

Public Document Pack



To: All Members of the Council

Town House,
ABERDEEN, 24 February 2015

COUNCIL

The Members of the **COUNCIL** are requested to meet in Council Chamber - Town House on **WEDNESDAY, 4 MARCH 2015 at 10.30am.**

JANE G. MACEACHRAN
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

- 1 Admission of Burgesses
- 2 Members are requested to agree that any exempt business on this agenda be considered with the press and public excluded
- 3 Requests for Deputations

MINUTES OF COUNCIL

- 4(a) Minute of Meeting of Council of 17 December 2014 - for approval (circulated separately)
- 4(b) Minute of Meeting of Urgent Business Committee of 28 January 2015 - for approval (Pages 1 - 2)

BUSINESS STATEMENT, MOTIONS LIST AND OTHER MINUTES

- 5(a) Business Statement (Pages 3 - 10)
- 5(b) Motions List (Pages 11 - 14)
- 5(c) Minute of Meeting of Guildry and Mortification Funds Sub Committee of 21 January 2015 - for approval (Pages 15 - 18)

REFERRALS FROM COMMITTEES IN TERMS OF STANDING ORDER 36(3)

- 6 None to date

GENERAL BUSINESS

- 7(a) Camping in Designated Places (Pages 19 - 26)
- 7(b) Joint Inspection of Children's Services (to follow)
- 7(c) Draft Health and Social Care Integration Scheme - to be referred by Shadow Integration Joint Board of 24 February 2015 (to follow)
- 7(d) Aberdeen City Region Deal (to follow)
- 7(e) COSLA/Scottish Local Government Partnership (Pages 27 - 36)
- 7(f) Appointments (Pages 37 - 42)
- 7(g) Aberdeen Sports Village and Sport Aberdeen - Recruitment of Board Members (Pages 43 - 68)
- 7(h) Twinning and International Partnerships (Pages 69 - 78)

MOTIONS

- 8(a) Lord Provost George Adam

“That this Council congratulates the Guild of Burgesses on their 800th anniversary: in so doing celebrates the enormous contribution made by Burgesses in the development of Aberdeen, remembers those who lost their lives in the defence of the city, and looks forward to continuing our long and fruitful relationship.”

8(b) Councillor Yuill

“That this Council:-

1. Notes the recent decision by the City of Edinburgh Council to introduce a 20mph speed limit covering most of Edinburgh and similar moves by a number of English local authorities.
2. Notes the positive effect on pedestrian and cyclist survivability in accidents involving vehicles travelling at 20mph rather than 30mph
3. Instruct officers to report on the feasibility, desirability and implications of introducing a similar arrangement in Aberdeen.”

8(c) Councillor Yuill

“That this Council deplores the decision by Aberdeen International Airport to introduce a £1 charge for those dropping off passengers at the airport.”

8(d) Councillor Reynolds

“That following the opening of the South Glasgow University Hospital Aberdeen City Council calls on the Scottish Government to award a ring fenced grant to cover the cost of installing a new multi storey car park on the ARI site, similar to the 3 multi storey car parks in the new Glasgow Hospital.”

8(e) Councillor Reynolds

“That Aberdeen City Council calls on the National Air Traffic Services (NATS) and the Civil Aviation Authority (CAA) to review the current policy regarding helicopters overflying the residential areas of the Bridge of Don and revert to helicopters being obliged to fly north of the residential area concerned and calls upon the local Member of Parliament Malcolm Bruce to give this request his support.”

BUSINESS THE COUNCIL MAY WISH TO CONSIDER IN PRIVATE

9(a) Aberdeen Exhibition and Conference Centre (AECC) Development (Pages 79 - 184)

Website Address: www.aberdeencity.gov.uk

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

Briefing for Elected Members on the Importance of EHRIAs

As an elected member, you will know you have an important role to play in championing equality within and outside Aberdeen City Council. There is also a scrutiny role for you to ensure that equality considerations are included in the decision making and governance of the council.

In exercising your duties as an elected member, you will make decisions which shape the council budget as well as the practice, strategies, plans and policies of the council. You have to make sure that the relevant equality implications are considered and so need to have sufficient information to satisfy our legal requirement to pay “due regard” to equality. Since public authorities subject to the equality duties are also likely to be subject to the obligations under the Human Rights Act, our impact assessment tool also considers the potential impact our decisions could have on human rights – Equality and Human Rights Impact Assessment (EHRIA).

EHRIA forms are included in the agenda pack, and this is important as it ensures that the impact of any proposals being considered by the Committee is clear at the point of decision making. These are included at the back of the report, as an appendix. Committee members should feel able to ask questions of report authors in relation to EHRIA forms, including questions about why an impact assessment has not been carried out/is not included.

There is an onus on elected members to make sure that EHRIAs are robust and give appropriate weighting in decision-making processes. In recent guidance from the Equality and Human Rights Commission, relevant case law examples show the Courts stating that, the public authority had to demonstrate that it had paid ‘due regard’ to its equality obligations.

Policies and practices should be assessed for impact across the three parts of the public sector duty (eliminate unlawful treatment, advance equality of opportunity and foster good relationships).

These duties do not prevent us from taking many difficult decisions such as reorganisations and relocations, redundancies, and service reductions, nor do they stop us from making decisions, that may affect one group more than others. Whilst we have a duty to involve groups of people who have protected characteristics, this does not give them the right of veto regarding any of our budget proposals or other council decisions.

What the equality duties do is enable us to demonstrate that we are making decisions in a fair, transparent and accountable way, considering the needs and the rights of different members of our communities.

The EHRIA will allow you to see that people with protected characteristics are enjoying equal access to our services, and where they are not, or are over/under-represented, or are not getting as good a service, the EHRIA gives the opportunity to do something to resolve the situation.

The equality target groups, or people with protected characteristics, include age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex (gender) and sexual orientation.

The sort of questions to ask yourself as you read an EHRIA might include:

- How might the proposal impact on ethnic minority communities, including Gypsy / Travellers?
- How might the proposal impact on people with a disability?
- Would the impacts on women and men or the Transgender community differ?
- Would the proposal affect ethnic minority women and men in the same ways?
- Would the proposal affect women and men with disabilities in the same ways?
- What about age considerations when thinking about impacts?

It is important to remember that the potential impact is not just about numbers. Evidence of a serious impact on a small number of individuals is just as important as something that will impact on many people. You should also think about how individual proposals might relate to one another. This is because a series of changes to different policies or services could have a severe impact on particular protected groups.

The EHRIA is therefore an invaluable tool to assist you in ensuring that the interests of all groups are properly taken into account when difficult choices about resources are required.

A case study on “Southall Black Sisters – the need to impact assess decisions” is set out below.

Southall Black Sisters (SBS) provides specialist services to Asian and Black Caribbean women, particularly in relation to domestic violence issues.

In June 2007, Ealing council announced proposals to move away from funding particular organisations (such as SBS), towards commissioning services (including domestic violence services) following a competitive bidding exercise.

During discussions about criteria for commissioning domestic violence services SBS had highlighted the adverse impact the criteria could have on pre-existing domestic violence services provided to women from ethnic minority communities, and so an equality impact assessment should be carried out.

Ealing carried out belated impact assessments on proposals before deciding to proceed with the existing domestic violence services commissioning criteria, resulting in two SBS service users launching a judicial review of the decision.

Ultimately, Ealing conceded these submissions and withdrew from the case. However, in an oral judgement, Lord Justice Moses reiterated the importance of undertaking an equality impact assessment, and also the importance of carrying out an impact assessment before policy formulation.

Should you require any help with EHRIAs please contact me at sandrab@aberdeencity.gov.uk or 01224 523039 or Faiza at fnacef@aberrdeencity.gov.uk or 01224 523183

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Agenda Item 4(b)

URGENT BUSINESS COMMITTEE

ABERDEEN, 28 JANUARY 2015 - Minute of Meeting of the URGENT BUSINESS COMMITTEE. Present:- Councillor Laing, Convener; and Councillors Boulton, Cameron, Cooney, Crockett, Dickson, Donnelly (substituting for Councillor Thomson), Jackie Dunbar, McCaig, Noble, Taylor, 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=3690&Ver=4>

DETERMINATION OF URGENT BUSINESS

1. In terms of Standing Order 28(6)(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 item on the agenda was of an urgent nature; and (2) that the Committee required to consider the item and take a decision thereon.

The Committee resolved:-

to agree that the item was of an urgent nature and required to be considered this day.

ESTABLISHMENT OF APPOINTMENT PANEL IN RESPECT OF THE POST OF HEAD OF LEGAL AND DEMOCRATIC SERVICES - CG/15/17

2. The Committee had before it a report by the Acting Director of Corporate Governance which sought approval to establish an Appointment Panel in respect of the post of Head of Legal and Democratic Services.

The report recommended:-

that the Committee agree -

- (a) to establish an Appointment Panel comprising nine members in total (3+3+1+1+1) to appoint to the post of Head of Legal and Democratic Services, including the Convener of the Finance, Policy and Resources Committee who should be appointed as Convener of the Appointment Panel;
- (b) to delegate powers to the Appointment Panel to agree all matters relating to the recruitment process, including role profile, person specification and salary;
- (c) in respect of the timescale for recruitment processes, to delegate powers to relevant officers to finalise this timeline, in consultation with the Convener of the Panel;
- (d) to appoint external recruitment consultants for the purposes of supporting the recruitment to the post where appropriate;
- (e) 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; and

- (f) the estimated expenditure associated with this recruitment, which was estimated to be no more than £50,000, and that these costs be met from contingencies.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) to request officers to circulate details of how close the Council was to the EU threshold of £173,934 after aggregation of costs and following approval of the report.

- JENNIFER LAING, Convener.

**COUNCIL
BUSINESS STATEMENT
4 MARCH 2015**

Please note that this statement contains a note of every report which has been instructed for submission to Council. All other actions which have been instructed by the Council are not included, as they are deemed to be operational matters after the point of decision.

