

# Public Document Pack



To: All Members of the Council

Town House,  
ABERDEEN, 15 August 2017

## **COUNCIL**

The Members of the **COUNCIL** are requested to meet in Council Chamber - Town House on **WEDNESDAY, 23 AUGUST 2017 at 10.30am.**

FRASER BELL  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

## **B U S I N E S S**

### **ADMISSION OF BURGESSES**

1(a) Admission of Burgesses

### **DETERMINATION OF URGENT BUSINESS**

2(a) No urgent business at this stage

### **DETERMINATION OF EXEMPT BUSINESS**

3(a) Members are requested to determine that the exempt business be considered with the press and public excluded

## **DECLARATIONS OF INTEREST**

4(a) Declarations of Interest (Pages 5 - 6)

## **REQUESTS FOR DEPUTATION**

- 5(a) Requests for Deputations

## **MINUTES OF PREVIOUS MEETINGS OF COUNCIL**

- 6(a) Minute of Meeting of Aberdeen City Council of 21 June 2017 - for approval (Pages 7 - 22)
- 6(b) Minute of Meeting of Urgent Business Committee of 3 July 2017 - for approval (Pages 23 - 28)

## **REFERRALS FROM COMMITTEES IN TERMS OF STANDING ORDER 31**

- 7(a) No referrals at this stage

## **BUSINESS STATEMENT, MOTIONS LIST, TRACKER AND OTHER MINUTES**

- 8(a) Business Statement (Pages 29 - 36)
- 8(b) Motions List (Pages 37 - 42)
- 8(c) Tracker (Pages 43 - 46)
- 8(d) Minute of Meeting of City Centre Masterplan Reference Group of 28 June 2017 (Pages 47 - 54)

The Council is requested to ratify the appointment of Councillor Boulton as Chairperson of the Reference Group, and agree that the Terms of Reference be amended. This is to reflect that the Chairperson is no longer Deputy Leader of the Council, and that the composition of the Reference Group now comprises 6 members based on 1 Conservative, 1 Labour, 1 Independent Alliance, 2 SNP and 1 Liberal Democrat, as opposed to the previous composition of the Convener of the Finance, Policy and Resources Committee and the five Group Leaders.

## **GENERAL BUSINESS**

- 9(a) Co-Leadership - CG/17/085 (Pages 55 - 90)
- 9(b) Policy Statement - OCE/17/017 (to follow)
- 9(c) Convention of Scottish Local Authorities (COSLA) - OCE/17/016 (Pages 91 - 94)

- 9(d) Council Target Operating Model - OCE/17/015 (to follow)
- 9(e) Committee Governance - Council Diary 2018 and Committee Changes - CG/17/091 (Pages 95 - 102)
- 9(f) Governance Review - Update on Outside Bodies Policy - CG/17/083 (Pages 103 - 146)
- 9(g) Governance Review - Trusts Update - CG/17/082 (Pages 147 - 164)
- 9(h) Appointment of a Chairperson to the Sport Aberdeen Board - CG/17/092 (Pages 165 - 168)
- 9(i) Audit, Risk and Scrutiny Committee Annual Report - referred by Audit, Risk and Scrutiny Committee of 27 June 2017 - OCE/17/007 (Pages 169 - 192)
- 9(j) Treasury Management Policy & Strategy - referred by Finance, Policy and Resources Committee of 29 June 2017 - CG/17/047 (Pages 193 - 200)
- 9(k) Council Financial Performance - Quarter 1, 2017/18 - CG/17/084 (Pages 201 - 238)
- 9(l) Recruitment to Aberdeen Economic Policy Panel - CHI/17/199 (Pages 239 - 252)
- 9(m) HMO Overprovision Policy - Report on Public Consultation - CHI/17/113 (to follow)
- 9(n) Update on Negotiations with Places for People (Shaping Aberdeen Housing LLP Approved Business Plan) - CHI/16/326 (Pages 253 - 258)
- 9(o) Welfare Reform - CHI/17/198 (Pages 259 - 266)
- 9(p) Corporate Parenting: Annual Update 2016-17 - ECS/17/040 (Pages 267 - 278)
- 9(q) Big Noise Torry Evaluation Report by Glasgow Centre for Population Health - ECS/17/039 (Pages 279 - 290)
- 9(r) Unison Ethical Care Charter - HSCP/17/079 (Pages 291 - 300)

### **NOTICES OF MOTION**

- 10(a) None

**EXEMPT / CONFIDENTIAL BUSINESS**

11(a) Complaints Review Committee - 31 May and 13 July 2017 - CG/17/081 (Pages 301 - 322)

EHRIAs related to reports on this agenda can be viewed at  
[Equality and Human Rights Impact Assessments](#)

To access the Service Updates for Council please use the following link:  
<https://committees.aberdeencity.gov.uk/ecCatDisplayClassic.aspx?sch=doc&cat=13450&path=0>

Website Address: [www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

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



# Agenda Item 4(a)

You must consider at the earliest stage possible whether you have an interest to declare in relation to any matter which is to be considered. You should consider whether reports for meetings raise any issue of declaration of interest. Your declaration of interest must be made under the standing item on the agenda, however if you do identify the need for a declaration of interest only when a particular matter is being discussed then you must declare the interest as soon as you realise it is necessary. The following wording may be helpful for you in making your declaration.

I declare an interest in item (x) for the following reasons .....

*For example, I know the applicant / I am a member of the Board of X / I am employed by...*  
and I will therefore withdraw from the meeting room during any discussion and voting on that item.

**OR**

I have considered whether I require to declare an interest in item (x) for the following reasons ..... however, having applied the objective test, I consider that my interest is so remote / insignificant that it does not require me to remove myself from consideration of the item.

**OR**

I declare an interest in item (x) for the following reasons ..... however I consider that a specific exclusion applies as my interest is as a member of xxxx, which is

- (a) a devolved public body as defined in Schedule 3 to the Act;
- (b) a public body established by enactment or in pursuance of statutory powers or by the authority of statute or a statutory scheme;
- (c) a body with whom there is in force an agreement which has been made in pursuance of Section 19 of the Enterprise and New Towns (Scotland) Act 1990 by Scottish Enterprise or Highlands and Islands Enterprise for the discharge by that body of any of the functions of Scottish Enterprise or, as the case may be, Highlands and Islands Enterprise; or
- (d) a body being a company:-
  - i. established wholly or mainly for the purpose of providing services to the Councillor's local authority; and
  - ii. which has entered into a contractual arrangement with that local authority for the supply of goods and/or services to that local authority.

**OR**

I declare an interest in item (x) for the following reasons.....and although the body is covered by a specific exclusion, the matter before the Committee is one that is quasi-judicial / regulatory in nature where the body I am a member of:

- is applying for a licence, a consent or an approval
- is making an objection or representation
- has a material interest concerning a licence consent or approval
- is the subject of a statutory order of a regulatory nature made or proposed to be made by the local authority.... and I will therefore withdraw from the meeting room during any discussion and voting on that item.

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## ABERDEEN CITY COUNCIL

Town House,  
ABERDEEN, 21 June 2017

### MINUTES OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Lord Provost Barney Crockett, Chairperson;  
Depute Provost Thomas Mason MSP; and

#### COUNCILLORS

YVONNE ALLAN  
CHRISTIAN ALLARD  
ALISON ALPHONSE  
PHILIP BELL  
MARIE BOULTON  
DAVID CAMERON  
JOHN COOKE  
NEIL COPLAND  
WILLIAM CORMIE  
STEVEN DELANEY  
ALAN DONNELLY  
JACQUELINE DUNBAR  
LESLEY DUNBAR  
SARAH DUNCAN  
STEPHEN FLYNN  
GORDON GRAHAM  
ROSS GRANT  
MARTIN GREIG  
DELL HENRICKSON  
RYAN HOUGHTON  
BRETT HUNT  
MICHAEL HUTCHISON

CLAIRE IMRIE  
FREDDIE JOHN  
JENNIFER LAING  
DOUGLAS LUMSDEN  
SANDRA MACDONALD  
NEIL MacGREGOR  
AVRIL MacKENZIE  
CATRIONA MacKENZIE  
ALEXANDER McLELLAN  
CIARÁN McRAE  
M. TAUQEER MALIK  
ALEXANDER NICOLL  
JAMES NOBLE  
JOHN REYNOLDS  
GILLIAN SAMARAI  
PHILIP SELLAR  
SANDY STUART  
GORDON TOWNSON  
JOHN WHEELER  
and  
IAN YUILL

Lord Provost Barney Crockett, in the Chair;

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

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=122&MIId=4325&Ver=4>

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

Council Meeting, 21 June 2017

## **ANNOUNCEMENT**

1. The Lord Provost advised that Her Majesty the Queen had recently announced the award of the British Empire Medal to Councillor Malik for services to the community of Aberdeen, and congratulated Councillor Malik on the achievement.

### **The Council resolved:-**

to concur with the remarks of the Lord Provost.

## **ADMISSION OF BURGESSES**

2. (A) The persons undermentioned were admitted into the presence of the Council and passed as Burgesses of Guild in respect of their respective Acts of Admission in the Guild Burgess Book:-

Shona Croly, Business Analyst, Aberdeen  
 James Stewart Davidson, Company Director, Aberdeen  
 Professor Henry Irvine Ellington, Retired University Professor, Aberdeen  
 Jean Mitchell Hamilton, Economics Secretarial, Aberdeen  
 Alan James Johnstone, Retired Senior Finance Manager, Aberdeen  
 Jane Glaister MacEachran, Solicitor, Aberdeen  
 Anne M F Malcolm, Retired Trading Enforcement Officer, Aberdeen  
 Anne Murray, Physiotherapist, Aberdeen  
 Professor Margaret Louise Ross, University Vice Principal/Professor of Law,  
 Aberdeen  
 Wendy Alison Stuart, Nurse/Chairperson, Aberdeen

(B) The person undermentioned was admitted into the presence of the Council and passed as a Burgess of the Burgh of Aberdeen of their own craft only:-

William Beattie, Shoemakers, Aberdeen

## **DETERMINATION OF EXEMPT BUSINESS**

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

- 11.1 Aberdeen International Youth Festival Governance Review
- 11.2 Aberdeen City - Residential Nursing Home Provision
- 11.3 Complaints Review Committee - 21 February 2017

### **The Council resolved:-**

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of items 11.1, 11.2 and 11.3 so as to avoid disclosure of exempt information of the classes described in paragraphs 1, 3, 6, 8 and 9 of Schedule 7(A) of the Act.

**DECLARATIONS OF INTEREST**

4. Councillors Boulton, Duncan and Imrie declared interests in relation to item 11.1 (Aberdeen International Youth Festival Governance Review) (Article 25 of this minute refers) by virtue of their position as Council appointed members of the Aberdeen International Youth Festival Trust, however they indicated that they would remain in the meeting for consideration of the item.

**ORDER OF AGENDA**

5. The Lord Provost proposed that item 10.3 (Motion by Councillors Lumsden and Laing) be brought forward and considered as the first item of business after item 8.3 (Tracker) on the agenda, and this was accepted.

**MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 22 FEBRUARY 2017**

6. The Council had before it the minute of meeting of Aberdeen City Council of 22 February 2017.

**The Council resolved:-**  
to approve the minute.

**MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 15 MARCH 2017**

7. The Council had before it the minute of meeting of Aberdeen City Council of 15 March 2017.

**The Council resolved:-**  
to approve the minute.

**MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 17 MAY 2017**

8. The Council had before it the minute of meeting of Aberdeen City Council of 17 May 2017.

**The Council resolved:-**

- (i) in relation to Article 8 (page 67 of the document pack), to note that Councillor Sandy Stuart had been present and voted in the division, however his vote had not registered hence it was recorded that he had been absent from the division; and
- (ii) to approve the minute.

**BUSINESS STATEMENT**

9. The Council had before it a statement of Council Business.

## Council Meeting, 21 June 2017

Councillor Flynn moved as a procedural motion, seconded by Councillor Nicoll:-

That item 4 (OP85 - King Street/Beach Esplanade) be retained on the Council Business Statement, and that the report be submitted to Council rather than the Finance, Policy and Resources Committee.

On a division, there voted:-

For the procedural motion (22) - Councillors Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, Catriona MacKenzie, McLellan, McRae, Nicoll, Noble, Samarai, Sandy Stuart, Townson and Yuill.

Against the procedural motion (22) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Donnelly, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Hunt, Imrie, John, Laing, Lumsden, Macdonald, Avril MacKenzie, Malik, Reynolds, Sellar and Wheeler.

There being a tied vote, in terms of Standing Order 29.6, the Lord Provost exercised his casting vote against the procedural motion.

**The Council resolved:-**

to reject the procedural motion.

**The Council further resolved:-**

- (i) in relation to item 4 (OP85 - King Street/Beach Esplanade), to transfer the item to the Finance, Policy and Resources Committee Business Statement with a due date of 30 November 2017;
- (ii) in relation to item 7 (Shaping Aberdeen Housing LLP 5 Year Business Plan), to instruct the Interim Director of Communities, Housing and Infrastructure to submit a report to the next Council meeting;
- (iii) in relation to item 15 (Welfare Reform), to instruct the Interim Director of Communities, Housing and Infrastructure to submit a report to the next Council meeting; and
- (iv) to otherwise note the business statement.

**MOTIONS LIST**

10. The Council had before it a list of outstanding motions.

**The Council resolved:-**

to note the motions list.

**TRACKER**

11. The Council had before it a tracker document which identified reports that were due to be considered by the Council at its next three meetings.

## Council Meeting, 21 June 2017

**The Council resolved:-**

- (i) to note that a report on the Scheme of Governance would be submitted to the Council meeting in October rather than December; and
- (ii) to note the tracker.

**MOTION BY COUNCILLORS LUMSDEN AND LAING**

**12.** The Council had before it the following notice of motion by Councillors Lumsden and Laing:-

Request that the Head of Legal and Democratic Services brings a report to the next Full Council meeting recommending how the role of Leader of the Council can be carried out by Co-Leaders, without there being a Deputy Leader, in a way that complies with the governance framework of the Council, including any provisions in the Standing Orders.

**The Council resolved:-**

to approve the amended notice of motion in the following terms:-

Request that the Head of Legal and Democratic Services brings a report to the next Full Council meeting recommending how the role of Leader of the Council can be carried out by Co-Leaders, without there being a Deputy Leader, in a way that complies with the governance framework of the Council including any provisions in the Standing Orders and adheres to the rules set out in the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007.

**EXERCISE OF DELEGATED POWERS - KINGSMEAD NURSING HOME - OCE/17/013**

**13.** The Council had before it a report by the Chief Executive which advised of the actions that had been taken on behalf of the Council by the Chief Executive regarding Kingsmead Nursing Home.

**The report recommended:-**

that the Council note the actions taken to secure the safe provision of services at Kingsmead Nursing Home.

**The Council resolved:-**

- (i) to approve the recommendation; and
- (ii) to acknowledge the hard work and commitment of staff within the Council, Aberdeen City Health and Social Care Partnership and Bon Accord Care in relation to the matter.

**ABERDEEN CITY INTEGRATION JOINT BOARD - OCE/17/012**

**14.** The Council had before it a report by the Chief Executive which provided details of the arrangements put in place for governance of the Integration Joint Board.

Council Meeting, 21 June 2017

**The report recommended:-**

that the Council note the content of the report.

**The Council resolved:-**

to approve the recommendation.

**GOVERNANCE REVIEW: INTEGRATION OF HEALTH AND SOCIAL CARE -  
DELEGATION OF POWERS AND PROCUREMENT - CG/17/075**

**15.** The Council had before it a report by the Head of Legal and Democratic Services which sought approval of revised governance arrangements in relation to powers delegated to the Chief Executive of Aberdeen City Council to authorise expenditure in respect of the delivery of adult social care services and the implementation of any direction issued by the Council by the Integration Joint Board (IJB).

**The report recommended:-**

that the Council -

- (a) approve the appointment of the Chief Officer of the IJB, in terms of section 64 of the Local Government (Scotland) Act 1973 ("the 1973 Act"), as an officer of the Council for the purposes of exercising the powers as set out in the Aberdeen City Council Delegated Powers 2017;
- (b) approve the amendment of the Council's Scheme of Delegated Powers set out in Appendix A; and
- (c) approve the amendment of the Aberdeen City Council Procurement Regulations as set out in Appendix B.

**The Council resolved:-**

to approve the recommendations.

**APPOINTMENTS TO OUTSIDE BODIES, AMENDMENTS TO COMMITTEE PLACES  
AND COUNCIL DIARY - CG/17/078**

**16.** The Council had before it a report by the Head of Legal and Democratic Services which sought approval of the new policy on the appointment of elected members to outside bodies and made recommendations for those bodies which required or requested such appointments, and changes to the composition of various committees, and sought a delegation to allow the Head of Legal and Democratic Services to set and amend the Council diary.

**The report recommended:-**

that the Council -

- (a) approve the draft policy on the appointment of elected members to outside bodies as set out at Appendix 1 to the report;
- (b) appoint elected members to the outside bodies listed in Appendix 3 to the report;
- (c) agree to make no appointment to the outside bodies listed in Appendix 4 to the report and note that these would be removed from the outside bodies register;



## Council Meeting, 21 June 2017

- (d) instruct the Head of Legal and Democratic Services to ensure that the necessary formalities are addressed with respect to the resignations and nominations of elected members to the outside bodies listed in Appendices 3 and 4;
- (e) instruct the Head of Legal and Democratic Services to keep the proposed policy and the outside bodies register under review to ensure that the levels of support the Council provides to these outside bodies through an elected member appointment is consistent with the policy;
- (f) approve the changes to the compositions of the various committees as set out in paragraph 3.6.1 of the report;
- (g) delegate authority to the Head of Legal and Democratic Services to set and amend the calendar of Council, Committee and Sub Committee meetings following consultation with the Lord Provost and Council Leader and to update the Scheme of Delegation accordingly; and
- (h) note the various appointments approved under delegated authority since the Statutory Council meeting contained within Appendix 5, and approve any outstanding appointments.

### DECLARATION OF INTERESTS

**At this juncture, following a question about the Oakbank School Board of Governors, Councillors Allan, Donnelly and Laing declared interests having been appointed previously by the Council to the Oakbank School Board of Governors, however they did not consider that the nature of their interests required them to leave the meeting.**

### The Council resolved:-

- (i) to defer approving the draft policy on the appointment of elected members to outside bodies as set out at Appendix 1 to the report in order for the Head of Legal and Democratic Services to bring a report to the next Council meeting on the feasibility and cost of the Council indemnifying Councillors on all outside bodies within Appendix 3 as well as undertaking an assessment of those outside bodies identified in the report where no insurance cover is currently provided by the Council to ensure Councillors are fully aware of the risks associated with joining an outside body;
- (ii) to appoint elected members on the following basis to the following outside bodies and agree that a meeting of Group Leaders be held within the next 14 days to agree the allocation of the appointments to all other outside bodies identified in Appendix 3, on the basis that these would be submitted as soon as possible thereafter to an Urgent Business Committee for approval:-
  - Aberdeen Bulawayo Trust - 4 Administration and 3 Opposition
  - Aberdeen Endowments Trust - 2 Administration and 1 Opposition
  - Aberdeen Heat and Power - 1 Administration and 1 Opposition
  - Aberdeen Inspired/Aberdeen Business Improvement District Board - Leader of the Council
  - Aberdeen Sports Village - 1 Administration and 1 Opposition
  - Champions Board - 1 Administration and 1 Opposition
  - Fairer Aberdeen Fund Board - 3 Administration and 1 Opposition

## Council Meeting, 21 June 2017

- Grampian Valuation Joint Board - 3 Administration and 3 Opposition
  - Sport Aberdeen - 2 Administration and 1 Opposition
  - University of Aberdeen - University Board - Leader of the Council
  - Veterans Champion - 1 Administration
  - World Energy Cities Partnership - Lord Provost
  - Aberdeen Performing Arts - 3 Administration and 1 Opposition
  - Garthdee Alpine Sports - 3 Administration and 2 Opposition
  - Opportunity North East - 1 director (Leader of the Council)
  - Aberdeen Renewable Energy Group - 1 director and 1 reserve;
- (iii) to instruct the Head of Legal and Democratic Services to provide a report to the next Council meeting providing full responses received from each of the outside bodies listed in Appendix 4 to allow members the opportunity to determine membership or otherwise;
- (iv) to instruct the Head of Legal and Democratic Services to ensure that the necessary formalities are addressed with respect to the resignations and nominations of elected members to the outside bodies listed in Appendices 3 and 4;
- (v) to instruct the Head of Legal and Democratic Services to keep the proposed policy and the outside bodies register under review to ensure that the levels of support the Council provides to those outside bodies through an elected member appointment is consistent with any policy agreed by Council;
- (vi) to approve the changes to the compositions of the various committees as set out in paragraph 3.6.1 of the report excluding the Aberdeen City Region Deal Joint Committee;
- (vii) to instruct the Head of Legal and Democratic Services to report to the Urgent Business Committee referred to at (ii) above on amending Standing Orders so that it shall be within the discretion of the Convener of a Committee or Sub Committee to cancel, advance or postpone an ordinary meeting if in his/her opinion there is a good reason for doing so; and
- (viii) to note the various appointments approved under delegated authority since the Statutory Council meeting, contained within Appendix 5, and approve any outstanding appointments.

## **FINAL UPDATE ON THE IMPROVEMENT PLAN FOLLOWING THE 2013 COMMUNITY PLANNING AUDIT - CHI/17/110**

17. With reference to Article 18 of the minute of its meeting of 14 December 2016, the Council had before it a report by the Chief Executive which provided a final update on progress by Community Planning Aberdeen in addressing the key areas of the Community Planning Audit in 2013.

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

that the Council approve the final update report on the 2013 Community Planning Audit Improvement Plan.

### **The Council resolved:-**

to approve the recommendation.

**FAIRER ABERDEEN FUND 6 MONTH PROGRESS REPORT 2016-17 - CHI/17/111**

**18.** With reference to Article 19 of the minute of its meeting of 14 December 2016, the Council had before it a report by the Interim Director of Communities, Housing and Infrastructure which provided the six month progress report for 2016/17 for the Fairer Aberdeen Fund programme and the allocation of funding for 2017/18.

**The report recommended:-**

that the Council -

- (a) note the six month progress report for 2016/17 at Appendix 1;
- (b) note the information at Appendix 2 listing the initiatives being funded in 2017/18;
- (c) note the information at Appendix 3 relating to the Participatory Budgeting event carried out by the Fairer Aberdeen Board in October 2016; and
- (d) agree that further Fairer Aberdeen annual and six month progress reports be issued as Service Updates in future.

**The Council resolved:-**

- (i) to approve recommendations (a), (b) and (c);
- (ii) to agree that the Fairer Aberdeen annual report be submitted to the Council meeting for consideration, with the six month progress report issued as a Service Update in future; and
- (iii) to request the Interim Director of Communities, Housing and Infrastructure to review the performance indicators contained within Appendix 2 where performance was currently reported on a six monthly basis against a yearly target, with a view to performance and the target being on a like for like basis.

**PROPOSED PLANNING OBLIGATIONS SUPPLEMENTARY GUIDANCE - CHI/17/155**

**19.** With reference to Article 18 of the minute of its meeting of 15 March 2017, the Council had before it a report by the Interim Director of Communities, Housing and Infrastructure which sought approval to modify the Planning Obligations Supplementary Guidance following a direction issued by Scottish Ministers to the Council as part of their approval process.

**The report recommended:-**

that the Council -

- (a) agree the modifications to the Planning Obligations Supplementary Guidance required by Scottish Ministers in their letter of 14 May 2017, as at Appendix 1, and set out in the Planning Obligations Supplementary Guidance as at Appendix 2; and
- (b) note that charges for Stopping Up Orders/Traffic Regulation Orders and the preparation of Legal Agreements would continue to be reasonably and fairly applied.

**The Council resolved:-**

to approve the recommendations.

**BUS SERVICE OPTIONS - CHI/17/143**

**20.** With reference to Article 30 of the minute of its meeting of 15 March 2017, the Council had before it a report by the Interim Director of Communities, Housing and Infrastructure which advised of the options available to the Council for the operation of bus services.

**The report recommended:-**

that the Council -

- (a) instruct the Interim Director of Communities, Housing and Infrastructure to report to the Communities, Housing and Infrastructure Committee in August 2017 with a proposal for a revised Quality Partnership for public transport;
- (b) instruct the Interim Director of Communities, Housing and Infrastructure to report to the Finance, Policy and Resources Committee in September 2017 with options for dealing with gaps in the public transport network, where a need has been identified and for a decision to be made; and
- (c) welcome the forthcoming consultation on a Transport Bill for Scotland and instruct the Interim Head of Planning and Sustainable Development to engage fully in the consultation process and to report back to Council following the Bill being passed by the Scottish Parliament.

**The Council resolved:-**

- (i) to approve recommendations (a) and (b);
- (ii) to instruct the Interim Director of Communities, Housing and Infrastructure to arrange for an appropriate procurement exercise to be carried out so as to seek a provider for an enhanced public bus service to Kingswells to extend the current service, to 6.00am and 11.00pm daily, Monday through Friday as soon as possible. Subject to timing requirements for the said procurement, this enhancement would be for the remainder of the financial year 2017/18 in recognition of the exceptional circumstances impacting on those residents living in Kingswells. This will be on the understanding that the maximum cost of such enhanced public bus service will be £25,000 and will be funded from contingencies and that all relevant legal provisions are complied with, including with reference to state aid; and
- (iii) to instruct the Interim Director of Communities, Housing and Infrastructure to write to the Minister for Transport and the Islands, Humza Yousaf MSP, seeking clarity on the timescales for both the consultation with Aberdeen City Council regarding the Transport Bill and the publishing of the draft bill, and to report back to Council at the next available opportunity.

**AIR QUALITY LOW EMISSION ZONES - CHI/17/141**

**21.** With reference to Article 3 of the minute of its meeting of 22 February 2017, the Council had before it a report by the Interim Director of Communities, Housing and Infrastructure which responded to the instruction to prepare a business case around the feasibility of Aberdeen City Council introducing Low Emission Zones throughout the city.

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**The report recommended:-**

that the Council -

- (a) instruct the Interim Director of Communities, Housing and Infrastructure to carry out a Low Emission Feasibility Study in accordance with the methodology detailed in technical guidance and prescribed timescales;
- (b) instruct officers to inform the Council of the study outcomes and recommendations at prescribed stages of the assessment process as detailed in the technical guidance;
- (c) note the 'Next Steps' section explaining the feasibility study process and role of partner organisations; and
- (d) instruct the Interim Director of Communities, Housing and Infrastructure to volunteer Aberdeen City Council to be an early adopter should the feasibility study indicate that it may be appropriate to introduce a Low Emission Zone in Aberdeen.

**The Council resolved:-**

- (i) to approve recommendations (a), (b) and (c); and
- (ii) to instruct the Interim Director of Communities, Housing and Infrastructure to bring a report back to Council detailing the outcome of the feasibility study with a view to members determining whether Aberdeen City Council should volunteer itself as an early adopter.

