by or on behalf of the Council shall be subject to an obligation on the Head of Commercial and Procurement Services to seek best value for the Council. The Head of Commercial and Procurement Services and the Delegated Procurer will be responsible for demonstrating fairness, non-discrimination, equal treatment and transparency in the contract procedures chosen to all parties having an interest in those procedures.
- 4.2.2 Procurements shall only be carried out by Delegated Procurers who have been designated as such by the Head of Commercial and Procurement Services and who hold relevant Delegated Procurement Authority ([Procurement Guidance Note 3](#)).
- 4.2.3 Delegated Procurement Authority will be reviewed on an annual basis, or as required, and may be increased, reduced or withdrawn by the Head of Commercial and Procurement Services as necessary.

4.3 Quotations - Contracts below £50,000 (Supplies/Services) or £250,000 (Works)

- 4.3.1 The procedure to be followed for the award of any contract by the Council depends on the estimated Contract Value. Values or amounts referred to in these Procurement Regulations shall be based on the best available estimate at the time of tendering.
- 4.3.2 For any contract with a total estimated value below £50,000 (for supplies and services) or £250,000 (for works), the Delegated Procurer shall follow [Procurement Guidance Note 4a \(supplies and services\)](#) and [4b \(works\)](#) and obtain written quotations to ensure the demonstration of best value to the Council in the sourcing decision. If quotations cannot be obtained the Delegated Procurer shall complete a Quotation Exemption Form (included in [Procurement Guidance Note 4a \(supplies and services\)](#) and [4b \(works\)](#)) explaining why this is the case and submit it to the relevant Chief Officer for approval.
- 4.3.3 All requests for quotations shall be advertised, and submissions received, via the Quick Quote online procurement tool available via Public Contracts Scotland, unless authorisation has been given by the Head of Commercial and Procurement Services to the contrary.

4.4 Competitive Tendering (Where the Contract Value is below the EU Threshold)

- 4.4.1 Where any contract has an estimated value of between £50,000 and the EU Threshold (for supplies/services) or between £250,000 and the EU Threshold (works), or is otherwise exempt from the full application of EU Procurement Rules, competitive tendering shall be undertaken.
- 4.4.2 To ascertain how the procurement shall be undertaken in relation to the requirement, the Delegated Procurer shall follow [Procurement Guidance Note 5a \(supplies and services\)](#) and [5b \(works\)](#).
- 4.4.3 All tenders shall be appropriately advertised, and submissions received, via Public Contracts Scotland or such other platform as may be authorised by the Head of Commercial and Procurement Services.

4.5 EU Procurement

- 4.5.1 An EU Procurement means a procurement undertaken in accordance with the Public Contracts (Scotland) Regulations 2015 and requires advertising in the Official Journal of the European Union (OJEU). An EU Procurement must be undertaken where the Council proposes to tender for any contract with an estimated value equal to or exceeding the applicable EU Threshold (Supplies, Services or Works).
- 4.5.1 To ascertain how the procurement shall be undertaken in relation to the requirement, the Delegated Procurer shall follow [Procurement Guidance Note 6](#).
- 4.5.2 All tenders shall be appropriately advertised, and submissions received, via Public Contracts Scotland or such other platform as may be authorised by the Head of Commercial and Procurement Services.

5 Roles and Responsibilities

5.1 General Responsibilities

- 5.1.1 It is the duty of all employees within the Council to ensure that these Procurement Regulations, and any associated Procurement Guidance Notes, are adhered to in order to ensure Best Value is achieved in relation to expenditure relating to supplies, services or works. The allocation of a budget as part of the Council's budget setting process is not sufficient to comply with these Procurement Regulations.

5.2 Head of Commercial and Procurement Services

- 5.2.1 The Head of Commercial and Procurement Services is responsible for all procurement and tendering arrangements for supplies, services and works.
- 5.2.2 The Head of Commercial and Procurement Services shall authorise, by means of Delegated Procurement Authority, adequately trained staff to undertake procurement activity (Delegated Procurers).
- 5.2.3 The Head of Commercial and Procurement Services shall ensure that relevant Procurement Guidance Notes are in place and that necessary revisions are made to these on a regular basis to reflect changes in legislation, Council policy or good practice.