Reports which are overdue are shaded

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
1.	Council 05.03.14 Article 21	<u>Broad Street Civic Square Assessment</u> The Council, amongst other things, resolved (1) to agree that option C - full pedestrianisation of Broad Street between Upperkirkgate and Queen Street - best meets the objectives of the project and acknowledge that this option is reliant on additional traffic management measures; (2) to instruct officers to report back on the details of the draft Traffic Regulation Order within six months; and (3) to instruct officers to also report back within six months on the outcomes of the future year traffic and air quality model testing for 2023; and (4) to instruct officers to investigate the feasibility of reopening the Castlegate to traffic and opening Queen Street at the junction of West North Street and include their findings in the above report, and enter into discussions with Muse Developments with regard to maximising views of Provost Skene's House from Broad Street.	At its meeting of 8 October 2014, the Council approved the planning application for Marischal Square and noted that the proposal to pedestrianise Broad Street was not being considered as part of the determination of the application. Officers are continuing to investigate options, including appropriate traffic modelling, for creating a more user-friendly pedestrian environment to form a civic space on Broad Street in advance of the pedestrianisation of Union Street. That work is being carried out in tandem with the development of the city centre masterplan and development framework.	Director of Communities, Housing and Infrastructure	20.08.14

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
2.	Council 21.08.13 Article 17	<p><u>Street Begging</u></p> <p>The Council, amongst other things, instructed officers to commence without delay consultation with the Scottish Government on a potential byelaw to prohibit street begging, and report back to every Council meeting on the progress or otherwise of the consultation with the Scottish Government.</p>	<p>The Council, at its meeting of 25 June 2014, resolved:-</p> <p>(i) to note the decision of the SNP Scottish Government to reject the request for the Prohibition of Begging in Designated Areas Byelaws 2014 as set out in the letter dated 20 June 2014;</p> <p>(ii) in light of the response from the Scottish Government declining to support a proposed byelaw, to instruct officers to develop alternative sustainable solutions to the use of the proposed byelaw working in partnership with Police Scotland and other appropriate stakeholders; and</p> <p>(iii) to instruct the Chief Executive to write to the appropriate Scottish Minister seeking financial and non-financial support to develop sustainable solutions to tackle street begging.</p> <p>Officers have undertaken survey work to help inform what additional strategies would be required and this may determine any additional financial support required. Given that we were already delivering a multi-faceted strategy it should be expected that identifying new approaches may not be possible. Insufficient partner participation in recent street-begging forum meetings has affected our progress however we</p>	Director of Communities, Housing and Infrastructure Director of Corporate Governance	08.10.14

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
			are currently engaging partners on an individual basis to obtain their proposals for additional activity. Our intention is to report to Council on 13 May 2015.		
3.	Council 14.05.14 Article 32	<u>Aberdeen Exhibition and Conference Centre (AECC) Development</u> The Council requested officers to finalise the financial options to deliver the development at minimum cost to the Council and that such options be reported to Council at its meeting in October 2014.	The Council, at its meeting of 17 December 2014, noted an update report which indicated that a full report would be submitted to the meeting of 4 March 2015. A report is on the agenda.	Director of Communities, Housing and Infrastructure	08.10.14
4.	Council 20.08.14 Article 6	<u>Corporate Parenting Champions Board and Sistema Partnership Board</u> The Council agreed to receive reports on the remit and membership of the Corporate Parenting Champions Board and the Sistema Partnership Board at its meeting on 8 October 2014.	The Corporate Parenting Champions Board met in September 2014 and requested officers to report back on its remit, this will therefore be considered by the Council once the Board has considered the matter further.	Director of Education and Children's Services	08.10.14
5.	Council 21.08.13 Article 9	<u>Establishment of Short-term Halting Sites for Gypsies/Travellers and Proposed Byelaw Regarding Camping in Designated Areas</u> The Council instructed officers to commence without delay consultation with the Scottish Government on a potential byelaw to prohibit camping on sensitive	The Asset Management team are continuing to identify alternative and additional sites both in the public and private sector. At its meeting of 17 December 2014, the Council resolved:- (i) to note the letter dated 31 October 2014 from the Scottish Government	Chief Executive Director of Communities, Housing and Infrastructure Director of	Every Council meeting

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
		<p>areas such as public places.</p> <p>In addition, the Council (a) instructed officers to prepare a detailed design with cost estimates for construction and ongoing costs for a short-term halting site at Howes Road; (b) instructed officers to prepare a planning application including details of costings (capital and revenue) for establishing the site; (c) approved the process for consultation as set out in the report acknowledging that strong views and opinions were likely to be part of the process; and (d) instructed officers to continue to conduct property searches with a view to establishing a further site or a more suitable site within the city.</p> <p>The Council instructed officers to report back to every Council meeting on the progress or otherwise on the consultation with the Scottish Government on the potential byelaw and on the suitability or otherwise of other potential sites.</p>	<p>confirming that Scottish Ministers have decided not to confirm the byelaws requested by the Council;</p> <p>(ii) to note the East Loch Lomond Camping Byelaws approved by Scottish Ministers on 10 March 2011 which comply with the general duty of the Equality Act 2010;</p> <p>(iii) to instruct the Chief Executive to work with all interested parties including those who objected to the byelaws and liaison with the Loch Lomond and the Trossachs National Park Authority to consider the issues experienced in Aberdeen and to report back to the Council at its meeting on <u>24 June 2015</u> with all available options to address those issues; and</p> <p>(iv) to instruct the Chief Executive to provide a report on the progress made on the implementation of the instruction contained in (iii) above to the Council meeting on <u>4 March 2015</u>.</p> <p>A report is on the agenda.</p>	Corporate Governance	
6.	Council 31.10.13 Article 14	<p><u>City Centre Regeneration Board</u></p> <p>The Council approved the creation of a City Centre Regeneration Board and instructed the Board to report back to Council at its meeting on 25 June 2014 with</p>	<p>The Council, at its meeting of 25 June 2014, resolved:-</p> <p>(i) to note the work of the City Centre Regeneration Board;</p> <p>(ii) to approve the proposed nine month programme for the</p>	Director of Communities, Housing and Infrastructure	Every Council meeting

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
		recommended project(s) to regenerate the city centre, and to provide updates on progress to Council each cycle.	<p>preparation of the City Centre Masterplan and Delivery Programme; and</p> <p>(iii) to approve the outcome of the evaluation process and the appointment of Tenderer B, in line with the recommendation of the City Centre Regeneration Board.</p> <p>Minutes of meetings of the City Centre Regeneration Board will be on the agenda when available.</p>		
7.	Council 25.06.14 Article 17	<p><u>Joint Inspection of Services for Children and Young People in the Aberdeen City Community Planning Partnership Area</u></p> <p>The Council instructed the Chief Executive to submit a report to Council setting out progress and recommendations from the scrutiny process.</p>	<p>A report is listed on the agenda. It is expected that this report will be tabled at the meeting due to the fact that the inspection report is not due to be published until 4 March 2015.</p>	<p>Director of Education and Children's Services</p> <p>Transitional Director - Social Care and Wellbeing</p>	04.03.15
8.	Council 14.05.14 Article 30	<p><u>Corporate Parenting</u></p> <p>The Council instructed officers to report back on the implementation and review of the Corporate Parenting Policy in May 2015.</p>		<p>Director of Education and Children's Services</p>	13.05.15

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
9.	Council 31.10.13 Article 17	<u>Community Planning Aberdeen - Development Plan</u> The Council agreed to receive six monthly updates on progress with the implementation of the Development Plan.	The Council received the last six month progress report on 17 December 2014.	Director of Communities, Housing and Infrastructure	24.06.15
10.	Finance and Resources 12.11.09 Article 22	<u>Community Planning Partnership - Fairer Aberdeen Fund</u> The Finance and Resources Committee instructed the Director of Corporate Governance to provide twice yearly updates in February and October to the Aberdeen City Alliance (now Community Planning Aberdeen) and the Corporate Policy and Performance Committee on the outcomes achieved through the investment of the Fairer Scotland Fund (now Fairer Aberdeen Fund).	The Council received the last six month progress report on 17 December 2014.	Director of Communities, Housing and Infrastructure	24.06.15
11.	Council 08.10.14 Article 16	<u>Bon Accord Care Annual Report</u> The Council noted the Bon Accord Care Annual Report for 1 August 2013 to 31 July 2014, and agreed to receive each annual report from Bon Accord Care Ltd.		Transitional Director - Social Care and Wellbeing	October 2015

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
12.	Council 08.10.14 Article 13	<p><u>Standing Orders on Contracts and Procurement</u></p> <p>The Council noted that legislation which would require to be reflected in revisions to the Standing Orders on Contracts and Procurement was expected during 2015 and that a report would be submitted thereafter.</p>		Director of Corporate Governance	Late 2015
13.	Council 06.03.13 Article 16	<p><u>Welfare Reform</u></p> <p>The Council, amongst other things, approved the steps taken by officers to develop a policy and practice response and agreed to receive further reports in due course as measures were implemented.</p>	<p>The Scottish Welfare Fund has been successfully introduced and is operating well and meeting deadlines for decisions. Further changes to welfare reform are planned for later this year. The Hub joint project with the DWP is now open and being developed further over the coming weeks. Agreement has been reached with The Citizens Advice Bureau regarding the basis for a service level agreement. Claims for discretionary housing payments continue to be processed within the agreed scheme. The Financial Inclusion Manager has been appointed and took up his post on July 2013.</p> <p>A progress report was noted by the Council on 21 August 2013. A further report was contained within the Information Bulletin for the Council meeting on 14 May 2014.</p> <p>An update will be provided at the end of the 2014/15 financial year.</p>	Director of Communities, Housing and Infrastructure	As and when required

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**COUNCIL
MOTIONS LIST
4 MARCH 2015**

Please note that this statement tracks all Notices of Motion (relevant to Council) submitted by members, until the point of disposal. The motion will remain on the statement until the Council has agreed to remove it.

<u>No.</u>	<u>Motion</u>	<u>Date of Council Meeting</u>	<u>Decision of Council</u>	<u>Action taken/Proposed Future Action</u>	<u>Responsible Officer</u>	<u>Due Date</u>
1.	<p><u>Motion by Councillor Thomson</u></p> <p>“That this Council:-</p> <p>(1) Restates its commitment to the Local Authority Covenant which ensures that Aberdeen City Council supports the local armed forces community.</p> <p>(2) Recognises the enormous contribution that the Armed Forces make and the sacrifices that the Armed Forces and their families make every day for the safety and security of our country.</p> <p>(3) To recognise the contribution made by our Armed Forces, agrees to request a report examining what more Aberdeen City Council can do to support our armed forces and veterans community across the services it provides.</p>	20.08.14 Article 10	The Council (i) instructed officers to submit a report to the next Council meeting; and (ii) accepted the offer from the Armed Services Advice Project to deliver a presentation to members at a future meeting.	At the Council meeting of 8 October 2014, members noted a report which advised that it was intended that representatives of Royal British Legion Scotland, other signatories to the Covenant and other relevant organisations be invited to meet with the Lord Provost as the Council's Veterans Champion both to discuss the envisaged protocol and what additional actions the Council might take in order to support the armed forces and veterans community in Aberdeen. A further report would then be brought to a future meeting of the Council.	Chief Executive Director of Communities, Housing and Infrastructure	4 March 2015

<u>No.</u>	<u>Motion</u>	<u>Date of Council Meeting</u>	<u>Decision of Council</u>	<u>Action taken/Proposed Future Action</u>	<u>Responsible Officer</u>	<u>Due Date</u>
	<p>(4) Instructs officers to engage with neighbouring authorities on their allocation of housing to members of the Armed Forces.</p> <p>(5) Instructs officers to meet with Legion Scotland and to establish a protocol for an ongoing relationship between the Council, Legion Scotland and other pertinent organisations.</p> <p>(6) Congratulates and welcomes the Armed Services Advice Project (ASAP) provided by the Scottish Citizens Advice Bureau which is a focal point for the city's armed forces community for access to advice, information and support."</p>			<p>The Lord Provost, as the Council's Veterans Champion, is currently working closely with all relevant organisations in relation to the City's Armed Forces Day celebrations to be held on 27 June 2015. A meeting in relation to the potential protocol will be held in the coming weeks.</p>		
2.	<p><u>Motion by Lord Provost George Adam</u></p> <p>"That Aberdeen City Council agrees to take forward approaches from associates of the local fishing industry to create an appropriate and lasting memorial to the men and women who lived, worked and</p>	17.12.14	To approve the terms of the motion.		Director of Education and Children's Services	13 May 2015

<u>No.</u>	<u>Motion</u>	<u>Date of Council Meeting</u>	<u>Decision of Council</u>	<u>Action taken/Proposed Future Action</u>	<u>Responsible Officer</u>	<u>Due Date</u>
	<p>died in it, in peace time and war, and to commemorate the major contribution which fishing has made to the city's life and heritage. Officers are instructed to report on the establishment of a small working group, the scope of a commission and confirmation of a budget with a view to obtaining additional contributions to build on external funds already secured."</p>					

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Agenda Item 5(c)

GUILDRY AND MORTIFICATION FUNDS SUB COMMITTEE

ABERDEEN, 21 January 2015. - Minute of Meeting of the GUILDRY AND MORTIFICATION FUNDS SUB COMMITTEE. Present:- Councillor Finlayson, Master of Mortifications, Chairperson; Councillor Noble; and Mr Colin G. Taylor, Dean of Guild.

