

## URGENT BUSINESS COMMITTEE

ABERDEEN, 2 December 2013. Minute of Meeting of the URGENT BUSINESS COMMITTEE. Present:- Councillor Crockett, Convener; and Councillors Boulton, Cooney, Dickson, Jackie Dunbar, Forsyth, Laing, McCaig, May, Jean Morrison MBE (as substitute for Councillor Taylor), Noble, Young and Yuill.

**The agenda and reports associated with this minute can be found at:-**  
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=334&MId=3247&Ver=4>

### DETERMINATION OF URGENT BUSINESS

1. In terms of Standing Order 28(3)(vi), and in accordance with Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, the Committee was informed that it had to determine (1) that the items on the agenda were of an urgent nature; and (2) that the Committee required to consider the items and take decisions thereon.

#### **The Committee resolved:-**

to agree that all the items were of an urgent nature and required to be considered this day, and decisions taken thereon.

### DETERMINATION OF EXEMPT BUSINESS

2. The Committee was requested to determine that the following items of business which contained exempt information as described in Schedule 7(A) of the Local Government (Scotland) Act 1973, be taken in private:-

- Marischal Square – Legal and Financial Update
- Recruitment and Selection Process of Chief Officials

#### **The Committee resolved:-**

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of the aforementioned items of business (Articles 6 and 7 of this minute refer) so as to avoid disclosure of exempt information of the class described in paragraph 6 of Schedule 7(A) of the Act.

### EMERGENCY MOTION BY COUNCIL LEADER

3. The Convener submitted the following motion in terms of Standing Order 21(9), which had been signed by all Group Leaders:-

That this Council expresses its deep condolences to the people of Glasgow following the helicopter crash there on 29 November, 2013 and commends the brave and unstinting rescue and recovery efforts of colleagues in Scottish Fire and Rescue Service, Police Scotland, the Scottish Ambulance Service, the NHS and Glasgow City Council.

**URGENT BUSINESS COMMITTEE**

2 December 2013

**The Committee resolved:-**

to adopt the motion.

**COSLA CONVENTION 13 DECEMBER 2013 - OCE/13/036**

4. The Committee had before it a report by the Chief Executive proposing a suggested amendment in the name of Aberdeen City Council at the COSLA Convention on Friday 13<sup>th</sup> December 2013, to the following motion by Scottish Borders Council:-

That the Convention establishes a short life Task Group, comprising the President, Vice President and the Political Group Leaders, to review the Constitution and Standing Orders of the Convention of Scottish Local Authorities. The Task Group should complete its work by mid-May to allow any resulting decisions to be made at Convention in June 2014.

**The report recommended:-**

that the Committee decide whether or not to approve the following amendment to the motion:-

Convention notes that it only approved the current Constitution in March 2012. Convention agrees that given the importance of the Independence Referendum to COSLA and the Scottish people any decision to review the Constitution should be considered after September 2014, once COSLA is aware of the referendum result.

**The Committee resolved:-**to approve the amendment for submission to COSLA on 13<sup>th</sup> December, 2013.**STRATEGIC INFRASTRUCTURE PLAN - GOVERNANCE ARRANGEMENTS AND ESTABLISHMENT OF CHIEF OFFICIAL POST - OCE/13/038**

5. The Committee had before it a report by the Chief Executive presenting the governance arrangements for the delivery of the Strategic Infrastructure Plan (SIP) and seeking approval to establish a task-related fixed term post of Strategic Infrastructure Plan Programme Manager.

**The report recommended:-**

that the Committee –

- (a) note the governance arrangements outlined in the appendix to the report;
- (b) approve the establishment of a Strategic Infrastructure Plan Programme Manager on a task related fixed term basis on Chief Official terms and conditions;
- (c) set aside standing order 47(2) to allow the appointment of the Strategic Infrastructure Programme Manager to be undertaken by a panel of officers, including the Chief Executive, in lieu of an Appointment Panel; and

**URGENT BUSINESS COMMITTEE**

2 December 2013

- (d) delegate powers to the Chief Executive to agree all matters relating to the recruitment process including role profile, person specification and salary, in conjunction with the Head of Human Resources and Organisational Development.