5.3 Directors (including Chief Officer of Integrated Health & Social Care Partnership)

- 5.3.1 Each Director has responsibility to ensure that staff in their Directorate follow the Procurement Regulations for all contracts let by their Directorate and is accountable to the Council for the performance of their duties in relation to contract management. Each Director shall be able to evidence that the procurements are compliant with these Procurement Regulations and associated Procurement Guidance Notes.
- 5.3.2 Each Director shall ensure that all contracts in place within their Directorate are entered into the corporate Contracts Register. The details required to be provided are detailed within [Procurement Guidance Note 9](#).

5.4 Delegated Procurers

- 5.4.1 All Delegated Procurers will ensure compliance with relevant procurement legislation, these Procurement Regulations and Procurement Guidance Notes.
- 5.4.2 Delegated Procurers are authorised to undertake procurements to the levels stated within their individual Delegated Procurement Authority. They must ensure that these are not exceeded without the authority of the Head of Commercial and Procurement Services.
- 5.4.3 Delegated Procurers will undertake regular training in order to maintain their Delegated Procurement Authority.

6 Sustainable Procurement

- 6.1 The Council is committed to working towards sustainable development, and in particular sustainable procurement and will work to embed the principles of sustainability at all stages of procurement activities to ensure that social, environmental and economic impacts are considered throughout the procurement and contract management process, consistent with relevant legislation.
- 6.2 In the context of these Procurement Regulations “sustainable development” shall be taken to mean development which secures a balance of social, economic, health and environmental well-being in the impact of activities and decisions. Sustainable development seeks to meet the needs of the present without compromising the ability of future generations to meet their own needs.
- 6.3 Before carrying out a Regulated Procurement, the Council must consider how in conducting the procurement process it can:
 - i. improve the economic, social and environmental wellbeing of the Council’s area.
 - ii. facilitate the involvement of small and medium enterprises, third sector bodies and supported businesses in the process, and;
 - iii. promote innovation.
- 6.4 In carrying out the procurement the Council must act with a view to securing such improvements as identified within paragraph 6.3. However the Council must only consider matters that are relevant to what is proposed to be procured and, in doing so, consider the extent to which it is proportionate in all the circumstances to take those matters in to account.
- 6.4 Detailed information is available within [Procurement Guidance Note 10](#).

7 Purchase Orders

- 7.1 No supplies, services or works shall be ordered or instructed except on an official order form, which shall be in an approved format. Where, by reason of urgency or necessity, a verbal order is issued, it must be confirmed within 3 working days with the issue of an official order form from the ordering system. The supplier shall be requested to quote order numbers on all invoices. The budget holder risks disciplinary action for non-compliance.

- 7.2 The order, with the contract references/schedule numbers added, shall be approved by the Director or other authorised signatory. All Directors must furnish the Chief Officer - Finance with a list of signatories approved for this purpose, and shall advise him or her of additions to or deletions from the list as they occur as per the Council's Scheme of Delegation. The officer approving the purchase order must be satisfied that there is appropriate budgetary provision covering the estimated cost and that Council procurement procedures have been followed prior to authorisation.

8 Special Matters

8.1 Internal Services

- 8.1.1 Where supplies, services or works can be provided by another Service of the Council, this may be delivered by that Council Service following consultation between the Chief Officers of the relevant Service(s) and the Head of Commercial and Procurement Services. It is the responsibility of the Chief Officer of the in-house provider to ensure that Best Value for the Council is achieved by either:

- (a) carrying out such supplies, services or works at cost; or
- (b) providing requested advice and support in relation to contracting with an external provider.

8.2 Second Hand Goods

- 8.2.1 Second hand goods up to a value of £50,000 may be acquired by the Council without a competitive quotation being obtained provided that:

- a) The Director of the relevant Service can demonstrate that the purchase is necessary to facilitate service delivery;
- b) The Director of the relevant Service can demonstrate that the purchase represents best value, having given due consideration to the cost of an equivalent new purchase and estimated life of the asset both from new and current age;
- c) The goods have been subject to inspection to ascertain their physical condition, with a record kept of the outcome of the inspection;
- d) The Council has clear title to the goods; and
- e) The Director obtains in writing (which may be by e-mail) the prior agreement of the Head of Commercial and Procurement before effecting the purchase.

8.3 Grants

- 8.3.1 The award of grants is a means by which the Council provides subsidies or funding to external bodies (including individuals, businesses and third sector organisations) to further the aims of those external bodies. Grants must not be used to procure supplies, services or works which the Council would otherwise have to procure in accordance with these Procurement Regulations.