The agenda and reports associated with this minute can be found at:-

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=419&MId=3665&Ver=4>

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

MINUTE OF PREVIOUS MEETING

1. The Sub Committee had before it the minute of its previous meeting of 14 April 2014.

The Sub Committee resolved:-

to approve the minute.

REVIEW OF ALLOWANCES

2. The Sub Committee had before it a paper by the Head of Finance which (a) provided information concerning (1) the amount of allowances paid from the Guildry funds to Burgesses of Guild, widows and widowers of Burgesses and children of Burgesses from 1995 to 2013; and (2) the number of people receiving allowances for the same period; and (b) proposed that the allowances be increased by either 3% or 5% rounded up to the nearest £10, backdated, for 2014/15.

The Sub Committee resolved:-

to recommend to Council that the following increases (5%) in annual allowances be approved backdated from 1 May 2014:-

Guildry Fund Allowance	Present Allowance	Proposed Allowance
Burgesses	£1,765	£1,855
Widows/Widowers of Burgesses	£1,765	£1,855
Children of Burgesses	£1,640	£1,725

HAMILTON MONUMENT REPAIR - CG/15/02

3. The Sub Committee had before it a report by the Acting Director of Corporate Governance which advised of a request from Aberdeen City Heritage Trust for funding towards the cost of repairing the Hamilton Monument within St Nicholas Kirkyard, and confirmed the balance of funds within the Graveyards Mortification Fund.

The report recommended:-

that the Sub Committee consider the request from Aberdeen City Heritage Trust and agree to provide £2,000 towards the repair cost of the Hamilton Monument.

The Sub Committee resolved:-

- (i) to approve the recommendation; and
- (ii) to request officers to report back on the future use of the Graveyards Mortification Fund.

REPORT BY DEAN OF GUILD

4. With reference to Article 4 of the minute of its meeting of 14 April 2014, the Sub Committee had before it a report by the Dean of Guild which provided an update on possible uses of the Guildry funds.

The report put forward the following requests for funding for consideration:-

- (1) approximately £2,000 towards the cost of an anniversary dinner on 27 February 2015 to mark the 800th anniversary of the granting of a Royal Charter to the Burgesses of Aberdeen;
- (2) up to £4,000 for the commissioning of a coat of arms for the Burgesses of Guild, and approximately £10,000 towards an event marking the formal presentation of the coat of arms;
- (3) approximately £2,000 towards the production costs of leaflet on the history of the march stones;
- (4) up to £5,000 towards the cost of developing a new website for the Burgesses of Guild, reproducing a booklet on the 800 year history, and the replacement of four missing assessors' medals; and
- (5) between £10,000 and £20,000 to create a permanent feature in Aberdeen to recognise the 800th anniversary and the long-standing connection between the Burgesses and the city.

The Dean of Guild spoke in furtherance of the report, advising that he had since met with officers in Finance and Legal and Democratic Services in relation to the appropriateness of the various requests for funding in terms of the qualifying criteria. He added that the anniversary dinner on 27 February 2015 was fully subscribed and would be self financing; therefore the request for £2,000 was withdrawn. Furthermore, the proposed event marking the formal presentation of the coat of arms was not considered to be an appropriate use of the Guildry funds, and it could also be self financing, and therefore the request for £10,000 was also withdrawn. Lastly, he explained that the final request for funding towards a permanent feature in the city was at a very early stage, and therefore a further report would be submitted at a later date.

The Sub Committee discussed the various requests for funding and emphasised the need for the Burgesses of Guild to have a formal constitution. The Sub Committee also discussed the Burgess Awards and noted that discussions were ongoing with various organisations vis-à-vis the establishment of a form of scholarship.

The Sub Committee resolved:-

- (i) to approve the following requests for funding:-
 - up to £5,000 for the commissioning of a coat of arms; and

- up to £5,000 towards the cost of developing a new website, reproducing a booklet on the 800 year history, and the replacement of four missing assessors' medals;
- (ii) to not approve the request for funding in respect of the march stones, noting that this was the responsibility of the relevant service;
 - (iii) to note that a report would be submitted to a future meeting regarding the establishment of a permanent feature in terms of (5) above;
 - (iv) to note that the remaining requests for funding had been withdrawn;
 - (v) to request the Dean of Guild to report back on progress with the establishment of a constitution for the Burgesses of Guild;
 - (vi) to request the Dean of Guild to arrange a meeting with officers and the relevant partners in terms of the Burgess Awards and other possible initiatives; and
 - (vii) otherwise to note the report.

DATE OF NEXT MEETING

5. The Chairperson intimated that a further meeting was likely to be required within three to four months.

The Sub Committee resolved:-

to agree that the date of the next meeting be fixed in consultation with the Chairperson.

- **ANDREW FINLAYSON, Master of Mortifications, Chairperson.**

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ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	4 March 2015
DIRECTOR	Pete Leonard
TITLE OF REPORT	Update - Camping in Designated Places
REPORT NUMBER:	CHI/15/132

1. PURPOSE OF REPORT

The purpose of this report is to update and advise members on the progress of the Council decision of the meeting on 17 December 2014 on the byelaw on camping in designated places.

2. RECOMMENDATIONS

The Council is recommended to note the progress report.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

4. OTHER IMPLICATIONS

There are no additional implications arising from this report beyond those set out in the report to the Council's meeting on 14 May 2014

5. BACKGROUND/MAIN ISSUES

The Council, at its meeting on 17 December 2014 considered an update report on the proposal to introduce a byelaw which was designed to prevent overnight camping in designated areas. In moving forward with this, Council decided the following;

- i) to note the letter dated 31 October 2014 from the Scottish Government confirming that Scottish Ministers have decided not to confirm the byelaws requested by the Council;
- (ii) to note the East Loch Lomond Camping Byelaws approved by Scottish Ministers on 10 March 2011 which comply with the general duty of the Equality Act 2010;

- (iii) to instruct the Chief Executive to work with all interested parties including those who objected to the byelaws and liaise with the Loch Lomond and the Trossachs National Park Authority to consider the issues experienced in Aberdeen and to report back to the Council at its meeting on 24 June 2015 with all available options to address those issues; and
- (iv) to instruct the Chief Executive to provide a report on the progress made on the implementation of the instruction contained in (iii) above to the Council meeting on 4 March 2015.

East Loch Lomond Camping Byelaws

Aberdeen City Council's legal team have been in contact with a representative at the National Park Authority (NPA).

The NPA is a Non-Departmental Public Body. This means that they have very close links to the Scottish Government. They have a sponsor team within the Rural and Environmental Team at the Scottish Government and this results in close links and a very positive relationship with the Minister for Environment, Climate Change and Land Reform within whose remit National Parks lie. The NPA worked very closely with Scottish Government officials and the Minister gave positive direction at the outset of the consideration of the NPA byelaws. The NPA representative commented that Ministerial support had been vital in the process being successful. The Aberdeen byelaws were considered by the Minister for Housing and Welfare.

The NPA presented evidence to the Minister which included police statistics and factual data. Their application for confirmation of the byelaws was very much a last resort and they presented significant evidence of the measures they had previously implemented which consisted of infrastructure improvements and increasing the public awareness of the issues through education. They also contribute financially to the funding of additional policing within the National Park at the peak times of the year at the busiest locations. They found that these other measures were not working successfully and members of the public were continuing to use the area in an irresponsible way.

The NPA had the support of the Police and of the Procurator Fiscal in the process of applying for the confirmation of the byelaws. The NPA considers that the implementation of the byelaws has been a success in that it has proved a deterrent for unauthorised encampments. There is currently one report of an infringement of the byelaws with the Procurator Fiscal. The NPA are awaiting the outcome of this, however this is the only report since the implementation of the byelaws, and such has been their success. The NPA have continued with the other measures mentioned above throughout and it was highlighted that the implementation of the unauthorised encampment byelaws has been run in tandem with byelaws tackling alcohol use in the area and the feeling is that all of these measures have combined to ensure success.

The NPA made adjustments to the wording of the draft byelaws during the process following comment from stakeholders and the Minister. They had initially been seeking for the byelaws to be operational on a year round basis however this was changed to being seasonal to reflect the times when the most significant problems arise. The NPA did not receive complaints or objections on the basis that their proposed byelaws would discriminate against any particular group.

The NPA is currently undertaking a review of the byelaws. The Minister asked for a review process to be built in when confirmation was granted. The representative from the NPA recognised that the circumstances in the National Park are quite different to the circumstances in Aberdeen; however she commented that she would be happy to have an officer from the NPA come to Aberdeen to offer insight on the NPA experience to Members if they would wish this.

The first consideration when weighing up the Aberdeen City Council proposed byelaws in relation to unauthorised encampments and the Loch Lomond and The Trossachs National Park Authority Camping Byelaws is the reason for the Loch Lomond byelaws being brought into force. The National Park Authority (NPA) wanted to ensure that the experience of all visitors to the National Park is first class. Certain parts of the park suffered from high levels of visitor pressure in key locations. Over a number of seasons this led to an adverse impact being caused to particular areas. Various specific problems were noted, such as litter, toileting, fires, traffic and antisocial behaviour including drunkenness, vandalism, criminal damage and assault. There are clearly similarities in the Aberdeen situation; however the problems within the Loch Lomond situation were not being caused by any particular group or community, which is an important distinction. The NPA noted that it worked closely with a number of stakeholders including the Police and Community Councils to develop proposals and had the support of their stakeholders in the application for the byelaws.