**EQUALITIES OUTCOMES AND MAINSTREAMING REPORT - CHI/17/054**

**22.** With reference to Article 26 of the minute of its meeting of 15 March 2017, the Council had before it a joint report by the Head of Communities and Housing and the Head of Human Resources and Customer Service which set out Aberdeen City Council's Equality Outcomes for 2017-21.

**The report recommended:-**

that the Council -

- (a) approve the new and revised Equality Outcomes for 2017-21 proposed within the 'Equality Outcomes and Mainstreaming Progress Report' which was approved at Full Council on 15 March 2017, as detailed in Appendix 1; and
- (b) approve the easy read version of the Council's Equality Outcomes (Appendix 3).

**The Council resolved:-**

- (i) to approve the recommendations; and
- (ii) to instruct the Head of Human Resources and Customer Service to report back to Council in further detail in connection with Appendix 2 and the number of employees with a disability subject to the disciplinary process, particularly with regard to frequency, possible patterns and appropriate training.

**MOTION BY COUNCILLOR COOKE**

**23.** The Council had before it the following notice of motion by Councillor Cooke:-

## Council Meeting, 21 June 2017

- (1) Council notes that the Gordon Highlanders Museum is the only five star rated visitor attraction in the city, and is important in attracting visitors to Aberdeen; and that it also represents an important educational resource. Council also notes the close and long-standing connections between Aberdeen and this historic regiment.
- (2) Council further notes that the museum is facing a funding crisis due to a drop in income from its commercial activities, resulting from the recent downturn in the local economy; and has launched an appeal to raise £300,000 over a three year period; but expects to be able to return to self-funding thereafter.
- (3) Council therefore instructs officers to investigate what financial support can be provided by the Council to the museum to help ensure the survival and future success of this superb facility, given its economic, educational and cultural importance, and to report back with recommendations to the Finance, Policy and Resources Committee.

**The Council resolved:-**

to approve the terms of the motion.

**MOTION BY COUNCILLOR GREIG**

**24.** With reference to Article 27 of the minute of its meeting of 14 December 2016, the Council had before it the following notice of motion by Councillor Greig:-

That this Council:-

- (1) believes that the best way to promote peace and harmony in the world is to build cultural, academic and economic bridges; and
- (2) rejects any attempts to drive individuals, families and legitimate businesses away from Aberdeen on grounds of race, religion or country of origin and condemns any organisation that pursues such a policy.

Councillor Laing indicated that she had an amendment in the following terms:-

That this Council:-

- (1) condemns unequivocally racism, xenophobia and hate crimes and believes that these have no place in this, or any other country;
- (2) takes pride that Aberdeen is a vibrant, diverse, tolerant and multicultural city in which everyone can contribute to the local community and economy irrespective of race, gender, religion or social background; and
- (3) commits itself to:-
  - (i) continue to work with others to tackle and prevent racism, xenophobia and hate crimes.
  - (ii) maintain Aberdeen as a welcoming and friendly international destination.

Councillor Greig moved, seconded by Councillor Delaney:-

That this Council:-

- (1) believes that the best way to promote peace and harmony in the world is to build cultural, academic and economic bridges;

## Council Meeting, 21 June 2017

- (2) rejects any attempts to drive individuals, families and legitimate businesses away from Aberdeen on grounds of race, religion or country of origin and condemns any organisation that pursues such a policy;
- (3) condemns unequivocally racism, xenophobia and hate crimes and believes that these have no place in this, or any other country;
- (4) takes pride that Aberdeen is a vibrant, diverse, tolerant and multicultural city in which everyone can contribute to the local community and economy irrespective of race, gender, religion or social background; and
- (5) commits itself to:-
  - (i) continue to work with others to tackle and prevent racism, xenophobia and hate crimes.
  - (ii) maintain Aberdeen as a welcoming and friendly international destination.

Councillor Laing moved as an amendment, seconded by Councillor Flynn:-

That this Council:-

- (1) condemns unequivocally racism, xenophobia and hate crimes and believes that these have no place in this, or any other country;
- (2) takes pride that Aberdeen is a vibrant, diverse, tolerant and multicultural city in which everyone can contribute to the local community and economy irrespective of race, gender, religion or social background; and
- (3) commits itself to:-
  - (i) continue to work with others to tackle and prevent racism, xenophobia and hate crimes.
  - (ii) maintain Aberdeen as a welcoming and friendly international destination.

On a division, there voted:-

For the motion (5) - Councillors Boulton, Delaney, Greig, Reynolds and Yuill.

For the amendment (39) - Lord Provost; Depute Provost; and Councillors Allan, Allard, Alphonse, Bell, Cameron, Cooke, Copland, Cormie, Donnelly, Jackie Dunbar, Lesley Dunbar, Duncan, Flynn, Graham, Grant, Henrickson, Houghton, Hunt, Hutchison, Imrie, John, Laing, Lumsden, Macdonald, MacGregor, Avril MacKenzie, Catriona MacKenzie, McLellan, McRae, Malik, Nicoll, Noble, Samarai, Sellar, Sandy Stuart, Townson and Wheeler.

**The Council resolved:-**  
to adopt the amendment.

**In accordance with the decision recorded under Article 3 of this minute, the following three items were considered with the press and public excluded.**

Council Meeting, 21 June 2017

## **ABERDEEN INTERNATIONAL YOUTH FESTIVAL GOVERNANCE REVIEW - ECS/17/037**

**25.** With reference to Article 15 of the minute of its meeting of 15 March 2017, the Council had before it a report by the Director of Education and Children's Services which provided an update on progress regarding the review by the Trustees of Aberdeen International Youth Festival (AIYF) into the future governance arrangements of AIYF and the Trust.

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

that the Council -

- (a) note the content of the report prepared by the AIYF Artistic Director and Chief Executive Officer including the outline of a project plan appended;
- (b) request a detailed and comprehensive project and business plan by 29 September 2017 to include key objectives, strategic context for moving to a Scottish Charitable Incorporated Organisation (SCIO), market benefits, analysis of options, risks and opportunities, steps and detailed timeline for transitioning to SCIO, future funding and financial implications;
- (c) request a report on current festival activity, including participation targets by 29 September 2017, which would be used to assess the Council's contribution to the 2018 festival, including Council resource allocation; and
- (d) note the intention of AIYF to use their existing reserves to fund an external consultant(s) to undertake the review.

### **The Council resolved:-**

to approve the recommendations.

## **ABERDEEN CITY - RESIDENTIAL NURSING HOME PROVISION - HSCP/17/057**

**26.** The Council had before it a report by the Chief Officer of Aberdeen City Health and Social Care Partnership which sought approval in principle to purchase Kingsmead Nursing Home, in order to ensure continuity of service and the quality of care.

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

that the Council -

- (a) agree in principle to purchase Kingsmead Nursing Home, subject to the Integration Joint Board agreeing to cover the capital financing costs and the running costs of the Nursing Home; and
- (b) note that further updates would be provided to the Finance, Policy and Resources Committee as the options identified in Appendix 1 progressed.

### **The Council resolved:-**

to approve the recommendations.



Council Meeting, 21 June 2017

**COMPLAINTS REVIEW COMMITTEE - 21 FEBRUARY 2017 - CG/17/077**

27. The Council had before it a report by the Head of Legal and Democratic Services which presented the recommendations and minute from the Social Work Complaints Review Committee meeting of 21 February 2017.

**The report recommended:-**

that the Council approve the recommendations and the minute of the Social Work Complaints Review Committee meeting of 21 February 2017.

**The Council resolved:-**

to approve the recommendation.

**The press and public were excluded from the meeting during consideration of the following item which contained confidential information in terms of Section 50A 3(b) of the Local Government (Scotland) Act 1973.**

**MINUTE OF MEETING OF APPEALS COMMITTEE OF 19 APRIL 2017**

28. The Council had before it the minute of meeting of the Appeals Committee of 19 April 2017.

**The Council resolved:-**

to approve the minute subject to the correction of Article 3 (page 578 of the document pack) to reflect that the Convener's *motion* failed to attract a seconder, rather than the Convener's *amendment*.

**- BARNEY CROCKETT, Lord Provost.**

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## URGENT BUSINESS COMMITTEE

ABERDEEN, 3 July 2017. Minute of Meeting of the URGENT BUSINESS COMMITTEE. Present:- Councillor Laing, Convener; Councillor Lumsden, Vice-Convener; and Councillors Allard, Cameron, Donnelly, Jackie Dunbar, Duncan, Flynn, Grant, Houghton, Nicoll, Reynolds (as substitute for Councillor Boulton) and Yuill.

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

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=334&MId=5802&Ver=4>

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

### DETERMINATION OF URGENT BUSINESS

1. In terms of Standing Order 28(6)(vi) of the Council's Standing Orders from 2014, which had been retained, and in accordance with Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, the Committee was informed that it had to determine (1) that the items on the agenda were of an urgent nature; and (2) that the Committee required to consider the items and take decisions thereon.

Councillor Yuill moved as a procedural motion, seconded by Councillor Flynn:-

That item 3, Election of Depute Provost, was not urgent and did not require to be considered this day.

On a division, there voted:- for the procedural motion (6) - Councillors Allard, Cameron, Jackie Dunbar, Flynn, Nicoll and Yuill; against the procedural motion (7) - Convener; Vice Convener; and Councillors Donnelly, Duncan, Grant, Houghton and Reynolds.

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

to reject the procedural motion, and thereby agree that the item was of an urgent nature and required to be considered this day, in order that a replacement for Councillor Mason MSP could be in place at the earliest opportunity.

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

to agree that items 2 and 4, Appointments to Outside Bodies and Amendment to Standing Orders, were of an urgent nature and required to be considered this day, in order to comply with the decision of Council of 21 June 2017 in connection with those items.

## URGENT BUSINESS COMMITTEE

3 July 2017

### APPOINTMENTS TO OUTSIDE BODIES

2. With reference to Article 16 of the minute of meeting of Council of 21 June 2017, the Committee had before it a list of outside bodies prepared by the Head of Legal and Democratic Services which required to be appointed to.

**The Committee resolved:-**

to approve the following compositions/appointments to outside bodies and request that Group Leaders submit names to the Head of Legal and Democratic Services by 7 July 2017:-

Body	Composition/Appointment
Aberdeen Area Support Team (Children's Panel)	1 Administration
Aberdeen Bulawayo Trust	4 Administration and 3 Opposition
Aberdeen Endowments Trust	2 Administration and 1 Opposition
Aberdeen Foyer	1 Administration and 1 Opposition
Aberdeen Heat and Power	1 Administration and 1 Opposition
Aberdeen Inspired/Aberdeen Business Improvement District Board	Leader of the Council
Aberdeen Lads Club	3 local members
Aberdeen Outdoor Access Forum	1 Administration and 1 substitute (Opposition)
Aberdeen Performing Arts	3 Administration and 1 Opposition
Aberdeen Sports Village	1 Administration and 1 Opposition
Alcohol and Drugs Partnership	1 Administration and 1 Opposition
Aberdeen Renewable Energy Group	1 Administration
Association for Public Service Excellence (APSE)	1 Administration
Care and Repair Initiative Scotland - Aberdeen Agency	2 Administration and 1 Opposition
Champions Board	1 Administration and 1 Opposition
Citizens Advice Bureau Management Committee	2 Administration and 1 Opposition
Disabled Persons Housing Service	1 Administration
East Grampian Coastal Partnership Management Group	1 Administration and 1 Opposition
Fairer Aberdeen Fund Board	3 Administration and 1 Opposition
Garthdee Alpine Sports	3 local members

**URGENT BUSINESS COMMITTEE**

3 July 2017

<b>Body</b>	<b>Composition/Appointment</b>
Board	
Gordon Highlanders Museum Board	Lord Provost, 2 Administration and 2 Opposition
Grampian Houston Association	Lord Provost (honorary member), 2 Administration and 2 Opposition
Grampian Regional Equality Council (GREC)	1 Administration and 1 Opposition
Grampian Valuation Joint Board	3 Administration (Councillors Donnelly, Graham and Reynolds) and 3 Opposition (Councillors Allard, Cormie and Sandy Stuart)  6 reserve members also to be appointed as above
Highland Reserves Forces and Cadets Association	1 Opposition
MacDonald Art Committee	2 Administration and 2 Opposition
Marguerite McBey Trust	1 Administration and 1 Opposition
North East Agricultural Advisory Committee	3 Administration and 2 Opposition
North East of Scotland Climate Change Partnership	1 Administration
North East of Scotland Port Welfare Committee (Merchant Navy Welfare Board) (MNWB)	1 Opposition
North East Scotland Fisheries Development Partnership	2 Administration and 2 Opposition
North East Sensory Services (NESS)	1 Administration (Councillor Lumsden)
Opportunity North East	Leader of the Council plus 1 substitute
Peacock Visual Arts Ltd.	1 Administration
Printfield Community Project/Woodside Network	1 Administration and 1 Opposition
Proctor's Orphanage Trust	3 Administration and 2 Opposition
Robbs Trust	1 Administration and 1 Opposition
Robert Gordons College Board of Governors	2 Administration and 2 Opposition
Robert Nichol Trust	1 Administration
Rubislaw Field Committee	2 Administration and 1 Opposition
Satrosphere (Aberdeen)	1 Administration and 1 Opposition

## URGENT BUSINESS COMMITTEE

3 July 2017

Body	Composition/Appointment
Science Centre)	
Shopmobility Management Committee	1 Administration
Sport Aberdeen	2 Administration and 1 Opposition
St Machar Parents Support Project	1 Administration
Transition Extreme Limited Board	1 Administration
University of Aberdeen - University Board	1 Administration (Leader of the Council)
Veterans Champion	1 Administration (Lord Provost)
Violence Against Women Forum	1 Administration and 1 Opposition
Visit Aberdeen Destination Marketing Organisation	1 Administration
William Harvey Trust	Lord Provost and 1 Opposition
World Energy Cities Partnership	Lord Provost

### ELECTION OF DEPUTE PROVOST

3. The Committee was advised that Councillor Mason MSP had submitted a letter to the Chief Executive which confirmed his resignation from the role of Depute Provost. Accordingly, the Convener sought nominations for the role of Depute Provost.

The Vice Convener proposed, seconded by Councillor Houghton:-  
That Councillor Donnelly be appointed Depute Provost.

Councillor Flynn further proposed, seconded by Councillor Jackie Dunbar:-  
That Councillor Cormie be appointed Depute Provost.

Councillor Donnelly spoke in support of his candidacy. The Committee noted that Councillor Cormie was unable to be in attendance and therefore could not speak in support of his candidacy.

There being two nominations, the Committee voted as follows:- for Councillor Donnelly (7) - Convener; Vice Convener; and Councillors Donnelly, Duncan, Grant, Houghton and Reynolds; for Councillor Cormie (6) - Councillors Allard, Cameron, Jackie Dunbar, Flynn, Nicoll and Yuill.

**URGENT BUSINESS COMMITTEE**

3 July 2017

**The Committee resolved:-**

to appoint Councillor Donnelly to the role of Deputy Provost with immediate effect.

**In terms of Standing Order 29.7, Councillors Allard, Cameron, Jackie Dunbar, Flynn, Nicoll and Yuill intimated their dissent against the foregoing decision.**

**AMENDMENT TO STANDING ORDERS - CG/17/080**

4. With reference to Article 16 of the minute of meeting of Council of 21 June 2017, the Committee had before it a report by the Head of Legal and Democratic Services which proposed that the Council's Standing Orders be amended to include a Standing Order with regard to the cancellation, advancement or postponement of ordinary meetings of Committees and Sub Committees.

**The report recommended:-**

that the Committee approve that Standing Orders be amended to incorporate the following additional Standing Order to the Ordinary Meetings heading within the Council and Committee Meetings section:-

6.3 It shall be within the discretion of the Convener of a Committee or the Convener of a Sub Committee to cancel, advance or postpone to a later date an ordinary meeting if in his/her opinion there is good reason for doing so.

**The Committee resolved:-**

to approve the recommendation.

**- JENNIFER LAING, Convener.**

**URGENT BUSINESS COMMITTEE**  
3 July 2017



## COUNCIL

### BUSINESS STATEMENT

23 AUGUST 2017

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

#### Reports which are overdue are shaded

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
1.	Communities, Housing and Infrastructure 24.01.17 Article 7	<b><u>Houses in Multiple Occupation (HMOs) Overprovision</u></b>  The Communities, Housing and Infrastructure Committee resolved:- (i) to note the high concentration of HMOs within the Froghall, Powis and Sunnybank and Old Aberdeen neighbourhoods; (ii) to note the information provided towards meeting the requirement to complete assessment of the need for housing accommodation and the extent to which HMO accommodation is required to meet that in the city and including the Froghall, Powis and Sunnybank, Old Aberdeen and Garthdee neighbourhoods; (iii) to instruct officers to consult on the draft HMO overprovision policy at appendix 13. This policy would apply in Froghall, Powis and Sunnybank, Old Aberdeen and Garthdee neighbourhoods. The overprovision	A report is on the agenda for the Council meeting on 23 August 2017.	Interim Director of Communities, Housing and Infrastructure	21.06.17

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
		<p>threshold applies if there is a concentration of HMOs in any one particular Census Output Area within the Froghall, Powis and Sunnybank, Old Aberdeen and Garthdee neighbourhoods in excess of 10% of qualifying residential properties in that neighbourhood; and</p> <p>(iv) to instruct officers to report back to Council in June 2017.</p>			
2.	Council 15.03.17 Article 36	<p><b><u>Shaping Aberdeen Housing LLP 5 Year Business Plan</u></b></p> <p>The Council approved a number of recommendations and instructed the Chief Executive to negotiate with Places for People on the delivery of 1,000 affordable homes and report back to the next Council meeting on the mechanism by which this could be achieved.</p> <p>A Service Update was issued to members in the lead up to the Council meeting on 21 June 2017, however at that meeting the Council instructed the Interim Director of Communities, Housing and Infrastructure to submit a report to the next Council meeting.</p>	A report is on the agenda for the Council meeting on 23 August 2017.	Interim Director of Communities, Housing and Infrastructure	23.08.17

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
3.	Council 17.08.16 Article 16	<b><u>Corporate Parenting</u></b>  The Council considered the annual report on progress with the implementation of the corporate parenting responsibility and instructed officers to report back on the further implementation of the corporate parenting responsibility to Council in 2017.	A report is on the agenda for the Council meeting on 23 August 2017.	Director of Education and Children's Services	23.08.17
4.	Council 06.10.16 Article 9	<b><u>UNISON Ethical Care Charter</u></b>  The Council (1) agreed to sign up to UNISON's Ethical Care Charter; (2) agreed that the Leader of the Council sign the Charter on behalf of the Aberdeen City Council; (3) noted that the Integration Joint Board had remitted to the Chief Officer of the Integration Joint Board the task of developing an action plan and timescales for implementing the Charter; and (4) agreed that a report be brought back to Full Council on progress by August 2017.	A report is on the agenda for the Council meeting on 23 August 2017.	Chief Officer, Aberdeen City Health and Social Care Partnership  Head of Commercial and Procurement Services	23.08.17
5.	Council 17.05.17 Article 16	<b><u>Convention of Scottish Local Authorities (COSLA)</u></b>  The Council (1) instructed the Chief Executive to confirm whether or not COSLA would be requiring a payment for the two years in which Aberdeen City Council was not a member; (2) instructed the Chief Executive to write to the Chief	A report is on the agenda for the Council meeting on 23 August 2017.	Chief Executive	23.08.17

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
		Executive and President of COSLA inviting them to a meeting with the Group Leaders; and (3) agreed to receive a report at its August 2017 meeting to consider COSLA membership in light of the outcomes of (1) and (2) above.			
6.	Council 21.06.17 Article 16	<p><b><u>Appointments to Outside Bodies</u></b></p> <p>The Council (1) deferred approving the draft policy on the appointment of elected members to outside bodies as set out in Appendix 1 to the report in order for the Head of Legal and Democratic Services to bring a report to the next Council meeting on the feasibility and cost of the Council indemnifying Councillors on all outside bodies within Appendix 1 as well as undertaking an assessment of those outside bodies identified in the report where no insurance cover is currently provided by the Council to ensure Councillors are fully aware of the risk associated with joining an outside body; and (2) instructed the Head of Legal and Democratic Services to provide a report to the next Council meeting providing full responses received from each of the outside bodies listed in Appendix 4 to allow members the opportunity to determine membership or otherwise.</p>	A report is on the agenda for the Council meeting on 23 August 2017.	Head of Legal and Democratic	23.08.17

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
7.	Council 06.03.13 Article 16	<p><b><u>Welfare Reform</u></b></p> <p>The Council, amongst other things, approved the steps taken by officers to develop a policy and practice response and agreed to receive further reports in due course as measures were implemented.</p> <p>At its meeting of 21 June 2017, the Council instructed the Interim Director of Communities, Housing and Infrastructure to submit a report to the next Council meeting on welfare reform.</p>	A report is on the agenda for the Council meeting on 23 August 2017.	Interim Director of Communities, Housing and Infrastructure	23.08.17
8.	Council 02.03.16 Article 13	<p><b><u>Integration Joint Board (IJB) for Health and Social Care</u></b></p> <p>The Council instructed the Chief Executive to provide an update report to members on matters relating to the IJB that she considered to be of interest to them at the Council meetings of 17 August and 14 December 2016 and quarterly thereafter, such reports including financial monitoring information in relation to the IJB.</p>	Quarterly reports to be received. The Council received the last report on 21 June 2017.	Chief Executive	11.10.17
9.	Council 21.06.17 Article 22	<p><b><u>Equalities Outcomes and Mainstreaming Report</u></b></p> <p>The Council instructed the Head of Human Resources and Customer Service to report back to Council in further detail in connection with Appendix 2 and the</p>	Further research to be undertaken, therefore the report will be submitted to Council on 11 October 2017.	Head of Human Resources and Customer Service	11.10.17

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
		number of employees with a disability subject to the disciplinary process, particularly with regard to frequency, possible patterns and appropriate training.			
10.	Council 24.06.15 Article 13	<p><b><u>Local Authority Community Covenant</u></b></p> <p>The Council agreed to receive a report at a future meeting once the Scottish Government had reviewed the Scottish Veterans Commissioner's report <i>Transition in Scotland</i> and decided how it wishes to take its recommendations forward.</p>	A report will be submitted to the Council meeting on 11 October 2017.	Chief Executive	11.10.17
11.	Council 31.10.13 Article 17	<p><b><u>Community Planning Aberdeen - Development Plan</u></b></p> <p>The Council agreed to receive six monthly updates on progress with the implementation of the Development Plan.</p>	The Council received the last six month progress report on 21 June 2017.	Interim Director of Communities, Housing and Infrastructure	13.12.17
12.	Council 21.06.17 Article 18	<p><b><u>Fairer Aberdeen Fund</u></b></p> <p>The Council agreed that the Fairer Aberdeen annual report be submitted to the Council meeting for consideration, with the six month progress report issued as a Service Update in future.</p>		Interim Director of Communities, Housing and Infrastructure	13.12.17

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
13.	Council 14.12.16 Article 23	<p><b><u>Berryden Corridor Improvements Scheme - Compulsory Purchase Order</u></b></p> <p>The Council instructed officers to report to a future meeting of Council to seek a resolution to make the Compulsory Purchase Order once the supporting documents are completed.</p>		Interim Director of Communities, Housing and Infrastructure	13.12.17
14.	Council 21.06.17 Article 21	<p><b><u>Air Quality Low Emission Zones</u></b></p> <p>The Council (1) instructed the Interim Director of Communities, Housing and Infrastructure to carry out a Low Emission Feasibility Study in accordance with the methodology detailed in technical guidance and prescribed timescales; (2) instructed officers to inform the Council of the study outcomes and recommendations at prescribed stages of the assessment process as detailed in the technical guidance; (3) noted the 'next steps' section explaining the feasibility study process and role of partner organisations; and (4) instructed the Interim Director of Communities, Housing and Infrastructure to bring a report back to Council detailing the outcome of the feasibility study with a view to members determining whether Aberdeen City Council should volunteer itself as an early adopter.</p>		Interim Director of Communities, Housing and Infrastructure	13.12.17

<u>No.</u>	<u>Minute Reference</u>	<u>Council/Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
15.	Council 15.03.17 Article 13	<p><b><u>Committee Orders of Reference and Standing Orders</u></b></p> <p>The Council (1) noted that the new Standing Orders did not contain provisions equivalent to the existing Standing Orders 28 (Committees of the Council), 37 (General Delegations to Committees), 38 (Exclusions from Delegations) and 39 (Expenditure on Hospitality), and agreed that these would remain in force until such time as alternative Committee Orders of Reference were presented and the Council Travel Policy was amended; (2) agreed that the existing Committee Orders of Reference remain in force for the time being, with alternative proposals to be brought to Council in due course; and (3) agreed that "Part III - Officers of the Council" (with the exception of Standing Order 45 - Report by Chief Officers) of the existing Standing Orders also remain in force for the time being, with alternative proposals to be brought to Council in due course.</p>	A report on the Council's Scheme of Governance, which incorporates the Committee Orders of Reference, is scheduled for the Council meeting in March 2018.	Head of Legal and Democratic Services	March 2018
16.	Council 15.03.17 Article 23	<p><b><u>Aberdeen Inward Investment Plan</u></b></p> <p>The Council agreed to receive annual updates on the Aberdeen Inward Investment Plan starting in May 2018.</p>		Interim Director of Communities, Housing and Infrastructure	May 2018



**COUNCIL  
MOTIONS LIST  
23 AUGUST 2017**

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

Reports on motions which are overdue are shaded

<u>No.</u>	<u>Motion</u>	<u>Date of Council Meeting</u>	<u>Decision of Council</u>	<u>Action taken/Proposed Future Action</u>	<u>Responsible Officer</u>	<u>Due Date</u>
1.	<p><b><u>Motion by Councillor Grant</u></b></p> <p>“Council notes First Aberdeen has announced the planned withdrawal of the X40 and 11 services from Kingswells with similar withdrawals having already been made right across the city. Notes that bus operators in Aberdeen appear to put profit before the needs of passengers who often rely upon buses to get to and from work.</p> <p>Agrees to instruct the Chief Executive to explore all options for Aberdeen City Council to facilitate the running of a bus</p>	15.03.17 Article 30	<p>The Council at its meeting on 15 March 2017 approved the terms of the motion.</p> <p>At its meeting of 21 June 2017, the Council resolved:-</p> <p>(i) to instruct the Interim Director of Communities, Housing and Infrastructure to report to the Communities, Housing Committee in August 2017 with a proposal for a revised Quality Partnership for public transport;</p> <p>(ii) to instruct the Interim Director of Communities, Housing and</p>	<p>(i) A report on the Regional Quality Partnership for Public Transport will be presented to the CH&amp;I Committee on 29 August 2017, as instructed;</p> <p>(ii) A report on the management of gaps in the Public Transport Network will be presented</p>	Interim Director of Communities, Housing and Infrastructure	December 2017 at the earliest

