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To: Councillor Laing, Convener; and Councillors Boulton, Cameron, Cooney, Crockett, Dickson, Jackie Dunbar, Flynn, Taylor, Townson, Thomson, Young and Yuill

Town House,
ABERDEEN, 23 December 2015

URGENT BUSINESS COMMITTEE

The Members of the **URGENT BUSINESS COMMITTEE** are requested to meet in Committee Room 2 - Town House on **WEDNESDAY, 6 JANUARY 2016 at 11.30 am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

- 1 Determination of Urgent Business
- 2 Aberdeen City Centre Business Improvement District (BID) Proposal (Pages 3 - 42)

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ABERDEEN CITY COUNCIL

COMMITTEE	Urgent Business Committee
DATE	6 th January 2016
DIRECTOR	Pete Leonard, Director of Communities, Housing and Infrastructure
TITLE OF REPORT	Aberdeen City Centre Business Improvement District (BID) Proposal
REPORT NUMBER	CHI/015/346
CHECKLIST COMPLETED	YES

1. PURPOSE OF REPORT

Aberdeen BID Company Ltd (known as Aberdeen Inspired) has submitted BID renewal proposals to Aberdeen City Council to signal its wish that a ballot be held on the renewal of the Aberdeen City Centre Business Improvement District (BID).

Under the relevant legislation (the Planning etc. (Scotland) Act 2006 and Business Improvement Districts (Scotland) Regulations 2007), Aberdeen Inspired is required to submit the BID renewal proposals for the consideration of Aberdeen City Council and the Scottish Ministers. The Council is required to notify the BID Proposer (Aberdeen Inspired) and the Scottish Ministers in writing on or before 7th January 2016 about whether or not the Council is vetoing the BID renewal proposals.

The purpose of this report is to consider the Council's option to veto the BID renewal proposals and, if the ballot is to go ahead, the date on which it will be held.

2. RECOMMENDATIONS

It is recommended that the Council:

- a. resolves not to veto the BID renewal proposals drawn up by Aberdeen Inspired in respect of the Aberdeen City Centre Business Improvement District and instructs the Chief Executive to arrange for issue of the appropriate notices under section 42 of the Planning etc. (Scotland) Act 2006; and
- b. in the event of recommendation (a) being approved, instructs the Chief Executive as Returning Officer to hold a BID renewal ballot on 17 March 2016 in relation to the BID renewal proposals

and to take any other actions which may be required in connection with this process.

3. FINANCIAL IMPLICATIONS

The subject matter of this report has no direct financial implications for the Council. Aberdeen Inspired has confirmed in writing that “Aberdeen BID Company Ltd has allocated a specific budget for the BID renewal campaign and ballot, and that our organisation has sufficient funds to meet the ballot costs.”

4. OTHER IMPLICATIONS

The Planning etc. (Scotland) Act 2006 and the Business Improvement Districts (Scotland) Regulations 2007 give the local authority the power to veto BID renewal proposals. No ballot can be held if the proposals are vetoed. The legislation sets out the circumstances in which the veto may be exercised and the matters to which the authority shall have regard in deciding whether or not to exercise its veto.

In summary, those circumstances relate to the likelihood of (a) any conflict between the proposals and any statutory plans approved or adopted for the area (or any part of the area) covered by the proposed Business Improvement District, (b) any material conflict with any policy formally adopted by the Council, or (c) a significantly disproportionate financial burden being imposed on any person entitled to vote in the ballot or on any class of such persons.

Extracts from the legislation (i.e. section 42 of the 2006 Act and regulation 14 of the 2007 Regulations), setting out the abovementioned circumstances in which the veto may be exercised and the matters to have regard to, are included in Appendix 2 for members’ consideration.

Aberdeen Inspired wishes the ballot to be held on Thursday 17th March 2016. The City Council’s Election Team is able to undertake this work on behalf of the Returning Officer without it in anyway adversely affecting the preparations that are currently underway for the Scottish Parliament Elections in May 2016.

5. BACKGROUND/MAIN ISSUES

Attached as Appendix 1 is the Aberdeen Inspired business proposal for the period 1st April 2016 to 31st March 2021 which it intends to take to ballot on 17th March 2016.

The proposal and its related business plan have been considered by both Business Improvement Districts Scotland (BIDs) and the Scottish Government against the relevant legislative requirements and against the BIDs good practice guidance.

Following that consideration, there were no comments made on the proposal. With regard to the related business plan, confirmation was

sought from the Elections Team that it would be able to meet the proposed deadline of 21st January 2016 for the publication of the notice of ballot; Aberdeen Inspired was asked to check whether or not baseline service statements should be included from organisations other than the City Council or Police Scotland; and Aberdeen Inspired was asked to confirm that the database of voters to be used for the ballot would be complete by the time it was issued to the Elections Team.

The Elections Team has confirmed that with a complete database of voters it can meet the deadline set. Aberdeen Inspired has confirmed both that it does not require any other baseline service statements and that a complete database of voters will be issued to the Elections Team.

Given the content of the proposal and the matters detailed above, it is felt that the City Council would have no reason to exercise its right to veto the proposal. It is therefore recommended that this is formally intimated to Aberdeen Inspired and the Scottish Ministers and that the holding of the ballot is formally instructed.

6. IMPACT

Please see Appendix 1 for further details.

Improving Customer Experience – If the recommendations are approved and a ballot is scheduled for 17th March 2016, Aberdeen Inspired's BID renewal campaign will outline the potential benefits to their customers, i.e. the businesses in the footprint of the BID.

Improving Staff Experience – no immediate implications.

Improving our use of Resources – Aberdeen Inspired has confirmed in writing that "Aberdeen BID Company Ltd has allocated a specific budget for the BID renewal campaign and ballot, and that our organisation has sufficient funds to meet the ballot costs."

Corporate – The contents of the report relate directly to delivering the economic development aspects of the **Single Outcome Agreement**:

National Outcome 1 – We live in a Scotland that is the most attractive place for doing business in Europe

National Outcome 2 - We realise our full economic potential with more and better employment opportunities for our people

Local Outcome – Diversification of the Economy

The contents of the report also relate directly to delivering the economic development aspects of the Council's **Smarter Aberdeen** vision.

The **Regional Economic Strategy**, the **Aberdeen City Region Deal** and the delivery of the **City Centre Masterplan** will all impact significantly on the Business Improvement District area.

7. MANAGEMENT OF RISK

The risk of vetoing the proposal includes the potential perception of a “democratic deficit” on account of businesses within the current BID being denied the opportunity to decide for themselves whether to renew the BID.

8. BACKGROUND PAPERS

BID Proposal and Appendices
Extracts from the Planning etc. (Scotland) Act 2006 and the Business Improvement Districts (Scotland) Regulations 2007

9. REPORT AUTHOR DETAILS

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**ABERDEEN CITY CENTRE
BUSINESS IMPROVEMENT DISTRICT**

BUSINESS PROPOSAL



ABERDEEN
inspired
BUSINESS IMPROVEMENT DISTRICT

TERM: 1st April 2016 – 31st March 2021

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Appendix 11	Common Operating Agreement (To be signed off during by Aberdeen City Council in 2016)	

Business Proposal

BID Proposal Compliance with Legislation

In accordance with Business Improvement District (Scotland) legislation we acknowledge that as the Proposer, we must submit to Aberdeen City Council and Scottish Ministers the following in respect of BID Proposals, Renewal Proposals and Alteration Proposals:

1.0 A document which demonstrates a cross section of at least 5% of the electorate, within the BID area supports the BID Proposals.

Please refer to Appendix 1 (Support for the BID) and Section 7.2 of the BID Proposal. Following the surveys of businesses and the initial canvassing, a total of 90 responses were received, with 66.66% (i.e. 60 responses) indicating their support for the BID proposal. When viewed in the wider context of all the potential eligible persons, this confirmed that 11.97% of the total number of eligible persons¹ indicated their support, equating to 14.35% of the overall rateable value.

2.0 Summary of the consultation Aberdeen City Centre BID has undertaken with those eligible to vote.

The Aberdeen City Centre BID Renewal Steering Group oversaw the process of consultation with the businesses. The consultation took the form of hard copy surveys, meetings and events, letters, telephone calls, newsletters, e-newsletters, emails, local newspaper reports, website, social media and one to one consultations.

Please see Appendix 2 (Details of Consultation) and Section 7.0 for a 'Consultation Summary' document.

3.0 The Proposed Business Plan

A copy of the BID Business Plan which will be issued to all of the BID electorate is provided with this Proposal document – Please refer to Appendix 3 (BID Business Plan). There will, however, be four themes that the BID will focus upon in the coming five years:-

1. Attractive City Centre (improving the city centre landscape)
2. Promoting Our City Centre (ensuring Aberdeen is high on the horizon for visitors and investors)
3. Safe and Welcoming (ensuring there is a safe and welcoming physical presence for visitors)
4. Helping Your Business (creating the conditions to maximise opportunities for businesses)

Please refer to Appendix 2 (BID Business Plan) for the proposed project listing.

4.0 The Financial Arrangements of the BID body.

¹ As at 12th November 2015

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See Section 13.2 - Financial Management Arrangements on page 29 within this Proposal document.

5.0 The Arrangements for periodically providing the LA and billing body with information on the finances of the BID body (i.e. after a successful ballot)

The BID finances will form an integral part of a quarterly report issued to the BID Board of Directors. Two representatives from Aberdeen City Council will sit on the BID Board and will automatically be provided with the BID finance details. It is also expected that regular finance meetings with Aberdeen City Council will be held. An annual audit of the BID finances will also take place through an independent auditor.

6.0 The names and addresses of all those eligible to vote and a description (address) of each relevant property.

See BID database provided at Appendix 4.

7.0 A notice in writing requesting that the local authority hold the ballot.

In accordance with legislation, the attached 56 day letter, (Request to Hold a Ballot) at Appendix 5 will be issued to Aberdeen City Council by Mr Gary Craig, Chief Executive Officer of Aberdeen Inspired, and member of the Renewal Steering Group at the start of December 2015.

8.0 Provide the LA and billing body with such information as they shall reasonably require satisfying themselves that the BID Proposer or, as the case may be, the BID body has sufficient funds to meet the costs of the BID ballot.

Aberdeen City Centre BID Company Limited (a company limited by guarantee, and hereinafter referred to as 'Aberdeen Inspired') has budgeted to cover the costs of the ballot. Please see Appendix 9.

9.0 A statement of the works or services to be provided, the name of the person responsible or body for the implementation (delivery) of these works and services and the status of such person/s. Both on and after the date the BID Proposals come into effect.

Please refer Appendix 3 (BID Business Plan) for the proposed works and services.