- 8.3.2 Whilst an award of a grant by the Council may not be subject to these Procurement Regulations, it is essential that the Council's procedures on Following the Public Pound are considered.
- 8.3.3 Where it is envisaged that there may be any procurement or state aid implications in the award of grants, then the Head of Commercial and Procurement Services must be consulted prior to entering into any such arrangement.
- 8.3.4 Purchase of supplies, services or works in relation to grant funding awarded to the Council will be carried out in accordance with the provisions within these Procurement Regulations, as per the values within Regulation 4.1.

8.4 Shared Services

- 8.4.1 Shared Services are arrangements where the Council collaborates with other public authorities to obtain supplies, services or works from them. Advice on the operation of procurement rules in respect of any proposed shared service arrangement should be sought from the Head of Commercial and Procurement Services.
- 8.4.2 Identification of a proposed shared service arrangement should be undertaken only following consultation with the Head of Commercial and Procurement Services and can only be entered into where the Director of the relevant Service can demonstrate that such an arrangement represents Best Value to the Council.
- 8.4.3 Approval to enter into a shared service arrangement may also require the approval of the Strategic Commissioning Committee, as per Regulation 4.1.

8.5 Income Generation

- 8.5.1 Where a contract is to be entered into by the Council for income generation purposes and there will be no expenditure by the Council outwith approved budgets, the Head of Commercial and Procurement Services, following consultation with the Convener of the Strategic Commissioning Committee, shall approve the decision to enter into the contract and the Terms and Conditions of Contract to be utilised and there shall be no requirement for Committee approval. Bring attention too

8.6 Inside Information

- 8.6.1 The Council has issued Bonds on the London Stock Exchange and must comply with the Market Abuse Regulations which control how Inside Information must be dealt with by the Council. The Council may from time to time be required to make Inside Information public as part of the procurement process and must do so through the London Stock Exchange. All Delegated Procurers must ensure that they comply with the requirements of the Market Abuse Regulations in this regard and that they take advice as necessary from the Chief Office – Finance, Chief Officer - Governance or the Head of Commercial and Procurement Services. Further information may be sought in the Council's Bond Governance Protocol.

8.7 Procurement of Consultants

- 8.7.1 The appointment of consultants or sub-contractors shall be done in accordance with Procurement Regulation 4.1.1.3. Such appointments may fall within the IR35 rules which may result in the Council being liable to pay income tax and national insurance contributions in respect of the engagement. The Council must not enter into contracts with any individual or company direct without the prior approval of the Head of Commercial and Procurement Services. Officers must follow these Procurement Regulations and must engage with Commercial and Procurement Services prior to agreeing to contract with an individual or organisation.
- 8.7.2 In appointing consultants Directors / Chief Officers must ensure that the terms of agreement are controlled and knowledge transfer to Council officers should be effected where beneficial.
- 8.7.3 Any contract for consultancy services shall be subject to the approval of the Head of Commercial and Procurement Services. IR35 implications must be established prior to commencing the procurement process. Amongst other things the contract shall specify:
- the precise scope of the commission;
 - cost limits and controls;
 - lines and levels of reporting, responsibility and authority;
 - insurance cover (which must be verified by Council officers);
 - the method of determining completion of work and payment thereof;
 - standard Aberdeen City Council terms of payment; and
 - the ownership of intellectual property rights relating to any material or computer software developed during the consultancy.

It shall be the responsibility of the relevant Director to ensure that any consultancy contract complies with the Procurement Regulations and the Financial Regulations.

9 Tender Issue and Receipt

9.1 The Delegated Procurer shall issue invitations to quote/tender and contract documents for all contracts in compliance with these Procurement Regulations and relevant Procurement Guidance Notes.

9.2 Terms and Conditions of Contract

9.2.1 Except where specialist Terms and Conditions are required, the Delegated Procurer shall use the standard Terms and Conditions of Contract in use by the Council, or those within a relevant framework agreement. Any specialist Terms and Conditions must be approved in writing by the Head of Commercial and Procurement Services. Terms and Conditions of Contract are detailed within [Procurement Guidance Note 11](#).

9.2.2 On no occasion will the Council contract under Terms and Conditions supplied by any tenderer/contractor unless these have been reviewed and agreed by the Head of Commercial and Procurement Services.