<u>No.</u>	<u>Motion</u>	<u>Date of Council Meeting</u>	<u>Decision of Council</u>	<u>Action taken/Proposed Future Action</u>	<u>Responsible Officer</u>	<u>Due Date</u>
	service, those options to include the setting up of a company and/or working in partnership with an operator who already holds a PSV bus operator's licence, and to report back to Council in June 2017."		<p>Infrastructure to report to the Finance, Policy and Resources Committee in September 2017 with options for dealing with gaps in the public transport network, where a need has been identified and for a decision to be made;</p> <p>(iii) to instruct the Interim Director of Communities, Housing and Infrastructure to arrange for an appropriate procurement exercise to be carried out so as to seek a provider for an enhanced public bus service to Kingswells to extend the current service, to 6.00am to 11.00pm daily, Monday through Friday as soon as possible. Subject to timing requirements of the financial year 2017/18 in recognition of</p>	<p>to the FP&amp;R Committee on 20 September 2017, as instructed;</p> <p>(iii) The required procurement exercise and contract variation for Kingswells bus services has been undertaken. The X94 contract will be varied with the existing provider, Central Coaches, with the shuttle being extended to provide two additional morning shuttle</p>		

<u>No.</u>	<u>Motion</u>	<u>Date of Council Meeting</u>	<u>Decision of Council</u>	<u>Action taken/Proposed Future Action</u>	<u>Responsible Officer</u>	<u>Due Date</u>
			<p>the exceptional circumstances impacting on those residents living in Kingswells. This will be on the understanding that the maximum cost of such enhanced public bus service will be £25,000 and will be funded from contingencies and that all relevant legal provisions are complied with, including with reference to state aid; and</p> <p>(iv) <b>to instruct the Interim Director of Communities, Housing and Infrastructure to write to the Minister for Transport and the Islands, Humza Yousaf MSP, seeking clarity on the timescales for both the consultation with Aberdeen City Council regarding the Transport Bill and the publishing</b></p>	<p>services around Kingswells at 5.05am and 6.10am, Monday to Friday. The evening service will be operated by Stagecoach Bluebird and will operate an hourly service between Union Terrace and Kingswells Village from 19.40 to 23.33, Monday to Friday. Both services will commence operation on Monday 14 August 2017.</p> <p>(iv) A letter was</p>		

<u>No.</u>	<u>Motion</u>	<u>Date of Council Meeting</u>	<u>Decision of Council</u>	<u>Action taken/Proposed Future Action</u>	<u>Responsible Officer</u>	<u>Due Date</u>
			of the draft bill, and to report back to Council at the next available opportunity.	sent to the Scottish Transport Minister, by the interim Director of Communities, Housing and Infrastructure, as instructed, on 12 July 2017. There has been no response to date. There is also no update on the Scottish Government website with regards the progression of a Bill, as such until a response is received it is unclear when a draft bill may be issued and		

<u>No.</u>	<u>Motion</u>	<u>Date of Council Meeting</u>	<u>Decision of Council</u>	<u>Action taken/Proposed Future Action</u>	<u>Responsible Officer</u>	<u>Due Date</u>
				when there will be a consultation which would allow for a report back to full Council. Likelihood would be December at the earliest but this is dependent on the Scottish Government.		
2.	<p><b><u>Motion by Councillors Lumsden and Laing</u></b></p> <p>“Request that the Head of Legal and Democratic Services brings a report to the next Full Council meeting recommending how the role of Leader of the Council can be carried out by Co-Leaders, without there being a Deputy Leader, in a way that complies</p>	21.06.17 Article 12	<p>To approve the amended notice of motion in the following terms:-</p> <p>“Request that the Head of Legal and Democratic Services brings a report to the next Full Council meeting recommending how the role of Leader of the Council can be carried out by Co-Leaders, without there being a Deputy</p>	A report is on the agenda for the Council meeting on 23 August 2017.	Head of Legal and Democratic Services	23.08.17

<b><u>No.</u></b>	<b><u>Motion</u></b>	<b><u>Date of Council Meeting</u></b>	<b><u>Decision of Council</u></b>	<b><u>Action taken/Proposed Future Action</u></b>	<b><u>Responsible Officer</u></b>	<b><u>Due Date</u></b>
	with the governance framework of the Council, including any provisions in the Standing Orders.”		Leader, in a way that complies with the governance framework of the Council, including any provisions in the Standing Orders and adheres to the rules set out in the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007.”			

<b>CYCLE 3 - COMMITTEE STATISTICS</b> <b>The Tracker Shows the Reports Which are Expected to be Submitted to Future Committee Meetings</b>				
<b>Report Title</b>	<b>Committee date</b>	<b>Report author</b>	<b>Head of Service</b>	<b>Purpose of Report</b>
Ethical Care Charter Update	23.08.17	Claire Duncan	Sally Wilkins	An update on the progress with implementing the Ethical Care Charter
Corporate Parenting: Annual Update	23.08.17.	Maggie Cruickshank/Dave Bliss	Bernadette Oxley	Annual update
Welfare reform	23/08/2017	Dave Kilgour	Derek McGowan	To provide members with an update on welfare reforms changes, impact and proposed responses
Council Target Operating Model	23.08.17.	Angela Scott		This report proposes a review of the way in which Council Services are managed and delivered, being the "Council's Operating Structure" and makes recommendations for the implementation of a new system of management and delivery known as the "Target Operating Model".
COSLA Membership	23.08.17.	Ciaran	Ciaran Monaghan	The report seeks a decision from members
Big Noise Torry Evaluation Report by Glasgow Centre for Population Health	23.08.17	Fiona Clark	Helen Shanks	This report provides a summary of the newly published evaluation report on the social and health impacts of Sistema Scotland's Big Noise programme in Torry by the Glasgow Centre for Population Health (GCPH).
Houses in Multiple Occupation - Overprovision	23.08.2017	Graeme Stuart	Derek McGowan	To note the high concentration of HMOs within the Froghall, Powis and Sunnybank and Old Aberdeen neighbourhoods. Note the information provided towards meeting the requirement to complete assessment of the need for housing accommodation. Instruct Officers to consult on the draft HMO overprovision policy
Governance Review – Trusts Update	23.08.2017	Alan Thomson	Fraser Bell	Update the Council on the re-organisation of Trusts, which the Council is a trustee of and outline the ongoing work to wind up or amalgamate uneconomic or obsolete Trusts
Governance Review - Update on Outside Bodies Policy	23.08.2017	Alan Thomson	Fraser Bell	The report seeks to update Elected Members on items that were raised after Full Council on 21st June 2017 in relation to the provision of indemnity by Council for Elected Members on Outside Bodies, a review of the Outside Bodies that do not have insurance in place, and an update on the Outside Bodies that had failed to respond to the original requests for information
Complaints Review Committee – 31 May and 13 July 2017	23.08.2017	Emma Parr	Fraser Bell	To present to Council the recommendations and minute from a Complaints Review Committee meeting of 31 May and 13 July 2017

Economic Policy Panel	23.08.2017	Matt Lockley	Matt Lockley	The purpose of the report is to seek Council approval to appoint three members to the Aberdeen Economic Policy Panel (the Panel) and to inform Council of the Panel's immediate working priorities.
Shapping Aberdeen, LLP 5 year business plan	23/08/2017	Paul Genoe	John Quinn	At the Council meeting of the 15 March 2017 the Shaping Aberdeen Housing LLP Business Plan was approved and Council resolved to 'instruct the Chief Executive to negotiate with Places for People on the delivery of 1,000 affordable homes and report back to the next Council meeting on the mechanism by which this could be achieved'.
Administration Policy Statement	23.08.2017	C Monaghan	C Monaghan	The report brings before the Council the Aberdeen City Council Conservative and Unionist Party, Aberdeen Labour and Independent Alliance Group Programme for Aberdeen City Council 2017-2022.
Council Financial Reporting - Quarter 1, 2017/18	23.08.2017	Sandra Buthlay	Steven Whyte	To provide the financial position of the Council, as at Quarter 1 (April – June 2017), for the financial year 2017/18 including General Fund and Housing revenue accounts and Balance Sheet and Common Good revenue account and Balance Sheet and to provide the projected revenue and capital position for the full year.
Treasury Management Policy & Strategy	23.08.2017	Neil Stewart	Steve Whyte	Referred by Finance, Policy and Resources Committee of 29 June 2017. To update members on Treasury Management activities undertaken during financial year 2016/17.
Audit, Risk and Scrutiny Committee Annual Report	23.08.2017	Martin Murchie	Ciaran Monaghan	Referred by Audit, Risk and Scrutiny Committee of 26 June 2017. To present the annual report of the Audit, Risk and Scrutiny Committee.
Sport Aberdeen Board of Directors	23.08.17	Iain Robertson	Fraser Bell	To make Council aware of the resignation of the Chairman of Sport Aberdeen from the Board of Directors and to advise of the succession arrangements proposed by the Board.
Co-Leadership	23.08.2017	Roderick MacBeath	Fraser Bell	To recommend how the role of Leader of the Council can be carried out by Co-Leaders, without there being a Deputy Leader, in a way that complies with the governance framework of the Council including any provisions in the Standing Orders and adheres to the rules set out in the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007.
Committee Governance - 2018 Diary & Pensions Committee	23.08.2017	Stephanie Dunsmuir	Fraser Bell	to present the diary of Council and Committee meetings for 2018 for approval



<b>CYCLE 4 - COMMITTEE STATISTICS</b> <b>The Tracker Shows the Reports Which are Expected to be Submitted to Future Committee Meetings</b>				
<b>Report Title</b>	<b>Committee date</b>	<b>Report author</b>	<b>Head of Service</b>	<b>Purpose of Report</b>
AFC Kingsford Stadium (Planning)	11.10.17	Daniel Lewis	Eric Owens	Planning Application
Revised Council Strategic Business Plan	11.10.17	C Monaghan	Ciaran Monaghan	TBC
Procurement Regulations- Annual Review (TBC)	11.10.17	Alison Watson	Craig Innes	TBC
Financial Regulations	11.10.17	Lesley Fullerton	Steven Whyte	Approval for changes to Regs
Employee Code of Conduct (TBC)	11.10.17	Keith Tennant/ Dorothy Morrison	Morven Spalding	TBC
Appeals Committee Procedure	11.10.17	Elaine Falconer/ Jeff Capstick	Morven Spalding	To agree changes to the procedures for hearing staff appeals.
FAIR Agreement	11.10.17	Jeff Capstick	Morven Spalding	TBC
Chief Officer Appointments Procedure	11.10.17	Jeff Capstick	Morven Spalding	Likely to form part of Target Operating Model in August - Tentative
ESCO Report	11.10.17	Terri Vogt	Eric Owens	The purpose of the report is to present the business case for ACC to establish an ESCO as an arm's length organisation following from a recommendation made at Full Council on the 17th August 2016.
IJB Quarterly Update	11.10.17	Martin Murchie	Ciaran Monaghan	Quarterly update
Equalities Outcomes and Mainstreaming Report	11.10.17	TBC	Morven Spalding	To report back to Council in further detail in connection with Appendix 2 of June 2017 report and the number of employees with a disability subject to the disciplinary process, particularly with regard to frequency, possible patterns and appropriate training
Local Authority Community Covenant	11.10.17	Ciaran Monaghan	Ciaran Monaghan	The Council agreed to receive a report at a future meeting once the Scottish Government had reviewed the Scottish Veterans Commissioner's report Transition in Scotland and decided how it wishes to take its recommendations forward

<b>CYCLE 5 - COMMITTEE STATISTICS</b> <b>The Tracker Shows the Reports Which are Expected to be Submitted to Future Committee Meetings</b>				
<b>Report Title</b>	<b>Committee date</b>	<b>Report author</b>	<b>Head of Service</b>	<b>Purpose of Report</b>
Community Planning Aberdeen, Development Plan (6 monthly report)	13/12/2017	Michelle Cochlan	Derek McGowan	Update
Fishing memorial for Aberdeen	13/12/2017	Lesley Thomson	Helen Shanks	TBC
AIYF governance	13/12/2017	Lesley Thomson	Helen Shanks	TBC
CSWO Annual Report	13/12/2017	Bernadette Oxley	Bernadette Oxley	Annual report
Powering Aberdeen Update	13/12/2017	Terri Vogt	Eric Owens	Update
Berryden Corridor Improvements Scheme - Compulsory Purchase Order	13/12/2017	Mike Mathieson	Eric Owens	The Council instructed officers to report to a future meeting of Council to seek a resolution to make the Compulsory Purchase Order once the supporting documents are completed.
Review of the Scheme for the Establishment of Community Councils	13/12/2017	Karen Finch	Fraser Bell	To review the Scheme for the Establishment of Community Councils
Air Quality Low Emission Zones	13/12/2017	Aileen Brodie	Eric Owens	The Council (1) instructed the Interim Director of Communities, Housing and Infrastructure to carry out a Low Emission Feasibility Study in accordance with the methodology detailed in technical guidance and prescribed timescales; (2) instructed officers to inform the Council of the study outcomes and recommendations at prescribed stages of the assessment process as detailed in the technical guidance; (3) noted the 'next steps' section explaining the feasibility study process and role of partner organisations; and (4) instructed the Interim Director of Communities, Housing and Infrastructure to bring a report back to Council detailing the outcome of the feasibility study with a view to members determining whether Aberdeen City Council should volunteer itself as an early adopter.

**CITY CENTRE MASTERPLAN REFERENCE GROUP  
MINUTE OF MEETING OF 28 JUNE 2017**

**In attendance:** Councillor Boulton, Chair; and Russell Borthwick, Aberdeen and Grampian Chamber of Commerce, Vice Chair; and Councillors Flynn, Laing, Lumsden, Nicoll and Yuill; Allan Henderson, Aberdeen Inspired; Arthur Forbes and Lavina Massie, Civic Forum; Peter Roberts, Community Council Forum; Bill Duguid, One Group. Officers – Marc Cole (City Centre Director), Scott Davidson (Programme Manager), David Ewen (Communication and Engagement Officer) and Garry Watson (Clerk).

No.	Agenda Item	Notes of Discussion	Action / Decisions	By Whom
1.	Appointment of Chair	The Clerk called for nominations for the position of Chairperson. Russell Borthwick nominated Councillor Boulton. The nomination was seconded by Councillor Lumsden. There were no further nominations and Councillor Boulton took the Chair.		
2.	Welcome and apologies	The Chairperson welcomed everyone to the meeting. There were no apologies.		G Watson
3.	Minute of Previous Meeting of 1st February 2017		The minute was agreed as a correct record.	G Watson
4.	Matters arising	There were no matters arising.		G Watson
5.	City Centre Progress Annual Review	<p>Marc Cole provided members with a comprehensive update on the transformational city centre regeneration programme, saying that, compared with a year ago, we were now 'seeing changes taking place on the ground'. Marc used Powerpoint to highlight his presentation, which covered the background, current position, progress against key objectives and next steps for the Masterplan.</p> <p>Marc explained that his team, appointed in May 2016, had been engaging with a wide range of groups and</p>		

No.	Agenda Item	Notes of Discussion	Action / Decisions	By Whom
		<p>during that time they had noticed a subtle shift in attitudes, from questioning the need for regeneration, towards positive support for the project and a growing sense that Aberdeen's economy is on the rise.</p> <p>Marc said he was pleased to see the works ongoing in Broad Street. He acknowledged that city centre transformation is a messy process, however the most dynamic cities are the ones which are constantly regenerating.</p> <p>Marc went on to discuss city centre based events, saying the feedback from last year Winter Festival indicated that people wanted to see stalls featuring more local producers and craftspeople. He advised that work was ongoing to ensure the 2017 event addressed this issue.</p> <p>Everyone agreed that the NUART festival had been a huge success for the city. Marc described it as a 'game changer', which altered the way Aberdeen was perceived by the Specialist Press.</p> <p>Another massive success for Aberdeen was the recent Cycle Tour Series, which had attracted large crowds to the city centre. The feedback received from the Tour organisers themselves was extremely positive, citing Aberdeen as the best event in the history of the Tour.</p> <p>Looking ahead, the Great Aberdeen Run will attract yet more people to the city and raise its profile further still.</p> <p>Marc noted that the Masterplan had played an active role in either funding these events or driving them forward.</p>		

No.	Agenda Item	Notes of Discussion	Action / Decisions	By Whom
		<p>He advised members that the cities which are perceived as the most dynamic will tend to have at least one major event on per month, and Aberdeen was well on the way to achieving this.</p> <p>Marc said that gateways into the city were of huge importance to how it is perceived, and advised members that his team were now working on a partnership project with Aberdeen Railway Station to bring about improvements to there.</p> <p>He continued saying that for many years Aberdeen has sought to cement its position as a leading city in the global oil and gas sector, however there is a growing realisation that this has very little appeal outside that particular industry. Aberdeen has much more to offer tourists and has been underselling itself for many years. He said that, moving forward, it was important that we challenged any negative attitudes and what appears to be a local culture of self-deprecation, in order to portray Aberdeen as the vibrant city it is.</p> <p>Marc advised that there was recent evidence of big business making a return to the city centre, with the likes of the refurbished Capitol building offering business award winning city centre office space. He cited KPMG as an example of this.</p> <p>Marc moved on to discuss the Bon Accord Centre, where there are plans to evolve from a purely retail offering to a retail and leisure complex in order to satisfy the needs and tastes of modern society.</p> <p>On a similar note, Marc advised that a planning decision on the expansion of Union Square was expected within weeks.</p>		

No.	Agenda Item	Notes of Discussion	Action / Decisions	By Whom
		<p>Marc also noted the refurbishment of Aberdeen Art Gallery and the Music Hall as key projects which would also have a bearing on Aberdeen's ability to market itself more widely.</p> <p>With regard to potential new residential offerings in, or close to, the city centre Marc highlighted Broadford Works and Queens Square. He advised members that there are also plans to refurbish/convert the upper floors of some of the buildings along Union Street to residential use.</p> <p>Marc acknowledged that there are certain challenges around residential property prices in Aberdeen city centre, due to fluctuations in the market and advised members that a 'City Living Study' is currently in progress.</p> <p>Turning to the issue of waterfront development, Marc accepted that this was an aspect of the Masterplan which had yet to receive significant attention, however he said he believed it was the one which offered the greatest opportunity. The new harbour development at Bay of Nigg was going to cause the Harbour Board to think about how it uses its existing real estate. People are attracted to water and waterfront developments are extremely successful.</p> <p>Marc advised members that a car parking study is currently being undertaken. He said there was an acknowledgement that, if attention was only given to city centre parking, problems could just be shifted outwards rather than solved, and so the study had been set up to look at parking across the city.</p> <p>In conclusion, Marc reviewed the key points and</p>		

No.	Agenda Item	Notes of Discussion	Action / Decisions	By Whom
		<p>suggested that a review of the current implementation plan should now be undertaken.</p> <p>There followed a general discussion.</p> <p>It was suggested to Marc Cole that the Third Sector had a role to play via social enterprise, fund raising and investment and that avenues of engagement should be explored. Marc Cole responded saying that he completely agreed, noting that Third Sector engagement was playing an increasingly important role in delivering projects throughout the United Kingdom.</p> <p>Lavina said that it was important to think carefully about street use, given the fact that Aberdeen's streets were designed over a hundred years ago.</p> <p>Marc Cole acknowledged this, saying that it was important to adapt Aberdeen's 18<sup>th</sup> and 19<sup>th</sup> century streets to 21<sup>st</sup> century use, without losing the character of the buildings for which Aberdeen is so famous.</p> <p>Arthur expressed concern about congestion that might be caused by traffic heading to the new AECC, once completed and Councillor Lumsden emphasised that it was important to get transport infrastructure right throughout the city. Marc Cole agreed with Councillor Lumsden's remarks and said that the Berryden Corridor was high on the list of areas to be addressed in terms of transport infrastructure.</p> <p>Marc Cole said that the whole Masterplan project was very exciting for Aberdeen and was evolving rapidly, however he acknowledged that liaison between the key stakeholders, namely Aberdeen City Council, the Chamber of Commerce, Aberdeen Inspired and Visit</p>	Explore Third Sector opportunities.	M Cole / R Borthwick

No.	Agenda Item	Notes of Discussion	Action / Decisions	By Whom
		Scotland, needed to be better organised.		
6.	Current Work Programme	Marc Cole advised members that the work to clean up Union Street was ongoing, with a cherry-picker being used to check roofs and clear chimney pots etc. Lavina asked if the Council should be subsidising repairs of privately owned buildings. Marc Cole responded saying that the work was being jointly funded by Historic Scotland as part of a C.A.R.S. (Conservation Area Regeneration Scheme) due to the conservation status of the architecture involved. An additional benefit of this is that the Council can ensure all repairs are carried out to the highest possible standard.		
7.	Communication and Engagement update	<p>David Ewen advised members that a new Masterplan website was almost ready to be launched. Users would be able to see the current Phase 1 of operations, and then overlay Phase 2, to see how the projects were going to develop over time.</p> <p>David advised that an engagement session had been carried out with school pupils, whereby the senior pupils gathered the views of their younger peers, based on what they would like to see in Aberdeen. It was gratifying to note that many of the things the children were requesting were already part of the Masterplan. David noted that it was also a good opportunity to explain to the children what could not be achieved, and why. To take this very positive engagement further, there are plans to create teaching material which can be introduced into classrooms throughout the city. It is envisaged that children will be able to obtain an understanding of civil engineering and infrastructure projects in a context they can relate to, and that this will foster in them positive attitudes towards their city.</p>		



No.	Agenda Item	Notes of Discussion	Action / Decisions	By Whom
		<p>David explained that Masterplan literature had been translated into the six most commonly spoken languages in the city, so that as many people as possible can benefit from positive engagement.</p> <p>Marc Cole said the ultimate goal was to create a city that was accessible to everyone. Partnerships had already been established with schools and disabled groups, and work was now ongoing to understand how elements of the local infrastructure, such as signs, might be designed to assist those with dementia. The more child/disabled/dementia friendly the city is, the more tourist friendly it is.</p> <p>He added that Officers and Councillors had recently participated in a wheelchair challenge, to help them understand the difficulties faced by users, and he added that special goggles were being developed which would enable Designers and Planners to experience visual impairment, as a means to enhance the accessibility of infrastructure projects.</p> <p>Peter asked if any thought had been given to 3D modelling, to help people understand the project better. David responded saying that work was ongoing to model the city in 3D.</p>		
8.	AOCB	None.		
9.	Date of Future Meetings	The rest of the dates for 2017 remained unchanged. They are Tuesday 26 September and Tuesday 12 December 2017.		

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## ABERDEEN CITY COUNCIL

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COMMITTEE	Council
DATE	23 August 2017
REPORT TITLE	Co-Leadership
REPORT NUMBER	CG/17/085
CG LEAD OFFICER	Fraser Bell
REPORT AUTHOR	Roderick MacBeath

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### **1. PURPOSE OF REPORT:-**

- 1.1 To respond to the Notice of Motion moved by Councillors Laing and Lumsden at the Council meeting of 21 June 2017 in the following terms:

“To request that the Head of Legal and Democratic Services brings a report to the next Full Council meeting recommending how the role of Leader of the Council can be carried out by Co-Leaders, without there being a Deputy Leader, in a way that complies with the governance framework of the Council including any provisions in the Standing Orders and adheres to the rules set out in the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007.”

### **2. RECOMMENDATIONS**

- 2.1 That Council –

2.1.1 notes that there is no requirement to change the previously agreed arrangement in respect of remuneration of Members; and

2.1.2 approves the amendment of the Council’s Standing Orders as set out in Appendix 1.

### **3. BACKGROUND/MAIN ISSUES**

- 3.1 The day to day responsibilities of Co-Leaders and how those responsibilities are discharged would be matters for the respective appointees. However, in order to recognise the concept of Co-Leaders in the Council’s Standing Orders, proposed amendments are highlighted in yellow in Appendix 1.
- 3.2 One of the Standing Orders where an amendment is being proposed in order to provide for co-leadership is Standing Order 5.1 (Removal from Office). It is

proposed to amend the current wording further to make it clear that any motion to remove an office bearer from the positions of Lord Provost, Depute Provost, Leader or Co-Leaders, and/or Depute Leader of the Council; Convener or Vice Convener is through a Notice of Motion to Full Council. Currently there is a lack of clarity on whether or not a motion needs to be relevant to an item of business on the Council agenda.

- 3.3 Benchmarking with other local authority Standing Orders was undertaken and the method for removal from office varies between authorities. The majority of other local authorities require either two thirds of the Council to agree to a proposal to remove a member from office or for the proposal to be moved as a Notice of Motion.
- 3.4 The matter was discussed with Members at the Governance Reference Group and the proposed wording was amended to address the comments raised.
- 3.5 If the report recommendation is approved, the role profile for Council Leader will also require to be amended to reflect the Co-Leader role.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 Remuneration is regulated and capped by the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 as amended. The Regulations stipulate the amount of remuneration that can be paid out to an individual Councillor which varies depending on their role. Regulation 6 states that 'Each local authority shall pay remuneration to one Leader of the Council of authority of an amount as provided for in paragraph 2 (of Regulation 6)'.
- 4.2 In line with the above, at the Statutory Council meeting on 17 May 2017, Councillor remuneration was agreed, and Councillor Laing was appointed to the position of Council Leader.

#### **5. LEGAL IMPLICATIONS**

- 5.1 The Council has to comply with the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007; however the Co-Leadership model is neither envisaged, nor prohibited, by legislation. The appointment of a Council Leader or Depute Leader is not a statutory requirement.
- 5.2 There are no other legal implications arising from the recommendations of this report.

#### **6. MANAGEMENT OF RISK**

##### **6.1 Financial**

- 6.1.1 Acceptance of the above recommendations is not considered to pose any financial risk to the Council.

## **6.2 Employee**

- 6.2.1 Acceptance of the above recommendations is not considered to pose any risk to employees.

## **6.3 Customer / citizen**

- 6.3.1 Acceptance of the above recommendations is not considered to pose any risk in respect of customers / citizens.

## **6.4 Environmental**

- 6.4.1 Acceptance of the above recommendations is not considered to pose any environmental risk.

## **6.5 Technological**

- 6.5.1 Acceptance of the above recommendations is not considered to pose any technological risk.

## **6.6 Legal**

- 6.6.1 Acceptance of the above recommendations is not considered to pose any legal risk to the Council.

## **6.7 Reputational**

- 6.7.1 Acceptance of the above recommendations is not considered to pose any risk to the Council.

## **7. IMPACT SECTION**

### **7.1 Economy**

- 7.1.1 There will be no impact on economy arising from the recommendations.

### **7.2 People**

- 7.2.1 An Equality and Human Rights Impact Assessment is not required as the proposal does not disproportionately impact on persons with protected characteristics compared to persons without such characteristics.

### **7.3 Place**

- 7.3.1 There will be no direct impact on the environment or the community arising from these recommendations.

### **7.4 Technology**

- 7.4.1 There will be no impact on technology arising from the recommendations.