On a successful renewal ballot outcome Aberdeen Inspired will continue, formed with directors elected from the eligible persons (the levy payers), limited to one eligible person from each eligible property. They will continue to oversee and direct the delivery of all the projects and services. See full details in section 6.3 on page 14 of the Proposal document. They will retain staff to deliver the day-to-day BID projects and services, recruiting where necessary to replace others departing.

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10.0 A statement of existing baseline services provided by the local authority, police and other agencies.

See Appendix 6 (Baseline Services).

11.0 A precise description of the geographical area of the BID, including a map which defines exactly the boundaries of the BID area.

See the GIS map and list of streets in the BID area on pages 12 to 13 of the BID Proposal.

12.0 A statement providing details of any additional financial contributions, or additional actions for the purpose of enabling the projects specified in the BID Proposals, i.e. where a BID project is expected to cost £X and the proposed levy raises a smaller amount £Y then the BID Proposals must state how that funding gap £X - £Y s to be met and by whom.

The projects specified in the BID Proposal (see BID Project Income & Expenditure page 30) have been identified and the levy calculated and apportioned to each theme as defined in the Proposed Projects section of this Proposal, without the requirement for additional contributions. It is expected that the BID will attract additional funding from other sources in each financial year, some as general funding and some project specific. Aside from a significant donation in Years One and Two, the Potential Additional Project Income is not secured or committed by others. Therefore, in the event that any or all of this potential additional funding is not realised then the scope or range of some of the projects outlined in the accompanying Business Plan will be adjusted accordingly, to ensure that they remain within budget.

13.0 A statement of which aspects of the BID Proposals and or Business Plan may be altered without the need for an alteration ballot to be undertaken.

The BID Board of Directors will have the authority to adapt or alter the projects and services from year to year to reflect any change in economic circumstances or any new opportunities that may arise. This will be in the best interests of the businesses and without recourse to an alteration ballot.

Please see section 6.3 on page 14 of the BID Proposal for this statement.

14.0 A statement of the proposed start and end dates of the BID Arrangements and the term of the BID. The BID arrangements must commence no later than a year after the date of the statement.

Following a successful renewal ballot on 17th March 2016 Aberdeen Inspired will re-commence its activities on 1st April 2016. As the Aberdeen City Centre BID will be for a term of five years, it will cease its activities on 31st March 2021.

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15.0 BID Proposals shall specify the apportionment of BID levy in respect of relevant properties and who will be liable to pay the levy:- proprietors, tenants, occupiers or if appropriate a specific business sector or sectors or businesses who will participate. It is advisable to include caps, thresholds, or other arrangements reflecting local circumstances or ability to pay.

The BID improvement levy will be paid by the occupier (the eligible person liable to pay the non-domestic rate), however, the property owner will be liable to pay the levy where a property is vacant on the day the levy invoice is issued and for all the period thereafter when the property is vacant.

Please Refer to Section 9 on pages 21 to 24 of this Proposal for full details of the BID Levy.

16.0 Confirmation that the levy is to be calculated as a % of the RV or how the charge was arrived at.

It has been agreed by the Aberdeen Inspired Board of Directors that the levy rate of 1% is calculated on the rateable value of the properties in the BID area on the day of the ballot. The rateable value threshold is £27,500 and above. Please see Appendix 10 and Section 9 on pages 21 to 24 of this Proposal for full details of how the charge was arrived at and details of the BID Levy.

17.0 Confirmation that the % levy or fee is to be calculated on the RV of the property on the date of the ballot or, if not, another date that is the date, which will be used to calculate the levy or fee over the term of the BID.

The 1% levy is based on the rateable value of the property on the day of the ballot (17th March 2016)

Please Refer to Section 9 on pages 21 to 24 of this Proposal for full details of the BID Levy.

18.0 The apportionment of the levy between proprietors, tenants and occupiers – providing the BID is including tenants and proprietors in its proposals.

The BID Proposal does not include proprietors (property owners) except where the eligible property is vacant or empty when the property owner will be liable for the payment of the levy.

The occupier (the eligible person liable to pay the non-domestic rate) will be liable for the payment of the levy.

Please Refer to Section 9 on pages 21 to 24 of this Proposal for full details of the BID Levy.

19.0 A statement as to how the Steering Group arrived at who will pay the levy, the percentage levy and how the levy will be split between proprietors, tenants and occupiers.

The BID Renewal Steering Group set the levy fee; the streets included in the BID and voted on who will pay the levy. A copy of the Minutes of the meeting (8th June 2015) at which this was decided is attached at Appendix 10. The geographic boundary is based on the city centre area. The levy amount is based on the amount required to carry out the projects in the business plan and

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discussions with businesses on what they believe is reasonable. The levy will be paid by the occupier (the eligible person liable to pay the non-domestic rate).

The decision to adopt a flat rate of 1% of rateable value with a threshold of £27,500 and above, was taken with the agreement of all of the members of the Renewal Steering Group. Please see Appendix 10 (Renewal Steering Group Minutes) and Appendix 8 (Renewal Steering Group Agreement).

20.0 Whether any future re-assessment of RV of the property by the Rates Assessor will or will not be taken into account in the calculation of the levy

It has been agreed by the Aberdeen Inspired Board of Directors that the levy rate will be adjusted in 2017 to reflect any increase or decrease in the rateable value of the properties as a result of the revaluations and will be adjusted to take into account any subsequent successful appeals.

21.0 A statement on why groups or individual businesses are exempt or receive a levy discount

See page 22 for details of all exemptions to the levy. The shopping centres were given a reduced levy on the basis that the tenants are subject to a service charge for additional services provided by the centre management.

22.0 A statement on whether the levy will be index linked.

Although the BID levy can be subject to an annual increase in line with the Retail Price Index, to account for inflation – up to a maximum of 2.5% on the previous year's levy, during the current economic situation Aberdeen City Centre BID's Board of Directors have agreed not to apply this during the lifetime of the next BID term.

23.0 A statement on whether any of the costs incurred in developing the BID Proposals, holding of the ballot or implementing the BID arrangements are to be recovered through the BID levy.

The costs for developing the BID renewal proposal have been exclusively met from the 2015-16 budget.

24.0 The constitution of the BID Company to be formed and its legal status. A statement on who will administer the BID, details regarding the BID board and the BID body and those who drew up BID Proposals and Business Plan.

See section 6.3 Management of the BID on page 14 for details on how the BID Company will be administered.

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Aberdeen Inspired is a not for profit limited liability company and is administered by the Board of Directors who will be drawn from the eligible persons (liable to pay the levy) but restricted to one eligible person per eligible property. The projects will be delivered by the BID team recruited by the Board of Directors. For full details see Section 6.3 on 14 of the Proposal document. Andrew Verreydt, BID Development Co-ordinator, prepared the Aberdeen City Centre BID Proposal and Business Plan in full consultation with and support from the Aberdeen City Centre BID Renewal Steering Group.

25.0 The methodology for BID levy payers to nominate themselves or others to the BID Board of Directors and the proposed make-up of the BID Board.

Every eligible person that pays the levy will have the opportunity to nominate themselves or someone else from within the BID area to be elected onto the new Company Board. Directors will be limited to one eligible person per eligible property.

See section 6.3 on page 14 of the BID Proposal for full details on how levy payers can participate on the future Aberdeen Inspired Board of Directors.

26.0 A statement on how the BID Proposals will be publicised prior to the ballot.

The BID Proposer will send a copy of the BID Business Plan to all persons eligible to vote on the Proposals. Should any eligible person require a copy of the BID Proposal, a copy will be provided on request. The Proposal and Business Plan will also feature prominently on the Aberdeen City Centre BID website at www.aberdeeninspired.com

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1.0 Foreword by BID Steering Group Chair

I am delighted to present this proposal. It outlines your priorities and gives a taste of how we can improve and make Aberdeen better by working together.

A BID is where businesses in a defined area vote to invest collectively in local improvements over and above those provided by statutory authorities. It is a partnership arrangement where the local business community and the statutory authorities work together on projects that will benefit the local economy and local businesses.

Supporting Aberdeen's BID is a great opportunity to work together and make the changes we all want. The cost to our businesses is low and through Aberdeen Inspired and the BID we can access external assistance and funding not available to individual businesses.

All of the proposed improvements were ideas from you which came out in our surveys and consultations. Every business in the area has had the opportunity to let us know their priorities.

By getting involved in the Aberdeen BID, we can work together to increase footfall, stimulate investment and enhance the reputation of our city centre. The purpose of Aberdeen's BID is to support our businesses, increase trade and improve our business environment.

You can find more information on our website www.aberdeeninspired.com, or for more general or national information refer to www.bids-scotland.com.

A notice of ballot will be sent to all eligible properties in January 2016, followed by the ballot papers on the 4th February 2016. You will have six weeks to cast your vote before the ballot closes at **5pm on 17th March 2016**. Ballot papers received after this date and time will be null and void.

I have been involved in business in Aberdeen for several years and know a lot of the business people in the city centre. I would ask you all to vote YES so that we can work together to make the city centre better. Positive Thinking for our City Centre!



Richard Noble BSc (Hons) MRICS MCI Arb
Chair – Aberdeen Inspired

Business Proposal

2.0 Executive Summary

2.1 Mission Statement of Aberdeen Inspired

Aberdeen Inspired – Means Business. ‘To attract, sustain and boost business and investment in Aberdeen City Centre through influence, inspiration and innovation.’

2.2 Aims and Objectives of Aberdeen Inspired

Aberdeen Inspired’s aim is to deliver projects, initiatives and services that will enhance and improve the business environment within Aberdeen City Centre, to collectively benefit everyone; businesses, office workers, customers and visitors alike.

The objectives of the BID are:

- Create a well-promoted, exciting, family-friendly and vibrant city centre;
- Increase the diversity and quality of public events in the area;
- Attract more visitors and increase both their spending and dwell time within the city centre;
- Work with local businesses and organisations to encourage continued inward investment across all sectors;
- Encourage additional numbers of tourists to visit and enjoy the city experience (for example by improving the walkability of the city centre), working alongside agencies such as Visit Aberdeen;
- Work with partner organisations to help create a safe, welcoming and dynamic city centre;
- Create a cleaner and more attractive city centre;
- Help businesses achieve cost savings and efficiencies.
- Lobby external organisations on key issues and act as the voice of business to influence strategic projects such as City Deal negotiations and the City Centre Masterplan Programme.

2.3 Key Findings

The BID Renewal Steering Group has overseen considerable research to discover what the businesses of Aberdeen would like their BID to deliver. The research established a desire to continue with a BID and confirms that the following key aspects have been completed to deliver a successful ballot and a successful BID.

- Local need for a BID is strongly identified;
- The BID area is logical and clearly defined;
- Support of the Local Authority at both officer and political level;
- Support of Police Scotland;
- Previous projects delivered were well received.