9.3 Advertisement

9.3.1 Unless agreed otherwise in writing by the Head of Commercial and Procurement Services, any tender which requires to be advertised in accordance with these Procurement

Regulations shall be advertised via the Public Contracts Scotland website (www.publiccontractsscotland.gov.uk), notwithstanding any other form of advertisement or notice required by law or otherwise.

9.4 Issue of Tenders

- 9.4.1 Electronic procurement (e-procurement) processes will be utilised for all tender exercises where this is practically possible. Contracts shall be advertised, contract documents issued, information exchanged, tenders submitted, received and opened via electronic means. Detailed information is available within **Procurement Guidance Note 12**.
- 9.4.2 Where in exceptional circumstances, electronic procurement is not utilised all procedures shall reflect as closely as possible those where electronic procurement is utilised. Tender issue, submission and opening shall, in these circumstances, be undertaken as per **Procurement Guidance Note 12**.

9.5 Receipts of Tenders

- 9.5.1 Tenders will be received and opened electronically via the electronic tendering system utilised by the Council. Where, in exceptional circumstances, electronic procurement is not utilised, tender receipt and submission shall be undertaken as per **Procurement Guidance Note 12**.

10 Tender Evaluation

- 10.1 Tenders shall be evaluated by a group of nominated individuals in accordance with the relevant Procurement Guidance Note.
- 10.2 Tenders shall be evaluated in accordance with the quotation or tender award criteria, and on the basis of establishing which offer is the most economically advantageous and provides Best Value to the Council.
- 10.3 Tenders shall be evaluated strictly in accordance with the evaluation criteria set out in the tender documents. No tender shall be accepted based on evaluation of criteria not set out in the tender documents
- 10.4 A written record shall be maintained outlining the evaluation process, recording the process followed, the criteria applied, and detailing the reasons for the decision. This record shall be retained as per the Council's Corporate Retention & Disposal Schedule and is further detailed within **Procurement Guidance Note 16**

11 Supplier Selection and Tender Acceptance

- 11.1 As soon as reasonably practicable after a decision has been made to eliminate a supplier or tender at any stage of a procurement procedure the Council must notify those tenderers and candidates concerned of their elimination by notice in writing.
- 11.2 As soon as possible after a decision has been made to award any contract following a procurement process where Contract Value is above the relevant EU threshold the Council

shall, by notice in writing, inform all candidates and economic operators concerned of the Council's decision to award the contract.

- 11.3 Tender Acceptance letters and debrief letters shall be prepared by the Delegated Procurer and approved by the relevant Category Manager within Commercial and Procurement Services. Debriefs shall be undertaken in accordance with relevant legislation.

12 Award of Contract

12.1 At the conclusion of the tender procedure and (if applicable) after the expiry of any Standstill Period the final contract shall be entered into between the Council and the successful tenderer. Officers awarding contracts on behalf of the Council must be aware of the requirements in relation to disclosure of Inside Information as detailed in Procurement Regulation 8.6.

12.2 Contracts shall be entered into and executed as follows:

12.2.1 **Contracts with a value equal to or exceeding the relevant EU Threshold**, through the execution of a written contract executed in accordance with Scots law, unless otherwise agreed in accordance with Paragraph 9.2.1, signed on behalf of the Council by a Proper Officer and signed by the contractor by a duly authorised person.

12.2.2 **Contract Values of less than the relevant EU Threshold**, unless the Head of Commercial and Procurement Services has directed a particular option in the case of a procurement, the Delegated Procurer shall determine whether the contract should be executed either:

- i. through the execution of a written contract executed in accordance with Scots law (unless otherwise agreed in accordance with Paragraph 9.2.1) and signed on behalf of the Council by a Proper Officer and signed by the contractor by a duly authorised person; or
- ii. by the issuing of an Award Letter by the Chief Officer of the procuring Service, and the return of such letter signed by a duly authorised person on behalf of the tenderer signifying their acceptance of the appointment on the terms and conditions stated therein.

13 Contract Management

13.1 It is the responsibility of the Delegated Procurer to ensure that details of all contracts are included within the Contracts Register and that copies of all concluded contracts are available to Commercial and Procurement Services as required.

13.2 The Delegated Procurer shall ensure that the performance of the contract is monitored and reviewed in a way which is proportionate to the value, duration, subject matter and complexity of the contract, and in accordance with [Procurement Guidance Note 18](#).

13.3 Officers managing contracts on behalf of the Council must be aware of the requirements in relation to disclosure of Inside Information as detailed in Procurement Regulation 8.6.