## **8. BACKGROUND PAPERS**

8.1 None.

## **9. APPENDICES**

9.1 Appendix 1 – Revised Standing Orders 2017

## **10. REPORT AUTHOR DETAILS**

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### **HEAD OF SERVICE DETAILS**

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# Aberdeen City Council

## Standing Orders

## **Aberdeen City Council Standing Orders**

The Council will exercise all its powers and duties in accordance with the law and the Council's constitutional documents.

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



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# **COUNCIL FIRST COUNCIL MEETING FOLLOWING AN ELECTION – THE STATUTORY MEETING**

## **1. Calling Of Statutory Meeting**

- 1.1** In a local government election year, the Council will hold its first meeting within 21 days of the election, on a date set by the Head of Legal and Democratic Services.

## **2. Items Of Business**

- 2.1** The Returning Officer will chair the meeting until the Lord Provost is elected.
- 2.2** The agenda will include the following business:-
  - 2.2.1** Receipt of notice of election of Councillors
  - 2.2.2** Election of Lord Provost, Depute Provost, Leader or Co-Leaders, and/or Depute Leader of the Council
  - 2.2.3** Appointment of a Convener for each Committee of the Council, and a Vice Convener where applicable
  - 2.2.4** Appointment of Members to Committees
  - 2.2.5** Nomination or appointment as the case may be of representatives to Boards, Joint Committees and Outside Bodies
  - 2.2.6** Approval of Senior Councillor allowances
- 2.3** Where Standing Orders refer to the Leader of the Council, this will include reference at all times to Co-Leaders, if appointed.
- 2.4** Where any function in terms of the Standing Orders is attributed to the Leader of the Council, the Co-Leaders will determine who will undertake it and notify the Chief Executive on request.

## **3. Nomination Or Appointment Of Members To Office**

- 3.1** When nominating or appointing Members to any office or position where there are a greater number of candidates than vacancies, the decision will be taken by a vote.
- 3.2** In addition to the nominator and seconder, Members may speak in support of their own candidacy for a maximum of 5 minutes.

- 3.3 Where only one vacancy requires to be filled and one candidate has an absolute majority of votes cast, that candidate will be declared elected, nominated or appointed, as the case may be.
- 3.4 Where there are more than two candidates and the first vote does not produce an absolute majority in favour of any candidate, the candidate with fewest votes will be removed, and a fresh vote will take place between the remaining candidates.
- 3.5 This process will continue until one candidate has a majority of votes cast.
- 3.6 Where there is an equal number of votes for the candidates with fewest votes, an extra vote will be taken between those candidates.
  - 3.6.1 The name of the candidate with the fewest votes will be removed from the process.
  - 3.6.2 If an equal number of votes remains, the candidate to be removed will be determined by lot using a method decided upon by the Clerk.
- 3.7 Where there is more than one vacancy and the number of candidates exceeds the number of vacancies, then the “first past the post” method of voting shall apply, subject to the following provisions:-
  - 3.7.1 The number of candidates matching the number of vacancies that receive the highest number of votes cast will be duly elected, nominated or appointed, as the case may be.
  - 3.7.2 Where there is an equal number of votes between two or more candidates, an extra vote will be taken between those candidates. The candidate(s) receiving the highest number of votes cast will be duly elected, nominated or appointed, as the case may be.
  - 3.7.3 In the event that Standing Order 3.7.2 still produces an equality of votes, the decision will be by lot using a method decided upon by the Clerk.
  - 3.7.4 The first named candidate drawn will be elected, nominated or appointed, as the case may be, followed by the second named candidate, should there be more than two candidates with an equality of votes.
  - 3.7.5 This process will continue until the number of candidates amounts to the same number of vacancies.

## 4. Duration Of Appointments

- 4.1 Each appointment made under Standing Order 3 will stand until the next local government election, unless and until a Member resigns from that appointment or is removed by the Council as set out in Standing Order 5 below, or in the case of a Leader, the Council agrees to that Member being a Co-Leader with another Member.

## 5. Removal From Office

- 5.1 Any Member elected or appointed under Standing Orders 2.2.2 or 2.2.3 can only be removed from office by a resolution by Full Council following a Notice of Motion submitted in accordance with Standing Order 11.
- 5.2 Any Notice of Motion in terms of Standing Order 5.1 above will form the first item of business at the next Full Council meeting.
- 5.3 Any Notice of Motion in terms of Standing Orders 5.1 and 5.2 can only be heard by Full Council and, for the avoidance of doubt, not by the Urgent Business Committee.
- 5.4 Following debate, a proposal as to whether to remove from office the office bearers detailed at Standing Order 5.1 will be voted on by way of a secret ballot and decided by simple majority.
- 5.5 For the avoidance of doubt, there will be a casting vote in the event of there being no overall majority.

# **COUNCIL AND COMMITTEE MEETINGS**

## **6. Ordinary Meetings**

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

## **7. Special Meetings**

- 7.1 A special meeting of the Council, a Committee or Sub Committee may be called at any time by its Convener, or by at least a quarter of the Members of the Council, Committee or Sub Committee.
- 7.2 In such instances a special meeting will be held within fourteen days of a written request being received by the Head of Legal and Democratic Services.
- 7.3 The written request must set out the business of the meeting and be signed by the relevant Convener or by least a quarter of the members of the Council, Committee or Sub-Committee.

## **8. Place Of Meetings**

- 8.1 All meetings of the Council, its Committees and Sub Committees will, unless otherwise determined by the Head of Legal and Democratic Services in consultation with the Convener, take place in the Town House.

## **9. Notice Of Meetings**

- 9.1 At least five Clear Days before a meeting of the Council, Committee or Sub Committee, a notice of the time and place of the meeting will be published at the Council's offices.
- 9.2 A Summons to attend the meeting with an agenda will be delivered:-
  - 9.2.1 by post to their normal place of residence;
  - 9.2.2 to such other address as a Member may specify; or
  - 9.2.3 by email to an address provided by the Council
- 9.3 If a summons is not sent to or received by any Member, the meeting will still be valid.

## 10. Order Of Business

### 10.1 Council Meetings

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

- 10.1.1.1 Admission of Burgesses
- 10.1.1.2 Determination of Urgent Business
- 10.1.1.3 Determination of Exempt Business
- 10.1.1.4 Declarations of Interest
- 10.1.1.5 Requests for Deputation
- 10.1.1.6 Minutes of Previous Meeting(s) of Council
- 10.1.1.7 Referrals from Committees
- 10.1.1.8 Committee Business Statement and Motions List
- 10.1.1.9 General Business
- 10.1.1.10 Notices of Motion
- 10.1.1.11 Exempt / Confidential Business

### 10.2 Committee Meetings

10.2.1 At an ordinary Committee meeting, the business shown on the agenda will (unless otherwise determined by the Convener) proceed in the following order (if applicable):-

- 10.2.1.1 Determination of Urgent Business
- 10.2.1.2 Determination of Exempt Business
- 10.2.1.3 Declarations of Interest
- 10.2.1.4 Requests for Deputation
- 10.2.1.5 Minutes of Previous Meeting
- 10.2.1.6 Committee Business Statement and Motions List
- 10.2.1.7 Notices of Motion
- 10.2.1.8 Referrals from Council, Committees and Sub Committees
- 10.2.1.9 Finance, Performance, Risk and Service Wide Issues
- 10.2.1.10 General Business
- 10.2.1.11 Exempt / Confidential Business

# OPERATION OF COUNCIL AND COMMITTEE MEETINGS

## 11. Notices Of Motion

- 11.1 A Member can submit a Notice of Motion to a Council, Committee or Sub Committee.
- 11.2 Notices of Motion should be submitted to the Clerk at least three weeks prior to the meeting.
  - 11.2.1 The Clerk will then be responsible for collating the views of the relevant Director(s), Head of Legal and Democratic Services, the Head of Finance and any other relevant Chief Officer(s) and presenting these to the Member.
- 11.3 Following the conclusion of the consultation set out in Standing Orders 11.1 and 11.2, the final written motion must be submitted by the Member to the Clerk by 12 noon two weeks prior to the meeting, along with any relevant correspondence.
- 11.4 Precise deadlines for all Council and Committee meetings will be made available to Members on the internal website.
- 11.5 A Notice of Motion submitted to the Clerk outwith the deadlines referred to above, can only be accepted onto the agenda at the discretion of the Convener.
- 11.6 Standing Order 11.5 does not apply to any Notice of Motion submitted under Standing Order 5.1.
- 11.7 When submitting a Notice of Motion, outwith the deadlines referred to above the Member will be required to specify why the motion should be considered as a matter of urgency.
- 11.8 Prior to a Notice of Motion appearing on an agenda, the Convener will determine competency following advice from officers.
- 11.9 A Notice of Motion will be determined incompetent if :-
  - 11.9.1 The judgement of the relevant Director(s) is that the matter is already being pursued. In such circumstances, the Member may only resubmit the motion after a period of six months.
  - 11.9.2 The terms of the motion could result in a breach of the Council's statutory duty.



- 11.9.3 The motion proposes expenditure and does not identify a source of funding; or
- 11.9.4 A motion in similar terms has already been submitted for the same meeting by another Member.
- 11.10 If the Convener rules the motion incompetent, it will not appear on the agenda for the meeting.
- 11.11 If the motion is ruled incompetent, the Member may submit a revised version, subject to adhering to the process outlined in Standing Orders 11.1, 11.2 and 11.3 above.
- 11.12 If a Member who has submitted a Notice of Motion is absent from the meeting when the motion is due to be considered, the motion will not be considered at that meeting but will be put on the agenda for the next meeting.
- 11.13 If the Member is absent on the second occasion, the motion will fall.
- 11.14 If a Member is not a member of the Committee or Sub Committee where their motion is to be considered, they will be invited to the meeting to move or speak to the motion and sum up; however they will **not** be entitled to vote on the matter.
- 11.15 Members are permitted to submit joint notices of motion, however the 10 minute time limit for moving the motion will remain unchanged, which can be split between any or all of the Members who submit the joint motion.
- 11.16 A Member can make minor alterations to their motion prior to speaking to it with the consent of the Convener.
- 11.17 Any motion proposing a nomination for Freedom of the City must be signed by at least two thirds of the Members of the Council (see Glossary for calculation).

## 12. Reports By Officers

12.1 Reports to the Council, Committees or Sub Committees will be in the name of the Chief Executive, Directors, Statutory Officers or by the Council's Internal or External Auditors.

12.2 Reports must be provided in draft to the following officers for consultation in accordance with the published timetable:-

12.2.1 Head of Finance

12.2.2 Head of Legal and Democratic Services

12.2.3 Head of Service – Office of Chief Executive

12.2.4 Clerk

12.2.5 Council Leader

12.2.6 Convener of the Finance, Policy and Resources Committee

12.2.7 Convener and Vice Convener

12.3 Reports must also be provided in draft to the following officers for consultation, in cases where the report contains matters within their professional remit:-

12.3.1 Chief Social Work Officer

12.3.2 Head of Human Resources and Customer Service

12.3.3 Head of IT and Transformation

12.3.4 Head of Commercial and Procurement Services

12.3.5 Head of Land and Property Assets

12.3.6 City Centre Director

12.4 A report author must consult the local Members of a ward where the report contains proposals which will have an impact on that particular ward.

12.5 Where a Notice of Motion has been considered and an initial report is prepared, the report author must consult the Member(s) who has submitted the Notice of Motion.

12.6 A report will only be submitted for consideration by the Council, Committee or Sub Committee where the Clerk, Head of Finance and the Head of Legal and Democratic Services have responded to the consultation on that report.

- 12.7 Subject to Standing Order 12.8 below, final reports to be included on an agenda for a meeting of the Council, Committee or Sub Committee must be submitted to the Clerk by 10am on the day specified in the timetable published by the Head of Legal and Democratic Services.
- 12.8 If the agenda circulation is missed, the relevant Director must submit a Late Docquet to the Clerk explaining why the report is late and why it should be considered.
- 12.9 The Head of Legal and Democratic Services may refuse to allow any item of business on to the agenda or may withdraw any item of business from an agenda, following consultation with the Convener and Vice Convener.

## 13. Deputations

- 13.1 Every request for a deputation must be in writing and received by the Clerk at least two full working days (Monday to Friday) before the meeting to which it relates.
  - 13.1.1 For example, for a meeting on a Thursday, requests must be received by the end of the Monday; and for a meeting on a Tuesday, requests must be received by the end of the previous Thursday
- 13.2 In the event that a report has not been published to enable a deputation request to comply with the deadline set out in Standing Order 13.1, deputation requests may still be submitted and put on to the agenda.
  - 13.2.1 In such instances, Standing Order 13.1 would require to be suspended at the meeting for the deputation to be heard.
- 13.3 The request must relate to a report on an agenda.
- 13.4 The request must state the report on which the deputation wants to be heard and the action (if any) the deputation would like the Council, Committee or Sub Committee to take in relation to the report.

- 13.5 The following deputation requests are not competent:-
- 13.5.1 Deputations which fail to comply with Standing Order 13.1
  - 13.5.2 Deputations which relate to reports containing confidential information (see Standing Order 20)
  - 13.5.3 Deputations which relate to the annual budget
  - 13.5.4 Deputations which relate to a petition before the Petitions Committee
  - 13.5.5 Deputations which relate to a planning or licensing application
  - 13.5.6 Deputations which relate to matters that have alternative procedures for representation
- 13.6 Competency in respect of Standing Order 13.5 will be determined by the Convener following consultation with the Head of Legal and Democratic Services.
- 13.7 Subject to Standing Order 13.2, if any of the criteria at Standing Order 13.5 apply, the deputation request will not be put on the agenda for consideration.
- 13.8 Deputations cannot consist of more than three people.
- 13.9 No individual may form part of more than one deputation on the same matter.
- 13.10 A deputation request will be submitted to the relevant meeting of the Council, Committee or Sub Committee.
- 13.10.1 At the start of the meeting, the Members will decide whether or not to hear the deputation.
- 13.11 If, having heard the deputation, the Council, Committee or Sub Committee defer consideration of the report, no further request will be accepted from the same body or individuals in relation to the matter unless a new report containing substantially different information is submitted to a future meeting.
- 13.12 Competency in respect of Standing Order 13.11 will be determined by the Convener following consultation with the Head of Legal and Democratic Services.

- 13.13 If a report is referred on which a deputation has been heard, in order for the same body or individuals to be heard, a fresh request for a deputation must be submitted.
- 13.14 Deputations will be given a maximum of ten minutes to present their case, irrespective of the number of speakers.
- 13.15 Following the conclusion of the deputation, Members will be given the opportunity to ask questions of the deputation for a maximum of ten minutes.
  - 13.15.1 No questions can be asked of officers during this time period, and no debate or discussion will take place until the report is considered as part of the agenda.

## 14. Rights Of Members To Attend Meetings

- 14.1 Subject to Standing Orders 11.13 and 14.2, any Member will be entitled to attend any Committee or Sub Committee meeting of which they are not a member and will, with the consent of the Convener, be entitled to ask questions or address the meeting.
  - 14.1.1 The Member may not propose or second any motion or amendment or vote.
- 14.2 A Member cannot be present at a meeting of a Committee or Sub Committee for which they are not a member when:-
  - 14.2.1 The press and public have been excluded from the meeting; and
  - 14.2.2 The meeting is likely to involve the taking of a decision which may affect the interests of any person or body following a hearing; and
  - 14.2.3 The person or body has a right in terms of the law, Standing Orders or other administrative procedure, to be heard at that meeting in person or through a representative.

## 15. Substitute Members

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

## **16. Failure To Attend Meetings**

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

## **17. Chairing Of Meetings**

- 17.1** At any meeting of the Council, its Committees or Sub Committees, the chair will be taken by the Convener, or where the Convener is absent, the Vice Convener.
  - 17.1.1** In the absence of both, the Members present will appoint a Convener.

## **18. Quorum**

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

## **19. Attendance At Meetings By Chief Officers**

- 19.1** All meetings will normally have advice available from the Head of Finance and Head of Legal and Democratic Services.
- 19.2** The attendance of all other officers is at the discretion of the appropriate Head of Service, taking into account the business of the meeting and the Working Time Regulations 1998.

## **20. Exempt And Confidential Information**

- 20.1** Agendas and reports containing Exempt Information (exempt items) will contain a declaration that the report is 'Not for Publication' because it contains Exempt Information as defined in Schedule 7A of the Local Government (Scotland) Act 1973.

- 20.2 The public **may** be excluded from a meeting when an item of business is being considered, if it is likely that, if the public were present, Exempt Information would be disclosed.
- 20.3 The public **must** be excluded from a meeting when an item of business is being considered and it is likely that, if the public were present, Confidential Information would be disclosed to them in breach of an obligation of confidence.

## 21. Declarations Of Interest

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

## 22. Introducing Reports

- 22.1 The Convener may identify that a report requires introduction from an officer, following which, Members will be given the opportunity to ask questions of officers.
- 22.2 To promote the effective management of the meeting, Members should seek clarification or advice on any points from officers in advance of the meeting.
- 22.3 When, in the opinion of the Convener, Members have had a reasonable opportunity to ask questions, the Convener will move to determination of the matter.

## 23. Order Of Debate

**23.1** If consensus cannot be reached on an item, the order of debate will be as follows:-

**23.1.1** Motion moved and seconded

**23.1.2** Amendment(s) moved and seconded

**23.1.3** Debate

**23.1.4** Summing up for the amendment(s)

**23.1.5** Summing up for the motion

**23.1.6** Vote

**23.2** Any Member wishing to speak at any meeting will address the Convener and restrict their remarks to the item of business before the meeting through:-

**23.2.1** Asking questions

**23.2.2** Moving, seconding or supporting a motion or any relative amendment

**23.2.3** Moving or seconding a Procedural Motion; and

**23.2.4** Raising a Point of Order

## 24. Points Of Order

**24.1** A Point of Order is a verbal objection made to the Convener that a statement or proposed procedure or action at the meeting may be in breach of the law or Standing Orders.

**24.2** Any Member may raise a Point of Order at any point in the meeting, and must specify which Standing Order or law will be, or has been, breached.

**24.3** The Convener will decide how the Point of Order will be dealt with.



## 25. Procedural Motions

- 25.1 A Procedural Motion is a motion on the procedure being proposed or undertaken at the meeting, including, but not restricted to:-
  - 25.1.1 Moving exempt business to the public section of the agenda
  - 25.1.2 Proposing a change to the minute
  - 25.1.3 Proposing that an item be deferred to a later date
  - 25.1.4 Proposing that an item be referred to another Committee or directly to full Council
  - 25.1.5 Proposing that no further debate take place
  - 25.1.6 Proposing the suspension of a Standing Order;
  - 25.1.7 Determining whether or not a deputation should be heard: and
  - 25.1.8 Proposing an alternative method of voting
- 25.2 A Procedural Motion has to be moved and seconded, and Members will then vote on whether to support or oppose it.
- 25.3 When a Procedural Motion has been moved and seconded, it will be put immediately to the vote, without any debate.
- 25.4 If a Procedural Motion is not seconded, it will fall and this will be recorded in the minute.
- 25.5 Subject to Standing Order 38, for a Procedural Motion to be successful, it requires a simple majority of the vote.

## 26. Motions and Amendments

- 26.1 Where a motion and amendments are proposed prior to a Council, Committee or Sub Committee meeting, Members should provide a copy of the proposed wording to the Clerk.
- 26.2 The Clerk will then be responsible for collating the views of the relevant Director(s), Head of Legal and Democratic Services, the Head of Finance and any other relevant Chief Officer(s) and presenting these to the Member.

- 26.3 The Convener will have the prior right to the motion, except:-
- 26.3.1 where he/she waives this right and allows another Member to have the prior right to the Motion.
  - 26.3.2 where a written Notice of Motion submitted by a Member is moved; or
  - 26.3.3 the Council is meeting to consider its annual budget, in which case the Leader of the Council will have the prior right to the Motion, following which the spokesperson of the biggest political Group will have the right to propose an amendment.
- 26.4 When moving any motion or amendment, a Member will provide its terms in full, which will then require to be seconded by another Member.
- 26.4.1 No Member will speak in support of a motion or amendment until it has been seconded.
- 26.5 All amendments must be relevant to the motion and must differ from it and from each other substantially.
- 26.6 The Convener will offer any relevant officer an opportunity to address the meeting on the competency or implications of any motion or amendment.
- 26.7 A motion or amendment is incompetent if it would require the incurring of expenditure and the source of funding is not identified.
- 26.8 A motion or amendment which identifies the source of funding as the Council's reserves will not be competent without advice being provided to the meeting by the Head of Finance.
- 26.9 The Convener will determine whether a motion or amendment is competent, and may seek advice from officers in this regard.
- 26.10 A motion or amendment moved but not seconded, or which has been ruled by the Convener to be incompetent will not be put to the vote but will be recorded in the minute.
- 26.11 If a motion or amendment is withdrawn, the mover and seconder can move or second and speak in support of a further motion or amendment.

- 26.12 No Member will speak more than once (except on a Point of Order, by asking a question or by moving a Procedural Motion) in a debate, except for the Members who moved the motion / amendment(s), who will have the right to sum up.
- 26.13 When there is only one amendment to the motion, the vote will be taken between the motion and the amendment.
- 26.13.1 Whichever is carried will be the resolution of the meeting.
- 26.14 Where there is more than one amendment to the motion, a vote will be taken between the last two amendments, and this process will be repeated until only one amendment remains.
- 26.14.1 A vote will then be taken between the motion and the remaining amendment.
- 26.14.2 Whichever is carried by majority will become the resolution of the meeting.
- 26.15 If an amendment proposes that no decision be taken, the first vote will be between it and the motion.
- 26.15.1 If the amendment is carried, the meeting will proceed to the next item of business.
- 26.15.2 If the amendment is not carried, it will be eliminated from the amendments which, with the motion, will be voted on in the usual way.

## **27. Time Allowed For Speaking**

- 27.1 Moving a motion or amendment – 10 minutes
- 27.2 Seconding a motion or amendment – 5 minutes
- 27.3 Speaking in debate – 5 minutes
- 27.4 Summing up – 5 minutes
- 27.5 Moving a Council budget – no time limit
- 27.6 Seconding a Council budget – 10 minutes

## 28. Closure Of Debate

- 28.1 After eight or more Members have spoken (including the movers and seconders of motions and amendments), any Member who has not spoken can move as a Procedural Motion that no further debate take place.
- 28.2 If the Procedural Motion is agreed, the movers of the original motion and amendment(s) will have the right to sum up and the matter will thereafter be put to the vote.
- 28.3 If the Procedural Motion is defeated, the debate will continue.
- 28.4 Subsequent Procedural Motions that no further debate take place can be made after a further three Members have spoken.

## 29. Method Of Voting

- 29.1 Votes will be taken by means of the electronic voting system at Council, and by roll call at Committees or Sub Committees, subject to Standing Order 5.3 and 29.2.
- 29.2 A Member can move that an alternative method of voting is used, such as secret ballot or show of hands, by means of a Procedural Motion.
- 29.3 The Clerk will conduct the vote.
  - 29.3.1 No one will interrupt the proceedings (except to draw attention to an omission in the calling of a Member's name or to a Point of Order) until the result of the vote has been announced.
- 29.4 With the exception of Standing Order 38.1, a simple majority of those present and voting will decide the result of any vote between motions and amendments.
- 29.5 Subject to Standing Order 30.1, a Member who is absent when their name is called will be entitled to vote if they enter the meeting before the result of the vote is announced.
- 29.6 In the event of a tied vote, the Convener will have the casting vote, subject to the provisions of Standing Order 3.
  - 29.6.1 If the Convener chooses not to exercise their casting vote, lots will be drawn using a method decided upon by the Clerk.

- 29.7 Any Member wishing to record their dissent against the decision after a vote should do so immediately after the result has been announced, and this will be recorded in the minute.

## 30. Quasi-Judicial Items Of Business

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

## 31. Referrals

- 31.1 Immediately following a vote at Committee or Sub Committee, one third of the membership of the Committee or Sub Committee may state that they wish the matter to be referred to the Council or Committee for a decision (see Glossary for calculation).
- 31.2 Subject to Standing Orders 31.3 and 31.5, the Clerk will then arrange for the item to be referred to the next meeting of Council or Committee for determination.
- 31.3 Standing Order 31.2 will not apply where, in the view of the Convener, following advice from the Head of Legal and Democratic Services and the relevant Head of Service, this would result in the Council or relevant Committee considering the item after any relevant deadline for determination of the matter has passed.
- 31.4 Standing Orders 31.1 and 31.2 will not apply to any proceedings relating to:-
- 31.4.1 The appointment of or retirement of staff
  - 31.4.2 Grievance or disciplinary appeals by staff
  - 31.4.3 School attendance
  - 31.4.4 Bursaries
  - 31.4.5 Admission of any particular child to school
  - 31.4.6 Provision of school transport for any particular child
  - 31.4.7 The granting of any licence, registration or certificate
  - 31.4.8 Assumption of parental rights or adoption in the case of any individual
  - 31.4.9 Aids and adaptations to premises for the benefit of social work clients

- 31.5 Where an item is referred to a meeting of the Council, Committee or Sub Committee, and it is not possible for the item to be open to the public for inspection at least three Clear Days before the meeting, the referring Committee or Sub Committee must specify why the item should be considered as a matter of urgency.
- 31.6 The Convener of the Council, Committee or Sub Committee to which the matter is referred will then determine whether the item is added to the agenda.

## **32. Minutes**

- 32.1 The Clerk will prepare the minutes of meetings of the Council, its Committees and Sub Committees and any other meetings at which Members are represented, as may be determined by the Head of Legal and Democratic Services.
- 32.2 The minutes will record the names of the Members who attended the meeting and will contain a summary of the business of the meeting as determined by the Clerk.
- 32.3 The Convener and Vice Convener will normally propose and second the minute as a true record unless either were not present, in which case any Member present at the meeting can either propose or second the minute as a true record.
- 32.4 At the meeting, if any Member challenges the accuracy of the minute, they can move a Procedural Motion that a correction is made.
- 32.5 Any corrections to the minute will be outlined in the subsequent minute

## **33. Powers Of Convener**

- 33.1 To preserve order and ensure that Standing Orders are followed.
- 33.2 To decide on the order of business and matters of competency and relevancy, unless otherwise specified.
- 33.3 To accept urgent business onto the agenda in terms of Section 50B(4)(b) of the Local Government (Scotland) Act 1973.
  - 33.3.1 The reason(s) why the matter must be considered urgently will be recorded in the minute of the meeting.

- 33.4 To ensure that all Members are given the opportunity to speak and to decide on the order in which they speak.
- 33.5 To rule on all Points of Order.
- 33.6 To adjourn the meeting at any time for any reason, and to determine the length of the adjournment.
- 33.7 When the Convener begins to speak, all other Members must stop speaking.
- 33.8 The decision of the Convener on all matters in Standing Order 33 will be final.

## 34. Behaviour

- 34.1 All Members must behave respectfully at any meeting and should not behave in a manner that is improper, offensive or deliberately obstructs the business of the meeting.
- 34.2 All Members are bound by the **Councillors' Code of Conduct** and are responsible for complying with it at all times.
- 34.3 If a member of the public interrupts any meeting, the Convener may issue a warning to the person creating the disturbance or may order them to leave the meeting.
- 34.4 If there is general disturbance during any part of the meeting, the Convener may order that the public leave the meeting.