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3.0 Introduction

3.1 What is a Business Improvement District (BID)?

A Business Improvement District (BID) is a geographically defined area, where businesses come together and agree to invest collectively in projects and services that the businesses believe will improve their trading environment. BID projects are new and additional projects and services; they do not replace services that are already provided by Aberdeen City Council and other statutory bodies.

BIDs are developed, managed and paid for by the non-domestic sector by means of a compulsory levy, which the eligible persons in the proposed BID area must vote in favour of before the BID can continue. Each eligible person liable to pay the BID levy will be able to vote on whether or not the BID goes ahead.

3.2 Background to BIDs

BIDs first started in Bloor West Village, Toronto, Canada nearly 40 years ago, by the town's business community. The town's businesses were increasingly under pressure from the new shopping centres that were being developed on the outskirts of the town, diverting shoppers away from the traditional town centre out to the new shopping malls. As a result some businesses were forced to cease trading and the town started to look tired and neglected.

To stop the haemorrhage of deserting shoppers, local businesses fought back to revitalise the town. They successfully lobbied for legislation for all the businesses in the proposed BID area to pay a levy. The levy money was used to improve the physical appearance of the town, and then promote the town centre as a vibrant, attractive and safe place to work shop and live. The strategy paid off, as shoppers started to return to the town centre in large numbers.

The success of the Bloor West Village BID paved the way for future BIDs, not only in Toronto; but spreading throughout Canada, and the USA in the late 1960's and 1970's. Today there are over 1700 successful BIDs worldwide.

An additional measure of BIDs success is in the renewal process. Most BIDs run for a period of five years and the majority of businesses vote in favour of continuing the BID when they come up for renewal. In Scotland all of the BIDs that have been to renewal ballot (10) have been successful demonstrating that the businesses value the projects and services delivered by the BIDs. BIDs can support regeneration, grow local economies, create local employment and create a cleaner, safer trading environment. A key element to their success is that the local businesses take ownership and responsibility for their trading environment, identifying the projects necessary to resolve common problems and issues, and overseeing their implementation, whilst also contributing to the future direction and development of the city centre.

BID legislation was passed in Scotland in 2006 with the Scottish Government funding six pilot projects in March 2006. The Scottish Government fully supports the development of BIDs in Scotland.

As at November 2015 there are 34 fully operational BIDs in Scotland with a further 12 in development.

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4.0 Aberdeen City Centre's Position

4.1 Why does Aberdeen City Centre need a BID?

Aberdeen has experienced significant changes over recent years. It has, for nearly half a century, been the United Kingdom and indeed Europe's oil and gas capital, however, while the industry retains some vibrancy and resilience, existing fields are becoming exhausted, and new reserves in the North Sea are less common. Aberdeen's economy now stands on the cusp of great change, with the retail and leisure economies both very much on the front line and affected by reductions in footfall. Increased competition from out of town developments both office and retail, the internet and from surrounding cities, including those with operational BID companies may drive new businesses to relocate from the city centre, especially when the Western Peripheral Route is completed in 2017.

As a consequence of the ongoing oil and gas industry economic downturn the need for a Business Improvement District has never been greater. Faced with shared problems, businesses must adopt a collaborative approach, communicating with each other and projecting a common voice that can be further focused by the continued existence of Aberdeen Inspired.

Traffic management and access issues are a problem for a lot of businesses and the continuing rise of energy costs is putting more pressure on businesses. Aberdeen City Centre requires a coordinated response from all businesses to address these problems. The BID can effectively lobby the local authority, Government and other organisations for improvements.

After consultations with businesses from a range of sectors and geographic locations, it became clear there was commonality in the problems that they had. There was a desire to see Aberdeen prosper and a real appetite to embrace a new way forward and to change and make improvements.

There are lots of voluntary groups in the city centre, there is no shortage of community spirit and can do attitude! However, these groups can suffer from a lack of funds and dedicated staff time. Aberdeen Inspired is the opposite of this. It can help local groups to achieve more with staff resources and access to funding.

There is also a desire from a range of sectors to see the city centre improve its marketing activity. The BID would work alongside Visit Aberdeen and the local environmental groups to deliver an increase in visitor numbers.

The BID provides a unique opportunity for local businesses across all sectors to work together, invest collectively and undertake projects which can contribute positively to improving the economic viability of businesses in the city centre and securing additional inward investment.

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4.2 The History of BIDs in Aberdeen

Aberdeen was introduced to the BID concept in 2011, when eligible city centre businesses voted in favour of establishing a Business Improvement District, administered through the management company 'Aberdeen Inspired' and guided by a Board of Directors drawn from BID levy-payers. 'Aberdeen Inspired' has for over four years acted as the vehicle for dedicated staff to devote time and effort across a number of inter-linked priorities to maintain the city centre's competitiveness and build on the historic value of the area, in the process attracting significant additional inward investment. The support of the Scottish Government and Aberdeen City Council have been integral to this development.

4.3 How will Aberdeen City Centre benefit from a BID?

All businesses in the city centre will benefit from the projects and services that the BID will deliver. With a BID, there will be:

- Support for existing groups and organisations
- An improved customer perception of accessibility and parking availability
- Improved customer knowledge of goods and services in the city centre
- Increased marketing to local, regional, national and global customers
- Access to funding to reduce property improvement costs
- Cost reduction through professional negotiation on the likes of utility bills
- Cost reduction through collective investment and joint promotion
- An increased number of visitors
- Access to funding and support not available to individuals or businesses
- A local voice for businesses - business opinions included in local policy and developments.
- Better trained staff to improve customer service
- Increased Business to Business sales opportunities
- Increased networking opportunities
- Improved signage
- Increased use of technology to solve local problems
- Projects to increase shop diversity and lower vacant unit rates
- A continued safe trading environment with increased sense of security and less stock loss

4.4 Local Authority Support

A BID is a business led regeneration strategy, but contributes to the wider regeneration aspirations of the public sector and the local community. It is essential to have the support of the local authority and access to its expertise throughout the ongoing development of the BID.

Aberdeen City Council have been supportive of the BID's renewal process with one senior Council Officer attending Renewal Steering Group meetings, as well as playing a significant role of the Board of Directors.

A crucial element of the BID is to establish a Baseline Service Agreement (an agreement on which services are already provided to the area by Aberdeen City Council), to ensure that any project or service provided by the BID is **additional** to the statutory services that the local authority already provide. The BID Renewal Steering Group has agreed that Aberdeen City Council, as a public body subject to external scrutiny, should manage the formal ballot on behalf of the BID Proposer.

Business Proposal

5.0 The BID Area

The BID area is generally focused on the historical city centre. Through one-to-one consultations, it became clear that there were common issues crossing different sectors.

The BID team have calculated that this equates to circa 690 business properties, the eligible person of which will be entitled to vote during February and March 2016. Following a successful ballot all eligible persons (the person liable to pay the non-domestic rate) within the BID area will be required to pay the BID levy.

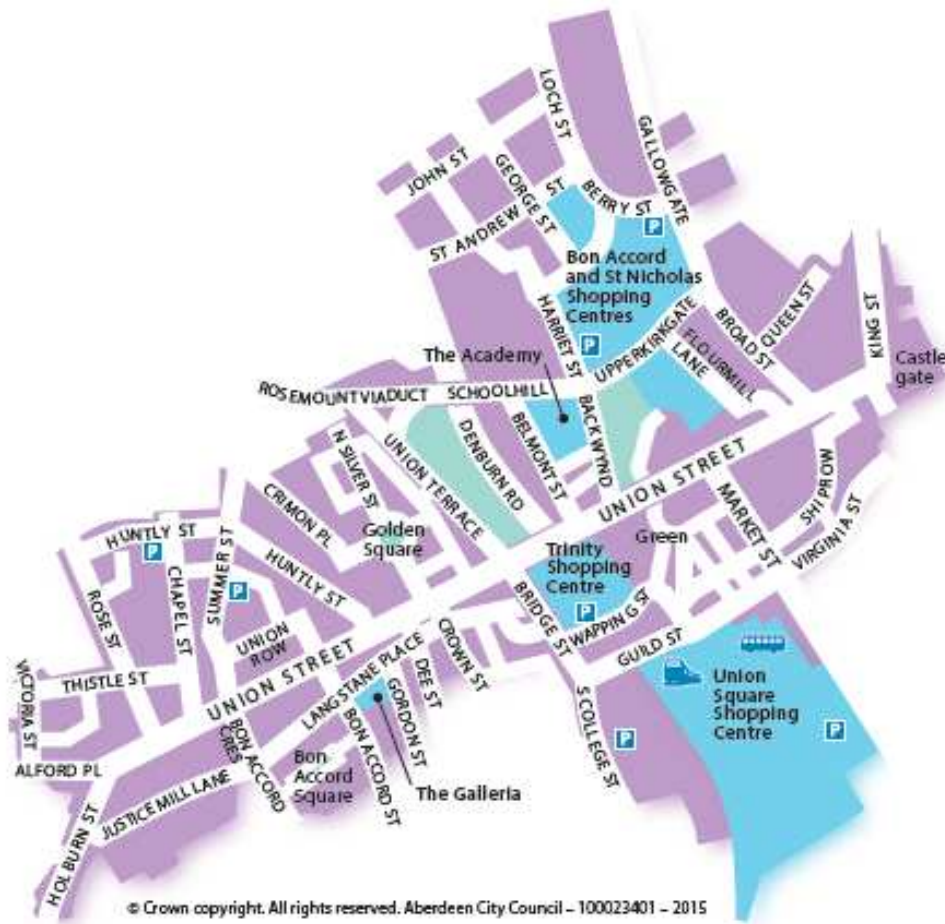
5.1 The BID Map and Streets

Why was this area chosen?

The following streets were chosen to be included in the BID area as consultations with businesses in this area highlighted several common issues of concern that could be addressed by a BID.

Adelphi	Exchequer Row	Shiprow
Alford Place	Flourmill Lane	South Silver Street
Back Wynd	Gaelic Lane	St Andrew Street
Bath Street	Gallowgate (as far as Spring Garden)	St Mary's Place
Belmont Street	George Street (as far as No. 230)	St Nicholas Lane
Berry Street	Golden Square	St Nicholas Street
Bon Accord and St Nicholas Shopping Centres	Green	Stirling Street
Bon Accord Square	Guild Street	Summer Street
Bon Accord Street (as far as East Craibstone Street)	Hadden Street	The Academy
Bon Accord Terrace	Harriet Street	The Galleria
Bridge Place	Holburn Street (as far as No. 70)	The Green
Bridge Street	Huntly Street	Thistle Street
Broad Street	John Street	Thistle Lane
Carmelite Street	King Street (as far as East and West North Streets)	Thistle Place
Carnegie's Brae	Justice Mill Lane	Trinity Centre
Castlegate	Langstane Place	Trinity Street
Castle Street	Little Belmont Street	Union Glen
Chapel Street	Loch Street	Union Row
College Street	Market Street (as far as Union Square Shopping Mall)	Union Square Shopping Mall
Correction Wynd	McCombie's Court	Union Street
Crimon Place	Netherkirkgate	Union Terrace
Crown Street (as far as No. 27)	North Silver Street	Union Wynd
Dee Street (as far as No. 16)	Queen Street	Upperkirkgate
Denburn Road	Rennies Wynd	Wapping Street
Diamond Lane	Rose Street (as far as No. 67)	West Craibstone Street
Diamond Street	Rosemount Viaduct	Windmill Brae
East Craibstone Street	Ruby Lane	
Exchange Street	Schoolhill	

Business Proposal



There are around 690 eligible properties located in the BID area, excluding a small number currently under reconstruction.