14 Records and Reporting

14.1 The Head of Commercial and Procurement Services shall maintain and publish a Contracts Register for the monitoring of all contracts and framework agreements developed or in use across the Council, which shall include, as a minimum, all information as required by relevant legislation. This information is detailed within [Procurement Guidance Note 9](#).

- 14.2 Each Procuring Service shall ensure that the required information as detailed within **Procurement Guidance Note 9** is communicated to Commercial and Procurement Services in order to maintain the Contracts Register.
- 14.3 The Head of Commercial and Procurement Services shall produce and publish a Corporate Procurement Strategy, which shall be reviewed on an annual basis. The Corporate Procurement Strategy shall include, as a minimum, all information as required by relevant legislation.
- 14.4 The Head of Commercial and Procurement Services shall produce and publish an Annual Procurement Report as soon as practicable after the end of each financial year. The Annual Procurement Report shall include, as a minimum, all information as required by relevant legislation.
- 14.5 Delegated Procurers shall comply with all reporting procedures put in place by the Head of Commercial and Procurement Services.
- 14.6 The Chief Operating Officer, the Directors of Resources, Commissioning and Customer, the Chief Officer – Governance, the Chief Officer – Strategic Place Planning and the Chief Officer – City Growth shall submit a workplan for their Directorate/Service to the Strategic Commissioning Committee prior to the commencement of each financial year (conforming to a template approved by the Head of Commercial and Procurement Services) detailing all contracts to be procured in the coming year with a Contract Value of £50,000 or more (supplies/services) or £250,000 or more (works), and updating the Committee from time to time in the event of any new procurements being added to the workplan. The Director of the procuring Service shall ensure that required reports are brought to the Strategic Commissioning Committee.
- 14.7 The Head of Commercial and Procurement Services shall ensure that reports on matters specified in the Corporate Procurement Strategy, and otherwise as required by the Procurement Regulations, are brought to the Strategic Commissioning Committee.

15 Contracts for Care and Support Services

- 15.1 Except as otherwise stated in this section, these Procurement Regulations shall apply to Care and Support Services. For the purposes of this section of the Procurement Regulations, Contracts for Care and Support Services shall mean contracts for the provision of services under the Social Work (Scotland) Act 1968; the Children (Scotland) Act 1995; the Mental Health (Care and Treatment) (Scotland) Act 2003 or any other function of the Council covered by the definition of a care service in the Regulation of Care (Scotland) Act 2001, including housing support services and any other relevant legislation, and included in Schedule 3 of the Public Contracts (Scotland) Regulations 2015.
- 15.2 The degree and method of competition required and the process for approving expenditure will depend on the total estimated expenditure for the contract as follows: -

Estimated Contract Value / Threshold	Degree of Competition Required	Approval of Expenditure
(i) Up to £50,000	Written quotations must be	Chief Officer

		obtained to demonstrate best value to the Council in accordance with Procurement Guidance Note 19.	
(ii)	£50,000 up to the EU Light Touch Regime (“LTR”) Threshold (from 1 st January 2018 set at £615,278 but subject to change every second 1 st of January)	Direct awards may be made if supported by a Business Case approved by a Chief Officer in accordance with Procurement Regulation 15.4, otherwise a competitive tendering process must be undertaken in accordance with these Procurement Regulations. Fundamental EU Treaty principles must always be considered.	Chief Officer
(iii)	LTR Threshold and above	Must be advertised in OJEU and the light touch provisions in The Public Contracts (Scotland) Regulations 2015 apply.	Submission of a Business Case by the relevant Chief Officer to the IJB or, if applicable, the Strategic Commissioning Committee and approval by the IJB or the Strategic Commissioning Committee prior to the procurement being undertaken.

15.3 Format of Business Case

Business Cases must be submitted in the format for Care and Support services, as approved by the Head of the Commercial and Procurement Service.

15.4 Justification of Direct Awards

Justification for making a direct award in relation to Threshold (ii), including call off contracts directly awarded from Framework Agreements, may include the following: -

- a) Where the relevant Chief Officer is satisfied that the requirement of the contract is unique or, after research, only one suitable source of supply can be identified;
- b) When, for reasons of extreme urgency or risk to life or health and wellbeing, the other procurement procedures cannot be complied with;
- c) Where, for example, in the case of certain residential or supported living services, there are only limited places available for a specific type of care and/or support and those places only become available occasionally and/or at short notice;

- d) Where the Council is instructed by a Children's Hearing or Educational Tribunal to place a child in a particular setting;
- e) Where the individual has a right to choose and direct their own accommodation and/or support;
- f) Where the Relevant Chief Officer is satisfied that the risk to service user(s) outweighs the benefits of advertising the requirement and awarding the contract or framework following competition.