The NPA carried out a 12 week public consultation at the outset of their consideration of whether to propose the byelaws which received 286 responses. They received responses from many individuals, organisations and other bodies including the police. The feedback was on the whole positive, however 36% did not support the byelaws mainly for the reason that it was felt that the responsible majority would lose out on opportunities to enjoy Loch Lomond because of a minority of irresponsible people. The reasons for the objections received in relation to the Aberdeen proposals were mainly focussed on the following:

- Concerns that the proposed byelaws would directly or indirectly discriminate against a particular community;
- Lack of provision being made for a halting site;
- Concerns that unauthorised encampments would be displaced to private landowners;

- Police and Procurator Fiscal views that existing legislation gave powers to deal with any problems without the introduction of the byelaws; and
- Scottish Government guidance in relation to unauthorised encampments relating to Gypsy/Travellers that stated that there was a presumption against prosecution in relation to unauthorised encampments.

The NPA notes that the camping byelaws are not the answer to all of the problems at Loch Lomond but that they are another tool in their box which need to complement continued enforcement and patrolling, education and awareness raising activity, traffic management, investment in sites, designated informal camping areas, car park charging and others. As in Aberdeen, the NPA notes that there are serious resource implications in having to deal with the issues. One of the motivations of the byelaw proposal at the NPA was to shift the resource allocation from dealing with the problems after they have started to prevent the situations from arising.

The NPA chose the areas for the byelaws based on the evidence of where the main hotspots are for informal camping in the area. The proposed designated areas in Aberdeen sought to do the same. The NPA presented statistical evidence in graph format for the 3 preceding years showing the level of overnight vehicles and tents in 3 key locations where there were no facilities for camping. A key part of the proposal by the NPA was that they worked with all stakeholders to identify a site for informal camping provision within the designated area. The NPA made it clear as part of their proposal that they would not support the proposal for the byelaws without making provision for informal camping within the designated area. The NPA acknowledges the need for a balance between restricting camping to improve the wider visitor experience and to allow better management of the area and restricting camping to the extent that opportunities to experience the countryside are reduced. It is noted that there are 2 formal camp sites within the designated area which will be able to continue to operate as before following the introduction of the byelaws.

The NPA acknowledged that the introduction of the byelaws would be likely to lead to displacing some elements of informal camping activity to other areas. This was also a concern noted within letters of objection submitted regarding the Aberdeen proposed byelaws. In response to this concern, the NPA noted that if there was an increase in problems in other locations they would look to allocate resources to help to deal with any issues. It is important to note that the Loch Lomond and Trossachs byelaws were made under a different statute than the proposed Aberdeen City Council byelaws. The Loch Lomond byelaws were made under the National Parks (Scotland) Act 2000 which provided that the NPA could make byelaws for the National Park provided that they were for the purposes of:

- Protecting the natural and cultural heritage of the National Park;
- Preventing damage to the land or anything in, on or under it; or
- Securing the public's enjoyment of, and safety in, the National Park.

The Aberdeen City Council proposed byelaws were promoted under the Local Government (Scotland) Act 1973 Section 201 which provides that the Local Authority may make byelaws for the good rule and government of the whole or any part of their area and for the prevention and suppression of nuisances therein.

Interested Parties

The Gypsy Traveller Team have contacted each of the stakeholders who objected to the Byelaw to gauge their view and have only received one response to date from the Motor home Tourism Organisation – appendix I. Any additional feedback from other stakeholders will feature within the June Council report.

Ongoing Scottish Government/COSLA Review

The Scottish Government is currently in the process of producing a strategy and action plan for Gypsy/Traveller in Scotland. The Gypsy/Traveller Site Working Group is one of three working groups, which will feed into the strategy and action plan. The site working group held its final meeting recently and a range of next steps were agreed around site provision, site quality, tenancy agreements and unauthorised encampments.

COSLA hosted a meeting on 15 January 2015 to discuss next steps regarding unauthorised encampments and site quality. Aberdeen City Council was represented at that meeting which was a brainstorming session and Officers contributed fully to the discussions based on their experiences. The two areas of work discussed at this meeting were:

- A review of the Scottish Government guidance on unauthorised encampments *Guidelines for Managing Unauthorised Camping by Gypsies/Travellers in Scotland*; and,
- A proposal to develop minimum standards that should apply to accommodation on sites and ensuring adherence to these. This will include looking at whether such standards should be included in the Scottish Social Housing Charter in its next review.

Further such meetings will be programmed and it is expected that Aberdeen City Council will once again be represented at these meetings with any updates being included in June's Council report.

6. IMPACT

Public – The report may generate public interest as the issue of a byelaw has attracted widespread public interest.

Equalities – The issues identified in the report to Council on 14 May 2014 continue to exist.

7. MANAGEMENT OF RISK

The issues identified in the report to Council on 14 May 2014 continue to exist.

8. BACKGROUND PAPERS

Council report and minute of meeting 14 May 2014.
Council report and minute of meeting 17 December 2014.

9. REPORT AUTHOR DETAILS

Martin Smith
Area Housing Manager
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Telephone: 01224 788538

From: John Thompson
Sent: 10 February 2015 10:59
To: Amanda Farquhar
Subject: Re: Aberdeen City Council - Prohibition of camping in designated areas byelaw 2014

Dear Amanda Farquharson

Thank you for your email.

The Motorhome Tourism Organisation on whose behalf I replied have not changed their opinion of the clauses of the By-Law restricting the use of Motorhomes and Campervans. This bylaw was intended to prevent unlawful encampments by travellers. It is apparent that there are a lack of official sites for these groups, which has led to the unofficial encampments.

We fail to see that Aberdeen City has any more of a "unique situation" than any other town or county in the UK regarding travelling populations .

There was no need to include Motorhomes and Campervans (which we note was suggested by Waitrose (John Lewis partnership) after an initial consultation, to which we were not party, despite requests for information) and particularly the drastic, potentially criminal restriction on their "use" or occupation between 6pm and 6am. Your TROs already prohibit sleeping, camping or cooking in the off-street car parks. As taxed, tested and insured motor vehicles they have a right to use the highway in the same manner as any other vehicle. We would further point out that Motorhomes over 5 tonnes are not "goods vehicles" which are category N vehicles in the current DVLA/EU classification. All Motorhomes are "Passenger vehicles" no matter the size, together with cars, buses and coaches and therefore are category M vehicles, the body configuration has no relevance.

Yours sincerely

John J Thompson

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ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	4 th March 2015
LEAD OFFICER	Chief Executive
TITLE OF REPORT	COSLA/Scottish Local Government Partnership
REPORT NUMBER	OCE/15/005
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

The report reminds members of the Council's decision to terminate its membership of COSLA with effect from 1st April 2015; provides information on the arrangements being made by officers in light of the Council no longer being a member of COSLA with particular regard to finance, HR and relationships with governments and national bodies; and informs the Council of the formation of the Scottish Local Government Partnership.

2. RECOMMENDATIONS

That the Council:-

- i. notes that the Council's membership of COSLA will terminate with effect from 1st April 2015;
- ii. notes the arrangements being made by officers in light of the Council no longer being a member of COSLA;
- iii. agrees that the Council joins the Scottish Local Government Partnership and plays an active role in its development; and
- iv. agrees that further reports be brought to Committee on these matters as necessary.

3. FINANCIAL IMPLICATIONS

COSLA's position is that any Council terminating membership will be liable for a one-off payment to COSLA. The size and scope of any such payment would be the subject of negotiation. There is a view that the terminology of COSLA's constitution in relation to these matters is ambiguous and it is likely that in the event of a one-off payment being required of the Council, the Head of Finance and the Head of Legal

and Democratic Services would challenge the amount sought and seek clarification on the basis of its calculation.

The 2015/2016 local government settlement figure for Aberdeen City Council has been agreed through the normal discussion involving the Scottish Government and COSLA, although members will of course be aware that a specific funding allocation for 2015/2016 from the Scottish Government in relation to teacher numbers is now being negotiated on a council by council basis following the breakdown of discussions with COSLA.

For 2016/2017 and for future years the Head of Finance will work with the CIPFA Directors of Finance and Scottish Government officials to negotiate additional settlement distribution mechanisms which will determine the Council's final settlement figure. The expectation will be that any in-year allocation of additional funds would be the subject of bilateral discussion between the Council and the Scottish Government. The intention is also to explore the option of independent verification of the application of distribution formulae in relation to the sums provided to the Council.

The Council's budget for 2015/2016 includes the sum of £126,000 within the Office of Chief Executive which has formerly covered the Council's annual membership fee for COSLA. The costs associated with the arrangements being made by officers in light of the Council's exit from COSLA and the costs of the Council's involvement in the work of the Scottish Local Government Partnership will be met from this sum.

4. OTHER IMPLICATIONS

The position of the Head of Legal and Democratic Services in relation to the Council's termination of its membership of COSLA is noted above. She will also provide any advice necessary in relation both to the Council's arrangements once it has left COSLA and to the Council's membership of the Scottish Local Government Partnership.

The Director of Corporate Governance and the Head of HR and Organisational Development are working with colleagues to ensure that appropriate arrangements remain in place for the Council in relation to employee terms and conditions; this includes ensuring national collective bargaining arrangements will continue to be recognised and applied e.g. national pay awards. Although the Council will leave COSLA, discussions are ongoing for the Council to remain part of the national employers' organisation as a member of the Scottish Local Government Partnership.

5. BACKGROUND/MAIN ISSUES

At its Budget Meeting of 6th February 2014 the Council resolved to terminate its membership of COSLA with effect from 1st April 2015, reserving the right to withdraw at any point during 2014/2015 its notice to leave in view of the then impending review of the COSLA Constitution and Standing Orders. The notice has not been withdrawn.

As noted above, in terminating its membership of COSLA the key short- to medium-term issues to be addressed by the Council include assessing and negotiating on any one-off payment claimed by COSLA and putting in place arrangements for the Council in the key areas of finance distribution and workforce terms and conditions including pay. The appropriate Council officers are working with colleagues in relevant professional associations, other Councils, COSLA and the Scottish Government on these matters.

Over and above the practical arrangements to be made on behalf of the Council once it is no longer in COSLA membership, a key priority for the Chief Executive and the Corporate Management Team will be to ensure that the Council's position on all relevant matters is clearly and effectively presented to government and other national bodies.

The Office of Chief Executive will work with senior officers across the Council to identify professional associations and national bodies on which the Council is or should be represented and seek ways in which to maximise the impact for the Council of such representation. Similarly the Office of Chief Executive will develop and introduce for the Council a more systematic means by which proposed legislation and/or government policy developments are tracked and their implications for the City assessed.

The aim will be to ensure that there is a strategic, effective and robust ongoing engagement with government and all relevant national agencies which seeks at all times to build constructive working relationships in order to achieve jointly the best outcomes for the people of Aberdeen. The staffing resource within OCE will be reviewed to ensure that there is adequate cover for the work entailed in this but it is likely that a policy officer post will be required.

In addition to all the above, members may be aware that Glasgow City Council, Renfrewshire Council and South Lanarkshire Council all also served notice last year on COSLA of an intention to terminate membership with effect from 1st April 2015. Glasgow City Council instructed its Chief Executive to bring forward proposals on how councils might co-operate after leaving COSLA and a number of meetings have taken place in the last number of months between representatives of the four councils.