6.0 BID Management

6.1 BID Renewal Staff

The Project Manager for the BID is Gary Craig, Chief Executive Officer, while the BID Development Co-ordinator is Andrew Verreydt. They are both accountable to the BID Renewal Steering Group.

6.2 BID Renewal Steering Group

The BID Renewal Steering Group is made up from a cross-section of the business community in the area and includes one senior Council Officer, who is able to offer advice on matters surrounding the local authority. The Renewal Steering Group provides direction to the development of the BID and BID development staff. Ultimately all key decisions relating to the developing BID have been taken by the BID Renewal Steering Group, who are as follows:

Business Proposal

Name	Sector
Richard Noble, Director, F G Burnett, Chartered Surveyors	Office
Allan Henderson, Managing Director, Workshop UK (and Publican)	Hospitality
Ryan Manson, General Manager, Union Square Shopping Mall	Retail
Craig Stevenson, Centre Manager, Bon Accord and St Nicholas Centres	Retail
Elaine Farquharson-Black, Partner, Burness Paull LLP, Solicitors	Office
Robert Collier, Chief Executive, Aberdeen and Grampian Chamber of Commerce	Office
Richard Sweetnam, Head of Economic Development, Communities, Housing and Infrastructure Directorate, Aberdeen City Council	Services
Gary Craig, Chief Executive, Aberdeen Inspired	BID

6.3 Management of the BID

Following a successful yes vote, the management and operation of the BID will be undertaken by the BID management company 'Aberdeen Inspired', with the new business plan commencing on 1st April 2016.

The Company will continue to operate in a transparent way, answerable to the businesses in the area. There will be a detailed set of protocols which will cover the management of Aberdeen Inspired, as well as the billing, collection and transfer of the levy.

A Board of Directors has been established, comprising up to 14 individuals. Every eligible person that pays the levy will have the opportunity to nominate themselves or someone else from within the BID area to be elected onto the Company Board, but limited to one eligible person from each eligible property. The Company will be run by the businesses for the businesses. This Board will be responsible for all decisions relating to staff, contracts, the delivery of the approved business plan and other activities generated by the BID.

The Board will be representative of the businesses and stakeholders in the area. The Chair, Vice Chair and Treasurer will be elected from the directors of the Board. The Board will include two representatives from Aberdeen City Council. Other non-voting members or local groups may be co-opted onto the Board at the Board's discretion.

The Board of Directors undertake to adhere to an official Directors' Code of Conduct, which sets out, openly and clearly, the standards Directors must apply when carrying out their BID business duties. Any allegations of contraventions of the Codes by Directors will be independently investigated in order to give assurance to the businesses and the public that their elected Directors are acting in accordance with the highest levels of professionalism and integrity in the discharge of their roles.

Aberdeen Inspired Board will have the authority to adapt or alter the projects and services from year to year to reflect any change in economic circumstances or any new opportunities that may arise. This will be in the best interests of the businesses and without recourse to an alteration ballot.

The Board of Directors will reserve the right to consider creating a charitable arm of the company to enable it to secure additional funding that can only be sourced with charitable status.

7.0 The Consultation Process

Business Proposal

7.1 Introduction

The initial BID consultation was undertaken with businesses in the form of one-to-one interviews and this led to the creation of specific business and public surveys that were sent or delivered to all businesses in the BID area. The initial consultation process involved all of the approximately 690 eligible properties within the BID footprint being physically visited on a one-to-one basis to firstly confirm contact details, and secondly to assess opinions on ways to enhance and improve the BID area and give more incentive to visit and invest in the city centre. These, in turn, laid the foundations for more specific surveys and consultations with eligible persons, local contacts and members of businesses' staff in the succeeding months.

The principles of openness and transparency lie at the heart of Aberdeen Inspired's policy of communication with businesses and the public. The Board of Directors fully support the dual ethos of openness and transparency, with newsletters and documents relating to, or arising from official business meetings and forums in future being published on the company's website. Recognising the need for, and value of, face to face dialogue, Aberdeen Inspired maintains an 'open door' policy for businesses, with levy-payers or their representatives welcome to visit the offices to discuss their issues or concerns.

A series of presentations and networking events have been organised throughout the latter part of 2015 to allow the contents of this Business Plan to be explained in more detail. These occasions will provide further opportunities for levy-payers to engage with members of Aberdeen Inspired's Board of Directors and staff.

In all, businesses have received letters, emails, telephone calls, weekly newsletters, newspaper articles, one-to-one visits throughout the BID development process to keep them informed of progress. The website www.aberdeeninspired.com has been kept fully updated with information throughout the development of the BID.

New businesses to the BID area have also received personal visits on a one-to-one basis to inform them about BIDs.

As the ballot date approaches it is planned to continue to visit as many businesses as possible to discuss the proposed projects and services that the businesses have indicated they would like the BID to deliver.

BID legislation requires that before a ballot can take place, a minimum of 5% of the eligible persons must indicate that they are in favour of a BID. The results of polls on whether the BID proposal was supported resulted in 60 positive responses, or 11.97% of the total number of 501 individuals².

Please refer to Appendix 1 (Support for the BID) where a list of eligible persons indicating a positive response in consultations and the survey is provided.

Full details of the consultation process is contained in Appendix 2

7.2 Business Survey

² As at 12th November 2015

Business Proposal

At the end of April 2015 an independent survey for businesses was issued by Aberdeen and Grampian Chamber of Commerce on behalf of 'Aberdeen Inspired'. The survey was issued both electronically and in hard copy to all eligible businesses.

A total of 176 surveys (26%) were returned from businesses, while 192 responses were received from employees and the public. The purpose of the surveys was to consult with the businesses in the BID area and determine their issues and concerns. The surveys also sought to establish views and opinions on specific identified issues relating to the area.

7.3 The Key Findings

Sector Specific Survey³

In June 2015 Aberdeen and Grampian Chamber of Commerce published their independent analysis of the surveys that focused on the BID performance to date, the continued relevance of the current themes, and suggestions for priority actions for the next five years in the event of a positive result at the renewal ballot in March 2016. The results are summarised thus:

Theme 1 - Marketing and Promotion

- 84% agreed or strongly agreed that the Wild Dolphin sculpture trail raised awareness and increased footfall to the city centre.
- 70% agreed or strongly agreed that the Winter & Christmas Festivals in Union Terrace Gardens raised awareness and increased footfall to the city centre.
- 55% agreed or strongly agreed that the Castlegate Ice Rink raised awareness and increased footfall to the city centre.
- 44% agreed or strongly agreed that the Jazz Festival in The Green raised awareness and increased footfall to the city centre.

Theme 2 - Attractive City Centre

- 73% agreed or strongly agreed that the removal of the 'V' advertising boards above vacant shops and offices improved the city centre landscape.
- 72% agreed or strongly agreed that the belly bins on Union Street and the surrounding streets improved the city centre landscape.
- 71% agreed or strongly agreed that the floral enhancements around Union Street improved the city centre landscape.
- 69% agreed or strongly agreed that the annual deep clean initiatives on Union Street improved the city centre landscape.
- 50% agreed or strongly agreed that the creative lighting scheme in Golden Square improved the city centre landscape.

Theme 3 - Getting Out and About

³ Due to the nature of the analyses and the decimal fractions some figures have been rounded up to the nearest whole number. As a result many of the total are +/- 1%.

Business Proposal

- 53% agreed or strongly agreed that the integrated pedestrian and tourist-friendly signage throughout the city centre improved accessibility.
- 29% agreed or strongly agreed that the 'Springboard' sensors providing information to retailers on general pedestrian movement and trends in the city centre improved accessibility.

Theme 4 - Safe and Secure City Centre

- 61% agreed or strongly agreed that the deployment of the Street Pastors' 'Safe Space' vehicle during weekend evenings assisted in providing a safe and welcoming physical presence for visitors to the city centre.
- 59% agreed or strongly agreed that improvements in street lighting to discourage crime assisted in providing a safe and welcoming physical presence for visitors to the city.
- 53% agreed or strongly agreed that the high visibility 'Operation Oak' Police patrols addressing alcohol-fuelled disorder assisted in providing a safe and welcoming physical presence for visitors to the city centre.
- 39% agreed or strongly agreed that the 'Purple Flag' award for the city centre assisted in providing a safe and welcoming environment for visitors to the area.

Theme 5 - United Voice

- 39% agreed or strongly agreed that the 'Beautiful Scotland' award in respect of Aberdeen's Business Improvement District helped to attract new inward investment and influence the future well-being of the city centre.
- 26% agreed or strongly agreed that the 'Team Aberdeen' civic pride initiative helped to attract new inward investment and influence the future well-being of the city centre.

Are the BID Priorities still relevant?

- 89% agreed or strongly agreed that Attractive City Centre was the first priority.
- 88% agreed or strongly agreed that a Safe and Secure City Centre was the second priority.
- 85% agreed or strongly agreed that Marketing and Promotion was the third priority.
- 81% agreed or strongly agreed that Getting Out and About was the fourth priority.
- Finally, 72% agreed or strongly agreed that United Voice should be a fifth priority.

Looking ahead to 2016 – 2021, businesses were asked to choose their top 3 projects that they felt should be tackled in the next five years in the event of a successful vote in the renewal ballot in March 2016.