In exceptional circumstances, a direct award may be made in relation to Threshold (iii), for example in relation to residential care homes, where the provider owns the property and delivers the service and we have no ability to re-tender to change the provider. In accordance with the Scottish Government's Best Practice Guidance: A public body should decide, on a case-by-case basis, whether or not to advertise the requirement and award a contract or framework agreement by competition. A number of factors should be taken into account, including application of the procurement legislation, procurement policy and risk of legal challenge; application of local financial regulations and standing orders; and benefits and risks to people who use services and service delivery.

15.5 Authority to Incur Expenditure in relation to Direct Awards

15.5.1 In relation to Threshold (ii) - £50,000 up to the LTR Threshold: -

Where the direct award of a contract is being made for a service that does not facilitate individual placements, the business case must be approved by the Chief Officer in advance of the contract being issued.

Where the direct award of a contract is being made as a call off from a framework agreement, i.e. relating to care and support for an individual, authorisation to incur expenditure will be obtained in accordance with Care Management processes.

15.5.2 In relation to Threshold (iii) - LTR Threshold and above: -

The Business Case must be approved by the IJB or, if applicable, the Strategic Commissioning Committee in advance of the procurement being undertaken.

15.6 Authority to Carry Out Procurements

The Social Care Commissioning, Procurement and Contracts team are Delegated Procurers for Health and Social Care Services, designated as such by the Head of Commercial and Procurement Services.

2018

APRIL

2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16 Elected Members Development Day	17 Licensing Committee (10am)	18	19 Education Operational Delivery Committee (10am) Operational Delivery Committee (2pm)	20	21
22	23	24 City Growth and Resources Committee (2pm)	25	26 Planning Development Management Committee (10am) Pre-Application Forum (if required) (2pm)	27	28
29	30 Strategic Commissioning Committee (2pm)					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
		1 OFFSHORE TECHNOLOGY CONFERENCE	2 OFFSHORE TECHNOLOGY CONFERENCE ALL ENERGY	3 OFFSHORE TECHNOLOGY CONFERENCE ALL ENERGY Planning Development Management Committee (Visits)(if required) (am)	4 Staff Governance Committee (2pm)	5
6	7 <u>MAY DAY HOLIDAY</u>	8 Audit, Risk and Scrutiny Committee (2pm)	9 Public Protection Committee (2pm)	10	11	12
13	14	15 Licensing Board (10.30am)	16	17	18	19
20	21	22 Integration Joint Board (10am Health Village)	23 Capital Programme Committee (2pm)	24 Planning Development Management Committee (10am) Pre-Application Forum (if required) (2pm)	25	26
27	28	29 Education Operational Delivery Committee (10am) Operational Delivery Committee (2pm)	30	31 Planning Development Management Committee (Visits)(if required) (am) Strategic Transformation Committee (2pm)		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
					1	2
3	4	5 Licensing Committee (10am)	6	7 Strategic Commissioning Committee (2pm)	8	9
10	11	12	13	14	15	16
17	18 Elected Members Development Day	19 City Growth and Resources Committee (2pm)	20	21 Planning Development Management Committee (10am) Pre-Application Forum (if required) (2pm)	22 Pensions Committee & Board (10.30am)	23
24	25	26 Audit, Risk and Scrutiny Committee (2pm)	27	28 Planning Development Management Committee (Visits)(if required) (am)	29 Staff Governance Committee (2pm)	30

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
1	2 Council (10.30am)	3 Licensing Board (10.30am)	4 Public Protection Committee (2pm)	5	6 SCHOOL TERM ENDS	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
			1 Special City Growth and Resources Committee (for quarterly accounts) (2pm)	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16 Planning Development Management Committee (10am) Pre-Application Forum (if required) (2pm)	17	18
19	20 IN SERVICE DAY	21 <u>SCHOOL TERM STARTS</u> Licensing Committee (10am)	22	23 Planning Development Management Committee (Visits)(if required) (am)	24	25
26	27 OFFSHORE NORTH SEAS	28 OFFSHORE NORTH SEAS Integration Joint Board (10am Health Village)	29 OFFSHORE NORTH SEAS	30 OFFSHORE NORTH SEAS	31 Staff Governance Committee (2pm)	