## 35. Suspension Of Members

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

## **36. Filming, Photographing And Recording Of Meetings**

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

## **37. Length Of Meetings**

- 37.1** The Convener can call a break in proceedings at any time.
- 37.2** Meetings will last no longer than four hours.
- 37.3** If the meeting is adjourned to another date, the Convener, in consultation with the Clerk, will determine the time and date that the meeting will resume.

## **38. Suspending Standing Orders**

- 38.1** Any Standing Orders may be suspended at any meeting with the agreement of two thirds of the Members present and entitled to vote (see Glossary for calculation).
  - 38.1.1** This will be done by means of a Procedural Motion.
- 38.2** The Member must specify which Standing Order they are proposing to suspend.

## **39. Altering Previous Decisions**

- 39.1** It will not be competent for the Council, Committee or Sub Committee to alter or reverse a previous decision within a period of six months.
- 39.2** Standing Order 39.1 does not apply:-
  - 39.2.1** Where a Notice of Motion to that effect has been submitted, of which prior notice has been given in terms of Standing Order 11;
  - 39.2.2** Where the Council, Committee or Sub Committee approves a recommendation contained in a report to alter or reverse a previous decision; or
  - 39.2.3** To ongoing negotiations between the Council and any other party.



## **40. Amendments To Standing Orders**

**40.1** Non-material amendments can be made to the Standing Orders by the Head of Legal and Democratic Services, following consultation with the Lord Provost, without the requirement to report to Council.

**40.1.1** Such amendments will be notified to all Members once completed.

**40.2** Material amendments to the Standing Orders, including the removal or addition of Standing Orders, may only be approved after consideration of a report to the Council by the Head of Legal and Democratic Services.

## **41. Review Of Standing Orders**

**41.1** The Standing Orders will be subject to annual review by the Head of Legal and Democratic Services.

## **42. Monitoring Officer**

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

# COMMITTEES AND SUB COMMITTEES

## 43. Delegation And Appointment To Committees And Sub Committees

- 43.1 The Council may appoint Committees and Sub Committees for any purpose at any time.
- 43.2 The Council will delegate or refer to these Committees and Sub Committees any matter it thinks fit and these matters will be set out in the Terms of Reference.
- 43.3 The Council may alter the Terms of Reference of any Committee or Sub Committee at any time.
- 43.4 Where a matter for consideration is not specifically referred to in the Terms of Reference, it will be competent for it to be considered by the Committee or Sub Committee with the most relevant Terms of Reference, as determined by the Head of Legal and Democratic Services.
- 43.5 The Council may, at any time, deal with any matter falling within the Terms of Reference of any Committee or Sub Committee.
- 43.6 Similarly, a Committee may, at any time, deal with any matter falling within the Terms of Reference of any of its Sub Committees.
- 43.7 The Council will set the membership for each Committee and must reflect the political composition of the Council.
- 43.8 The Council may establish Working Groups with no delegated powers for such functions as it deems necessary, consisting wholly of Councillors or otherwise.
- 43.9 Any External Member appointed by Council to any Committee or Sub Committee will have full voting rights on all matters considered relevant by the Council, Committee or Sub Committee, unless otherwise agreed by Council.
- 43.10 An External Member will remain as a member of the Committee or Sub Committee until the next ordinary election of Councillors, subject to their right to resign or their removal by the nominating body.

# GLOSSARY

## Agenda

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

## Amendment

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

## Calculation of Quarter or Two Thirds of Members

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

## Clear Days

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

## Clerk

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

## Committee

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

## Confidential Information

See Appendix 1 to this document.

## Convener

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

## Council

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

## Deputation

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

### Depute Provost

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

### Exempt Information

See Appendix 2 to this document.

### External Member

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

### Group

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

### Head of Finance

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

### Head of Legal and Democratic Services

Where this document refers to the Head of Legal and Democratic Services, it should be noted that this may also refer to his/her nominated officer.

### Late Docquet

A document which must accompany all reports that miss the agenda circulation. This contains the reason for lateness and is signed by the Director and Convener. The Convener has ultimate discretion as to whether or not the item will be considered.

### Lord Provost

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

### Minute

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

### Motion

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

### **Non-Material Amendments to Standing Orders**

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

### **Notice of Motion**

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

### **Quasi-Judicial**

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

### **Quorum**

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

### **Sub Committee**

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

### **Summons**

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

### **Vice Convener**

The Vice Chair of the Committee. The Vice Convener will act as Chair in the absence of the Convener.

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COMMITTEE	Council
DATE	23 <sup>rd</sup> August 2017
REPORT TITLE	Convention of Scottish Local Authorities (COSLA)
REPORT NUMBER	OCE/17/016
LEAD OFFICER	Chief Executive
REPORT AUTHOR	Head of Service, Office of Chief Executive

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### **1. PURPOSE OF REPORT:-**

- 1.1 The report seeks a decision from members as to whether or not the Council should re-join the Convention of Scottish Local Authorities (COSLA).

### **2. RECOMMENDATIONS**

- 2.1 That the Council resolves:
- i. To agree whether or not to re-join COSLA, and should the decision be to re-join;
  - ii. To agree the five members to take the Council's places on Convention; and
  - iii. To agree a Council nominee for each of the four COSLA Boards.

### **3. BACKGROUND/MAIN ISSUES**

- 3.1 At its Budget Meeting of 6<sup>th</sup> February 2014 the Council resolved to terminate its membership of COSLA with effect from 1<sup>st</sup> April 2015, reserving the right to withdraw its notice to leave at any point during 2014/15 in view of the, at that time, impending review of the COSLA Constitution and Standing Orders.
- 3.2 The notice was not withdrawn and at its meeting of 4<sup>th</sup> March 2015, the Council considered a report by the Chief Executive (OCE/15/005) on the arrangements being put in place at that time in light of the Council no longer being a member of COSLA from 1<sup>st</sup> April 2015.
- 3.3 At its meeting of 17<sup>th</sup> May 2017 the Council considered a report by the Chief Executive on COSLA (OCE/17/008). The report detailed that the Chief Executive of COSLA had written to the Council's Chief Executive regarding the possibility of the Council re-joining COSLA.

- 3.4 Council resolved i) to instruct the Chief Executive to confirm whether or not COSLA would be requiring a payment for the two years in which Aberdeen City Council was not a member; ii) to instruct the Chief Executive to write to the Chief Executive and President of COSLA inviting them to a meeting with the Group Leaders; and iii) to agree to receive a report at its August 2017 meeting to consider COSLA membership in light of the outcomes of i) and ii) above.
- 3.5 At the time of writing this report, the proposed meeting outlined in paragraph 3.4 has as yet to take place but it is envisaged that it will have done so by the time the Council meets. As a result an update to this report from the Group Leaders' meeting with the COSLA President will be provided on 23<sup>rd</sup> August.
- 3.6 As noted in the report to Council on 17<sup>th</sup> May, COSLA holds Leaders meetings 8 times a year. COSLA also holds Convention meetings three times a year. The Convention consists of 133 councillors (if all 32 councils are members) and the City Council has an allocation of 5 places on the Convention.
- 3.7 Under the terms of COSLA's constitution any Council delegation to the Convention must reflect the balance of that Council's party political representation. Legal and Democratic Services colleagues have confirmed that the City Council's allocation would be made up of 3 Administration and 2 Opposition members.
- 3.8 In addition to the above COSLA has four Boards – Children and Young People; Health and Social Care; Environment and Economy; and Community Wellbeing. Each member Council has one nominated elected member on each Board. Each Board meets 6 times a year.
- 3.9 At its meeting on 4<sup>th</sup> March 2015 the Council noted that Glasgow City Council, Renfrewshire Council and South Lanarkshire Council had all also served notice to leave COSLA membership on 1<sup>st</sup> April 2015. The Council agreed to join these three Councils in the Scottish Local Government Partnership. These three Councils have all now re-joined COSLA.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 The COSLA membership levy payable by the City Council for 2017/18 would be £128,521. This sum can be met from the subscriptions budget held in the Office of Chief Executive.
- 4.2 At its meeting on 4<sup>th</sup> March 2015, the Council was informed that COSLA's position was that any Council terminating membership would be liable for a one-off payment to COSLA. The size and scope of any such payment would be the subject of negotiation. No figure has to date crystallised in relation to this and no negotiation has to date been held on the matter.
- 4.3 Should the Council agree to re-join COSLA and should COSLA seek a payment in relation to the Council's two year absence from membership the Head of Finance and the Head of Legal and Democratic Services would enter into negotiation with COSLA and a further report on this would be brought to a



future meeting of the Council. Given the Council's decision at its meeting on 17<sup>th</sup> May, this matter will be discussed at the Group Leaders' meeting with the COSLA President.

## **5. LEGAL IMPLICATIONS**

- 5.1 Beyond the issue set out in paragraphs 4.2 and 4.3 above, there are no further legal implications in relation to the subject matter of this report.

## **6. MANAGEMENT OF RISK**

- 6.1 The Council's non-membership of COSLA has been the subject of public interest over the past two years and as a result, should the Council decide to re-join COSLA further interest is likely to be generated in the short-term. The Council's decision on this report will be communicated via the Council's website and through a media release.

## **7. IMPACT SECTION**

- 7.1 Should the Council decide to re-join COSLA, membership of the organisation and involvement with its structures will be used wherever possible to support the delivery of the Aberdeen City Local Outcome Improvement Plan and the Council's Strategic Business Plan across the four strategic themes – economy, people, place and technology.

## **8. BACKGROUND PAPERS**

- 8.1 None

## **9. APPENDICES**

- 9.1 None

## **10. REPORT AUTHOR DETAILS**

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## ABERDEEN CITY COUNCIL

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COMMITTEE	Council
DATE	23 August 2017
REPORT TITLE	Committee Governance – Council Diary 2018 and Committee Changes
REPORT NUMBER	CG/17/091
CG LEAD OFFICER	Fraser Bell
REPORT AUTHOR	Stephanie Dunsmuir

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### **1. PURPOSE OF REPORT**

- 1.1 To present a proposed calendar of Council, Committee and Sub Committee meetings for January to March 2018 for approval, and to propose changes in respect of the Pensions Committee, Pensions Board and Communities, Housing and Infrastructure Committee.

### **2. RECOMMENDATIONS**

- 2.1 That Council –
- 2.1.1 approves the proposed calendar of meetings to March 2018 as set out in Appendix 1;
  - 2.1.2 notes that a new Committee structure is expected to be effective from 1 April 2018 and that a calendar of meetings for April to December 2018 will be reported to Council in December 2017;
  - 2.1.3 approves the change of composition to the Pensions Committee as set out at paragraph 3.5 of the report;
  - 2.1.4 agrees that Councillor Jennifer Stewart replace Councillor Donnelly, the Deputy Provost, as Convener of the Pensions Committee;
  - 2.1.5 notes that Councillor John will replace Councillor Hunt on the Communities, Housing and Infrastructure Committee;
  - 2.1.6 agrees that Councillor John replace Councillor Hunt as Vice Convener of the Communities, Housing and Infrastructure Committee; and
  - 2.1.7 notes that Councillor Donnelly will replace Councillor John as the Aberdeen City Council representative on the Pensions Board.

### **3. BACKGROUND**

- 3.1 The Council diary generally follows a set pattern, based on an 8 week cycle, with the exception of the Planning Development Management Committee which requires to meet more frequently. There are a few exceptions to this in the weeks around the school holidays. No meetings are arranged for the Easter and October school holidays, and dates such as the Offshore North Seas Conference are generally avoided.
- 3.2 Appeals Committee dates are not included in the diary and are arranged as and when required.
- 3.3 Dates for NESTRANS and the Strategic Development Planning Authority are arranged outwith the Council, however one date for the SDPA has been set for 2018 and this is included in the diary at Appendix 1.
- 3.4 As it is expected that there will be a change to the Committee structure following the Chief Executive's proposals in respect of the Council's operating structure, the proposed diary is only presented to 31 March 2018.
- 3.5 Following the Statutory Council meeting of 17 May 2017, the Administration has intimated that there is to be a change to the membership and Convener of the Pensions Committee, with Councillor Jennifer Stewart replacing Councillor Donnelly. This needs to be ratified by the Council on the basis that the composition is now different to what was previously agreed. The balance will now be:-

Pensions Committee	Con	Lab	Ind	SNP	Lib Dem	Total
	1	2	2	3	1	9

- 3.6 In respect of the Pension Board, it has been intimated that Councillor Donnelly will replace Councillor John as the Aberdeen City Council representative.
- 3.7 It has also been intimated that there will be a change to the membership of the Communities, Housing and Infrastructure Committee, with Councillor John replacing Councillor Hunt on that Committee, and taking on the role of Vice Convener of the Communities, Housing and Infrastructure Committee.

### **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no direct financial implications arising from the recommendations of this report, as Councillor remuneration was agreed at the Statutory Council meeting of 17 May 2017

### **5. LEGAL IMPLICATIONS**

- 5.1 There are no direct legal implications arising from the recommendations of this report.

## **6. MANAGEMENT OF RISK**

### **6.1 Financial**

6.1.1 There are no financial risks associated with this report.

### **6.2 Employee**

6.2.1 There are no risks to employees associated with this report.

### **6.3 Customer / Citizen**

6.3.1 There are no risks to customers / citizens associated with this report.

### **6.4 Environmental**

6.4.1 There are no environmental risks associated with this report.

### **6.5 Technological**

6.5.1 There are no technological risks associated with this report.

### **6.6 Legal**

6.6.1 There are no legal risks associated with this report.

### **6.7 Reputational**

6.7.1 There are no reputational risks associated with this report, however should the diary not be approved at this stage; it will impact on the ability of officers to schedule reports to enable the Council to conduct its business.

## **7. IMPACT SECTION**

### **7.1 Economy**

7.1.1 There will be no impact on economy arising from the recommendations.

### **7.2 People**

7.2.1 An Equality and Human Rights Impact Assessment is not required as the proposal does not disproportionately impact on persons with protected characteristics compared to persons without such characteristics.

### **7.3 Place**

7.3.1 There will be no direct impact on the environment or the community arising from these recommendations.

### **7.4 Technology**

7.4.1 There will be no impact on technology arising from the recommendations.

**8. BACKGROUND PAPERS**

8.1 None.

**9. APPENDICES**

9.1 Appendix 1 – Council Diary January to March 2018

**10. REPORT AUTHOR DETAILS**

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2018

JANUARY

2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
	1	2	3	4	5	6
7	8 <u>SCHOOL TERM STARTS</u>	9	10	11	12	13
14	15	16 Communities, Housing & Infrastructure Committee (2pm)	17	18 Planning Development Management Committee (10am)	19	20
21	22	23	24 Licensing Board (10.30am)	25 Planning Development Management Committee (Visits) (am)  Education and Children's Services Committee (2pm)	26	27
28	29 Elected Members Development Day	30 Integration Joint Board (10am)	31			

2018

FEBRUARY

2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
				1 Finance, Policy & Resources Committee (2pm)	2	3
4	5	6 Licensing Committee (10am)	7	8 Housing Cases Review Sub Committee (10am)  Petitions Committee (2pm)	9	10
11	12 MID TERM HOLIDAY	13 IN SERVICE HOLIDAY	14 IN SERVICE HOLIDAY	15 Planning Development Management Committee (10am)	16 Corporate Health & Safety Committee (10am)	17
18	19	20 Council Budget (2pm)	21 Planning Development Management Committee (Visits) (am)	22 Audit, Risk & Scrutiny Committee (2pm)	23	24
25	26	27	28			



2018

MARCH

2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
				1	2	3
4	5	6 Integration Joint Board – Budget Meeting (10am)	7 Council (10.30am)	8	9	10
11	12 Elected Members Development Day	13	14 Guildry & Mortification Funds Committee (11am)	15	16 Pensions Committee & Board (10.30am)	17
18	19	20 Licensing Board (10.30am)	21 SDPA (2pm)	22 Planning Development Management Committee (10am)	23	24
25	26	27	28 Planning Development Management Committee (Visits) (am)	29 <u>SCHOOL TERM ENDS</u>	30 GOOD FRIDAY	31

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## ABERDEEN CITY COUNCIL

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COMMITTEE	COUNCIL
DATE	23 August 2017
REPORT TITLE	GOVERNANCE REVIEW - UPDATE ON APPOINTMENTS TO OUTSIDE BODIES POLICY
REPORT NUMBER	CG/17/083
LEAD OFFICER	FRASER BELL
REPORT AUTHOR	ALAN THOMSON

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### 1. PURPOSE OF REPORT:-

The report seeks to update Elected Members on items that were raised after the Council meeting on 21<sup>st</sup> June 2017 in relation to the provision of indemnity by Council for Elected Members on Outside Bodies, a review of the Outside Bodies that do not have insurance in place, and the Outside Bodies that had failed to respond to the original requests for information.

### 2. RECOMMENDATION(S)

The Council is recommended to:-

- (a) Approve the draft Policy on the Appointment of Elected Members to Outside Bodies as set out at Appendix 1 to the report;
- (b) Proceed with the appointments of Elected Members to the Outside Bodies as shaded in green in Appendix 2 to the report;
- (c) Proceed with the appointments of Elected Members to the Outside Bodies shaded in orange in Appendix 2 to the report;
- (d) Appoint Elected Members to the Outside Bodies shaded in green in Appendix 3 to the report; and
- (e) Agree to make no appointment to the Outside Bodies shaded in red and blue in Appendix 3 to the report and note that these Outside Bodies will be removed from the Outside Bodies Register until they have provided information required as per the Policy on the Appointment of Elected Members to Outside Bodies

### 3. BACKGROUND/MAIN ISSUES

#### 3.1 Insurance Update

3.1.1 At the meeting of Council on 21<sup>st</sup> June 2017, a report on the Policy on Appointment of Elected Members to Outside Bodies was presented to the Council and the Council resolved as follows:

(a) *Defer approving the draft policy on the appointment of Elected Members to Outside Bodies as set out at Appendix 1 to the report in order for the Head of Legal and Democratic to bring back a report to the next Council meeting on the feasibility and costs of the Council indemnifying Councillors on all outside bodies within Appendix 3 as well as undertake an assessment of those outside bodies identified in the report where no insurance cover is currently provided by the Council to ensure Councillors are fully aware of the risk associated with joining an outside body.*

3.1.2 Elected Members only become personally liable if they are involved in decision making for certain types of Outside Body in circumstances as set out below. There is a distinction between corporate bodies and non-corporate bodies.

3.1.3 A corporate body, such as a company, has its own legal personality<sup>1</sup> and is responsible for its own governance arrangements, finances and contractual obligations. The body itself will incur direct liability for its actions or inactions. Individual members who are acting within any mandate given to them by that body will usually be protected by limited liability if it becomes insolvent.

3.1.4 Directors of companies, however, can be personally liable for:

- wrongful trading (trading when the company has no reasonable prospect of avoiding insolvent liquidation);
- fraudulent trading (carrying on the business of a company with the intent to defraud creditors or potential creditors); or
- where the company breaches other legislation in relation to health and safety, trading standards and the environment.

3.1.5 A non-corporate body, such as a charitable trust, has no separate legal personality and is in effect a collection of individuals who will usually be acting together under a formal structure such as a constitution, rules or terms of reference that have been agreed between the members. It should be noted that charities can also be run as incorporated companies (usually a company limited by guarantee).

3.1.6 Trustees (including Charity Trustees) can be personally liable for:

- breach of trust
  - ultra vires (acting outwith powers); or

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<sup>1</sup> Legal Personality: Independent existence under the law, especially in the context of a company being separate and distinct from its owners. One of the main advantages of the company structure is the limitation of liability that the separate legal personality gives to the members.

- intra vires (within powers but done so negligently),
- breach of fiduciary duty (failing to act in interests of beneficiaries and acting in own interests).

3.1.7 It should also be noted that Trustees and Directors are only personally liable for the decisions they are involved in.

3.1.8 Insurance may be required to assist with the cost of defending a challenge against such a decision or defending other kinds of claim (e.g. claims for damages for personal injury). Due to the types of organisation and the types of decisions that Elected Members are expected to make, the risk and likelihood of such claims against Elected Members is deemed to be very low, but insurance is a recommended mitigation.

3.1.9 Many of the Outside Bodies in Appendix 2 only require Elected Members to act as observers or advisors. As the Elected Members will not be making any decisions and are representing the Council, they would be covered by the Council's insurance. Elected Members acting as observers in Outside Bodies must ensure that they do not get involved in the decision making process and inadvertently assume decision making responsibilities, as the Council's insurance policy will not cover any claims against the Elected Member in respect of their assuming such responsibilities.

3.1.10 A number of the Outside Bodies are Statutory Partnerships or Boards, and although there is no confirmation of insurance, they are deemed to be very low risk. The Council is obliged to appoint to these types of Outside Bodies and consequently the recommendation is for appointment in these instances.

3.1.11 An assessment was carried out on the Outside Bodies shaded orange on Appendix 2, which are mostly trusts, to assess potential risk. As long as trustees make fair and reasonable decisions, risk is deemed to be very low and likelihood of claims is deemed to be low as the trusts shaded orange on Appendix 2 give grants to other charities, or purchase pieces of art. Recommendations for appointment are therefore made based on risk being deemed to be low.

3.1.12 Some Outside Bodies (detailed in Appendix 2) were able to provide assurance that they have appropriate insurance arrangements in place.

### 3.2 Option 1 – Can the Council indemnify Elected Members on Outside Bodies?

3.2.1 Insurance Services were consulted for advice on the feasibility and cost of the Council indemnifying Councillors on all Outside Bodies. Insurance Services have confirmed, after consulting with the Council's insurance provider, that it is not possible for the Council's insurance policy to be extended to provide an indemnity for Elected Members on Outside Bodies.

3.2.2 The first reason for this is that insurance can only be provided when the Council has an "insurable interest". Insurance can only be provided to cover activities that Elected Members are carrying out in the interests of the Council and associated with its day to day business. As Elected Members are to act

solely in the interests of the Outside Body to which they are appointed, this cannot be said to be in the interests of the Council.

3.2.3 Secondly, there is English case law<sup>2</sup> that confirms that Local Authorities cannot provide insurance or indemnity to Elected Members or Officers in respect of their acting in the interests of an Outside Body.

3.2.4 Therefore, this option cannot be considered further.

### 3.3 Option 2 – Can the Council reimburse Outside Bodies for insurance costs?

3.3.1 The Council already provides funds for many of the Outside Bodies, so it may be possible to stipulate that part of the grant must be used to obtain appropriate insurance for Elected Members. This would have to be written into the funding agreements with the Outside Body.

3.3.2 If extended to the small handful of Outside Bodies that do not already have insurance arrangements, the Council would inevitably receive requests for additional support from Outside Bodies that already have insurance arrangements in place. Therefore, although the cost of providing this insurance is estimated to be relatively inexpensive, it could end up costing the Council much more than anticipated and could have long term funding implications.

3.3.3 The Council would also need to consider the fairness of providing additional resources to pay for something that the Outside Bodies should already have in place.

3.3.4 This option, although possible, is not recommended due to the administrative burden and unknown cost implications.

### 3.4 Option 3 – Council require that Outside Bodies provide Insurance

3.4.1 Option 3 is that the Council only appoint to Outside Bodies if they can provide reasonable assurance that they do already have insurance in place, or are willing to obtain insurance prior to appointments commencing or shortly thereafter.

3.4.2 Officers have reviewed Outside Bodies that do not appear to hold insurance and the recommendations to appoint were made on the basis that these organisations appeared, on the face of it, to be relatively low risk in terms of a potential personal liability of Elected Members. The decision whether or not to accept an appointment is up to the Elected Member and they can attend a meeting of the Outside Body to ascertain whether they are comfortable accepting the appointment.

3.4.3 Option 3 is recommended to the Council as the most preferable option for the following reasons:

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<sup>2</sup> *Burgoine and Others v. London Borough of Waltham Forest*  
347

- Fair – Outside Bodies treated equally
- Safest
- Cost effective
- Only small number of trusts affected

3.4.4 Option 3 is also consistent with the principles of the proposed Policy on the Appointment of Elected Members to Outside Bodies. As such, the proposed Policy has not been amended and it is recommended that Council approve the Policy as set out in Appendix 1.

3.4.5 Therefore, it is recommended to that Council appoint to the Outside Bodies shaded green in Appendix 2. It is recommended that for the Outside Bodies shaded orange on the same appendix, which appear not to have insurance, the Council is recommended to appoint as well, but that it will be up to the individual Elected Members if they wish to accept the appointment. If an Elected Member is uncomfortable with an appointment, then the Outside Body can be approached to ascertain whether they would be willing to provide insurance prior to appointment commencing or soon after the appointment commences.

### **3.5 Review of Outside Bodies on Appendix 4 of June report**

3.5.1 The Council also made the following resolution on the 21<sup>st</sup> June 2017:

*(b) Instruct the Head of Legal and Democratic Services to provide a report to the next Council meeting providing full responses received from each of the outside bodies listed in Appendix 4 to allow members the opportunity to determine membership or otherwise.*

3.5.2 In the report presented to Council on 21<sup>st</sup> June, a number of Outside Bodies have already confirmed that they do not require Elected Members, or the Outside Body no longer exists or meets. These Outside Bodies have been removed from the Register and have not been included in the current report as no longer being relevant.

3.5.3 A number of Outside Bodies had not responded to the request for information, and these Outside Bodies have been contacted further to provide the required information. An update of the responses from these Outside Bodies is contained in Appendix 3, and Council is recommended to appoint to or remove Outside Bodies as detailed in that Appendix 3.

3.5.4 It should be noted that where an Outside Body has been removed from the Register by reason of non-response, it will be put before Members for reconsideration, should such body get in contact in the future and complete the questionnaire as required by the Policy on Appointment of Elected Members to Outside Bodies.

## **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no direct financial implications arising from the recommendations of this report.
- 4.2 The Council has a duty to secure best value, under section 1 of the Local Government in Scotland Act 2003. As demands on the Council and Elected Members increase, it is essential that the Council keep all of its activities under review to ensure that it is securing best value for the residents of Aberdeen.
- 4.3 Each individual charitable trust has statutory financial reporting obligations and Aberdeen City Council is responsible for the administration of some of these charitable trusts. In some cases, the cost of administering these trusts is greater than their annual income. The project ongoing to rationalise trusts seeks to minimise administration costs and ensure trust money available for trust purposes is maximised.

## **5. LEGAL IMPLICATIONS**

- 5.1 Approval of the recommendations in the report is not considered to pose any significant legal risk to the Council and will ensure that the Council meets its statutory obligations. Depending on the constitution of the body, the appointment of a member to an Outside Body may be a statutory duty or a requirement of a trust deed. If the Council failed to appoint to these types of bodies, it could face enforcement action. However, it is more likely that an agreement could be obtained with remaining trustees to amend the trust deed and allow Elected Members to resign from trustee duties. The process may involve appointing Elected Members to the trust to allow them to participate in the discussions with the other trustees to amend the trust deed or wind up the trust.