A new voluntary association of councils is proposed – *The Scottish Local Government Partnership* – with Aberdeen City Council, Glasgow City Council, Renfrewshire Council and South Lanarkshire Council being its initial four members. At the time of writing, the intention is that the Leaders of the four councils will together approach the UK Government, the Scottish Government, COSLA and the Trades Unions to introduce the Partnership and to seek engagement with it.

As noted above, relevant officers are putting in place the necessary arrangements required to safeguard the Council's interests, but membership of the Partnership also offers the opportunity for officers of the Council to work with colleagues in the other member councils on issues of shared interest. Individual meetings of Finance, HR and Communications officers from each of the four councils have already taken place. Where appropriate officers from the four councils will work together to achieve common agreed goals.

Further reports on the matters outline above will be brought to the appropriate Committee as and when required.

6. IMPACT

The subject matter of the report impacts on the Council's arrangements in relation both to the distribution of funding and to staff terms and conditions. In addition it has an impact on the Council's activities in relation to engaging with governments and influencing policy priorities.

7. MANAGEMENT OF RISK

The report sets out the arrangements being put in place in light of the termination of the Council's membership of COSLA. The effectiveness of these arrangements will be kept under review and further reports will be brought to Committee as and when required.

8. BACKGROUND PAPERS

None

9. REPORT AUTHOR DETAILS

Ciaran Monaghan
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Scottish Local Government Partnership

Terms of Reference

1. The Scottish Local Government Partnership (SLGP) is a voluntary association of local Councils. The role of the Partnership is to:
 - Strengthen the resources and powers available to local Councils.
 - Promote, advance and secure the legitimate role of its member Councils as the democratically elected local bodies with the responsibility for the governance of local place including:
 - Driving the local economy, securing investment, business, creating jobs and training opportunities;
 - Ensuring the wellbeing of its citizens through all of its functions;
 - Providing and improving the delivery of essential services to local people through a range of local statutory and regulatory functions;
 - Representing the voice and interests of its local communities; and
 - Delivering a fairer and more equal local area and contributing to a fairer Scotland.
 - Influence and effect improvement in national government policy, practice and reform programmes to enable the Councils to deliver their functions and services most effectively and efficiently at a local level, directly, in Partnership, or on a shared basis, and deliver positive outcomes for their areas, residents and businesses.

Membership

2. The Partnership is open to all local Councils in Scotland.
3. The Partnership acknowledges the changing nature of local governance in Scotland, for example, through the growth of city region Partnerships and the integration of significant public services. It will consider (in the future) how membership can be extended to adapt to the changing governance of place and public sector reform.

Ethos

4. The Partnership is founded on the principles of subsidiarity and local decision making, recognising that local people and local Councils are best placed to inform and take decisions about issues that affect them and their areas.
5. It embodies the principle that local Councils have a democratic mandate to make decisions which balance the needs and aspirations of

people across their local authority areas. It supports members in their leadership role to deliver community empowerment.

6. The Partnership is committed to promoting and demonstrating the leadership role of local Councils in creating a more successful country and their local areas contributing to, and benefiting from, that success. It will reflect these principles in its practice and structures.
7. The Partnership is a proactive organisation, planning and agreeing the priorities it wishes to drive and influence on an annual basis.
8. It will act in the interests of its member Councils. It will engage in a meaningful and mature dialogue with its members and stakeholders.
9. It will work with its members to develop a shared view on an agreed set of strategic priorities of relevance to all its members with the clear objective of influencing policy and outcomes for local people.
10. Where this is not possible, given the diverse range of issues and local priorities, member Councils can indicate where their views diverge. The Partnership will then represent these views and why they differ in their representation and negotiation.
11. At all times the Partnership will be respectful of individual member positions, in line with the principle of subsidiarity and local decision making, that all act in the best interests of their area, businesses and residents.

Functions

12. To provide:-
 - A voice and representation for its members at a national level on priority issues;
 - A proactive agenda for communication, lobbying and engagement with various levels of government including Scotland, the UK and the EU;
 - Advice and support to members on a range of policy issues;
 - Engagement with other stakeholders on issues of priority, clear purpose or interest to the Partnership;
 - Collective bargaining on pay and terms and conditions for its members' employees with the respective trades unions and employee associations; and
 - A knowledge hub or mechanism to exchange information, ideas and good practice between the members and officers supporting the

Partnership to deliver a more successful Scotland and transform the role of local Councils in the local governance of place, public service delivery and better local outcomes for people and businesses.

Governance

13. Membership will be diverse and the Partnership will recognise this diversity from the outset in its priorities, governance and support structures.
14. The Partnership will have a sole decision making body being the Leaders from each member Council, "Cabinet".
15. The Cabinet will appoint one Leader as Convener of the Cabinet and will:
 - Agree annually the Partnership's strategy and priorities ("Annual Plan");
 - Take decisions on how to progress and implement the Partnership's priorities;
 - Agree the Partnership's position on emerging issues and related actions;
 - Delegate issues for action to Executive members (spokespersons) or standing or task groups; and
 - Report progress and performance to the Partnership's annual general meeting
16. Depute Leaders can act as substitutes and Executive members (spokespersons) on the range of priority issues will be drawn from member Councils, and appointed by the Cabinet.
17. Portfolios of work will be reviewed in line with the Partnership's annual priorities but as a guide the following themes/portfolios are proposed:

Economy

- Jobs, Skills and Business.
- Learning and Development.
- Transport and infrastructure.
- Housing and regeneration.

Community Leadership and Community Services

- Subsidiarity, local decision making and devolution of powers to Councils.
- Community planning governance, SOA delivery, tackling inequality and empowering communities.

- Regulatory and Enforcement – including planning, building services, licensing, parking and food inspection.
- Care and wellbeing – adult, child and family care services including public protection, welfare and public health.

Resources

- Finance– the settlement, distribution, EU and other funds.
 - Workforce Planning – including employee and trade union engagement, pay negotiations, pensions, employee development.
 - Performance and Benchmarking.
18. All portfolios will have the ability to consider public service transformation, equality and sustainability.
19. The Partnership will in its governance arrangements:
- Recognise the diversity of its member Councils and support the principles of subsidiarity and local decision making by appointing appropriate members to deal with issues depending on their relevance and impact on city, town centred or rural Councils.
 - Aim to minimise bureaucracy and limit the number of standing groups or fixed term task groups on key functions such as Finance and Workforce Planning.
 - Establish a policy advisers’ group drawn from member Councils’ expert advisers to shadow and advise the Leader meetings. This policy advisers’ group can co-opt other expertise as advised or required by the Leaders.

Annual Meeting

20. The Partnership will have a general meeting once a year. Its function is to:
- Consider and scrutinise a report on progress and performance with the Partnership’s Annual Plan;
 - Consider emerging issues that require the Partnership’s attention in the coming year;
 - Agree the priorities for the coming year; and
 - Consider the annual accounts and resources of the Partnership.
21. Leaders of the member Councils will attend the annual general meeting. They may invite those Executive members from member Councils who are delegated by their Leaders to support the Executive Member portfolios and the work of the Partnership.

Support Function

22. The Partnership will be a lean organisation, with a 'virtual' support team from member Councils, drawing on the expertise and assets of its members where possible. The model will be based on:

- Lead officers, drawn from each member Council to support the Leaders of the Partnership;
- Administrative support and clerking support provided by the respective member Councils on a rotating or an agreed basis;
- A virtual team of policy advisers and experts, drawn from the member Councils, to advise the Partnership; and
- Accommodation, for Partnership meetings from member Council estates.

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ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	4 th March 2015
LEAD OFFICER	Chief Executive
TITLE OF REPORT	Appointments
REPORT NUMBER	OCE/15/004
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

The report brings before the Council changes to previously agreed appointments.

2. RECOMMENDATIONS

- i. that Council notes Councillor Cameron's resignation from the board of AECC and agrees the appointment of a replacement representative;
- ii. that Council agrees the appointment of an elected member as the Council's representative on the North East Scotland Pension Fund – Pensions Board along with a substitute member;
- iii. that Council notes that Councillor Stuart has replaced Councillor May on the Education and Children's Services Committee and that Councillor MacGregor has replaced Councillor May on the Pensions Panel.

3. FINANCIAL IMPLICATIONS

There are no financial implications to the Council.

4. OTHER IMPLICATIONS

There are no other implications to the Council.

5. BACKGROUND/MAIN ISSUES

At its Statutory Meeting on 16th May 2012 and at subsequent meetings of the Council and the Urgent Business Committee, the Council considered reports on the appointment of representatives to outside bodies.

A number of proposed changes to appointments have now been intimated as noted above in the recommendations. The Council is requested to approve these changes.

With regard to the Pensions Board appointment, the Council should note that under sections 5(1) and (2) of the Public Services Pensions Act 2013 each Local Government Pension Scheme Manager in Scotland is required to establish a Pensions Board. The Terms and Conditions of the Pensions Board are attached.

The Pensions Board will be responsible for assisting the Scheme Manager (Aberdeen City Council as the 'administering authority') in relation to compliance with Scheme Regulations and the requirements of the Pensions Regulator.

Membership of the Pensions Board will consist of equal numbers of trade union representatives and employer representatives, drawn from councils and scheduled or admitted bodies. Pensions Board representatives **must not** also participate in or act as members of the Pensions Committee or Joint Investment Advisory Committee and will normally be Elected Members serving as part of the Council.

One nomination is being sought from each of the three councils for membership of the North East Scotland Pension Fund – Pensions Board. A substitute member can also be nominated.

6. IMPACT

Representation on the various sub-committees, trusts, boards and outside bodies assists the Council in fulfilling its role in delivering the Single Outcome Agreement.

7. MANAGEMENT OF RISK

The report is concerned solely with a change of representation on outside bodies.

8. BACKGROUND PAPERS

None

9. REPORT AUTHOR DETAILS

Ciaran Monaghan
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NORTH EAST SCOTLAND PENSION FUND

1. Introduction

- 1.1 Each Local Government Pension Scheme Manager in Scotland is required to establish a Pensions Board separate from the Pensions Committee that acts as the Scheme Manager.
- 1.2 The North East Scotland Pension Fund Pensions Board is established under the provisions of sections 5 (1) and (2) of the Public Service Pensions Act 2013 and will be confirmed under the Local Government Pension Scheme (Governance) (Scotland) Regulations 2014.

2. Objectives

- 2.1 The Pension Board as detailed in regulations is the body responsible **for assisting the Scheme Manager** in relation to compliance with scheme regulations and the requirements of the Pensions Regulator.

5.—(1) There shall be established for each Scheme manager a Pensions Board with responsibility for assisting the Scheme manager in relation to the following matters.