2018

SEPTEMBER

2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
						1
2	3 Elected Members Development Day	4 Licensing Board (10.30am)	5	6 Education Operational Delivery Committee (10am) Operational Delivery Committee (2pm)	7	8
9	10 Council (10.30am)	11	12 Capital Programme Committee (2pm)	13 Strategic Commissioning Committee (2pm)	14 Pensions Committee & Board (10.30am)	15
16	17	18 City Growth and Resources Committee (2pm)	19	20 Planning Development Management Committee (10am) Pre-Application Forum (if required) (2pm)	21 <u>SCHOOL HOLIDAY</u>	22
23	24 <u>SCHOOL HOLIDAY</u>	25 Audit, Risk and Scrutiny Committee (2pm)	26 Public Protection Committee (2pm)	27 Planning Development Management Committee (Visits)(if required) (am) Strategic Transformation Committee (2pm)	28	29
30						

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
	1	2	3	4	5	6
7	8	9 Integration Joint Board (10am Health Village)	10	11	12 <u>SCHOOL TERM ENDS</u>	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29 <u>SCHOOL TERM STARTS</u> Elected Members Development Day	30 Licensing Committee (10am)	31 Special City Growth and Resources Committee (for quarterly accounts) (2pm)			

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
				1 Planning Development Management Committee (10am) Pre-Application Forum (if required) (2pm)	2 Staff Governance Committee (2pm)	3
4	5	6 Education Operational Delivery Committee (10am) Operational Delivery Committee (2pm)	7	8 Planning Development Management Committee (Visits)(if required) (am)	9	10
11	12	13 Licensing Board (10.30am)	14 Capital Programme Committee (2pm)	15	16 <u>IN SERVICE DAY</u>	17
18	19	20 Strategic Commissioning Committee (2pm)	21	22 Strategic Transformation Committee (2pm)	23	24
25	26	27 City Growth and Resources Committee (2pm)	28	29	30 Pensions Committee & Board (10.30am)	

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
						1
2	3	4 Audit, Risk and Scrutiny Committee (2pm)	5 Public Protection Committee (2pm)	6 Planning Development Management Committee (10am) Pre-Application Forum (if required) (2pm)	7	8
9	10 Elected Members Development Day	11 Licensing Committee (10am) Integration Joint Board (10am Health Village)	12	13 Planning Development Management Committee (Visits)(if required) (am)	14	15
16	17 Council (10.30am)	18	19	20	21 <u>SCHOOL TERM ENDS</u>	22
23	24	25	26	27	28	29
30	31					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15 Licensing Board (10.30am)	16	17 Education Operational Delivery Committee (10am) Operational Delivery Committee (2pm)	18	19
20	21	22 Integration Joint Board (Health Village 10am)	23 Capital Programme Committee (2pm)	24 Planning Development Management Committee (10am) Pre-Application Forum (if required) (2pm)	25	26
27	28 Elected Members Development Day	29 Strategic Commissioning Committee (2pm)	30	31 Planning Development Management Committee (Visits)(if required) (am)		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
					1	2
3	4	5 Integration Joint Board (Health Village 10am)	6	7 City Growth and Resources Committee (2pm)	8	9
10	11 IN SERVICE DAY	12 IN SERVICE DAY	13 IN SERVICE DAY	14 Audit, Risk and Scrutiny Committee (2pm)	15 Staff Governance Committee (2pm)	16
17	18	19 Licensing Committee (10am)	20 Public Protection Committee (2pm)	21 Planning Development Management Committee (10am) Pre-Application Forum (if required) (2pm)	22	23
24	25 Elected Members Development Day	26	27	28 Planning Development Management Committee (Visits)(if required) (am)		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
					1	2
3	4 Council (10.30am)	5 Council Budget (2pm)	6 Integration Joint Board (Health Village 10am)	7 Strategic Transformation Committee (2pm)	8	9
10	11	12 Licensing Board (10.30am)	13	14 Education Operational Delivery Committee (10am) Operational Delivery Committee (2pm)	15 Pensions Committee & Board (10.30am)	16
17	18	19 Capital Programme Committee (2pm)	20	21 Planning Development Management Committee (10am) Pre-Application Forum (if required) (2pm)	22	23
24	25 Elected Members Development Day	26 Integration Joint Board (Health Village 10am)	27	28 Planning Development Management Committee (Visits)(if required) (am) Strategic Commissioning Committee (2pm)	29 <u>SCHOOL TERM ENDS</u> Staff Governance Committee (2pm)	30
31						