**The Committee resolved:-**

to approve the recommendations.

**In accordance with the decision recorded under Article 2 of this minute, the following items were considered with the press and public excluded.**

**MARISCHAL SQUARE, LEGAL AND FINANCIAL UPDATE - EPI/13/267**

**6.** The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure outlining the updated financial position in relation to the Marischal Square redevelopment, the risks associated with elements of the project, and the measures being taken to mitigate these risks.

The Committee received a presentation from the Acting Head of Finance, Steve Whyte, and Stephen Booth, Property Estates Manager.

**The report recommended:-**

that the Committee –

- (a) note the updated position in relation to the overall project budget and estimated profit and rental value return;
- (b) delegate to the unanimous approval of the Head of Legal and Democratic Services the negotiation and approval of the contract documents noted below, and any other contracts, letters or documents which are required to be signed and/or sealed in connection with the Marischal Square Development, consistent with the key legal and commercial terms previously agreed and amended within this report, as they think fit. The contract documents referred to above are:
- Purchase Contract
  - Head Lease
  - Development Agreement
  - Escrow Agreement
- (c) authorise the officer named above, in the event of her absence, to nominate alternates to act in her place for the purposes of the powers set out in these recommendations; and
- (d) note that the documentation listed in recommendation and any other such relevant documents will be executed in accordance with Council Standing Order 44.

## **URGENT BUSINESS COMMITTEE**

2 December 2013

### **The Committee resolved:-**

- (i) to approve the recommendations, subject to amending recommendation (b) to delegate the powers stated to the unanimous approval of the Head of Legal and Democratic Services and the Director of Corporate Governance; and
- (ii) to note that officers would be able to offer briefings to members on the position outlined in the report.

### **RECRUITMENT AND SELECTION PROCESS OF CHIEF OFFICIALS - VARIOUS POSTS - OCE/13/041**

7. The Committee had before it a report by the Chief Executive which sought various approvals in relation to the recruitment and selection of chief officials.

### **The report recommended:-**

that the Committee -

- (a) establish an Appointment Panel comprising nine members in total (3+3+1+1+1) to appoint to the vacant Head of Service post within Social Care and Wellbeing Directorate, including the Convener of the Social Care, Wellbeing and Safety Committee who should be appointed as Convener of the Panel;
- (b) establish an Appointment Panel comprising nine members in total (3+3+1+1+1) to appoint to two vacant Head of Service posts within the Education, Culture and Sport Directorate, including the Convener of the Education, Culture and Sport Committee who should be appointed as Convener of the Panel;
- (c) delegate powers to both the Appointment Panels in recommendations 1 and 2 above to agree all matters relating to the recruitment process, including role profile, person specification and salary;
- (d) in respect of the timescale for recruitment processes delegate powers to relevant officers to finalise this timeline, in consultation with the Panel conveners;
- (e) appoint external recruitment consultants for the purposes of supporting the recruitment to the above posts where appropriate;
- (f) agree to invoke Standing Order 1(6)(a) of the Council's Standing Orders relating to Contracts and Procurement to dis-apply the requirements of Standing Order 5, thereby allowing a contract to be entered into with the recruitment consultants to support the recruitment process for this post, without the need to undertake a competitive tendering exercise;
- (g) agree the estimated expenditure associated with these recruitment exercises, which is estimated to be no more than £90,000, and that these costs be met from contingencies;
- (h) approve the delegation of authority to the Chief Executive, in consultation with the Convener of the relevant Service Committee, for the transfer of an existing employee at Head of Service level to a vacant Head of Service post within the same Directorate at the same rate of pay, on the recommendation of the Director, with the safeguards of the process detailed at paragraph 5.2 being adopted; and

**URGENT BUSINESS COMMITTEE**

2 December 2013

- (i) amend the wording of Standing Order 47(2) in relation to the appointment of officers, as outlined in the relevant section of the report; and revise the Scheme of Delegation to give all Directors responsibility to recruit to Chief Officer posts below Head of Service level, in accordance with the procedure outlined in the relevant section of the report.

**The Committee resolved:-**

to approve the recommendations.

**BARNEY CROCKETT, Convener.**