These were;

Future Projects	1	2	3
Fewer vacant shop or office units	25%	18%	13%
Bigger festivals and more markets or other themed events	23%	9%	13%
Addressing derelict buildings	12%	17%	10%
Creating a more diverse shopping experience on Union Street	6%	15%	12%
Improved walkability around the city centre	9%	10%	9%
National and international marketing of Aberdeen	10%	6%	6%
Assisting with the maintenance of buildings on Union Street	5%	8%	8%
Pop-up exhibitions and shops	2%	3%	6%
Providing less restrictive grants to levy-payers to improve their businesses	3%	2%	3%

Business Proposal

When appropriate, promote opportunities for offenders to do unpaid work in the city centre	2%	2%	4%
Supplying social media support for independent retailers and businesses	1%	2%	4%
Instigating BID area-wide loyalty card schemes	1%	2%	3%
Assistance in achieving savings with commercial waste contracts	0%	1%	3%
Increased opportunities for 'Adopt an Area' collaboration	0%	1%	1%
Assistance with making savings in utilities	0%	1%	1%
Body Worn Video cameras for the protection of front line staff	0%	1%	1%

In respect of the shorter and more generalised questionnaire for employees and the wider public across Aberdeen City and Aberdeenshire was also issued at the same time and indicated the following;

What is the best thing about Aberdeen City Centre?	Response percent
Mix of shops and services	24%
Green spaces e.g. public parks and gardens	14%
Public transport links to / from city centre	13%
Pedestrian access around the city centre	7%
Variety of events and festivals	7%
Street lighting and free from crime	6%
Clean environment	5%

What is the weakest thing about Aberdeen City Centre?	Response percent
Empty or run down shop premises	62%
Parking issues (quality, cost and availability)	10%
Seagulls and litter, including discarded chewing gum	9%
Poor mix of shops	9%
Lack of amenities e.g. leisure, public toilets	7%
Unsafe and poorly lit at night	3%
Graffiti	1%

In August 2015 a further online and hard copy survey featuring a refined list of draft projects was circulated to both local contacts and eligible persons in order to prioritise those which might ultimately feature in the Business Plan. The projects were under four themes which it was felt were more relevant to levy payers; Promoting Our City Centre, Helping Your Business, Attractive City Centre and Safe and Welcoming.

Provision of high profile festivals and events, supported by proactive targeted marketing and promotion using a variety of platforms headed the projects under Promoting Our City, while under Helping Your Business lobbying the local authority and other stakeholders on a range of critically important business issues such as parking, rates and vacant properties, alongside improved footfall data topped the list.

Under Attractive City Centre contributing to a significant multi-stranded clean-up campaign of the primary shopping thoroughfare, together with further creative lighting projects, addressing vacant properties and provision of Business Frontage Improvement Grants all headed the list. Finally, under Safe and Welcoming, addressing issues caused by seagulls, installing innovative suspended signage

Business Proposal

within the BID area and renewing the city centre's Purple Flag status were all uppermost in peoples' minds.

8.0 Proposed Improvements

8.1 Proposed Improvements – Introduction

The proposed improvement projects for the BID are based on feedback provided by the businesses.

The BID Renewal Steering Group was briefed on the Scottish Government's Town Centre Action Plan and on the Community Empowerment (Scotland) Act 2015.

The BID Renewal Steering Group believe that the year one projects detailed in the BID Business Plan support the Scottish Government's Town Centre Action Plan themes of Town Centre First, Town Centre Living, Vibrant Local Economies, Enterprising Communities, Accessible Public Services, Digital Towns and Proactive Planning;

The Renewal Steering Group also believes that they will contribute to the Scottish Government's broader regeneration strategy by:

- Supporting community-led regeneration by enabling local people and businesses to identify and take responsibility for the economic, social and environmental action that will make a difference in their communities;
- Advocating the application, where appropriate, of the Town Centre First Principle. That is that communities of all kinds put the health of town centres at the heart of proportionate and best value decision making and through this, seek to deliver the best local outcomes;
- Empowering community bodies through the ownership of land and buildings and strengthening their voices in the decisions that matter to them;
- Supporting an increase in the pace and scale of public service reform by cementing the focus on achieving outcomes and improving the process of community planning.

The delivery of projects and services that involve working with the local Community Planning Partnership provide businesses and local groups with a mechanism ('Aberdeen Inspired') to have a more proactive role in having their voices heard in how services are planned and delivered. It allows for consideration of local opportunities under the urban right to buy (community bodies right to request to purchase, lease, manage or use land and buildings belonging to local authorities, certain Scottish public bodies or Scottish Ministers) and for work to be done in partnership with the local authority to contribute to community empowerment and improved local outcomes.

Projects and Services

The projects and services will be based on the following themes;

1. Attractive City Centre
2. Promoting Our City Centre
3. Safe and Welcoming
4. Helping Your Business

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These themes and the projects that follow are based on feedback from businesses. Those scheduled for Year 1 (i.e. 2016-17) are in more detail whilst Years 2 to 5 are less so at this stage, although the themes and broad range of projects are still described. Likewise the budget allocation over the five years is based on 'best estimates' at this stage as additional specific project funding will be sought as projects become more clearly defined and specified.

The proposed projects will be progressed over the five-year period of the BID. Some projects will be provided on an annual basis while others are one-off projects. The time frame for delivering the projects will be decided by the Board of Directors within the agreed budget.

The detailed projects costs are estimates only. The actual cost of the projects will depend on a variety of factors and will not be definitive until competitive tenders have been submitted where necessary. Some of the projects may be subject to planning permission and other statutory approval.

The First Year's projects and services are fully detailed in the BID Business Plan at Appendix 3, but the wider budget and spending per theme is outlined below.

Projected Five Year Budget

Funding Sources	2016-17	2017-18	2018-19	2019-20	2020-21	Totals
BID Levy	£800,000	£800,000	£800,000	£800,000	£800,000	£4,000,000
Agreed & Confirmed Funding	£195,000 (Voluntary Contribution)	£195,000 (Voluntary Contribution)	£75,000 (Voluntary Contribution)	£75,000 (Voluntary Contribution)	£75,000 (Voluntary Contribution)	£615,000
Potential Additional Project Income	£300,000	£300,000	£420,000	£420,000	£420,000	£1,860,000
Total	£1,295,000	£1,295,000	£1,295,000	£1,295,000	£1,295,000	£6,475,000

Aside from a significant donation in Years One and Two, the Potential Additional Project Income is not secured or committed by others. Therefore, in the event that any or all of this potential additional funding is not realised then the scope or range of some of the projects outlined in the accompanying Business Plan will be adjusted accordingly, to ensure that they remain within budget. Some of these projects are either annual or running across several years, examples being the Winter Festival and Christmas Villages, various seasonal festivals, and an ongoing clean-up campaign.

Theme Expenditure	2016-17	2017-18	2018-19	2019-2020	2020-2021	Total

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Promoting Our City Centre	£453,000	£500,030	£498,000	£495,000	£496,000	£2,442,030
Helping Your Business	£100,000	£100,000	£100,000	£100,000	£100,000	£500,000
Attractive City Centre	£330,000	£280,000	£280,000	£280,000	£271,520	£1,441,520
Safe and Welcoming	£180,000	£180,000	£180,000	£180,000	£155,000	£875,000
Contingency 5%	£56,000	£56,670	£55,354	£55,961	£54,000	£277,985
Total Theme Spend	£1,119,000	£1,116,700	£1,113,354	£1,111,961	£1,076,520	£5,536,535

Total Expenditure	2016-17	2017-18	2018-19	2019-2020	2020-2021	Total
Theme Spend	£1,119,000	£1,116,700	£1,113,354	£1,111,961	£1,076,520	£5,536,535
Staff Costs	£115,000	£117,300	£119,646	£122,039	£124,480	£598,465
Other Operating Costs	£61,000	£61,000	£62,000	£62,000	£94,000	£340,000
Overall Total	£1,295,000	£1,295,000	£1,295,000	£1,295,000	£1,295,000	£6,475,000

Note: Budget may be transferred between projects (e.g. due to projects being amended or postponed) as the needs of the business dictate on the authority and instruction of the BID Board without resorting to an alteration ballot.

9.0 The BID Levy

9.1 Who will pay the levy?

A BID levy is an equitable and fair way of funding additional projects and services, which the local authority and other statutory bodies are not required to provide. It has been agreed by the BID Renewal Steering Group that the rate will comprise a 1% levy based on the rateable value of the property at the time of the ballot (17th March 2016) and throughout the five-year lifetime of the BID. The threshold for payment of the levy is a non-domestic rateable value of £27,500 and above. It has been agreed by the Aberdeen Inspired Board of Directors that the levy rate is calculated on the rateable value of the properties in the BID area on the day of the ballot. The levy rate will be adjusted in 2017 to reflect any increase or decrease in the rateable value of the properties as a result of the revaluations and will be adjusted to take into account any subsequent successful appeals. In the event of doubt, the rateable value of any commercial premises in Scotland can be accessed by searching on the Scottish Assessor's Association website; www.saa.gov.uk.

- There are around 690 business properties in Aberdeen's BID area (see page 13 for a map), which will together generate a total income of around £800,000 per annum, and an estimated total levy income of £4m over five years. This does not include voluntary or external funding contributions.

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- All eligible non-domestic properties (i.e. the eligible person, those who are liable to pay the non-domestic rate) that are listed on the Local Assessor's Valuation Roll on the ballot date will be liable.
- There are currently around 501⁴ separate eligible persons in respect of all the properties, with a significant number being responsible, individually or corporately, for more than one property.
- The levy payments are not linked to what businesses actually pay in rates but are based on the rateable value of the property.
- The levy must be paid in one payment within 28 days from the date of the levy invoice although in the case of a special arrangement with the billing body this may be split up into a maximum of four instalments.
- However, the property owner will be liable to pay the levy where the property is vacant on the day the levy invoice is issued and for all of the period thereafter while the property is vacant.
- Any new commercial development, sub division of existing properties or merging of properties or new businesses with a non-domestic rateable valuation of or above the threshold coming in to the BID area during the five-year lifetime of the BID will be liable for the levy.
- Where a property is taken out of rating (e.g. due to demolition or a split or merger) the BID levy for that individual property will be due up to the date of the removal from the Rating List and the annual BID levy will be apportioned accordingly.

9.2 Exclusions

For all empty eligible properties, the non-domestic rates rules will apply to the owner, in that 90% of the levy value will be charged after any initial period of 92 days when there is 100% relief. Moreover, non-retail charities and places of worship will be exempt, while historic listed buildings will have 50% relief.

Following consultation, shopping mall tenants are eligible for a 25% discount on the BID levy to offset their service charge. Additional support will be sought from the mall owners through voluntary contribution and participation in future projects.

Voluntary contributions and other funding

The BID will endeavour to secure voluntary contributions from owners of properties outwith the BID area, or owners of properties that fall below the current threshold, as well as other external funding partners where possible. These voluntary contributions, which will inevitably vary from year to year, will be paid into the Aberdeen BID Revenue Account.

In 2015-16 this accounted for another £800,000 on top of the levy. Whilst this amount cannot be assumed every year, (as some grants are for specific projects), it is hoped that a similar level of additional funding will be sought year on year.

9.3 The Levy Table

⁴ Manually counted on 12th November 2015

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The table below provides an annual, monthly and daily cost of BID membership, primarily as a mechanism to illustrate to levy-payers the comparatively inexpensive nature of membership.