## **6. MANAGEMENT OF RISK**

- 6.1 The purpose of the policy and the review is to ensure resources are allocated appropriately and risks to Elected Members are mitigated, through implementation of a number of safeguards for Elected Members around liability and insurance.
- 6.2 In recommending appointments or nominations of Elected Members to Outside Bodies, the Council needs to ensure:
- roles and responsibilities are understood;
  - conflicting interests are effectively managed;
  - risks are appropriately assessed and managed; and
  - Elected Members' time is being effectively used.
- 6.3 The policy has been developed in light of the CIPFA Principles of Good Governance, in particular the following:
- Behaving with Integrity;



- Ensuring Openness and Stakeholder engagement;
- Defining outcomes;
- Determining the interventions necessary;
- Developing the entity's capacity; and
- Managing risks and performance.

## **7. IMPACT SECTION**

7.1 Once decisions have been made as to appointments or nominations to the bodies mentioned within the report, the relevant organisations will be contacted as to the representatives nominated or appointed.

### **7.2 Economy**

7.2.1 There will be no direct impact on the economy arising from the recommendations.

### **7.3 People**

7.3.1 The report may be of interest to the public as it concerns membership of various public-facing bodies.

7.3.2 An Equality and Human Rights Impact Assessment is not required as the proposal does not disproportionately impact on persons with protected characteristics compared to persons without such characteristics.

### **7.4 Place**

7.4 There will be no direct impact on the environment or the community arising from these recommendations. Many of the Outside Bodies do benefit the local environment, the local and wider community and make Aberdeen a better place to live and work.

### **7.5 Technology**

7.5.1 There will be no impact on technology arising from the recommendations.

## **8. BACKGROUND PAPERS**

8.1 Delivering Good Governance in Local Government: Framework (2016 Edition)  
<http://www.cipfa.org/policy-and-guidance/publications/d/delivering-good-governance-in-local-government-framework-2016-edition>

8.2 Report to Council on 21<sup>st</sup> June 2017, *Appointments to Outside bodies, Amendments to Committee places and Council diary*, Item 9.4:  
<http://councilcommittees/documents/g4325/Public%20reports%20pack%2021st-Jun-2017%2010.30%20Council.pdf?T=10>

## **9. APPENDICES**

Appendix 1 – Policy on Appointment of Elected Members to Outside Bodies

Appendix 2 – Update on Outside Bodies Insurance provisions

Appendix 3 – Update on recommendations for appointment or removal from Register.

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# Aberdeen City Council

## Policy on Appointments of Elected Members to Outside Bodies



**Shaping  
Aberdeen**



# Aberdeen City Council

## Policy on Appointments of Elected Members to Outside Bodies

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Policy Author	Alan Thomson, Solicitor

# 1. Purpose

- 1.1 This policy sets out the criteria for that will inform recommendations to the Council in respect of appointments or nominations of Elected Members to Outside Bodies. The Policy also sets out the responsibilities of Elected Members once appointed to an Outside Body.
- 1.2 In recommending appointments or nominations of Elected Members to Outside Bodies, the Council need to ensure:
- roles and responsibilities are understood;
  - conflicting interests are effectively managed;
  - risks are appropriately assessed and managed; and
  - Elected Members' time is being effectively used.
- 1.3 The policy and questionnaire have been developed in light of the CIPFA (Chartered Institute of Public Finance and Accountancy) Principles of Good Governance, in particular the following:
- Behaving with Integrity
  - Ensuring Openness and Stakeholder engagement
  - Defining outcomes
  - Determining the interventions necessary
  - Managing risks and performance
- 1.4 The policy and questionnaire have also been considered in light of the findings and recommendations from:
- the Good Governance Institute report on Assurance Development Programme: Risk Management System and in particular to its recommendations on risk management systems and improving informal relationships between Arms Length External Organisations (ALEOs) and Council members and officers; and
  - Audit Scotland's guidance from its series on "How Councils Work".
- 1.5 The Council also has a duty to secure best value, under section 1 of the Local Government (Scotland) Act 2003. As demands on the Council and Elected Members increase, it is essential that the Council keep all of its activities under review to ensure that it is securing best value.

# 2. Definition of an Outside Body

- 2.1 An Outside Body can be either a corporate or an unincorporated body which is not part of the Council's own governance structure but whose work helps Council to fulfil its own responsibilities and/or improving community life in Aberdeen. It is a body whose functions make a substantial contribution to the achievement of the Council's overall aims and objectives, as set out in its approved policies, plans and strategies, and to the delivery of essential local services

**2.2** The term includes a diverse range of organisational purposes and structures and is in effect a “label of convenience” rather than an exact description. We have categorised Outside Bodies as follows:

**2.2.1 Statutory**

An organisation to which the Council is required by statute to make appointments and where not doing so would affect the Council’s ability to properly discharge its functions and obligations.

**2.2.2 National/international**

An organisation which directly or indirectly represents local government (or aspects of its work) at regional, national or international level and whose membership comprises representatives of some or all local authorities.

**2.2.3 ALEO**

- While there is no statutory definition of an ALEO, the Council has adopted the Following the Public Pound definition of ALEO which is a body that it formally separate from a council but is subject to its control and influence.
- ALEOs are bodies through which councils seek to carry out some of their functions, other than on a straightforward contractual basis.
- They are often used by councils as an efficient and cost effective way of delivering public services including services relating to leisure, arts, culture, employment, economic development and urban regeneration, waste management, property development and social care.
- ALEOs usually take the form of companies or trusts and some can register as charities (provided they have a wholly charitable purpose) or as limited liability partnerships.

**2.2.4 Local**

- A local organisation or group, falling within one or more ward boundaries, which seeks the Council’s assistance in meeting local needs.
- A voluntary/community organisation which receives funding from the Council and Elected Member representation will provide a valuable mechanism for the exchange of information and views.
- An organisation or discussion/liaison group where Council representation will in some other way provide clear ‘added value’ to either the Council or local communities in Aberdeen.

**2.2.5 Trusts.**

A trust is usually set up where assets (eg property, investments) are given by one person (the Donor) to another (the Trustees) with the intention that it should be applied for the benefit of a third party or the public (the Beneficiary). Once this occurs, the trustees own the asset, but can only apply it in accordance with the trust for the benefit of the beneficiaries.

A trust is not regulated by an external regulator (unless it is a charitable trust), but is subject to various legislation, eg Trusts (Scotland) Acts 1921 and 1961. If it is charitable it will be subject to charity law and regulated by the Office of the Scottish Charity Regulator (OSCR).

- 2.3 Although this policy refers to the appointment of Elected Members to Outside Bodies, it should be clarified that for certain Outside Bodies, the Council will nominate an Elected Member, who will then in turn be appointed by the Outside Body. For example, the Council may nominate an Elected Member to be a Director on the board of a company. However, the decision on whether or not to appoint the Elected Member to the company may be the responsibility of the company's existing board members.

### 3. Criteria for Appointing Elected Members

- 3.1 Outside Bodies seeking appointments or nominations of Elected Members, with the exception of statutory appointments, will be asked to complete a questionnaire as set out in Appendix 1
- 3.2 Elected Member appointments or nominations to Outside Bodies will only be made if there are clear strategic or policy benefits from this arrangement for either the Council or local communities.
- 3.3 The following criteria will be considered, on a case by case basis, before recommendation to council for appointments or nominations of Elected Members to Outside Bodies:
- a. the Outside Body has appropriate and transparent governance arrangements in place, dependent on its size and type;
  - b. the Outside Body has adequate liability insurance in place, appropriate to its size, purpose and type;
  - c. the Outside Body provides training on the Elected Members duties and obligations under the appointment; and
  - d. there are clear arrangements in place for Elected Members to exit from the Outside Body.
- 3.4 In addition to 3.3, if the Outside Body requests an Elected Member to act in a decision making capacity it will provide the Council with their:
- a. most recent accounts prepared and audited in accordance with the requirements of the Companies Act 2006, or the Charities Accounts (Scotland) Regulations 2006; and
  - b. 1 year business plan and three year summary business plan, if their annual budget exceeds £10,000 or details of the income and expenditure requirements for the forthcoming year if their budget is less than £10,000.



**3.5** Appointments to Outside Bodies may not be recommended if:

- a. the Outside Body has significant outstanding disputes or liabilities which are likely to impact on its future viability or solvency;
- b. the Outside Body has not met for more than 1 year without good reason;
- c. the appointment of an Elected Member is not the best or only way of achieving the aims of the Outside Body; and
- d. the anticipated time commitment of the Elected Member does not justify the strategic objective of the Council.

**3.6** All applications for appointments or nominations of Elected Members will be considered on an individual case by case basis, taking into account the size and legal status of the Outside Body.

**3.7** The Head of Legal and Democratic Services will, after review of completed questionnaires, and taking into account all of the information provided to him or her, recommend to Council on whether Elected Members should be appointed or nominated to an Outside Body or not.

**3.8** Elected Members should be aware that if they are appointed or nominated based on the recommendation of the Head of Legal and Democratic Services, the final decision on whether or not they accept the appointment or nomination is their own.

**3.9** Committee Services will maintain a register of Outside Bodies, which will be reviewed on a regular basis, on behalf of the Head of Legal and Democratic Services. Any new requests for appointments or nominations of Elected Members should be sent to Committee Services. If any Outside Body should cease to exist or no longer require Elected Member support, notifications should also be sent to Committee Services.

## **4. The capacity in which Elected Members serve on Outside Bodies**

**4.1** The capacity in which Elected Members serve on Outside Bodies will mainly depend on:

- what legal form each Outside Body takes, and in particular whether it is incorporated as a separate legal entity or not;
- whether the appointment is to the main body or to a particular committee or sub-committee of the Outside Body; and
- whether the Elected Member is acting as a voting or non-voting member.



- 4.2 Depending on the terms of the appointment, Elected Members may serve as either:
- a board, executive or management committee member (voting);
  - a committee or sub-committee member (voting);
  - an ordinary member (voting only at the AGM);
  - a company director (voting);
  - a charity trustee (voting);
  - an observer (non-voting); or
  - a member of a discussion or liaison forum (where voting may not apply).
- 4.3 An observer is a person who is not a member of the Outside Body but is invited to attend in order to give the body the benefit of the Council's views and to keep the Council informed of the body's actions.
- 4.4 The capacity in which the Elected Member serves, along with the Outside Body's duties and accountabilities under the law, as well as to any parent body or regulator, will determine the extent of the member's responsibilities and liabilities.

## 5. Elected Members' Responsibilities and Potential Liabilities

### 5.1 General Duties

In general, Elected Members who are appointed to Outside Bodies should:

- a. understand clearly the Outside Body's purposes and main objectives and their own role in the Outside Body;
- b. attend meetings regularly and take an active, informed and supportive role in the body's affairs;
- c. take care always to act in the best interests of the Outside Body and in accordance with its rules or governing document, while contributing their knowledge and experience as a Elected Member;
- d. satisfy themselves that the Outside Body has transparent governance arrangements, regular reports on its activities and sound financial management, with accounts regularly monitored; and that annual reports and accounts are submitted in timely fashion;
- e. seek to protect the body's assets and manage its affairs prudently;
- f. be aware of the main risks the body faces (including funding risks) and the steps to be taken to deal with them;
- g. ensure it maintains its membership, so that the work of running the Outside Body and

- any financial obligations continue to be shared by a reasonable number of people;
- h. behave ethically in accordance with the Outside Body's own code of conduct, if they have one, or otherwise the Councillors' Code of Conduct;
- i. not gain or seek to gain from their appointment any benefit or remuneration (beyond any travel, remuneration or other allowances formally approved by the body);
- j. ensure the Outside Body has appropriate health and safety and equal opportunities policies and adequate insurance arrangements;
- k. seek to safeguard the Council's interests on those bodies which are funded by or through the Council, to the extent that this does not conflict with their duties towards the Outside Body; and
- l. seek advice from the Head of Legal and Democratic Services or other relevant Council officer if they have concerns about the running of the body.

**5.1.2** Elected Members shall cease being a member of the Outside Body when they cease to be an Elected Member. In the circumstances where an Outside Bodies constitution provides otherwise, the Elected Member shall be asked to voluntarily resign their membership of the Outside Body when they cease to be an Elected Member.

**5.1.3** The type of organisation to which the Council makes appointments to is diverse. The circumstances will vary widely from one Outside Body to another, but for convenience they have been divided below between corporate and non-corporate bodies.

## **5.2 Corporate Bodies**

**5.2.1** A corporate body has its own legal personality and is responsible for its own governance arrangements, finances and contractual responsibilities. The body itself will incur direct liability for its actions or inactions. Individual members who are acting within any mandate given to them by that body will usually be protected by limited liability if it becomes insolvent (except in the case of wrongful or fraudulent trading).

**5.2.2** An Elected Member appointed to a corporate body must, when attending meetings of the body act in that body's best interests, which may not necessarily be the same as the Council's best interests. Elected Members may of course bring to bear their own experience and knowledge as an Elected Member, and may have regard to the Council's interests, but have a duty to exercise independent judgement when making decisions. Elected Members should not claim to act or give the impression that they are acting under a Council instruction.

- 5.2.3** In the event of a clear conflict of interests the Elected Member should consider whether it is:
- a. Interest that can be effectively managed e.g. it can be dealt with by declaring an interest and withdrawing from either the Outside Body's meeting or the Council's meeting, or
  - b. so frequent or significant that it prevents the Elected Member from effectively fulfilling their responsibilities towards the Outside Body, in which case resignation from the body should be considered.

**5.2.4 Corporate bodies include:**

- statutory or chartered corporations (including local authorities, non-departmental public bodies, NHS trusts, colleges and community, foundation or voluntary schools);
- companies limited by shares;
- companies limited by guarantee (not-for-profit, including incorporated charities where liability is normally limited to a nominal £1);
- industrial and provident societies (not-for-profit, including most housing associations); and
- and limited liability partnerships.

In many cases the body will have accountability requirements to a regulator such as the Audit Scotland, another inspectorate or government department, or Companies House.

**5.2.5 Registered Companies**

A Elected Member appointed to a registered company may, depending on the approach taken by that Outside Body, be expected to become a company director rather than an observer. If appointed as a company director, the Elected Member will be acting on behalf of the body itself, not as a 'representative' of the local authority, even though the Council may have appointed them. Company directors must have their appointment filed with Companies House and must abide by the company's own Memorandum and Articles of Association. Under the Companies Act 2006 a company director has duties:

- a. to act within the company's powers;
- b. to promote the success of the company;
- c. to exercise independent judgement;
- d. to exercise reasonable care, skill and diligence;
- e. to avoid conflicts of interest;
- f. not to accept benefits from third parties; and
- g. to declare any interests in a proposed transaction or arrangement entered into by the company.

### 5.2.6 Statutory Bodies

In some cases a Elected Member will be acting as the Council's representative on a board, committee or body that is exercising specific statutory functions which are distinct from the Council's own functions and where Council membership is required by law. These would include, amongst others, the NHS Grampian Health Board, the Grampian Valuation Joint Board, the Aberdeen City Integration Joint Board, the Robert Gordons College Board of Governors and the Aberdeen Airport Consultative Committee.

5.2.7 While each body will have its own purpose and constitutional arrangements, in general an appointed Elected Member can be expected to play their part in supporting the body's work, but taking particular account of the need to safeguard the Council's best interests and those of its communities. There may be some potential for conflicts of interest where there is a financial relationship such as a levy between the body and the Council.

## 5.3 Non-corporate Bodies

5.3.1 A non-corporate body has no separate legal personality<sup>1</sup> and is in effect a collection of individuals who will usually be acting together under a formal structure such as a constitution, rules or terms of reference that have been agreed between the members.

<sup>1</sup> Legal Personality: Independent existence under the law, especially in the context of a company being separate and distinct from its owners. One of the main advantages of the company structure is the limitation of liability that the separate legal personality gives to the members.

### 5.3.2 Advisory, Consultative or Liaison Bodies

In many cases Elected Members will be appointed to an advisory, consultative or liaison body of some kind. It could take the form of a joint committee, partnership arrangement or discussion forum between the local authority and one or more other public and/or private or third sector organisations<sup>2</sup>. Again, the Elected Member appointed will be acting as the Council's representative and contributing to that body's purposes while taking account of the best interests of Aberdeen City and its residents.

<sup>2</sup> Third sector organisations' is a term used to describe the range of organisations that are neither public sector nor private sector. It includes voluntary and community organisations (both registered charities and other organisations such as associations, self-help groups and community groups), social enterprises, and co-operatives. ([www.nao.org.uk](http://www.nao.org.uk))

5.3.3 Examples would include local government forums such as Aberdeen Outdoor Access Forum key partnerships such as the Community Safety Partnership and the North East Scotland Fisheries Development Partnership. The potential for incurring liabilities or conflicts of interest as a result of membership is likely to be minimal.

5.3.4 In other cases the 'body' will be more of an informal discussion group, acting as a forum for the exchange of views and information and inter-agency consultation, often on quite local issues. Council appointments have previously been made to groups, forums, advisory groups and community partnerships or

working groups. With no decision making powers, the scope for liabilities or conflicts of interest arising should again be minimal. The exception would be where, for example, such Outside Bodies made representations in respect of planning or licensing applications.

#### 5.3.5 Registered Charities

A charity in Scotland is an organisation registered with the Office of the Scottish Charity Regulator (OSCR) having met the charity test. To meet the charity test, an organisation must have only charitable purposes and must provide public benefit in Scotland or elsewhere.

#### 5.3.6 When appointed to a charity, Elected Members will be acting as 'Charity trustees'

A Charity Trustees are defined as people having the general control and management of the administration of a charity. Charity trustees can also sometimes be known as committee members, directors or board members. Charity trustees are not only responsible for their own actions, they are also responsible for the actions and decisions taken by the charity trustees when acting together

#### 5.3.7 Charities and charitable trusts can be conveniently subdivided into:

##### a. endowed grant-making trusts

Trustees' duties are:

- primarily to protect the trust's assets: and ;
  - ensure the charity is well-managed in accordance with its stated purposes (including disbursement of its funds, for instance as small educational or welfare grants).
- ##### b. voluntary organisations and community associations
- These exist to provide some kind of local service;
  - can present more risks particularly if they have charge of annual budgets and/or financial reserves, or contractual obligations towards staff, property or suppliers;
  - for this reason most of those voluntary or community groups to which the Council has made appointments have already incorporated themselves as companies limited by guarantee, a form which presents less risk to individual members.

#### 5.3.8 Where the Outside Body is a registered charity there will also be specific accountability requirements towards the Office of the Scottish Charity Regulator (OSCR) which require trustees to always act in accordance with the charity's stated purposes (set out in its charity registration and constitution or trust deed) and to submit an annual report and accounts.

### 5.3.9 Other Unincorporated Associations

An unincorporated association, having no separate legal existence, is no more than a group of individuals who agree to pursue a common purpose. Elected Members may be asked to make a financial contribution, for example in the form of a subscription, and to sign a membership agreement which can include an agreement to contribute to liabilities incurred by other members.

5.3.10 When a member acts on behalf of the unincorporated association, for example in buying equipment to be used by the association, he/she incurs a personal liability for the cost of that equipment and then seeks to recover that expenditure from the funds of the association or from the other members of the association. In particular cases, the association may be regarded in law as a partnership in which case each member may be personally liable for any debts incurred by any member of the association.

5.3.11 Due to this potential liability the Council will not ordinarily appoint voting members to unincorporated associations such as local community associations or sports clubs where there is a significant risk of personal liability.

## 5.4 Council's obligations to Elected Members

5.4.1 The Council will inform and advise Elected Members of their Roles and Responsibilities under different types of appointments, and will provide training so that Elected Members are aware of what is expected of them before they accept an appointment. Ongoing advice and training, where appropriate, will also be available to Elected Members.

5.4.2 It is ultimately the responsibility of the Elected Member to decide whether they should accept the nomination or appointment. Once appointed, the Elected Member is responsible for their role on the Outside Body.

## 6. Indemnity and Insurance Cover

6.1 The Council's Indemnity for Elected Members and officers provides cover in connection with any liability the Elected Member may incur by reason of any action, or failure to act, which has been authorised by the Council or which forms part of, or arises from, any duties or functions placed upon the Elected Member. This includes functions arising from the Elected Member's service on an Outside Body, where the Elected Member has been officially appointed by the Council and the Outside Body itself does not provide its own cover. Insurance cover is only provided, however, when either the Elected Member is sitting on the Outside Body purely to represent the Council, or the body on which the Elected Member sits is acting only in the interests of the Council.

- 6.2 This means that the Council's insurance-backed indemnity would extend to:
- membership of statutory bodies, where the Elected Member would be acting as the Council's representative (in situations where the body did not provide its own cover);
  - to membership of the many advisory, consultative or liaison bodies of which the Council is a member; and
  - and to situations where the Council's representative was appointed purely as a non-voting observer on a company or other incorporated body.
- 6.3 Insurance cover will not be provided, however, where the Elected Member was appointed by the Council to serve as either a company director or a charity trustee, where their primary obligations would be to that body rather than to the Council. In this situation the Outside Body should be expected to provide its own indemnity, to avoid any potential liability falling back upon the Council.
- 6.4 For the avoidance of doubt, Aberdeen City Council's insurance will not cover Elected Members acting in a decision making capacity on an Outside Body such as a company or trust, as the Elected Member will not be acting in the normal course of their duties. Decisions made for these types of Outside Body are made solely in the interests of that Outside Body and not the Council. Elected Members should ensure that the Outside Body has adequate insurance arrangements in place, or should arrange their own insurance cover.
- 6.5 As a matter of principle, Council nominations or appointments will not ordinarily be made, other than as non-voting observers, to companies or charities which have not provided their own insurance-backed indemnities to appointed Elected Members, nor to any unincorporated association where there is a significant risk of personal liability.
- 6.6 To avoid any potential liability, non-voting observers sitting on registered companies should take care not to exercise undue influence over the decision making processes of those companies.
- 6.7 In no circumstances will the Council's indemnity/insurance cover Elected Members who are serving on an Outside Body in a personal capacity, i.e. at their own choice rather than by formal Council appointment.



## 7. Conflicts of Interests

- 7.1 As set out in Section 4 above, Elected Members appointed by the Council to an Outside Body will, when sitting on that body, often have duties to the Outside Body which take precedence over their duties to the Council. This will depend on the type of Outside Body on which they serve. Elected Members will therefore wish to consider, at any time when it appears that the Outside Body's interests may conflict with the Council's interests, whether that conflict prevents them from taking part in decision-making either at the Outside Body's meeting or at the Council's meeting.
- 7.2 The Councillors' Code of Conduct provides guidance to Elected Members on specific areas such as potential Conflicts of Interest between their role on Outside Bodies and their role as a Council Member.
- 7.3 Where an Elected Member has an interest as a member of an Outside Body, such an Elected Member may be obliged to declare an interest under paragraph 5.8 of the Code when matters arise concerning the Outside Body to which he or she has been nominated or appointed. Elected Members may also be required under section 4 of the Councillors Code of Conduct to register their appointment on the Register of Interests.
- 7.4 In terms of paragraph 5.18 of the Code, a 'Specific Exclusion' may apply to any Elected Member who has been nominated or appointed or whose appointment has been approved by the Council and who has registered an interest under section 4 of the Code as a member of certain listed Outside Bodies.
- 7.5 Where the Specific Exclusion applies, an Elected Member may participate in the consideration, discussion and voting of any matter relating to the Outside Body in question so long as the Elected Member declares his or her interest at the meeting.
- 7.6 The Specific Exclusion does not apply in respect of any matter of a quasi-judicial or regulatory nature. For example, this will include situations where the Outside Body in question:
- is applying to the local authority for a licence, a consent, or an approval;
  - is making an objection or representation;
  - has a material interest concerning such a licence, consent, or approval; or
  - is the subject of a statutory order of a regulatory nature, made, or proposed to be made, by the local authority.
- 7.7 The list of bodies to which an Elected Member may have been nominated or appointed and to which the Specific Exclusions apply is exhaustive (as set out in paragraph 5.18(2)(a)-(d) of the Code). This means that a declarable interest would require a withdrawal from the meeting if it is not covered by the exclusion.



- 7.8 Committee Services maintain a register of Outside Body Appointments where the Specific Exclusion applies on behalf of the Head of Legal and Democratic Services.
- 7.9 Elected Members should be familiar with the relevant areas in the Councillors Code of Conduct, and the accompanying guidance from the Standards Commission. Officers within Legal and Democratic Services can offer advice on whether or not you have a declarable interest.
- 7.10 The Standards Commission also provide advice on the Councillors Code of Conduct and in particular, have provided an advice note in relation to ALEOs. (<http://www.standardscommissionscotland.org.uk/education-and-resources/professional-briefings>)

## 8. Amendments to the Policy

- 8.1 The Policy will be reviewed on an annual basis by the Head of Legal and Democratic Services.

## APPENDIX 1

# APPOINTMENT OF COUNCILLORS TO OUTSIDE ORGANISATIONS QUESTIONNAIRE

Please complete and return this form and provide any supporting information at your earliest convenience to [LegalSupportServices@aberdeencity.gov.uk](mailto:LegalSupportServices@aberdeencity.gov.uk)

Aberdeen City Council is collecting this data in order to have a fair, open, and transparent system for nominating councillors to outside bodies so as to determine if any such nomination is appropriate and in what capacity the councillor will be acting.

Any information and data provided to Aberdeen City Council shall remain at all times the property of the Council and will be treated in the strictest of confidence, under the Data Protection Act 1998. All personal data acquired by the Council shall only be used for the purposes specified in this form and shall not be further processed or disclosed without your explicit consent.

The Council shall take all reasonable precautions to preserve the integrity and prevent any corruption or loss, damage or destruction of your data and information. This information and data will be retained by the Council, but neither contact nor financial details will be disclosed. Some information or data may be made publically available in Council Reports.

Please note that should the Council agree to continue to nominate a councillor(s) to your organisation, it is a requirement that your organisation enter into an agreement with the Council detailing the terms of the nomination with reference to the answers detailed below.

Please answer all questions to the best of your ability.

If there are any questions that you are unsure of, please do not hesitate to ask for guidance by emailing [LegalSupportServices@aberdeencity.gov.uk](mailto:LegalSupportServices@aberdeencity.gov.uk)

## Section 1

DETAILS OF ORGANISATION		
Name of organisation		
Address of organisation		
Telephone number of organisation		
Website of organisation		
Email contact for organisation		
Contact Person for organisation		
Type of organisation (please tick appropriate box)	Trust	
	Company Limited by Guarantee	
	Club	
	Community Interest Company	
	Industrial & Provident Society	
	Scottish Charitable Incorporated Organisation (SCIO)	
	Other – please provide details	
Please submit your organisation's founding documents e.g. Constitution, Articles of Association, Trust Deed etc. along with this form. We cannot process the application until we have all relevant information.		
DETAILS OF PERSON COMPLETING FORM		
Name of person completing form		
Address of person completing form		

Telephone number of person completing form		
Email address of person completing form		
Role of person completing form in the organisation		
<b>REQUIREMENTS</b>		
Please state how many councillors are requested		
Please state the proposed period of appointment		
<p>Please state the capacity in which a councillor is required by ticking the relevant box.</p> <p>Decision-Making (as a director, trustee or executive of the organisation that is as full member of organisation with voting and decision-making powers). Please complete sections 2 and 3 below if checking this box.</p>	<p><b>Observer</b> (as a councillor with no voting rights or decision-making powers, simply advising on Council's position) Please complete <b>section 2</b> below only if checking this box</p>	
	<p><b>Decision-Making</b> (as a director, trustee or executive of the organisation that is as full member of organisation with voting and decision-making powers). Please complete sections 2 and 3 below if checking this box.</p>	

## SECTION 2

To be completed by all new organisations. Please put a tick in one of the boxes either “Yes”, “No” or “N/A” and provide any additional information in the requisite box which may assist the council with determining your application for representation. It may be that some of the questions are not relevant for your type of organisation.