(2) Those matters are—

- (a) securing compliance with the 2014 Regulations and other legislation relating to the governance and administration of the Scheme and any statutory pension scheme that is connected with it;
- (b) securing compliance with requirements imposed in relation to the Scheme and any connected scheme by the Pensions Regulator;
- (c) such other matters as the 2014 Regulations may specify

- 2.2 The Pensions Board will determine the areas they wish to consider including, amongst others:

- Reports produced for the pensions committee
- Seek reports from the scheme managers on any aspect of the fund
- Monitor investments and the investment principles/strategy/guidance
- The fund annual report
- External voting and engagement provisions
- Fund administrative performance
- Actuarial reports and valuations
- Funding policy
- Any other matters that the pensions board deem appropriate

The Pensions Board is not a decision making body. The Pensions Board is not a scrutiny function.

The Pensions Board will be collectively and individually accountable to

the Pensions Committee.

3. Membership

3.1 Membership of the Pensions Board will consist of equal numbers of trade union representatives and employer representatives, drawn from councils and scheduled or admitted bodies in membership of the fund. Pensions Board representatives must not also participate in or act as members of the pensions committee. Local Authority employer representatives will normally be Elected Members serving as part of the Council.

3.2 There will be 4 trade union representatives appointed by the trade unions as follows:

GMB
UCATT
UNISON
Unite

3.3 There will be 4 employer representatives appointed by the respective employer organisations as follows:

Councils 3
Scheduled bodies/Admitted bodies 1

3.4 Pensions Board representatives will serve for a period of four years and may be reappointed to serve further terms. Timescales for organisations to notify the Pensions Board of their representatives shall be locally determined. Employer bodies and organisations retain the right to withdraw representatives and identify replacements on occasion.

3.5 Appointing bodies can appoint a named substitute for their representative. Such substitutes must undertake the same training as set out in (6) below.

3.6 Advisors may attend meetings of the Pensions Board in a non-voting capacity

3.7 No person may be appointed to the Pensions Board that has a significant conflict of interest. A conflict of interest is defined as a financial or other interest which is likely to prejudice a person's exercise of functions as a member of the Pensions Board. It does not include a financial or other interest arising merely by virtue of that person being a member of the scheme or any connected scheme for which the board is established. The Pensions Board will adopt policies and protocols for handling any conflicts that were unanticipated and might arise during membership.

4. Meetings

- 4.1 The Chair of the Pensions Board will be rotated on an annual basis between the trade union and employer sides of the Pensions Board.
- 4.2 Pensions Board meetings will be administered by Aberdeen City Council as the administering authority as agreed with Joint Secretaries appointed by the trade union and employers sides of the Pensions Board. All reasonable administration costs shall be met by the fund.
- 4.3 The Pensions Board should meet at least quarterly. A majority of either side may requisition a special meeting of the Pensions Board in exceptional circumstances.
- 4.4 The Pensions Board may establish sub-committees.
- 4.5 While the statutory roles and function of the Pensions Committee and Pensions Board are separate, the normal practice will be that both bodies will meet at the same time to consider the same agenda, with the Chair of the Pensions Committee chairing the concurrent meeting. The aim is to engender a positive and proactive partnership culture where in practice the two bodies act as one.

5. Dispute resolution

- 5.1 If the Pensions Committee and Pensions Board cannot reach joint agreement on any matter the process for resolving any differences between the two bodies will be as follows. Whilst this process is undertaken the decision of the Pensions Committee is still competent.
- 5.2 In the first instance, if at least half of the members agree, then the pension board can refer back a decision of the Pensions Committee for further consideration if any of the following grounds are met:
 - That there is evidence or information which it is considered needs re-evaluating or new evidence or data which the Pensions Committee did not access or was not aware of at the point of decision making and which is considered material to the decision taken;
 - That the decision of the Pensions Committee could be considered illegal or contrary to regulations;
 - That the decision of the Pensions Committee is contrary to a relevant Code of Practice published by the Pensions Regulator;
or
 - That the decision is not in the interest of the continued financial viability of the Scheme or is against the principles of proper and responsible administration of the Scheme
- 5.3 If there is no agreement after the matter has been referred back to the Pensions Committee, then the difference in view between the Pensions

Board and the Pensions Committee will be published in the form of a joint secretarial report on the fund website and included in the fund annual report.

- 5.4 The Scottish LGPS Scheme Advisory Board may also consider and take a view on the matter and, if considered appropriate, provide advice to the Scheme Manager or the pension board in relation to the matter

6. Training

- 6.1 All members (and named substitutes) of the Pensions Board must undertake a training programme in accordance with any guidance issued by the pensions regulator and complying with best practice training requirements of the Pensions Committee.

- 6.2 The Pensions Board shall agree policies and arrangements for the acquisition and retention of knowledge and understanding for pension board members

- 6.3 The Scheme Manager will keep an updated list of the documents with which they consider pension board members need to be conversant to effectively carry out their role and make sure that both the list and the documents are accessible.

7. Access to Information

- 7.1 The Scheme Manager and Pensions Board will together ensure that information is published about the activities of the board including:

- the full terms of reference for the Pensions Board, including details of how they will operate
- the Pensions Board appointment process
- who each individual pension board member represents and
- any specific roles and responsibilities of individual Pensions Board members.

- 7.2 The minutes of the Pensions Board will be published on the fund website. The Pensions Board may undertake such communications and stakeholder engagement as it deems appropriate to perform its functions.

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	4 th March 2015
DIRECTOR	Gayle Gorman
TITLE OF REPORT	Aberdeen Sports Village and Sport Aberdeen – Recruitment of Board Members
REPORT NUMBER:	ECS/15/015
CHECKLIST:	YES

1. PURPOSE OF REPORT

There are currently vacant council director positions on the Aberdeen Sports Village (ASV) and Sport Aberdeen (SA) Board. In line with the Articles of Association, Aberdeen City Council is required to appoint any new council director to the board. This report brings to the attention the proposed recruitment timeline and asks that the Council confirms the selection panel for the vacant director positions.

2. RECOMMENDATION(S)

It is recommended that the Council:

- Notes the content of the report;
- Expresses its thanks to Nick Dalgarno and Paul McDonald for their time as board members on the ASV and Sport Aberdeen boards respectively;
- Agree the timeline for the recruitment process that will be followed;
- Agree the establishment of a selection panel made up of 9 elected members consisting of 3 Labour, 3 SNP, 1 Independent, 1 Conservative, and 1 Liberal Democrat member with support from an appropriate officer.
- Delegate authority to the selection panel to select their preferred candidates with a bulletin report to come to the next Council meeting on the 13th May 2015.

3. FINANCIAL IMPLICATIONS

There are no direct financial implications as a result of this report.

4. OTHER IMPLICATIONS

Legal Implications

The Articles of Association of Aberdeen Sports Village and Sport Aberdeen each sets out how Directors will be appointed and removed to the Board.

5. BACKGROUND/MAIN ISSUES

5.1 Aberdeen Sports Village

Aberdeen Sports Village was set up in 2009 and is a partnership between Aberdeen City Council and the University of Aberdeen (the major share-holders) and **sportscotland**. The facilities are run by ASV Limited, with activity overseen by a Board of Directors. The ASV Board consists of representatives of the two major shareholders.

With the opening of the ASV's Aquatics Centre in 2014, the facility now includes a 50m pool and a diving pool alongside a full size indoor football pitch, indoor and outdoor athletics facilities, and a large games hall. These extensive facilities provide high-quality venues across a wide-range of sporting activity, serving a customer base that includes the general public, sports clubs, students and elite athletes.

5.1.1 Aberdeen Sports Village Board of Directors

Under the terms of the Articles of Association the number of Directors shall not be less than two and there shall be no maximum number provided that there are always an equal number of Aberdeen City Council and The University of Aberdeen representatives.

There are currently four Directors appointed to represent each of the shareholders. The current council vacancy has arisen due to the recent resignation of Nick Dalgarno from the ASV board.

The other current council nominated Directors are Cllr David Cameron, Cllr Willie Young and Dave MacDermid.

Aberdeen Sports Village has completed a skills matrix for the existing Directors in order to assist with the recruitment process.

5.2 Sport Aberdeen

Sport Aberdeen was set up in 2010, to deliver some of the council sports facilities and sports development services. Sport Aberdeen is wholly owned by the council and is run by a Board of Directors.

5.2.2 Sport Aberdeen Board of Directors

Under the terms of the Articles of Association, Sport Aberdeen can have up to 11 directors. Sport Aberdeen currently has 10 directors:

Fred Dalgarno (Chair)
Colin Taylor (Vice Chair)
Cllr Graeme Lawrence
Cllr Graham Dickson
Cllr Marie Boulton
Anthony Dawson
Gordon Edwards
Moyra Cowie
Stephen Wilson
Alistair Robertson (Chief Executive)

6.0 Filling of Vacant Director Positions

6.1 Process to be undertaken

The proposed timeline for these positions is detailed below:

Date	Task
4 th March 2015	Aberdeen City Council Committee approval – Full Council
w/c 9 th March 2015	Board Vacancy advertised
20 th March 2015	Closing date for expressions of interest
w/c 23 rd March 2015	Selection Panel meet to shortlist
Early April 2015	Interviews to take place
13 th May 2015	Bulletin report to Full Council to update Council Director representatives

6.2 The University of Aberdeen has also had a recent resignation from the ASV board. During a joint partnership meeting it was suggested that in order to recruit to the ASV board vacancies that the shareholders advertise these positions jointly with a separate selection process taking place.

7. IMPACT

Corporate – This report relates to Aberdeen – the Smarter City

- We will work with our partners to seek to reduce the levels of inequality in the city.
- We will enhance the physical and emotional wellbeing of all our citizens by offering support and activities which promote independence, resilience, confidence and self-esteem.
- Working with our third, public and private sector partners, we will provide opportunities for lifelong learning which will develop knowledge, skills

and attributes of our citizens to enable them to meet the changing demands of the 21st century.

- We will embrace the distinctive pride the people of Aberdeen take in their city and work with them to enhance the sense of well-being here, building strong communities which look out for, and look after one another.

This report also relates to the Combined Community Plan and Single Outcome Agreement as follows:

- Children and young people access positive learning environments and develop their skills, confidence and self esteem to the fullest potential
- Children, young people and their families/carers are involved in decisions that affect them. Their voices heard and they play an active and responsible role in their communities
- Children and young people actively participate in their communities and have optimum involvement in decision making
- All children, young people and their families have access to high quality services when required and services provide timely, proportionate and appropriate response that meeting the needs of children and young people within Getting it Right for Every Child, (GIRFEC) requirements
- Improve the quality of life in our most deprived areas
- Citizens are increasingly more active in their communities regardless of age, gender, sexual orientation, ethnic origin, where they live, disability or faith/religion/belief and contribute to active citizenship.
- Develop pathways to participation which enhance the diversity of local representation at and engagement with regional, national and international arts, heritage and sporting events
- Our public services are consistently high quality, continually improving, efficient and responsive to local people's needs

8. MANAGEMENT OF RISK

An appropriately skilled mix of Directors on the Aberdeen Sports Village and Sport Aberdeen board will reduce the likelihood of risks arising as a result of poor management and governance practices.

9. BACKGROUND PAPERS

10. REPORT AUTHOR DETAILS

Jo Hall
Sport and Physical Activity Strategy and Partnership Manager
(01224) 523798
johall@aberdeencity.gov.uk

Equality and Human Right Impact Assessment: The Form



ABERDEEN
CITY COUNCIL

EHR/IA

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form.