Rateable Value of Business	Annual Cost of 1% Levy	Monthly Cost of 1% Levy	Daily Cost of 1% Levy
£27,500	£275	£22.91	75p
£50,000	£500	£41.66	£1.36
£100,000	£1,000	£83.33	£2.73
£250,000	£2,500	£208.33	£6.84
£500,000	£5,000	£416.66	£13.69

In terms of rateable values and sectors the total can be broken down into the following:

Rateable Value Band	No. of businesses	Total Rateable Value	Business Sector	No. of businesses	% of businesses
£25K - £27.5K	8	£110,000	Retail	303	45%
£27.5K - £30K	28	£536,500	Hotel/Leisure/Food	85	12%
£30K - £40K	122	£426,800	Bars/Clubs	67	10%
£40K - £60K	134	£6,447,500	Offices/Financial	185	27%
£60K - £100K	148	£11,481,500	Council/Government	12	2%
£100K - £200K	150	£21,087,500	Others	26	4%
£200K - £500K	62	£18,233,000	Total	678	100%
£500K+	26	£23,018,000			
Total	678	£85,548,000 ⁵			

9.4 Enforcement

In the event of any non-payment of the BID improvement levy, it will be strongly pursued by Aberdeen City Council (as the billing body) using the recovery powers available to the Council to ensure complete fairness to all the businesses that have paid. Aberdeen City Council will be entitled to charge an additional fee to the levy amount to meet any additional costs incurred in the recovery of the levy.

9.5 Collection of the BID Levy

Aberdeen City Council will collect the investment levy on behalf of the BID, as this will be an efficient, safe and cost effective method of collection. Aberdeen City Council will lodge the levy within a BID Revenue Account. The BID levy can only be drawn down by the Board of Directors of the BID to allow the delivery of the business plan.

The BID Revenue Account and levy cannot be accessed by Aberdeen City Council nor can it be used by the Council as an additional source of income.

The first BID levy will be due in April 2016, and on the first day of each financial year thereafter that the BID is in operation. Payment must be made within 28 days from the date of the levy invoice

⁵ This figure does not take into account exemptions or discounts for business properties.

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9.6 Breakdown of Aberdeen City Council's Annual BID Levy Collection and Administration Charges

The annual cost in year 1 is £10,000. Years 2 to 5 will be charged at £8,000. This assumes no significant changes to the BID levy rules (including the number of properties within the BID area) or any unexpected costs such as sudden changes to the IT system outside of the Council's control.

The cost includes:

- Operational staff for administration of the BID levy collection
- Annual support and maintenance of the levy collection IT system
- Council IT costs
- Annual billing (printing and mailing)
- Ad hoc printing and post (for example, for enforcement notices)

10.0 The Voting Process

10.1 Pre Ballot

Details, including dates where relevant, of procedural milestones relative to the pre-ballot period are contained in the table at 10.3.

10.2 The Ballot

- Ballot papers will be issued to every eligible person in the BID area 42 days before the final ballot date (17th March 2016). In Aberdeen's case voting papers will be issued on 4th February 2016.
- The final date for all ballot papers to be returned is 5pm on 17th March 2016. Papers received after this date and time will be deemed null and void.
- Ballot papers, together with a copy of the BID Business Plan will be posted to the eligible person responsible for casting the vote. In the case of national companies the responsibility for voting may lie with head office.
- The BID ballot is a confidential postal ballot conducted by Aberdeen City Council on behalf of Aberdeen BID and in accordance with Scottish BID legislation.
- Where an eligible property is vacant the voting papers will be sent to the property owner.
- In Aberdeen BID's case, voting papers will be issued on 4th February 2016.
- Voting papers are easy to complete, simply place a cross on either "yes" or "no" to the question "are you in favour of a BID?" The ballot paper must then be signed by the person eligible to vote and returned in the pre-paid envelope.
- For the ballot to be successful there must be a minimum of 25% "turn-out" (headcount) by number of eligible persons and by combined rateable value.

Business Proposal

- Of those that vote, over 50% by number of ballots and 50% by combined rateable value must vote in favour of the BID.
- All eligible persons (i.e. those persons liable to pay non domestic rates) will have one vote or where a person is liable for non-domestic rates for more than one property, that individual shall be eligible to cast more than one vote. However they will be required to pay the levy for each of the properties that they occupy.
- The ballot papers will be counted on 18th March 2016 and the results announced by Aberdeen City Council within one week.
- Following a successful renewal ballot, the BID will re-commence on 1st April 2016 and will run for a period of five years until the 31st March 2021.

10.3 BID Timetable

Please see below for the BID Timetable

Item	B-N	Procedure	Time	Date	Comments
1	B-154	Last day for notice of intention to put BID proposals to ballot.	Regulation 4 At least 154 days before ballot	15/10/2015	
2	B-120	BID Review	BID project should be reviewed and agreement reached as to whether a positive ballot is achievable or not. If a positive ballot is not achievable, then the BID should not go to ballot.	18/11/2015	
3	B-98	Last day for the submission of the BID proposal to the Council and Scottish Ministers.	Regulation 5 (2) (a) (i) At least 98 days* before the day of the ballot in accordance with regulation 4. *This would give ACC at least 28 days to consider proposals before deciding whether or not to exercise veto.	10/12/2015	
4	B- 70	Local authority to confirm that it is or is not vetoing the BID proposals.	Regulation 14 (1) For the purposes of section 42(2) of the 2006 Act, the prescribed period is 70 days prior to the day of the ballot.	07/01/2016	
5	B-56	98 days after item 1 the BID Proposer requests local authority to instruct ballot holder to hold ballot.	Regulation 5 (2) (a) (ii) and (b) The request to hold a ballot should be at least 56 days* before the ballot date. *To allow time to put in place ballot arrangements, before issuing ballot papers (at least 42 days before ballot), it is	21/01/2016	

Business Proposal

			recommended that the request to hold a ballot should be made at least 56 days before the ballot date.		
6	B-56	The local authority instructs the ballot holder to hold BID ballot.	Regulation 6	21/01/2016	
	B-42	Ballot holder puts in place arrangements to hold BID ballot.	Regulation 8	04/02/2016	
7	B-42	Issue of ballot papers.	Schedule 2, para. 3 42 days before ballot date.		
		Spoilt ballot papers.	Schedule 2, para. 11 Spoilt ballot papers may be replaced any time from the issue of ballot papers.	04/02/2016	
		Publication of notice of ballot (by ballot holder).	Schedule 2, para. 2 (c) and 3- At least 42 days before the day of the ballot but no more than 90 days before the date of the ballot.	04/02/2016	
8	B-42	Last day for postponing the day of the ballot by up to 15 days.	Schedule 2, para. 2 (2)- No later than 42 days before the day of the ballot, the ballot holder may postpone the day of the ballot by up to 15 working days.	04/02/2016	
9	B-10	Last day for the appointment of a proxy.	Schedule 2, para. 5(5) An application to appoint a proxy shall be refused for the purposes of a particular ballot if the ballot holder receives it after 5 p.m. on the tenth day before the day of the ballot.	07/03/2016	
10	B-7	First day for the request for issue of replacement of LOST ballot paper.	Schedule 2, para. 12 Where a voter has not received their ballot paper by the seventh working day before the day of the ballot, that voter may apply (whether or not in person) to the ballot holder for a replacement ballot paper.	08/03/2016	
11	B-5	LAST day for cancellation of proxy	Schedule 2, para. 5 (10) A notice under sub- paragraph (9) by a person entitled to vote cancelling a proxy's appointment shall be	12/03/2016	BY 5PM

Business Proposal

			disregarded for the purposes of a ballot if the ballot holder receives it after 5 p.m. on the fifth day before the date of the poll at that election.		
12	B	Ballot Day	Schedule 2, para. 2 Not earlier than 42 days, and no later than 90 days, from the date on which the ballot holder published the notice required by paragraph 3 (a) (see item 7)	17/03/2016	BY 5PM
13	B+1	The Count	Schedule 2, paras. 14-16 As soon as practicable after the day of the ballot, the ballot holder shall make arrangements for counting the votes cast on such of the ballot papers as have been duly returned (in accordance with paragraph 13) and record the number counted.	18/03/2016	
14	B+1 B+8	Declaration of results	Schedule 2, Para 17 (2) The ballot holder, having made the certification under subparagraph (1) Shall: (a) forthwith make a declaration of the matters so certified; and (b) Give public notice of the matters so certified as soon as practicable and within 7 days after the counting of the votes.	By: 5PM 18/03/2016	

11.0 Public Sector BID Involvement

11.1 Baseline Services

A Baseline Service Agreement ensures the BID does not use the levy money to duplicate any services provided by Aberdeen City Council and Police Scotland. The services directly delivered by the BID must be additional to any statutory services. The baseline services agreement gives an assurance to businesses that the levy payment will only be used for **additional** projects. Additionally, a baseline agreement avoids the risk that public agencies including Aberdeen City Council will not reduce its statutory level of service to the BID area following a successful ballot.

For a full and detailed list of services provided in the BID area by Aberdeen City Council, please see Appendix 6.

The services already provided by Aberdeen City Council

Business Proposal

Aberdeen City Council provides the following services (both statutory and discretionary) within the BID area:-

- **Community Safety and Licensing** - Licensing and Permits (street traders, public entertainment, taxis and private cars, etc.), Taxi Marshals, Safer Aberdeen, Provision of fibre optic infrastructure for fixed and portable CCTV networks, Food Safety, Trading Standards, Environmental Health
- **Cleansing** - Refuse Collection, Recycling (Kerbside), Street Cleansing, Public Conveniences, Environmental Wardens
- **Economic Development** – City Centre Management, Business Gateway
- **Grounds Maintenance** – Drainage, Structures, Road/Pavement/Lanes Maintenance, Winter Maintenance
- **Lighting** - Street lighting, Christmas lights
- **Traffic** - Traffic Management and Enforcement, Traffic Lights, On-Street and Off-Street Parking
- **Street Furniture and signage** - Street Furniture, Signage, Bus Shelters
- **Planning** - Development Management
- **Policy & Strategies** - Conservation issues

The services already provided by Police Scotland:

- **Operational Policing** - A dedicated city centre policing team to address all issues and to cover specific events;
- **Festive Policing** - An increase in the city centre policing profile over the busy festive period to ensure that crimes in Aberdeen are prevented;
- **Weekend Partnership** - Administering the weekend partnership and working closely with licensed premises to ensure that the city centre is a safe place to be at night.

The measurement of the Baseline Services provided by Aberdeen City Council is underpinned by a variety of reporting mediums, involving statutory legislation or local and national standards or guidelines. In the event of any feedback from levy-payers to Aberdeen Inspired around the provision and delivery of any statutory or complimentary baseline services, it will be relayed firstly via the local authority City Centre Manager, or in their absence, to the relevant Head of Service for resolution and response to levy-payers. In relation to feedback relating to Police Scotland, it will be via the City Centre Policing Team.