	Accountability	Yes	No	N/A	Any additional information
1.	Please confirm the organisation's strategic aims and purposes under Any additional information				
2.	Are there clear arrangements for the councillor(s) to choose to exit from the organisation? Please give details under Any additional information column				
3.	Has the organisation adequate rules in place to govern the way its finances are handled?				
4.	Has the organisation adequate liability insurance cover in place in respect of the undernoted heads of claim and will these be renewed annually?				
(i)	directors/trustees/executives/officials indemnity				
(ii)	public liability insurance				
(iii)	employers				
(iv)	defamation (libel and slander)				
(v)	professional negligence/indemnity				
5.	Has the organisation any outstanding disputes or liabilities which are likely to impact on its future viability or solvency?				
6.	Has the organisation met within the last year?				

7.	Is the appointment a requirement in terms of a Trust Deed?				
8.	Where councillors are already appointed to the organisation, has there been councillor attendance at the meetings of the organisation within the last year? Please give details in the Any additional information column, i.e., type, number and date of meetings				
9.	Approximately how much of a time commitment on average per month is it expected that the councillor would require to make in relation to any appointment? Please provide details in the Any additional information column				
10.	Is having an Aberdeen City Council councillor involved the best or only way of achieving the aims of the organisation.				
11.	Does the organisation provide training on the Councillor's duties and obligations under the appointment? Please provide details in the Any additional information column.				
12.	Please provide any further information which you feel may be relevant (Please limit response to one A4 page maximum)				

## SECTION 3

To be completed only by organisations requesting Councillor Nomination in a decision making capacity (i.e. as trustee/director/member with full voting rights).

Please put a tick in one of the boxes either “Yes”, “No” or “N/A” and provide any additional information in the requisite box which may assist the council with determining the application for nomination for representation. A summary of the accounting requirements of the Companies Act 2006 and the Charities Accounts (Scotland) Regulations 2006 is set out in Guide to Finance Details Requested.

A	Financial Requirements	Yes	No	N/A	Any Additional Information
A1	Is the organisation is a registered company? If so, a copy of their most recent accounts prepared and audited in accordance with the requirements of the Companies Act 2006 must be submitted to the council with this application OR				
A1	Is the organisation a small charity, other than a registered company? If so, a copy of their most recent accounts prepared and audited in accordance with the Charities Accounts (Scotland) Regulations 2006 must be submitted to the council with this application OR				

A1	Is the organisation a charitable company which is a large company over the audit threshold set out in the Companies Act 2006 and requires to have an audit under that legislation as well as the Charities Accounts (Scotland) Regulations 2006? If so, the organisation must submit to the council with this application a copy of their most recent accounts prepared and audited in accordance with both the Charities Accounts (Scotland) Regulations 2006 and the Companies Act 2006,  OR				
A1	Is the organisation neither a charity nor other incorporated body? If so, the criteria set out in the Charities Accounts (Scotland) Regulations 2006 will be used to determine the accounting information that requires to be submitted to the council subject to the exception that where the annual liability of the organisation is less than £3,000 per annum an independent examiner's report on the accounts is not required and a certified copy of the organisation's final accounts will suffice and will be submitted with this application.				
B	Financial Information Requirements depending on annual budget of organisation				



B1	<p>For all organisations, there should be provided with this application, satisfactory evidence that:</p> <p>Where the annual budget of the organisation is greater than £100,000 per annum, there shall be provided to the council a detailed one year business plan and a summary three year business plan including financial information all of which shall be acceptable to the council OR</p>				
B1	<p>Where the annual budget of the organisation is less than £100,000 per annum, there shall be provided to the council details of expenditure requirements and income expected for the forthcoming year which shall be acceptable to the council</p>				



**Shaping  
Aberdeen**



APPENDIX 2 – UPDATE ON OUTSIDE BODIES INSURANCE PROVISIONS

KEY	APPOINTMENT REQUIRED								
	NO CONFIRMATION OF INSURANCE COVER								
NAME	TYPE OF ORGANISATION	PURPOSE	NATURE OF APPOINTMENT	MANDATORY /DISCRETIONARY	NO OF APPOINTMENTS	INSURANCE	CURRENT LIABILITIES	ANY OTHER RELEVANT INFORMATION	REASON TO APPOINT
Aberdeen Bulawayo Trust	Charitable Trust SC009373	Aberdeen Bulawayo Trust, a registered charity which provides humanitarian assistance and supports Bulawayans with medicines, educational materials and other practical assistance.	Decision Making	Mandatory within the trust deed	7 councillors and one external 4 Administration / 3 Opposition	No, the trust does not have insurance (as this trust is only paying out grants, risk is deemed to be minimal) It is open to the trustee to arrange insurance.	None	Accounts audited yearly and ACC Head of Finance acts as treasurer. Councillors can resign however a replacement would need to be found	To relieve poverty for the inhabitants of Zimbabwe and arrange publicity and funding for the City of Bulawayo
Aberdeen Outdoor Access Forum	Advisory Forum	Aberdeen Outdoor Access Forum brings together all of the key stakeholders in access to the outdoors. The forum consists of representatives of all of the key interest groups. The Forum advises ACC and any others consulting it on outdoor access issues and offers assistance in the resolution of any outdoor access disputes. Scottish Natural Heritage, NHS Grampian and the Forestry Commission Scotland are also members.	Observer	Mandatory	2  1 Administration + 1 Opposition (substitute)	N/A - Elected Members are not making decision, attending only as an observer.	N/A	The Forum meets every three months	The Forum is a statutory body set up as a result of the Land Reform Scotland Act 2003 and is therefore advisory to the Council. Assists with environmental duties.
Aberdeen Sports Village	ALEO - Joint Venture with University of Aberdeen SC038689	Aberdeen Sports Village is the premier sport and exercise facility in Scotland, hosting an array of world class sporting facilities. A partnership between the University of Aberdeen, Aberdeen City Council and sportscotland, the Village first opened to the public in August 2009.	Director	Mandatory - Partnership Agreement (ALEO)	2  1 Administration / 1 Opposition	Yes - confirmed Directors and Officers insurance. Also, a private limited company, so liability is limited (Directors not liable).	Not known		Agreement between co-venturers requires equal representation on the Board. ASV helps deliver services on behalf of ACC.

Alcohol and Drugs Partnership	<b>Statutory partnership</b>	Works in partnership with public sector agencies such as NHS Grampian, Fiscal Service and the Scottish Prison Service to monitor delivery of Drugs and Alcohol strategies for Aberdeen City.	<b>Decision making</b>	Mandatory - statutory/agreement	<b>3</b>  <b>2 Administration / 1 Opposition</b>  Please note that previous report refer to 2 Elected Members being required. It has now been confirmed that 3 members are required.	Not confirmed but deemed low risk. <b>STATUTORY BODY/PARTNERSHIP</b>	N/A	Meets 4 times per year	The Aberdeen City Alcohol & Drugs Partnership is a statutory body, arising from a directive from the Scottish Government. It involves partners from NHS Grampian; Aberdeen City Council; Health & Social Care Partnership; Police Scotland; Scottish Fire & Rescue Service; ACVO; and other relevant bodies.
Association for Public Service Excellence (APSE)	<b>Unincorporated Association</b>	The Association for Public Service Excellence (APSE) is a networking community that assists local authorities who are striving to improve their frontline services. APSE works with more than 250 local authorities across the UK to advise and share information and expertise on a broad range of frontline public services. These councils are supported by a team of experts, who draw upon a wealth of knowledge in areas such as policy and practice, as well as in vital frontline service areas.	<b>Decision maker</b>	Discretionary – open to all who are committed to delivering quality cost effective services	<b>1</b>  <b>1 Administration</b>	N/A - Association of Local Authorities. Decisions relate to the association, therefore minimal risk.	N/A		Reputational and promotion of public excellence

Care and Repair Initiative Scotland - Aberdeen Agency	<b>SCIO SC015306</b>	Offer a free service to owner-occupiers and tenants of private landlords who live within Aberdeen City. Clients must be either elderly, disabled or suffering from long term illness.	<b>Decision making</b>	Discretionary	<b>Up to 4 - can be officers, elected members or a combination thereof.</b>  <b>Previously 2 Administration / 1 Opposition</b>	Yes - have now confirmed that they have adequate insurances in place	None - now confirmed		The charity provides practical assistance to people aged 60 years and over, people with disabilities and people with long term health conditions to allow them to continue to live within their own homes as independently as possible. They can award hardship grants. Ties in with the Council's priority of Smarter Living
Champions Board	<b>Board</b>	Champions Board is a forum where care experienced young people have direct access to the decision makers in the city. The Champions consist of Chief Officers from organisations in the city that have Corporate Parenting responsibilities under the Children and Young People (Scotland) Act 2014.	<b>Decision making</b>	Mandatory	<b>2</b>  <b>1 Administration and 1 Opposition</b>	Not confirmed but deemed low risk.	N/A	Although our Champions Board has existed since 2014 it is only in the last 6 months, following an award of funding from the Life Changes Trust, that momentum has again picked up. There was a Champions Board meeting held in March and this was our first substantial meeting since the funding had been awarded. The focus of the March meeting was Education. The meeting in June will focus on Aftercare.	Compatible with services provided by Education and Children's Services.
Fairer Aberdeen Fund Board	<b>Statutory Board</b>	The Board has been established by the City Alliance to manage the transition of funding to the Fairer Scotland Fund.	<b>Decision Making</b>	Mandatory - sub group of Statutory body	<b>4</b>  <b>3 Administration / 1 Opposition</b>	Not confirmed but low risk. <b>STATUTORY BODY</b>	Not known		sub group of the Community Planning Partnership

Gordon Highlanders Museum Board	<b>Charitable Trust SC022039</b>	Preserving the heritage of the Gordon Highlanders for the North East and is one of Aberdeen's main tourist attractions. Also has a strong educational programme with a popular workshop on the 2 <sup>nd</sup> World War which has become one of the main study destinations for this subject in the North East. The museum also caters for corporate entertainment and community of family functions or meetings.	<b>Observer. Appointed to advisory board. Councillors are not formal trustees.</b>	Discretionary	<b>5 (Association happy to reduce the number to 4)</b>  <b>Lord Provost + 2 Administration / 2 Opposition</b>	N/A - Elected Members are not making decision, attending only as an observer.	N/A	Association pleased with the input of the Councillors over the past few years. Low risk. 3 Board meetings per year - approximately 2 hours per meeting.	Reputational risk for failure to appoint Councillor to this organisation. In line with ACC's educational/tourism aims and purposes.
Grampian Houston Association	<b>Club/Small charity</b>	Promotes a twinning link with the city of Houston and maintains an informal network of contacts in Houston. Supports and organises educational, social, vocational and business exchanges with Houston. Organises a programme of business meetings and social events for association members.	<b>Member with decision making powers</b>	Discretionary - no evidence of being mandatory and has the option to resign as per Section 2.2.	<b>4</b>  <b>Lord Provost is honourary member in addition to 4 members.</b>  <b>2 Administration / 2 Opposition</b>	None, but low risk.	No	The financial information provided is from 2001 and there is little information on what input/involvement they require from the Councillor.	Further investigations required as to purpose of Councillor involvement.

Grampian Valuation Joint Board	<b>Statutory Board</b>	The Grampian Valuation Joint Board was established as part of the 1996 reorganisation of local government in terms of The Valuation Joint Boards (Scotland) Order 1995 and is vested with the functions of the three valuation authorities (Aberdeen City Council, Aberdeenshire Council and Moray Council) in the area of the former Grampian Region. With the agreement of the three councils the Board also has responsibility for the Electoral Registration function.	<b>Decision Making</b>	Mandatory - statutory	<b>6</b> <b>3 Administration /</b> <b>3 Opposition</b>	Not confirmed but low risk. <b>STATUTORY BODY</b>	N/A	The Board is responsible for the administrative side of the valuation process: ensuring that there are sufficient staff/offices to fulfil the valuation function monitoring accounts, performance, audit and complaint matters. The Board and its members cannot however become involved in valuation decisions made by the Assessor. The Assessor has an independent professional valuation role which is required by the courts to be free of political influence or interference.	Statutory duty
MacDonald Art Committee	<b>Trust</b>	Administers a fund set up for the purchase of works of art for display at the Art Gallery, Schoolhill.	<b>Decision-making</b>	Mandatory - council trust	<b>4</b> <b>2 Administration /</b> <b>2 Opposition</b>	N/A - this trust purchases art for the art gallery. It is believed that trustees will wind up this trust when remaining funds are spent to acquire piece of art for the opening of the gallery. Risk is low.	no	Has not met for several years. Consideration being given to future of the Trust by Finance and Legal colleagues.	Appointment required – Council Trust
Marguerite McBey Trust	<b>Charitable Trust SC031654</b>	Advances the education of the people of Aberdeen and others through promotion and support of the arts by the protection, conservation and development of the Fine Art Collection at Aberdeen Art Gallery.	<b>Decision-making</b>	Mandatory	<b>2</b> <b>1 Administration /</b> <b>1 Opposition</b>	No. Risk is deemed to be low, as this trust is for the benefit of the Art Gallery.	no	Ad hoc and not regular meetings	Requirement of Trust Deed

North East Agricultural Advisory Committee	<b>Statutory partnership</b>	An advisory body to the Councils in North East Scotland on all rural affairs, with particular interest in agriculture and rural employment, farm incomes, farming policy, conservation, diversification of farming including forestry, tourism and farm industries, the implications of change in farming practice and land use, and the provision of infrastructure, services and facilities in rural areas.	<b>Observer</b>	Mandatory	<b>5 3 Administration / 2 Opposition</b>	N/A - Elected Members are not making decision, attending only as an observer.	N/A	Aberdeenshire Council clerk this committee	Partnership agreed with key stakeholders. Assists Council in its environmental duties.
North East of Scotland Climate Change Partnership	<b>Statutory partnership</b>	The NESCCP consists of 17 public and private sector organisations with a mission to Work together to reduce the impact of climate change in the North East of Scotland. The partnership includes membership of private and public sector organisations.	<b>Observer - see other information</b>	Mandatory	<b>1 1 Administration</b>	N/A - Elected Members are not making decision, attending only as an observer.	N/A	Aberdeen City Council (ACC) presently holds Chair of the partnership, currently held by an elected member and secretariat, previously elected member representative have also attended in an observer role. Chair and Secretariat are rotating positions.	Public bodies have to meet requirements and report on progress with meeting public bodies duties under the Climate Change (Scotland) Act 2009. Required reporting includes a section on climate change governance.
North East of Scotland Port Welfare Committee (Merchant Navy Welfare Board (MNUB))	<b>Private company limited by guarantee SC039669</b>	reduce the impact of climate change in the North East of Scotland.	<b>Observer</b>	Discretionary as observational only	<b>1 1 Opposition</b>	N/A - Elected Members are not making decision, attending only as an observer.	none	Financial information is good and well audited, Board is well run and meetings happen every three months.	Important to support the Merchant Navy Welfare Board in Aberdeen a city with a large port to support issues that may affect seafarers and their families.
North East Scotland Fisheries Development Partnership	<b>Statutory partnership</b>	To act as an advisory body to the Councils of North East of Scotland and the industry, and to provide support to fishing dependent communities.	<b>Observer</b>	Mandatory	<b>4 2 Administration / 2 Opposition</b>	N/A - Elected Members are not making decision, attending only as an observer.	N/A	Aberdeenshire Council clerk this committee	Partnership agreed with key stakeholders. Assists Council in its environmental duties.



Printfield Community Project / Woodside Network	<b>Registered Charity SC001762 / Voluntary Group</b>	The association's objects are: The advancement of community development and the relief of the needs of the people of the Printfield area of the City of Aberdeen, and in furtherance of this by; i) Promoting and providing services designed to improve the quality of life of the residents of the area. ii) Working in partnership with other bodies to achieve the purposes.	<b>Observer</b>	Discretionary	<b>2 Local members (1 Administration and 1 Opposition)</b>	N/A - Elected Members are not making decision, attending only as an observer.	None		Will be of interest to local Woodside councillors - engagement with community.
Proctor's Orphanage Trust	<b>Trust</b>	Established 1890 with purpose of building and operating an orphanage. Orphanage taken over by Grampian Regional Council around 1960, but ownership of building remained with Trust. Facility closed in mid 1990's. Building remains unsold.	<b>Decision Making</b>	Mandatory in the trust deed	<b>5 plus one from Aberdeenshire (3 Administration and 2 Opposition)</b>	No - Trust does not employ staff or provide services. Will make grants to charities with similar purposes. Therefore, deemed low risk.	No	Head of Finance acts as treasurer. Trust to be reviewed as part of Governance Review.	Providing vulnerable children up to the age of 16 with care services
Robert Nichol Trust	<b>Trust</b>	Awards grants to persons engaged in further education. The applicants must have been born in Aberdeen or the County of Aberdeen or, if born elsewhere, resided therein for at least 5 years prior to date of application.	<b>Decision Maker -- To adjudicate, along with other trustees, on applications received for awards from the trust.</b>	Mandatory – Required by the terms of the Will of the late Robert Nichol.	<b>1 Administration</b>	No - Trust does not employ staff or provide services. Will make grants to charities with similar purposes. Therefore, deemed low risk.	No	The Trustees met on 13.05.16 and 31.08.16 to consider applications for the awards from the trust.	To adjudicate, along with other trustees, on applications received for awards from the trust.
Rubislaw Field Committee	<b>The council, Grammar school and former Pupils Club jointly manage the Rubislaw Sports field via committee</b>	The council, Grammar school and former Pupils Club jointly manage the Rubislaw Sports field via committee	<b>Decision making</b>	Mandatory	<b>3 Administration / 2 Opposition</b>	Not confirmed but low risk. Acting in interests of Council, not separate body.	None		Supports the access to sports and health and feeds back to ACC priorities.

Veterans Champion	<b>Champion - point of contact.</b>	Veterans Scotland's aim is to establish cooperation and coordination between Veterans Organisations in Scotland, to act as a focal point for all matters concerning the ex-Service community within Scotland and to represent these matters to Government at all levels. They are councillors who have volunteered to support Veterans in their area who have problems, and they do so because they care about our welfare.	<b>Advisory</b>	Mandatory - Covenant signed by Council	<b>1</b> <b>1 Administration (Lord Provost)</b>	N/A - Elected Members are not making decision, attending only as an observer.	N/A		Council has signed a conanant agreement, worthwhile cause, reputational damage if no appointment.
Violence Against Women Forum	<b>Strategic Partnership</b>	The Aberdeen Domestic Abuse Partnership brings together all the appropriate agencies in the City to tackle domestic abuse and support those affected by it. The Partnership links to Aberdeen Futures and the Community Plan for Aberdeen through the Health and Social Care Challenge Forum. The Partnership launched its strategy to address domestic abuse in the City in Spetember 2004.	<b>Decision Maker</b>	Discretionary	<b>2</b> <b>1 Administration / 1 Opposition</b>	Not confirmed but deemed low risk.	none	Meetings every two months – currently chaired by a Councillor	Consistent with ACC dutes under the Adult social care.
William Harvey Trust	<b>Trust</b>	Provides support and education for poor, deaf and dumb persons and protection and reformation of females who have been of dissolute habits.	<b>Decision Maker</b>	Mandatory - Trust Deed	<b>Lord Provost + 1 1 Opposition</b>	Not known - Trust does not emply staff or provide services. Will make grants to charities with similar purposes. Therefore, deemed low risk.	Not known	The Trust was set up by a Deed of Mortification executed by William Harvey in 1844. It makes grants, donations or gifts to organisations, therefore lower risk	Although origaial purposes seem dated, the Trust makes contributiouns to local charities that support ACCs functions for supporting people with disabilities

BODY	No of Members	CATEGORY	ACTION	REASON	NOTES
Aberdeen Art Gallery and Museum - Friends of the Gallery	See NOTES	TRUST	RETAIN (DISCRETIONARY)	QUESTIONNAIRE COMPLETED	Appointment is NOT required, but all are welcome to attend. Observer capacity, Insurance not applicable.
Aberdeen Torshavn Commission	2	LOCAL	REMOVE	NOT ACTIVE	Has not been active for a number of years
Association of North Sea Societies	1	LOCAL	REMOVE	NOT ACTIVE / WITHDRAWN	ACC do not use the Outside Body anymore, not providing ACC with Best Value
Convener Court of Old Aberdeen Hammermen Trade and the Fleshers and	3	LOCAL	REMOVE	NOT ACTIVE	VSA have confirmed that this organisation is no longer active
Enterprise North East Trust Ltd	1 (Administration)	TRUST	RETAIN	QUESTIONNAIRE COMPLETED	Decision Maker, Insurance in place, no known liabilities, consistent with ACC aims and strategy - As an 'Enterprise Trust' Elevator aims to develop the economy of the north east through the delivery of programmes designed to assist new and experienced entrepreneurs and the provision of property services in which to house new and growing businesses. We are a 'not for profit distribution' company committed to recycling local wealth back into local economy.
George, James and Alexander Chalmers Trust	3	TRUST	REMOVE	NOT REQUIRED	Trust will not complete questionnaire by solicitors acting for trust have advised that there is no requirement for CILRs on the Trust. Aberdeenshire removed.
Govenors of Oakbank School Trust	9 (Trust Deed states that "5 shall be experienced in Education and 4 shall be experienced in Social Work")  (Previously 5 Administration and 4 Opposition)	TRUST	RETAIN MEANTIME	QUESTIONNAIRE COMPLETED, TO BE WOUND UP	The Oakbank School Trust was set up in 1935 for the purposes of relief of poverty and advancement of education by providing a residential school for young people with behavioural difficulties. The Trust Solicitor provided a verbal update, that as far as she is aware, all known liabilities have been settled including a payment to the North East Scotland Pension Fund, and that sufficient funds have been retained to wind up the trust (which will cover professional fees and courts costs).  The trust is in the final stages of being wound up, as it no longer can fulfil its charitable purpose.
Grampian Community Care Charitable Trust		LOCAL	CHASE	NO RESPONSE	Sent to Castlehill Housing Association, Acknowledged receipt but awaiting response

Grampian Joint Older People's Strategy	1	LOCAL	CHASE	NO RESPONSE	No information
Homeless Action Scotland	1	NATIONAL/INTERNATIONAL	REMOVE	NOT REQUIRED	Chair has confirmed that Elected Members not required - national organisation, members elect their Board.
Inter-Authorities Standing Group on Gaelic	1	NATIONAL/INTERNATIONAL	REMOVE	NOT ACTIVE	
Mental Health Aberdeen	1	LOCAL	REMOVE	NOT REQUIRED	MHA have confirmed that they do not require Elected Members on their Board
Middlefield Community Project Management Committee	3 (local members)	LOCAL	RETAIN	QUESTIONNAIRE COMPLETED	Observer capacity only, insurance in place but not required for Elected Members, no known liabilities, consistent with ACC aims and strategy - Independent voluntary community project providing opportunities for all ages in the Middlefield area Including creches, pre school education, after school care, special needs play schemes, youth work and information services, adult education and guidance, debt and money advice and health groups.
Mitchell's Hospital Trust	2 (previous composition not known)	TRUST	RETAIN MEANTIME	TO BE WOUND UP	Insurance not known but deemed to be low risk, historic trust, - Mitchell's Hospital is situated in the Chanonry not far from St. Machar's Cathedral in Old Aberdeen. It was founded and endowed in 1801 by David Mitchell, a native of Old Aberdeen. It was set up for the purpose of lodging, clothing and maintaining five widows and five unmarried daughters of Old Aberdeen merchants
Museums Galleries Scotland	1	NATIONAL/INTERNATIONAL	REMOVE	NO REQUIREMENT	Not a requirement of their constitution although an Elected Member may apply to be on their Board.
National Society for Clean Air and Environmental Protection	1	NATIONAL/INTERNATIONAL	CHASE		Does not exist, changed to Environmental Protection UK some time ago. Awaiting response from email and chaser sent to new email address on current website
North East of Scotland Japan Trust	2	TRUST	REMOVE	NO REQUIREMENT	The trustee is a company Limited by Guarantee, Glover House Ltd which has the Head of Economic development as the sole director
North East of Scotland Tourism Partnership (NESTour)	2	LOCAL	REMOVE	NOT ACTIVE	Now Aberdeen City and Aberdeenshire Tourism Company
POLIS	1	NATIONAL/INTERNATIONAL	REMOVE	NO REQUIREMENT	ACC is not member of this organisation.

Royal Scottish National Orchestra	1	NATIONAL/INTERNATIONAL	REMOVE	NOT REQUIRED MEANTIME	RSNO have confirmed that Council membership (attendance at AGM) is dependent on funding. Local Authorities that fund £5k are invited to nominate 1 Elected Member to attend at AGM, and if they fund £10k , they are invited to nominate a 2nd Elected Member. At present, ACC do not fund RSNO, so recommend removal from register meantime until position re funding changes.
Scottish Local Government Against Poverty	2	NATIONAL/INTERNATIONAL	CHASE		letter not delivered - no entry to building. No response to emails sent to address on current website. Website not up to date.

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## ABERDEEN CITY COUNCIL

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COMMITTEE	Council
DATE	23 August 2017
REPORT TITLE	Governance Review – Trusts Update
REPORT NUMBER	CG/17/082
LEAD OFFICER	Fraser Bell
REPORT AUTHOR	Kundai Phute & Alan Thomson

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### **1. PURPOSE OF REPORT:-**

The purpose of this report is to update and seek approval from Council on the reorganisation of Trusts outlined in the Trust Register in Appendix A, of which the Council or Elected Members are trustees of; outline and seek approval for the ongoing work to review, wind up and/or amalgamate uneconomic or obsolete Trusts in the three Phases outlined in the report.