Throughout the form, **the word “proposal” refers to policy, strategy, plan, procedure, report or business case.** This then, embraces a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Please also refer to the “Completion Terminology” at the end of the form.

1: Equality and Human Rights Impact Assessment- Essential Information	
Name of Proposal:	Date of Assessment:
Aberdeen Sports Village and Sport Aberdeen Recruitment of Board Members	16 February 2015
Service:	Directorate:
Sport	Education and Children's Services
Committee Name or delegated power reference (Where appropriate):	Date of Committee (Where appropriate):
	4 March 2015
Who does this proposal affect?	<input type="checkbox"/> Employees <input type="checkbox"/> Job Applicants <input type="checkbox"/> Service Users <input type="checkbox"/> Members of the Public <input type="checkbox"/>
Please Tick ▼	

	<p>Other (List below)</p> <p>Selection panel Candidates</p>
<p>2: Equality and Human Rights Impact Assessment- Pre-screening</p>	
<p>Is an impact assessment required?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>If No, what is the evidence to support this decision? (Once this section is completed, please complete section 8 of the form).</p>	

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3: Equality and Human Rights Impact Assessment	
a- What are the aims and intended effects of this proposal?	<p>There are currently vacant council director positions on the Aberdeen Sports Village (ASV) and Sport Aberdeen (SA) Boards. In line with the Articles of Association, Aberdeen City Council is required to appoint any new council director to the Boards.</p> <p>The aim of this proposal is to approve the recruitment process and what it entails as outlined in the Articles of Association.</p>
b- What equality data is available in relation to this proposal? (Please see guidance notes)	<p>This report highlights and raises awareness about what is involved in the recruitment process in relation to the Equality Act 2010.</p>

1. the composition of the selection panel
2. panel competencies
3. recruiting council directors
4. competencies of candidates

1. The composition of the selection panel

The Board Selection Panel has a crucial role in ensuring the appointment of Board members with the appropriate knowledge, experience and capability in Equality, Diversity and Inclusion. To deliver this outcome, the Panel in turn needs to be comprised of at least one or two individuals with the skills, knowledge and experience required to identify and recognise prospective Board members with the competencies in this area.

- Where possible the panel should reflect some demographic diversity e.g. in age, gender, race, sexual orientation, disability, religion and belief or non-belief.

- Where possible the panel should extend beyond groups with protected characteristics to reflect the range of service users.
- Where possible the panel should comprise a range of Equality, Diversity and Inclusion experiences amongst its members e.g. those with experience of building Equality, Diversity and Inclusion into procurement or commissioning or in service delivery, significant experience of working with local communities, particularly diverse or marginalised groups.

2. Panel competencies

- Be experienced and skilled in interview techniques.
- Have the knowledge to conduct fair and legally compliant interviews.
- Possess a good appreciation of the range and complexities of diversity, understanding the implications of protected characteristics for achieving equality.

	<ul style="list-style-type: none"> ● Understand the role and impact of commissioning services that meet the different needs of diverse groups. ● Understand the role and responsibilities of Executive Directors to develop and implement the Equality, Diversity and Inclusion strategy, integrate the strategy into core business and effectively mobilise the workforce to deliver services that meets the needs of everyone. ● Possess cultural competency (i.e. cultural sensitivity, awareness and dexterity) in addition to knowledge and understanding of different cultures or the willingness to learn about different cultures. Have the capability to flex and adapt their interview style to be inclusive of different perspectives and cultures. An appreciation of how cultural norms will influence the experience of service users from diverse backgrounds. ● Know and understand how Equality, Diversity and Inclusion are integral to quality, improvement,
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productivity and prevention, and how this can be used to improve service delivery.

3. Recruiting Council Directors

Selection Panels should be looking for prospective Council Directors who are able to build Equality, Diversity and Inclusion considerations in to the core business of the Board, rather than approach it as a separate or parallel issue. The recommended approach to achieve this is for panel members to:

- Look and listen for competency in Equality, Diversity and Inclusion from candidates responses to the core and generic interview questions, rather than only in response to specific questions on this issue.
- Look and listen for candidates who can respond to the full range of questions, and demonstrable links between Equality, Diversity and Inclusion.

Whilst Equality, Diversity and Inclusion specific questions can also be asked, what distinguishes the outstanding candidate from the good candidate will be their ability to reflect considerations of Equality, Diversity and Inclusion in their responses to the generic questions related to the core business of board leaders.

4. Competencies of candidates

- Demonstrate the ability to integrate, embed and make a positive influence on Equality, Diversity and Inclusion into the vision and strategy of the organisation.
- Emphasise accessibility of high quality services to everyone and specifically considers the accessibility needs of protected groups.
- Inspire others to make a real difference to people's experiences by advancing Equality and promoting Inclusion & Diversity in workforce development, enabling delivering of a high quality service.

	<ul style="list-style-type: none"> • Demonstrate personal insight into his/her actions, experience and behaviours that illustrate awareness and appreciation of Equality, Diversity and Inclusion.
<p>c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.</p>	<p>This report highlights the need for information to be accessible to all council directors and demonstrates a positive approach towards encouraging a diverse range of board members where possible.</p>
<p>d- Financial Assessment</p> <p>If applicable, state any relevant cost implications or savings expected from the proposal.</p>	<p>Costs (£)</p> <p>Implementation cost <input type="text" value="£0"/></p> <p>Projected Savings <input type="text" value="£0"/></p>
<p>e- How does this proposal contribute to the public sector equality duty: to eliminate</p>	

<p>discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?</p>	<p>This proposal raises awareness of engaging in a recruitment process that is aligned to council policy and reflects the Equality Act 2010. The outlined recruitment process shows that the council is fully committed to implementing the Equality framework and in this particular instance the selection panel and candidates can participate and have the same opportunity to fulfil their potential.</p>
<p>f- How does this proposal link to the Council's Equality Outcomes?</p>	<ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010 • Advance equality of opportunity between people who share a relevant protected characteristic and those who do not • Foster good relations between people who share a protected characteristic and those who

do not

4: Equality Impact Assessment - Test

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a 'Genuine Determining Reason' exists *(see completion terminology)
Age (People of all ages)		✓		
Disability (Mental, Physical, Sensory and Carers of Disabled people)		✓		
Gender Reassignment		✓		
Marital Status (Marriage and Civil Partnerships)		✓		
Pregnancy and Maternity	✓			

Equality Impact Assessment Test:

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *(see completion terminology)
Race (All Racial Groups including Gypsy/Travellers)		✓		
Religion or Belief or Non-belief		✓		
Sex (Women and men)		✓		
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)		✓		
Other (e.g: Poverty)				

5: Human Rights Impact Assessment Test	
Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and , if applicable, justification where the impact is proportionate	
Article 2 of protocol 1: Right to education	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>

<p>Article 6: Right to a fair and public hearing</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Evidence:</p>
<p>Article 8: Right to respect for private and family life, home and correspondence</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Evidence:</p>
<p>Article 10: Freedom of expression</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Evidence:</p>
<p>Article 14: Right not to be subject to discrimination</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Evidence:</p>

<p>Other article not listed above, please state:</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
<p>6: Assessment Rating:</p>	
<p>Please rate the overall equality and human right assessment (Please see Completion terminology)</p>	<p><input type="checkbox"/> Red</p> <p><input type="checkbox"/> Red Amber</p> <p><input type="checkbox"/> Amber</p> <p><input type="checkbox"/> Green</p>
<p>Reason for that rating:</p>	<p>This proposal produces positive opportunities for all to benefit from and has no negative impacts.</p>

7: Action Planning

As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Identified Risk and to whom:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:

8: Sign off

Completed by (Names and Services) :	
Signed off by (Head of Service) :	
<p>Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report to:</p> <p>Equalities Team Customer Service and Performance Corporate Governance Aberdeen City Council Business Hub 13 Second Floor North Marischal College Broad Street Aberdeen AB10 1AB</p> <p>Telephone 01224 523039 Email sandrab@aberdeencity.gov.uk</p>	

9: Completion Terminology:	
Assessment Pre-screening Rating:	<p>This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the Council. Therefore, a full impact assessment is required, for example around sensitive issues such as marching, Gypsy/ Traveller issues, change to social care provision. It should also be completed to evidence why a full impact assessment was not required, example, there is no potential negative impact on people.</p>
Assessment Rating:	<p>After completing this document, rate the overall assessment as follows:</p> <p>Red: As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise) against one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed.</p> <p>Red Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken.</p> <p>Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p> <p>Green: As a result of performing this proposal does not appear to have any adverse impacts on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>

<p>Equality Data:</p>	<p>Equality data is internal or external information that may indicate how the proposal being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i> 4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i> <p>Certain discrimination may be capable of being justified on the grounds that:</p>
<p>Genuine Determining Reason</p>	<ol style="list-style-type: none"> (i) <i>A genuine determining reason exists</i> (ii) <i>The action is proportionate to the legitimate aims of the organisation</i> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p>
<p>Human Rights</p>	<p>The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.</p>
<p>Legal Status:</p>	<p>This document is designed to assist us in “<i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i>” as required by <i>The Equality Act Public Sector Duty 2011</i>. An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.</p>

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COMMITTEE	Council
DATE	4 March 2015
LEAD OFFICER	Chief Executive
TITLE OF REPORT	Twinning & International Partnerships
REPORT NUMBER:	OCE/15/007
CHECKLIST RECEIVED	Yes

1. PURPOSE OF REPORT

The purpose of this report is to bring before Council applications for financial assistance from the International Twinning Budget 2014-2015 and to make recommendations.

2. RECOMMENDATION(S)

That Council approve the following grants from the International Twinning Budget 2014-2015:

- i) Contribution of £7,000 towards 'Cultural Connections' – an event between partners in Aberdeen, Clermont-Ferrand and Regensburg which will be held in Aberdeen, 24th-27th September 2015
- ii) Contribution of £7,000 towards the University of Aberdeen's Impact Project which will engage audiences in Aberdeen and Bulawayo on maternity care issues faced by mothers in Sub-Saharan Africa, 1st May 2015 – 30th April 2016
- iii) Contribution of £1,200 towards an exploratory visit by three officers from sports organisations in Aberdeen to Stavanger to enable future participation by disabled sports groups and athletes from Aberdeen in Stavanger's 'Super Games', 18th-20th May 2015

3. FINANCIAL IMPLICATIONS

Full council approved the International Twinning Budget for 2014-2015 of £137,350. The approved budget from the Common Good Fund provides £102,000 of monies towards the support of twinning projects and/or visits.