12.0 Measuring Success

12.1 Measuring the Success of the BID

Throughout the lifetime of the BID, all work on the BID projects will be monitored to ensure the projects proposed in the BID Business Plan achieve a high level of impact, and are progressing to the satisfaction of the businesses that voted for the BID. The BID Board of Directors will monitor and oversee the efficient delivery of the BID projects.

The BID will undergo an independent evaluation of its activities at the half way point and towards the end of the second term to ensure it is delivering all the projects and services as detailed in the business plan.

Business Proposal

The BID will undergo Assessment and Accreditation Interim Review (AAIR) for Scottish BID Companies.

The AAIR

- Is a bespoke review which recognises and accords with the Scottish BIDs legislation and the public and private sector environment in Scotland;
- Gives confidence to businesses and the Board of Directors that the practices of the BID Company are robust and accord with good practice and;
- Supplies an audit trail to support any future evaluation of the BID Company.

The Assessment and Accreditation Interim Review is recommended by BIDs Scotland as good practice and is included as one of the good practice elements of any Scottish BID Proposal and BID Business Plan.

In addition, Aberdeen Inspired may also seek to become an accredited member of the organisation 'British BIDS' during the lifetime of the next BID term.

13.0 Finances

13.1 Estimated Income and Expenditure

It is calculated that there are circa 690 eligible businesses located within the BID area (this figure may change as businesses move, expand or close). The BID levy income is calculated to be approximately £800,000 per annum. Current Scottish collection rates for the BID levy are reported to be standing at 95%. With this in mind, an amount has been set aside in the budget under 'contingency' to allow for any bad debt.

The BID will endeavour to secure voluntary contributions from property owners outwith the BID area, owners of properties that fall below the current threshold, as well as other external funding partners where possible, thus increasing the amount available to spend on projects as they develop.

13.2 Financial Management Arrangements

The Board will agree on an annual basis how funds for subsequent years will be allocated. This will be based on business feedback during the previous year and new priorities for the coming year, which allows the BID the flexibility to respond to changing business needs and requirements.

Any variations within budgets will be reported to the BID Board of Directors.

The independent evaluations of the BID's activities that will take place during the lifetime of the next BID term will also focus upon financial management as well as the delivery of the projects and services as detailed in the business plan.

Aberdeen City Council will collect the levy payments on behalf of the BID, and will retain these funds in a separate account until the BID Board calls these funds down. The BID Board will manage the levy funds that are collected by the Council. This arrangement will ensure that projects are delivered and any financial liabilities of the BID are transparent.

Business Proposal

13.3 City Centre BID Projected Income and Expenditure

See Section 8.1 for details.

14.0 Contact Information

If you would like more information please visit our website www.aberdeeninspired.com or contact the Chief Executive Officer or BID Development Co-ordinator by telephone, email or make an appointment to see them.

Gary Craig Chief Executive Officer Aberdeen Inspired 3 rd Floor, 32 Upperkirkgate Aberdeen AB10 1BA T. 01224 566291 E. gary.craig@aberdeeninspired.com	Andrew Verreydt BID Development Co-ordinator Aberdeen Inspired 3 rd Floor, Upperkirkgate Aberdeen AB10 1BA T. 01224 566291 E. andy.verreydt@aberdeeninspired.com
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APPENDICES

APPENDIX 1 - Support for the BID

Business Proposal

- APPENDIX 2 - Details of Consultation
- APPENDIX 3 - BID Business Plan
- APPENDIX 4 - Database
- APPENDIX 5 - Instruction to Hold a Ballot (copy letter)
- APPENDIX 6 - Baseline Services
- APPENDIX 7 - Business Consultation Summary
- APPENDIX 8 - Steering Group Agreement
- APPENDIX 9 - Copy of Aberdeen City Council Ballot Funding Letter
- APPENDIX 10 - Renewal Steering Group Minutes and Additional Papers for Circulation
- APPENDIX 11 - Common Operating Agreement (To be signed off by Aberdeen City Council during 2016)

(5) In subsection (4), “A” and “B” have the same meanings as in subsections (7) and (8) of section 40 or, in the case referred to in subsection (9) of that section, as in regulations under subsection (9).

Commencement

Pt 9 s. 41(1)-(5): February 6, 2007 for the purposes of enabling regulations to be made; April 1, 2007 otherwise (SSI 2007/49 art. 2, Sch. 1 para. 1; SSI 2007/130 art. 2(2), Sch. 1 para. 1)

Extent

Pt 9 s. 41(1)-(5): Scotland

Law In Force

42 Power of veto

(1) This section applies where a ballot is to be held for the purposes of section 38(1).

(2) By such date prior to the date of the ballot as may be prescribed, the local authority to which the BID proposals relate are to give to—

- (a) the persons who have drawn up the proposals, and
- (b) the Scottish Ministers,

notice that the authority are or are not vetoing the proposals.

(3) The authority may veto proposals only in the circumstances specified in subsection (4) and are not entitled to do so after the date prescribed for the purposes of subsection (2).

(4) Those circumstances are that the local authority consider that the BID proposals are likely—

- (a) to conflict with any structure plan, local plan, strategic development plan or local development plan which has been approved or adopted under the principal Act and which applies to the proposed business improvement district or any part of it,
- (b) to conflict to a material extent with any policy formally adopted by and contained in a document published by the authority (whether or not the authority are under a statutory duty to prepare such a document), or
- (c) to lead to a significantly disproportionate financial burden being imposed on—
 - (i) any person entitled to vote in the ballot on the proposals, or
 - (ii) any class of such persons,

as compared to other such persons or classes.

(5) The Scottish Ministers may by regulations made by statutory instrument amend subsection (4) so as to change or add to the circumstances in which a local authority may veto proposals.

(6) Where the local authority have vetoed the BID proposals, no ballot shall be held.

(7) In deciding whether to exercise the veto, the local authority are to have regard to such matters as may be prescribed.

(8) A notice under subsection (2) vetoing the BID proposals must—

- (a) set out the reasons for the exercise of the veto, and
- (b) give details of the right of appeal under section 43.

(9) Any other notice under subsection (2) must set out the reasons for not exercising the veto.

otherwise than for the purpose of canvassing persons entitled to vote in the BID ballot, alteration ballot, renewal ballot or re ballot identified in the request.

(5) The billing body or the local authority may charge a fee in respect of dealing with a request and supplying the information under this regulation on the person to whom the information is to be supplied.

(6) The fee charged under paragraph (5) is reasonable having regard to the costs incurred or likely to be incurred by the billing body or the local authority (as the case may be) in dealing with requests and supplying information under this regulation.

Commencement

reg. 13(1)-(6): April 1, 2007

Extent

reg. 13(1)-(6): Scotland

Law In Force

14.— Veto of BID proposals

(1) For the purposes of section 42(2) of the 2006 Act, the prescribed period is 70 days prior to the day of the ballot.

(2) For the purposes of section 42(4) of the 2006 Act, the prescribed matters to which the local authority shall have regard in deciding whether to exercise its veto are—

- (a) the level of support (as evidenced by the result of the BID ballot or re ballot, as the case may be) for the BID proposals, where this information is available;
- (b) the nature and extent of the conflicts mentioned in section 42(4) of the 2006 Act;
- (c) in relation to section 42(4)(c) of the 2006 Act, the structure of the proposed BID levy and how the financial burden of the business improvement district is to be distributed amongst ratepayers and the other eligible persons in the geographical area of the business improvement district;
- (d) in relation to section 42(4)(c) of the 2006 Act, how the financial burden of the business improvement district may have been disproportionately distributed among ratepayers and the other eligible persons as a result of the selection of the geographic area or areas of the business improvement district;
- (e) the extent to which the BID proposer discussed the BID proposals with the authority before submitting the BID proposals to the authority under regulation 5; and
- (f) the cost incurred by any person in developing the BID proposals and canvassing in relation to the BID proposals.

Commencement

reg. 14(1)-(2)(f): April 1, 2007

Extent

reg. 14(1)-(2)(f): Scotland

ABERDEEN CITY COUNCIL

COMMITTEE	Urgent Business Committee
DATE	6 January 2016
DIRECTOR	Pete Leonard
TITLE OF REPORT	Chief Officer Appointment – Head of Planning and Sustainable Development

REPORT NUMBER:

1. PURPOSE OF REPORT

To seek approval for the setting up of an appointment panel for recruitment to the vacant Chief Officer post of Head of Planning and Sustainable Development.

2. RECOMMENDATION(S)

That Urgent Business Committee agrees to –

1. establish an Appointment Panel comprising 9 members in total (3+3+1+1+1) to appoint to the Head of Planning and Sustainable Development, and to identify a Panel Chair.
2. delegate powers to the Appointment Panel to agree all matters relating to the recruitment process, including role profile, person specification and salary;
3. in respect of the timescale for recruitment processes, that powers be delegated to relevant officers to finalise this timeline, in consultation with the Panel convener;
4. appoint external recruitment consultants for the purposes of supporting the recruitment to the post where appropriate;
5. 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 a recruitment consultancy to support the recruitment process for this post, without the need to undertake a competitive tendering exercise;
6. the estimated expenditure associated with this recruitment exercise, which is estimated to be no more than £50,000, and that these costs be met from contingencies

3. FINANCIAL IMPLICATIONS

During the 2015/16 financial year the Council have made efforts to recruit to the Director of Corporate Governance and is currently in the process of recruiting to the City Centre Director role. There is a budget allocation of £50,000 allocated within the HR&CS Service for Chief Officials' recruitment. The budget allocation held Chief Official recruitment is only sufficient to cover one appointment. Therefore additional monies need to be identified and approved for this recruitment and selection process. It is estimated the full costs for this recruitment process, including costs of appointing of external recruitment consultants, running the assessment centre and the purchase and administration of psychometric tests, candidate expenses etc. should be no more than £50,000. It is recommended this unbudgeted cost be met from Council contingencies.

4. OTHER IMPLICATIONS

- 4.1 In 2009 the Council undertook a procurement exercise and a framework agreement for the provision of recruitment services was put in place. A Call-Off Contract for the appointment of up to 21 Heads of Service was awarded to an organisation called Munros Consulting. However, this recruitment consultant's framework expired in October 2012 and to date has not been retendered and therefore cannot be used to obtain the required external recruitment services.

It is now requested that Standing Order 1(6)(a) of the Council's Standing Orders Relating to Contracts and Procurement be invoked to allow a new contract to be entered into without the need to seek four quotes in accordance with Standing Order 6 or to undertake a competitive tendering exercise in accordance with Standing Order 5. Ordinarily, where the Council wants to put in place any contract for services with a value below £60,000, the Standing Orders require four written quotes to be sought. Where the estimated value of the contract is above £60,000, a competitive tendering exercise must be undertaken. Matters are slightly complicated here by virtue of aggregation.