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15 <u>SCHOOL BACK</u>	16	17	18 Planning Development Management Committee (10am) Pre-Application Forum (if required) (2pm)	19 <u>GOOD FRIDAY</u>	20
21	22	23 Licensing Committee (10am)	24 Public Protection Committee (2pm)	25 Planning Development Management Committee (Visits)(if required) (am) City Growth and Resources Committee (2pm)	26	27
28	29 Elected Members Development Day	30 Audit, Risk and Scrutiny Committee (2pm)				

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Committee	Nomination for Convener	Nomination for Vice Convener(s)
Staff Governance	Cllr Allan	Cllr Houghton
Appeals Sub Committee	Cllr Allan	
Strategic Commissioning	Cllr Laing	Cllr John
Strategic Transformation Committee	Cllr Laing	Cllr Lumsden
City Growth and Resources	Cllr Lumsden	Cllr Graham
Operational Delivery	Cllr Wheeler	Cllr Bell, Cllr Grant
Education Operational Delivery	Cllr Wheeler	Cllr L Dunbar
Capital Programme	Cllr Boulton	Cllr Lumsden
Public Protection	Cllr Stewart	Cllr Lesley Dunbar
Licensing Committee	Cllr Reynolds	Councillor Malik
Licensing Sub Committee	Cllr Reynolds	
Planning	Cllr Boulton	Cllr Stewart
Pensions	Cllr Malik	Cllr Reynolds
Aberdeen City Region Deal	Cllr Laing	
Business Manager	Cllr Houghton	Cllr Malik (Depute)
Licensing Board	Cllr L Dunbar	

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Senior Councillors

Post	Appointee	Remuneration
Lord Provost	Councillor Crockett	£29,624
Council Leader, Convener Strategic Commissioning	Councillor Laing	£39,497
Depute Provost	Councillor Donnelly	£22,217
Vice Convener, Strategic Commissioning	Councillor John	£22,217
Convener Operational Delivery	Councillor Wheeler	£29,624
Vice Convener Operations Delivery and Regeneration and transport spokesperson	Councillor Grant	£22,217
Vice Convener, Operations (Environmental Spokesman)	Councillor Bell	£22,217
Convener, City Growth and Resources	Councillor Lumsden	£29,624
Vice Convener City Growth and Resources	Councillor Graham	£22,217
Convener Education Operations, Delivery	Councillor Wheeler	
Vice Convener Education Operational Delivery	Councillor L Dunbar	£22,217
Convener Capital Programme & Culture Spokesperson	Councillor Boulton	£29,624
Vice Convener, Capital Programme	Councillor Lumsden	
NHS/Social Care Joint Integration Board and Social Care Spokesperson	Councillor Duncan	£22,217
Convener Public Protection	Councillor J Stewart	£29,624
Vice Convener Public Protection	Councillor Lesley Dunbar	
Convener Staff Governance	Councillor Allan	£29,624
Vice Convener Staff Governance	Councillor Houghton	
Mental Health Spokesperson	Councillor Imrie	£22,217
Convener, Planning Development Management	Councillor Boulton	
Vice Convener Planning Development	Cllr Stewart	
Convener Licensing Committee	Councillor Reynolds	£29,624
Vice Convener, Licensing Committee	Councillor Malik	
Convener Appeals Committee	Councillor Allan	
Convener Audit Scrutiny and Risk	Councillor Flynn	£29,624
Vice Convener Audit. Scrutiny and Risk	Councillor Yuill	£22,217
Convener Urgent Business Committee	Councillor Laing	
Vice Convener Urgent Business Committee	Councillor Lumsden	
Convener Pensions Committee	Councillor Malik	
Vice Convener Pensions Committee	Councillor Reynolds	
Convener Aberdeen City Region Deal	Councillor Laing	
Convener Licensing Board	Councillor Dunbar	
Convener Strategic Transformation	Councillor Laing	
Vice Convener Strategic Transformation	Councillor Lumsden	
Business Manager	Councillor Houghton	£29,624
Housing Spokesperson	Councillor Macdonald	
Depute Business Manager	Councillor Malik	
Senior Councillor Totals		£436,945
Maximum allowed	18	£442,215

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