	Balance of budget available as at April 2014	£102,000
	Opening Balance	£32,840
i)	Contribution of £7,000 towards 'Cultural Connections' – an event between partners in	£7,000

	Aberdeen, Clermont-Ferrand and Regensburg which will be held in Aberdeen, 24-27 September 2015	
ii)	Contribution of £7,000 towards the University of Aberdeen's Impact Project which will engage audiences in Aberdeen and Bulawayo on maternity care issues faced by mothers in Sub-Saharan Africa, 1 May 2015 – 30 April 2016	£7,000
iii)	Contribution of £1,200 towards an exploratory visit by three officers from sports organisations in Aberdeen to Stavanger to enable future participation by disabled sports groups and athletes from Aberdeen in Stavanger's 'Super Games', 18-20 May 2015	£1,200
	TOTAL	£15,200
	Closing Balance (if recommendations approved)	£17,640

4. OTHER IMPLICATIONS

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

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

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

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

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

Without support from the twinning budget, exchanges and visits of this nature could not take place and people in Aberdeen would lose a wide range of opportunities to engage with the international community. In addition, incoming visitors to the city on twin city projects support the local economy through their participation at events and hospitality and retail expenditure while visiting the city.

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

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

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

5. BACKGROUND/MAIN ISSUES

i) **Contribution of £7,000 towards 'Cultural Connections' – an event between partners in Aberdeen, Clermont-Ferrand and Regensburg which will be held in Aberdeen, 24-27 September 2015**

Twinning Aberdeen has recently been awarded funding from the European Union to support an event in the city which would bring together cultural partners from Aberdeen, Clermont-Ferrand and Regensburg. 'Cultural Connections' will enable cultural providers to develop future creative projects between the cities. This project has received support from twin city administrations as well as other internal ACC departments, such as the Culture Department.

Aberdeen City Council became the first local authority in Scotland – and second in UK – to successfully apply for the EU's Europe for Citizens funding strand for the event 'The Impact of WWI on Aberdeen and its Twin Cities' which took place in March 2014. Twinning Aberdeen have again collaborated with the External Funding, Policies and Partnerships Team to create a successful application from the same EU funding strand – being awarded €5000 towards the event.

'Cultural Connections' is a two-day programme which encourages collaboration and partnership working between cultural bodies in Aberdeen, Clermont-Ferrand and Regensburg. The programme consists of three main events: A cultural conference in the city with organisations and individuals presenting cultural programmes and events from their city; a networking opportunity for individuals to enable creative thinking and stimulate future projects between twin city organisations; and a tour of venues and bodies in Aberdeen to highlight creative industries in the city to partners.

Stadt Regensburg and Ville de Clermont-Ferrand have already committed to the project and will send a total of 25 delegates to Aberdeen for the event. This delegation will include representatives from cultural organisations, such as Court Metrage in Clermont-Ferrand, as well as a civic delegation from Regensburg consisting of

the Mayor who is in Aberdeen to mark the 60th anniversary between the two cities.

Three twinning anniversaries are being celebrated in 2015, including the oldest relationship between that of Aberdeen and Regensburg. 'Cultural Connections' has been developed to celebrate Aberdeen's relationships with her twin cities by celebrating the cultural offerings of these cities and enabling the creation of future partnerships. The project seeks to encourage cultural, social and economic dialogue and understanding between the European twin cities in order to increase citizen participation in twinning projects and initiatives.

This project has several benefits to Aberdeen City: Dialogue created by participants will enable the creation of future projects and events which will engage with future city audiences; the event promotes professional development and networking opportunities to Aberdeen's creative community; the programme will be free for the public to attend which encourages people interested in, but not necessarily employed by the creative industries, to engage in cultural programmes and volunteering opportunities; hosting the event in Aberdeen showcases the creative industries in the city to international partners; and the event demonstrates Aberdeen's commitment to its Vibrant Aberdeen vision and Smart Aberdeen 2020 Strategy.

This application seeks a total of £7,000 to cover essential costs of hosting international delegates in Aberdeen City, such as accommodation, transport and subsistence.

Expenditure	
Flights	£10,000
Accommodation	£3,750
Subsistence	£2,000
Internal Transport	£2,000
Event costs, ie venue hire	£2,250
Contingency	£1,000
Total	£21,000
Income	
Contribution from Stadt Regensburg and Ville de Clermont-Ferrand	£10,000
EU funding	£4,000
Total	£14,000
Expenditure-Income	£21,000-14,000
Total requested	£7,000

- ii) **Contribution of £7,000 towards the University of Aberdeen's Impact Project which will engage audiences in Aberdeen and Bulawayo on maternity care issues faced by mothers in Sub-Saharan Africa, 1 May 2015 – 30 April 2016**

The University of Aberdeen's Immpact Programme works with partners from low and middle income countries to develop healthcare knowledge and best practices. With experience of partnership projects in Sub-Saharan countries, Immpact have recently been made aware of Aberdeen's links with the twin city of Bulawayo and are working with partners in the city to develop a project. This is the first time Immpact has approached Aberdeen City Council for funding assistance with a project in Bulawayo.

The project aims to engage the public in the twinned cities of Aberdeen and Bulawayo on transport and referral barriers faced by pregnant women in sub-Saharan Africa during childbirth. A delay in reaching a suitable health facility can often be fatal for both mother and baby, particularly for women living in remote areas as there is a chronic lack of suitable transport. The project is centered on the creation and performance of a play in Aberdeen to dramatise the experiences of pregnant women. It will bring together the health sector and the performing and photographic arts to raise international understanding on health and social issues, and promote socio-economic well-being and public services.

This year-long project has several strands and will:

- Create a live performance for audiences in Aberdeen city as part of the University's 2015 May Festival. The play will dramatise the barriers pregnant women in low resource settings face when trying to reach a health facility to deliver their babies safely. As an adjunct to the play, there will be interactive displays, a photography exhibition and information stalls to increase the awareness of the public in Aberdeen about maternity and health issues concerning women in sub Saharan Africa.
- Generate images of women's lives and experiences in Bulawayo, including an online video of the play and photographs depicting pregnancy, healthcare and wellbeing in Bulawayo as resources for public engagement.
- Support the visit of 2 people from Bulawayo to Aberdeen. The purpose of this visit is to initiate the partnership, attend the play and other Mayfest events and visit health/maternity services in Aberdeen. The visitors will be senior representatives of health and maternity services in Bulawayo.
- Support a follow-up visit of 3 people from Aberdeen to Bulawayo after the Mayfest event. The aim of this visit will be to cement and further links in Bulawayo with the health and arts communities in Bulawayo, plan for a future public engagement exercise in Bulawayo in 2016/2017 and develop links in higher education, the arts and public sector services such as healthcare and transport.

The ultimate goal of the project is to benefit the lives of women in childbirth in and around Bulawayo city through public engagement in Aberdeen and in Bulawayo. This goal will be realised through a cascade of events which stimulate the interests of a public audience,

generate awareness of barriers faced by pregnant women in low resource settings, influences policy makers to catalyse priority setting, find solutions and take action.

Other expected benefits include the following:

- The project will support the participation of people in Aberdeen city in an entertaining and unique public engagement event;
- International understanding and partnerships between people and organisations in the twinned cities will be promoted;
- Ideas, solutions and action to break down barriers and improve the wellbeing of people will be generated through the project activities.

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

Expenditure	
Project management	£6,500
Visas and immunisations	£500
Printed materials	£1,000
Venue Hire	£2,000
Flights	£4,000
Accommodation & Subsistence	£3,450
Aberdeen public event	£2,500
Total	£19,950
Income	
Contribution from University of Aberdeen	£12,950
Total	£12,950
Expenditure-Income	£19,950-12,950
Total requested	£7,000

- iii) **Contribution of £1,200 towards an exploratory visit by three officers from sports organisations in Aberdeen to Stavanger to enable future participation by disabled sports groups and athletes from Aberdeen in Stavanger’s ‘Super Games’, 18-20 May 2015**

The City of Stavanger has extended an invitation to disabled athletes and sports clubs from Aberdeen to participate in the city’s annual ‘Super Games’. This established sporting tournament is held annually in May and enables people with physical and mental challenges to actively engage with sport in a professionally organised event specifically for disabled participants.

During a visit in November, the Deputy Mayor of Stavanger met with officers from the Sports Department to formally request the presence of an Aberdeen delegation at the 'Super Games'. The Sports Department have consulted with groups from across the city and there is enthusiastic interest from groups and individuals to participate in this event. As the delegation attending the 'Super Games' could include vulnerable people, it has been decided that three officers should initially visit the tournament this year with a view to bringing a larger delegation from Aberdeen to participate in the games in 2016.

The representatives visiting Stavanger have been selected by Disability Sports Grampian and include representatives from ACC's Sports Department, Sport Aberdeen and Aberdeen Sports Village. The individuals travelling are directly involved in the development of sporting opportunities for disabled participants in Aberdeen City. As such, they are fully aware of the facilities and practices required in order to make this a successful, safe and beneficial event for the participants involved.

Facilitating this exploratory visit will enable the future participation of local disabled athletes and sports groups at an international sporting event. Engaging with competitive sports promotes health and well-being, enabling participants to become confident individuals. A cultural programme runs alongside the sporting event and participants will have the opportunity to socialise with other athletes and visit cultural sites in Stavanger. By conducting an exploratory visit one year prior to participation, officers can ascertain that the event meets expected standards ensuring a better experience for local participants the following year. The successful development of this project will result in local disabled audiences being able to participate and engage with new cultural experiences demonstrating ACC's commitment to promoting equalities for Aberdeen citizens.

This application seeks a total of £1,200 to cover the flights of the three officers to Stavanger. The accommodation and subsistence for each officer during the visit will be matched by each their respective organisation.

Expenditure	
Flights	£1,200
Accommodation	£600
Subsistence	£400
Internal Transport	£200
Total	£2,400
Income	
Contribution from organisations	£1,200
Total	£1,200
Expenditure-Income	£2,400-£1,200
Total requested	£1,200

6. IMPACT

Aberdeen – the Smarter City

- We will promote Aberdeen as a great place to live, bring up a family, do business and visit.
- We will ensure that Union Street regains its position as the heart of the city and move cultural activity centre-stage through re-invigorated cultural leadership.

Smarter Living (Quality of Life)

- We aspire to be recognised as a City of Culture, a place of excellence for culture and arts by promoting Aberdeen as a cultural centre hosting high quality diverse cultural events for the whole community and beyond.

Smarter Economy (Competitiveness)

- We will work with partners to promote the city as a place to invest, live, work and export from.

Community Plan

- Work with other organisations, agencies and groups, including Visit Scotland and Visit Aberdeen, to encourage tourism and the provision of facilities for tourists.

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

Aberdeen's twin city partnership initiatives:

- Foster international understanding and friendship and an appreciation of cultural diversity
- Provide Aberdeen's citizens with an awareness of, and insight into, international issues and perspectives and their impact on Aberdeen and Scotland
- Promote the image and raise the profile of the city overseas; and
- Provide a forum for the exchange of knowledge, expertise, skills, ideas and best practice in any given field.

Opportunities for groups, communities and organisations to access twin city projects and exchanges and for possible sources of funding are advertised through the Council's website, press releases, school circulars where appropriate and the Aberdeen Council of Voluntary Organisations e-bulletin.

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

8. BACKGROUND PAPERS

None used

9. REPORT AUTHOR DETAILS

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