Whilst the estimated expenditure is considerably less than the current EU threshold for services contracts (£173,934), the Council has to take account of the aggregation rules, both in terms of its own Standing Orders, but more importantly in terms of compliance with the Public Contracts (Scotland) Regulations 2012 ("the Regs"). Regulation 8(11) requires that where the Council is letting a number of contracts which are part of or arise from a "single requirement" then the value of each contract needs to be aggregated and where the aggregate value exceeds the EU threshold then each constituent/individual contract should be the subject of a tender which is EU compliant

The "single requirement" here is the provision of recruitment support/consultancy services. Over the last year the Council has expended money on the filling of vacancies including the Directors of Corporate Governance and currently is seeking to fill the City Centre Director role. When these costs are aggregated then the expenditure within this report takes the Council beyond the £60,000 limit and closer to the EU threshold. In these circumstances, the need for transparency and equal treatment increases, and to negate any procurement risk, the Council should undertake some form of competitive exercise in order to comply with its EU Treaty requirements of "a degree of advertising and

competition". However, this would take a number of months and the services believe that there is a greater risk to delaying the appointment process than failing to comply with Regulation 8(21).

As mentioned above, in these circumstances the Council would normally undertake a competitive procurement in terms of Standing Order 5. However, if the Council is satisfied that there are special circumstances to exempt any Contract from these requirements, Standing Order 1(6)(a) can be invoked.

It is felt that this current arrangement justifies invoking Standing Order 1(6)(a), thereby enabling the Council to set aside the need for compliance with the tendering requirements of Standing Order 5, by virtue of special circumstances as there is a time pressure to commence the recruitment process as soon as possible. Tendering would delay this process.

5. BACKGROUND/MAIN ISSUES

5.1 The post of Head of Planning and Sustainable Development has been vacant since mid-September 2015 when the previous incumbent left. The duties most recently have been covered on an Interim arrangement. It is recommended it is appropriate to seek to fill the vacant Head of Service post.

5.2 Establishment of Appointment Panel

In respect of the Head of Planning and Sustainable Development it is proposed:

- (i) **Background** - Standing Order 47(2) states that Directors and Heads of Service of the Council shall be appointed by an Appointment Panel, reflecting the political balance of the Council and chaired by the Convener of the relevant Service Committee or such other member as may be determined.
- (ii) **Composition and chairing arrangements** – that an Appointment Panel is established to recruit to the above vacant post. The composition of the Panel should be 3 Labour (including the Convener), 3 SNP, 1 Liberal Democrat, 1 Conservative and 1 member of the Independent Alliance Group.
- (iii) **Delegation of powers to Panel** – In the interests of accelerating the recruitment process, it is suggested that powers be delegated to the Appointment Panel on all matters relating to the recruitment process. This will include salary details and the role profile and person specification for the post. The Appointment Panel will be advised by the Director during the recruitment process and it is recommended that the services of Aspen People be secured to provide the Panel with expertise of executive search, supporting the appointment process and candidate administration.
- (iv) **Timeline** –The current indicative timeline is as follows-

Mid/Late January 2016	Appointment Panel meets to agree job description, person specification and remuneration package
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Late January 2016	Post advertised
Mid/late February 2016	Closing date for applications
Late February /early March 2016	Appointment Panel meets to agree a shortleat of candidates
Mid March 2016	Assessment Centre held and Appointment Panel meets to interview candidates.

- (v) **Remuneration package/role profile**– It is proposed to authorise the Appointment Panel to agree the role profile at its first meeting.

6. IMPACT

An EHRIA assessment has been undertaken and this is attached.

Recruitment to the post will be of interest to all Council Services, partner organisations and the public.

7. MANAGEMENT OF RISK

The Director of Communities, Housing and Infrastructure, following advice from the Interim Head of Planning and Sustainable Development, has concluded that a permanent position requires to be filled in order to manage a range of risks to the organisation.

8. BACKGROUND PAPERS

None.

9. REPORT AUTHOR DETAILS

Pete Leonard, Director of Communities, Housing & Infra structure
 Email: pleonard@aberdeencity.gov.uk
 Tel: 01224 522

Jeff Capstick, HR Manager
 email: jcapstick@aberdeencity.gov.uk
 Tel: 01224 522106



Equality and Human Rights Impact Assessment - the Form

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, **proposal** should be understood broadly to include the full range of our activities and could refer to a decision, policy, strategy, plan, procedure, report or business case, embracing a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Essentially everything we do!

STEP 1: Identify essential information

1. Committee Report No.

2. Name of proposal.

3. Officer(s) completing this form.

Name	Designation	Service	Directorate
Pete Leonard	Director – Communities, Housing & Infrastructure	Communities, Housing & Infrastructure	Communities, Housing & Infrastructure

4. Date of Impact Assessment.

5. When is the proposal next due for review?

6. Committee Name.

7. Date the Committee is due to meet.

8. Identify the Lead Council Service and who else is involved in delivering this proposal (for example other Council services or partner agencies).

The Human Resources and Organisational Development Service (HR&OD) co-ordinates the recruitment process for all Chief Official Appointments. However, elected members in the form of an Appointments Panel make the ultimate decision as to which candidate is appointed. The process involves inviting applications, assessing shortlisted candidates at an assessment centre involving internal and external stakeholders.

9. Please summarise this Equality and Human Rights Impact Assessment (EHRIA). This must include any practical actions you intend to take or have taken to reduce, justify or remove any adverse negative impacts. This must also include a summary of how this proposal complies with the public sector equality duty for people with protected characteristics - see Step 2. **Please return to this question after completing the EHRIA.**

We will advertise the post externally and refer all applications to a shortlisting meeting where each application is reviewed against the job profile. Shortlisted candidates are then invited to take part in a rigorous and robust assessment centre. Applicants are then formally interviewed by the Appointment Panel made up of elected members who have been trained in the recruitment process, which includes covering complying with legal requirements of equalities legislation and avoiding unlawful discrimination.

No negative impacts have been identified in relation to any of the protected characteristics.

10. Where will you publish the results of the Equality and Human Rights Impact Assessment? Tick which applies.

- Para 9 of EHRIA will be published in committee report in Section 6 "Impact"
- Full EHRIA will be attached to the committee report as an appendix
- Copied to Equalities Team to publish on the Council website

STEP 2: Outline the aims of the proposal

11. What are the main aims of the proposal?

To establish an Appointments Panel to appoint to the role of Head of Planning and Sustainable Development

12. Who will benefit most from the proposal?

The Council who will appoint a competent and qualified person to undertake the duties of the role

13. You should assess the impact of your proposal on equality groups and tell us how implementing this proposal will impact on the needs of the public sector equality duty to: eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations.

Having a fair process followed by elected members trained in equality issues in relation to recruitment will eliminate, as far as is practicable, any unlawful discrimination, harassment and/or victimisation

STEP 3: Gather and consider evidence

15. What **evidence** is there to identify any potential positive or negative impacts in terms of involvement, consultation, research, officer knowledge and experience, equality monitoring data, user feedback and other? You must consider relevant evidence, including evidence from equality groups.

The Council has well established and agreed policies, procedures and processes for recruiting Chief Officials that when followed should eliminate as far as is practicably possible.

STEP 4: Assess likely impacts on people with Protected Characteristics

16. Which, if any, people with protected characteristics and others could be affected positively or negatively by this proposal? Place the symbol in the relevant box. Be aware of cross-cutting issues, such as older women with a disability experiencing poverty and isolation.

(Positive +, neutral 0, - negative)

Protected Characteristics					
Age - Younger Older	0	Disability	0	Gender Reassignment*	0
Marriage or Civil Partnership	0	Pregnancy and Maternity	0	Race**	0
Religion or Belief	0	Sex (gender)***	0	Sexual orientation****	0
Others e.g. poverty	0				

Notes:

* Gender Reassignment includes Transsexual

** Race includes Gypsy/Travellers

*** Sex (gender) i.e. men, women

**** Sexual orientation includes LGB: Lesbian, Gay and Bisexual

17. Please detail the potential positive and/or negative impacts on those with protected characteristics you have highlighted above.

In making the assessment you must consider relevant evidence, including evidence received from individuals and equality groups. Having considered all of these elements, you must take account of the results of such assessments. This requires you to consider taking action to address any issues identified, such as removing or mitigating any negative impacts, where possible, and exploiting any potential for positive impact. If any adverse impact amounts to **unlawful discrimination**, the policy must be amended to avert this. Detail the impacts and describe those affected.

Positive impacts (describe protected characteristics affected)	Negative Impacts (describe protected characteristics affected)
Not Applicable.	Not Applicable

STEP 5: Human Rights - Apply the three key assessment tests for compliance assurance

18. Does this proposal/policy/procedure have the potential to interfere with an individual’s rights as set out in the Human Rights Act 1998? State which rights might be affected by ticking the appropriate box(es) and saying how. **If you answer “no”, go straight to question 22. No.**

- Article 3 – Right not to be subjected to torture, inhumane or degrading treatment or punishment
- Article 6 – Right to a fair and public hearing
- Article 8 – Right to respect for private and family life, home and correspondence
- Article 10 – freedom of expression
- Other article not listed above

How?

Legality

19. Where there is a potential negative impact is there a legal basis in the relevant domestic law?

Legitimate aim

20. Is the aim of the policy identified in Steps 1 and 2 a legitimate aim being served in terms of the relevant equality legislation or the Human Rights Act?

--

Proportionality

21. Is the impact of the policy proportionate to the legitimate aim being pursued? Is it the minimum necessary interference to achieve the legitimate aim?

--

STEP 6: Monitor and review

22. How will you monitor the implementation of the proposal? (For example, customer satisfaction questionnaires)

The proposal will be monitored through listening to any feedback from applicants and stakeholders and reviewing this feedback.
--

23. How will the results of this impact assessment and any further monitoring be used to develop the proposal?

The results of this impact assessment will be brought forward to any review of the policy, procedure or process relating to recruitment and selection.
--

STEP 7 SIGN OFF

The final stage of the EHRIA is formally to sign off the document as being a complete, rigorous and robust assessment.

Person(s) completing the impact assessment.

Name	Date	Signature
Keith Tennant	23 Dec 2015	

Quality check: document has been checked by

Name	Date	Signature
Jeff Capstick	24 Dec 2015	

Head of Service (Sign-off)

Name	Date	Signature
Ewan Sutherland	24 Dec 2014	

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Now –

Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal to:

Equalities Team
Customer Service and Performance
Corporate Governance
Aberdeen City Council
Business Hub 13
Second Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

Telephone 01224 523039 Email sandrab@aberdeencity.gov.uk