### **2. RECOMMENDATIONS**

It is recommended that Council:-

- (a) acting in their capacity as trustees instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to take necessary legal actions to reorganise the City of Aberdeen Council Guildry & Mortification Funds (charity number SC011857);
- (b) acting in their capacity as trustees of the Bridge of Dee Trust (charity number SC021297) and Bridge of Don Fund (charity number SC018551) agree to wind up the Bridge of Dee Trust and amalgamate its funds with the Bridge of Don Fund; and instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to ensure that the necessary documentation is implemented;
- (c) acting in their capacity as trustees of the Bridge of Don Fund, approve the making of a grant of £36,216 from the Bridge of Don Fund to Aberdeen City Council for use by Aberdeen City Archives, with the University of Aberdeen, for the transcription of late medieval burgh records project as detailed in Appendix B and instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to ensure that the necessary documentation is implemented;

- (d) acting in their capacity as trustees of the Lands of Skene (charity number SC018533) and Lands of Torry (charity number SC021299) instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to take necessary legal actions to prepare constitutional documents for the Lands of Skene and Lands of Torry;
- (e) note the ongoing progress in winding up the Jack Wood Trust;
- (f) instruct the Head of Legal and Democratic Services following consultation with the Head of Finance, to investigate the various options for Phase 2 of the trust review which will involve the rationalisation of the Education Endowments Investment Fund; and
- (g) instruct the Head of Legal and Democratic Services, following consultation with the Head of Finance, to review the remaining Trusts on the trust register and bring the Phase 3 proposals on winding up or amalgamating these to Council.

### **3. BACKGROUND**

- 3.1 Aberdeen City Council is currently affiliated with around 100 trusts, some of which are registered with the Office of the Scottish Charity Regulator (OSCR) as charities. The amount of funds and assets held by these Trusts range from £310 to £3.8 million, and for some the cost of administration outweighs the annual income they generate.
- 3.2 In order to reorganise a trust, ACC needs to obtain approval from the trustees of the trust, as well as the Scottish Courts, the Lord Advocate or OSCR, depending on the circumstances of the trust as outlined below. This is a time consuming process, as all trustees need to be consulted and approval obtained at a formal meeting. Additionally, the Scottish Courts, Lord Advocate and OSCR have their own statutory processes to follow which means that authorisation can take several months.
- 3.3 The procedures for reorganisation vary depending on:
  - the value and annual income of the trust;
  - whether it has a constitution and what that constitution says;
  - whether the trust is a registered charity; and
  - who the trustees are.
- 3.4 The process for reorganising the trusts listed on the Trust Register in Appendix A is expected to take at least two years and will be done in the following three Phases.

#### **3.5 Phase 1 – Higher Value/HighProfile Trusts**

The first phase of the review will prioritise some of the higher value/high profile trusts, these are:

- 3.5.1 The City Of Aberdeen Council Guildry & Mortification Funds (SC011857)



- 3.5.2 The Guildry & Mortification Funds (hereafter “the Guildry”) has existed for 800 years. At present the Guildry’s trust purposes are for the relief of financial hardship among the Burgesses of Guild of Aberdeen and their families and for the assistance of persons resident in Aberdeen to pursue educational or vocational training courses.
- 3.5.3 The wording of the trust purposes has been a main concern for the trustees. It is outdated and does not allow for a wider pool of beneficiaries to benefit from the trust purposes. Legal and Finance officers are currently working with the Guild of Aberdeen to update the trust purposes to ensure that they are fit for purpose.
- 3.5.4 These plans will be submitted to OSCR as part of the reorganisation application by December 2017, subject to prior approval by Council as Trustees.
- 3.5.5 Bridge Of Don Fund (SC018551) and Bridge Of Dee Fund (SC021297)
- 3.5.6 The Bridge of Don Trust was reorganised in August 2016, after agreement from the Council (as trustees). The Bridge of Don Trust was set up in 1605 for the reparation and support of a bridge over the River Don (the Brig o’ Balgownie). The trust was later used to build the Bridge of Don in 1830 nearer the mouth of the river. Both bridges are Class A listed buildings.
- 3.5.7 OSCR advised that the trust had to be reorganised because the trust purposes for the maintenance of bridges was no longer a charitable purpose. Additionally, it was recognised that the maintenance of bridges was a task that was now in the remit of Roads Scotland. It was accepted that the trust had no purpose and a significant value of £1,251,000. So Legal and Finance officers with the approval from Council (as trustees) in August 2016 consulted with OSCR to change the trust purposes to the advancement of heritage. This new trust purpose will allow Council, as trustees, to approve plans that promote the local history and traditions, as well as plans that promote the preservation of historic land and buildings in Aberdeen.
- 3.5.8 For the same reasons as outlined in 3.5.7, it was agreed that the trust purposes for the Bridge of Dee Fund be changed to the advancement of heritage. Another reason that led to this change was the fact that the trust was not generating sufficient income to justify having it as a separate trust. Legal and Finance officers in consultation with OSCR have assessed the possibility of amalgamating the Bridge of Dee Fund with the Bridge of Don Trust.
- 3.5.9 Council, as trustees, will be asked to formally approve the reorganisation of the Bridge of Dee Trust. Once this stage is completed trustees will be asked at a later date to approve a new name for the Bridge of Don trust, which reflects its new purpose.
- 3.5.10 Aberdeen City Archives – Bridges Fund Proposal
- 3.5.11 Aberdeen City Archive is currently engaged with the University of Aberdeen in a three year project funded by the Leverhulme Trust to transcribe and make widely accessible the late-medieval records of the burgh.

3.5.12 This project fits within the Bridge of Don Fund's trust purpose – the advancement of heritage. Heritage might be regarded as part of a country's local or national history and traditions which are passed down through successive generations. Advancing heritage includes preserving historic land, buildings and items, as well as preserving or maintaining particular traditions where they are of benefit to the public. The records beginning in 1398 are handwritten in Latin and Middle Scots, and the transcription of the ancient writing is carried out by two post-doctoral Research Assistants. The timescale of the current project will see seven of the eight UNESCO-recognised volumes transcribed and made machine readable. This digital transcription is also enriched with annotations providing significant additional linguistic detail about the text.

3.5.13 The contracts of the Research Assistants will conclude at the end of 2017. A grant of £36,216 from the Bridge of Don Trust would enable their employment to be extended by six months for each Research Assistant. This would enable the 1200 pages of volume eight to also be included in the digital resource, with the same level of annotation.

3.5.14 The Council, as the trustees of the Bridge of Don Trust, are therefore requested to approve that the funds requested are granted to Aberdeen City Archives in order for the researchers' employment to be extended by six months. A breakdown of costs follows below. The funds granted to the City Archives would enable a secondary contract to be arranged with the University of Aberdeen to ensure the necessary extensions in order to achieve the outcome proposed.

**3.5.16 Breakdown of costs:**

Salary cost	£14,166 (x2) =	£28,332
Pension cost	£2,550 (x2) =	£5,100
NI cost	£1,392 (x2) =	£2,784
<b>TOTAL COST</b>	<b>£18,108 (x2) =</b>	<b>£36,216</b>

Further details on this proposal can be found in Appendix B.

**3.5.17 Lands of Skene (SC018533) and Lands of Torry (SC021299)**

The Lands of Skene Trust was constituted in 1710. The trust is worth £3,858,959 with £1.7 million in land and buildings and £2.1 million invested in the ACC Loans Fund.

3.5.18 The Lands of Torry Trust was constituted in 1704. The trust is now worth £1,674,081 invested in land and buildings.

3.5.19 It has been discovered that while these trusts have been around for 3 centuries, they do not have constitutional documents. OSCR has advised that ACC should prepare constitutional documents, and Officers from Finance and Legal Services are working together to prepare the documents. Once these have received approval from the trustees (Council), officers will apply to OSCR for approval of the reorganisation of these trusts. It is proposed that these plans will be submitted to OSCR by December 2017.

### 3.5.20 Jack Wood Trust

The Jack Wood Trust was established in 1989 by the City of Aberdeen District Council and the Aberdeenshire Amateur Football Association. The purpose of the trust is to advance the education of amateur footballers who are resident within the area of the Aberdeenshire Amateur Football Association.

3.5.21 For a while now the trust's purpose has not been given effect to as the earned interest has not been sufficient to make payments to beneficiaries after meeting the administration and accounting expenses.

3.5.22 The trustees passed a resolution in January 2017 to wind up the Trust and transfer the remaining assets to the Denis Law Legacy Trust, a charitable trust with similar trust purposes, who have consented.

3.5.23 Legal Officers are currently working to wind up the trust and transfer its assets. As trustee approval has already been sought, Council will be asked to note the update.

### 3.6 **Phase 2 – Education Endowments Investment Fund**

3.6.1 Once Phase 1, as detailed above has been completed, or is near to completion, officers from Legal Services following consultation with officers in Finance plan to rationalise the Education Endowments Investment Fund (the EEIF).

3.6.2 The EEIF contains around 17 charitable trusts and 52 non-charitable funds. Around half of these funds/trusts are for the purpose of providing school prizes for various subjects at a number of schools across the city, some of which do not exist anymore or have changed names. Most of the remaining funds were set up for the purpose of providing comforts to residents of various care homes across the city, and again, most of these homes no longer exist. The EEIF also includes the Corporation Prize Fund.

3.6.3 Officers therefore seek instruction and delegation to the Head of Legal and Democratic Services in consultation with the Head of Finance from the Trustees (Council), to start on a project to investigate options to rationalise these trusts to one or two trusts with the purposes of the advancement of education (a general prize fund to recognise success in our schools) and for the relief of those in need by reason of old age or disability.

### 3.7 **Phase 3 – Review of remaining Trusts**

3.7.1 There will still be a number of trusts that will require to be reviewed and where it is appropriate to do so, be wound up or amalgamated. Most of these trusts have independent trustees in addition to the appointed Council trustees. Any changes to these trusts will need to be progressed with the trustees. This will take time and will need to be handled sensitively. If the external trustees wish to continue with the trust and ACC feel that the trust is no longer practical or financially viable, it may be that the appointed Council trustees resign from the trust, hopefully with the agreement of the remaining trustees to appoint new external trustees in their place. There may be trusts that ACC will have to

retain in their current form, if felt that it is strategically important to retain that trust.

- 3.7.2 It is planned that near the completion of Phase 2, Council will be asked to approve plans to investigate the options for reorganising the remaining trusts.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 Officers within Finance and Legal Services will be progressing with the applications for reorganisation with OSCR, the Lord Advocate or the Scottish Courts to its conclusion. The cost of that time may be re-charged to the trusts. The charges will be in line with the normal charge out rate applied to public bodies.
- 4.2 The effective and efficient management of all these trusts will maximise the funds available for expenditure on purposes.

#### **5. LEGAL IMPLICATIONS**

- 5.1 Every charity has to be managed within existing charity/trust legislation to maximise funds available for expenditure on charitable purposes. This report provides an overview of the current and planned position of creating a governance environment that will maximise funds available for charitable purposes.
- 5.2 Approval of the above recommendations is not considered to pose any risk to the Council and will ensure that the Council meets its statutory obligations under various trust/charity legislation.

#### **6. MANAGEMENT OF RISK**

- 6.1 Approval of the above recommendations is not considered to pose any risk to the Council and will ensure that the Council meets its statutory obligations.
- Financial
    - failure to endorse the proposals in this report will result in failure to maximise the funds available for charitable purposes.
  - Employee
    - failure to endorse the proposals in this report will result in failure to streamline the administration of the trust.
  - Customer / citizen
    - failure to endorse the proposals in this report will result in failure to widen the pool of beneficiaries.
  - Environmental
    - None.
  - Technological

- None.
- Legal
  - failure to endorse the proposals in this report will result in failure to complete the reorganisation process with OSCR, the Lord Advocate or Scottish Courts.
- Reputational
  - None.

## **7. IMPACT SECTION**

- 7.1 The Council has a legal duty to be open, transparent and accountable for spending public funds. Trust funds must be spent on specific purposes and the ongoing trust reorganisation aims to maximise available funds to be expended on trust purposes.

### **Economy**

- 7.2 The reorganisation will streamline the administration of the Trusts and Funds.

### **People**

- 7.3 The reorganisation will widen the pool of potential beneficiaries, thus allowing more awards to be made to those meeting the required criteria. Further work is required to develop a fair and equitable application process; this will be done independently for each Trust.
- 7.4 An Equality and Human Rights Impact Assessment is not required as the proposal does not disproportionately impact on persons with protected characteristics compared to persons without such characteristics.

### **Place**

- 7.5 It is essential that the Trusts are managed in such a way that will continue to support the aims within and needs of their community for which they are established.

### **Technology**

- 7.6 There will be no impact on technology arising from the recommendations.

## **8. BACKGROUND PAPERS**

None.

## **9. APPENDICES**

Appendix A – Trust Register.

Appendix B – Aberdeen City Archives Bridges Fund Proposal

## 10. REPORT AUTHORS DETAILS

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Trusts Register												
Name	Category	Charity No.	Function / Purpose	Council representation on Board - Members	Council representation on Board - Officers	Governance docs (type)	Governance docs (status eg review dates)	Balance Sheet Value 31 March 2017	Assets	Proposed destination following reorganisation	Action	Progress Due In Progress Complete
Guildry	Registered charity	SC011857	Prevention /relief of poverty and advancement of education	Whole Council	Head of Finance is Treasurer & Head of Legal & Democratic Services is Secretary	Court of Session Decision	1997 Court of Session Decision. Application to adopt new constitution currently with OSCR.	2,700,427	£1.5M in land and buildings, £767k in loans fund, £400k in Investment Account	Guildry	Reorganisation	
Lands of Skene	Registered charity	SC018533	Provide income to be shared with participants- Guildry 40%, Bridge of Don Fund 30% and Common Good Fund 30%.	Whole Council	Head of Finance is Treasurer & Head of Legal & Democratic Services is Secretary	None	None	3,858,959	£1.7M in land and buildings and £2.1M in ACC Loans Fund.	Lands of Skene	New Constitution	
Lands of Torry	Registered charity	SC021299	Provide income to participants- 51% Common Good Fund and 49% to Aberdeen University.	Whole Council	Head of Finance is Treasurer & Head of Legal & Democratic Services is Secretary	None	None	1,674,081	Investments in land and buildings	Land of Torry	New Constitution	
Bridge of Don	Registered charity	SC018551	Advancement of Heritage	Whole Council	Head of Finance is Treasurer & Head of Legal & Democratic	Trust Deed	Approved by Council Aug 2016	1,251,069	£1.1M investment in Lands of Skene and balance in ACC Loans	Bridge of Don	Reorganisation	
Bridge of Dee	Registered charity	SC021297	Advancement of Heritage	Whole Council	Head of Finance is Treasurer & Head of Legal & Democratic Services is Secretary	None	Plan to reorganise in 2016 by transfer of funds to Bridge of Don Trust and close this trust.	33,870	All funds in ACC Loans Fund	Bridge of Don	Amalgamate	
Aberdeen Art Gallery & Museum Trust	Registered charity	SC018575	Acquisitions of works of art	Whole Council	Head of Finance is Treasurer & Head of Legal & Democratic Services is Secretary	Trust Deed	Trust deed 2013	26,569	All funds in ACC Loans Fund	Aberdeen Art Gallery & Museum Trust	No action	
Alexander McDonald Bequest	Registered charity	SC018568	Acquisitions of works of art	Whole Council	Head of Finance is Treasurer & Head of Legal & Democratic Services is Secretary	Will	Will. Trust uneconomic and being continued to opening of Art Gallery and funds will be used to buy an object of art to be unveiled at the opening ceremony and then the trust can be reorganised.	31,599	All funds in ACC Loans Fund	Aberdeen Art Gallery & Museum Trust	Amalgamate	
Grampian Japan Trust	Not registered charity		Promote links between Aberdeen and Japan through the management of Glover House.	None	Richard Sweetnam sole trustee with Finance & Legal support.	Trust Deed		525,000	Sole Asset is Glover House.	Grampian Japan Trust	No action	
Glover House Trustees Ltd	Company Limited by Guarantee		Sole Trustee of Grampian Japan Trust which owns Glover house.	None	Richard Sweetnam sole director with Finance & Legal support.	Articles of association	Articles of association circa 2015.	1		Retain - see Grampian Japan Trust	No action	
Lord Provost's Charitable Trust	Registered charity	SC028829	To distribute funds to such recognised Scottish Charities operating within the City of Aberdeen as the trustees may, from time to time determine	Lord Provost	Chief Executive is a Trustee and the Head of Finance is Treasurer. Support is provided by Democratic Services.	Trust Deed	Trust deed 1999.	24,540		Lord Provost's Charitable Trust	No action	
Rickard Mortification	Not registered charity		Maintenance of grave monument	Whole Council	Finance & Legal Support	Other	Will from around 1740.	54,643	All Funds in ACC Loans Fund. Work underway to rennovate monument at a cost of £20k to £30K	Rickard Mortification	No action	
McBey Trust	Not registered charity		Acquisitions of works of art for Aberdeen Art Gallery & Museum.		Finance & Legal Support	None	Letter from McBey Estate Executor & Report to Committee.	71,319	All Funds in ACC Loans Fund	Aberdeen Art Gallery & Museum Trust	Amalgamate	
Marguerite McBey Trust	Registered charity	SC031654	Advance art & fine art collection at Abdn Art Gallery.	Marie Boulton & Jennifer Stewart	Head of Finance is Treasurer. Support is provided by Democratic Services.	Trust Deed	Original Trust Deed from 2001.	498,204	All Funds in ACC Loans Fund	Aberdeen Art Gallery & Museum Trust	Amalgamate	

Aberdeen International Youth Festival	Registered charity	SC014935	Organise Arts Festival for young participants.	Len Ironside (Chairperson ), Neil Cooney , James Kiddie, Marie Boulton, Ross Thomson	Head of Finance is Treasurer. Support is provided by Democratic Services.	Trust Deed		82,449	At 31 Aug 2016. Also £250k restricted gift for use in performing classical music in ACC Loans Fund.	TBC	TBC	
Bulawayo Trust	Registered charity	SC009373	To relieve poverty amongst the inhabitants of the City of Bulawayo, Zimbabwe.	George Adam, Yvonne Allan, Neil Cooney, Alan Donnelly, Aileen Malone, Neil MacGregor, Gordon Graham.	Head of Finance is Treasurer. Support is provided by Democratic Services.	Trust Deed	Trust Deed from 1989.	18,100	All Funds in ACC Loans Fund. Trust Income is solely a grant from the Common Good Fund.	Bulawayo Trust	To be reviewed	
Gomel Trust	Not registered charity		Assist the city of Gomel and Gomel Oblast in Byelorussia	Yvonne Allan (Chair), Alan Donnelly, Lesley Dunbar,	Head of Finance is Treasurer. Support is provided by Democratic Services.	Trust Deed	Trust deed under review as it is out of date and names specific people as trustees.	35,563	Majority invested in ACC Loans Fund.	Gomel Trust	To be reviewed	
<del>Chris Anderson Trust – WOUND UP</del>	Registered charity	<del>SC039271</del>	<del>Grants to young talented sport competitors.</del>	<del>David Cameron, Ross Thomson, Willie Young, Graham Dickson</del>	<del>Head of Finance is Treasurer. Support is provided by Democratic Services.</del>	<del>Trust Deed</del>	<del>Trust being wound up late 2016. £42000 of Funds transferred to Sport Aberdeen to continue award scheme 21 Oct 2016.</del>	<del>42,500</del>		<del>WOUND UP</del>	<del>Wind up</del>	
Jack Wood Trust	Not registered charity		To advance the education of amateur footballers who are resident in the area of Aberdeen Amateur Football Association	6 councillors on trust per deed.	Finance & Legal	Trust Deed	Trust to be wound up as dormant. Trust deed available dated 1989.	10,538	All Funds in ACC Loans Fund	To be wound up	Wind up	
Aberdeen International Football Festival	Not registered charity		To promote and encourage the playing of the game of football in the context of an International Festival of Youth Football to be held in the City of Aberdeen once per annum.	4 Councillors- current trustees unclear. Councillors may have resigned.	Finance & Legal	Trust Deed	Need to go to Court of Session to wind up this dormant trust.	NIL		To be wound up	Wind up	
Aberdeen Recreational Facilities Trust	Not registered charity				Finance & Legal		Trust to be wound up as dormant. Trust deed unavailable.	NIL		To be wound up	Wind up	
M. Mowat & G. Davidson	Not registered charity		Upholding Ardo's Tomb 1662		Finance & Legal	None		822	All Funds in ACC Loans Fund	Bridge of Don	Amalgamate	
Miss Hilda B S Duthie Bequest	Not registered charity		Benefit of Aberdeen Maritime Museum. No restrictions on retaining Capital		Finance & Legal	None	1991 Memo	29,029	All Funds in ACC Loans Fund	Aberdeen Art Gallery & Museum Trust	Amalgamate	
Elsie M Byrne	Not registered charity		Aberdeen Art Gallery		Finance & Legal	None		9,126	All Funds in ACC Loans Fund	Aberdeen Art Gallery & Museum Trust	Amalgamate	
Mrs Vera R E Taylor	Not registered charity		Maritime Museum Display		Finance & Legal	None		15,823	All Funds in ACC Loans Fund	Aberdeen Art Gallery & Museum Trust	Amalgamate	



Gladys Pickman	Not registered charity		For the Use of Aberdon House		Finance & Legal	None		11,604	All Funds in ACC Loans Fund	EEIF - Social Care	Amalgamate	
Cole Bequest	Not registered charity		For the Benefit of Aberdeen Art Gallery		Finance & Legal	None		7,586	All Funds in ACC Loans Fund	Aberdeen Art Gallery & Museum Trust	Amalgamate	
<del>Mrs Charlotte Thomson</del>	<del>Not registered charity</del>		<del>Old people</del>		<del>Finance &amp; Legal</del>	<del>None</del>	<del>1980 letter re bequest of £500 for the benefit of old people.</del>	666	All Funds in ACC Loans Fund	TRANSFERRED TO GUILDRY	TRANSFERRED TO GUILDRY	
Norman Moy Prize	Not registered charity		Prize for the best jazz musician in Aberdeen schools		Finance & Legal	Trust deed	Trust deed of 2016 held by Legal Services.	9,500	All Funds in ACC Loans Fund	EEIF - Education	Amalgamate	
Proctors Trust	Not registered charity		For the benefit of children under the age of 16 who are living in residential care or fostering facilities.		Finance & Legal	Trust Deed	Disposition/founding document of 1892 and subsequent amendments.	337,530	All Funds in ACC Loans Fund		Possible reorganisation	
Educational Endowment Investment Fund (EEIF)												
The EEIF is made up of around 70 funds listed below largely for school prize funds and comfort funds for care homes worth £1.2m in total with £950k in listed investments and £250k in the ACC Loans Fund												
The EEIF was accounted for as a whole up until 2 years ago when during the trust reorganisation, OSCR identified that only 16 ( in yellow below) of the individual funds had been registered as charities												
After discussing the EEIF with officers in ECS and CHI the preferred way forward may be to create two funds, one for educational achievement and the other to provide grants to groups that support the elderly, disabled etc												
EEIF Charity	Registered charity	SC025063		Whole Council	Head of Finance is Treasurer & Head of Legal & Democratic Services is Secretary	None except for Mudoch Henderson Trust.	Murdoch Henderson Trust Deed adopted in 2015. No other trust deeds.					
Deaf and Dumb Fund	Not registered charity		For Benefit of Aberdeen School for the Deaf		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	74,800	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
D.M.Andrew Bequest	Registered charity	SC025063	For Prizes in Classics at Aberdeen Grammar School		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	16,411	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Elizabeth H Bain Bequest	Registered charity	SC025063	For music tuition and instruments to pupils in city schools		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	15,903	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Athol Benzie Prize Fund	Registered charity	SC025063	For best all-round pupil in the fifth year at Aberdeen Academy		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	3,537	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
E & D.R.Bishop Prize Fund	Registered charity	SC025063	For prizes to pupils at Aberdeen Grammar School selected by the rector		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	4,866	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Mina Brooks Memorial Prize	Registered charity	SC025063	For prizes for childrens theatre		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	2,634	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Corporation Prize Fund	Not registered charity		For School prizes		As above	None		451,097	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Lucy Cruickshank Prize Fund	Registered charity	SC025063	For prize to best pupil or pupils in French or German at High school for Girls		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	25,595	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Jessie Durno Prize Fund	Registered charity	SC025063	For prize in mathematics at Aberdeen Acaemy		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	9,212	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Mary Durno Prize fund	Registered charity	SC025063	For prize in English at Aberdeen Academy		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	14,942	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	

Margaret Duthie Memorial Prize Fund	Registered charity	SC025063	For pupil showing the greatest endeavour at Dyce School		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	10,390	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
James Findlay Bursary Fund	Not registered charity		For Student teacher at Aberdeen College		As above	None		37,772	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Margaret C.Harper Prize Fund	Registered charity	SC025063	For best pupil in German at Aberdeen Academy		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	1,001	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Bessie Heriot Prize Fund	Registered charity	SC025063	For prize to best girl at Kaimhill Scondary School		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	6,469	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Duncan Heriot Prize Fund Abdn Acad	Not registered charity		For prizes in English and History at Aberdeen Academy		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	3,217	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Duncan Heriot Prize Fund Kaimhill	Not registered charity		For prize to best boy at Kaimhill Secondary School		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	6,389	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Alexander Kilgour Fund	Not registered charity		For Liddle prize Medal		As above	None		81,705	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Logie Pirie Scholarship Fund	Not registered charity		For the benefit of schools in the Dyce, Bucksburn area		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	38,910	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Dr G.MacKenzie Prize Fund	Registered charity	SC025063	For prize to best pupil in German at Aberdeen Academy		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	2,583	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Kenneth Macintosh Bequest	Registered charity	SC025063	For paying or supplementing the expenses of pupils of Aberdeen Grammar School Who might otherwise be unable to afford the cost of school trips		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	15,652	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Dr Charles McLeod Trust	Registered charity	SC025063	For purchase of books on Physical Science and Astronomy at Aberdeen Grammar School		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	25,656	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
William Meston Bursary Fund	Registered charity	SC025063	For bursary to pupil of merit at Culter School undertaking a secondary course		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	27,765	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Lizzie L Milne Prize Fund	Not registered charity		For prize in all-round excellence to pupil in senior classes at Ashley Road School		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	7,021	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Murray Pictures Prize Fund	Not registered charity		For Essays on Art		As above	None		42,787	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Pr & Inter Schools Sports Fund	Not registered charity		General use in relation to Sport		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	29,154	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
J M Robertson Memorial Prize Fund	Registered charity	SC025063	For prize to best pupil in commercial subjects at Aberdeen Grammar School		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	1,863	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	

Miss H Shepherd Bequest	Not registered charity		For annual award to the head boy and head girl at Torry Academy		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	5,763	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Miss M S Smith Prize Fund	Not registered charity		For prize or prizes for proficiency in art or handicrafts at Ashley Road School		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	5,517	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
St Fittick Rotary Club Prize	Not registered charity		For prizes to pupils at Torry Secondary School		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	1,702	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Mary Thomson Scots Poetry Prize	Not registered charity		For the three best reciters of a Scottish poem at Cults Primary school, Cults Academy, Harlaw Academy and Rubislaw Academy		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	8,531	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
W C B Thomson Memorial Fund	Not registered charity		For prizes in art at Northfield Secondary School		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	3,702	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
James Cable Smart Bequest	Not registered charity		Prize(s) to most promising pupil(s) in Music at Skene Square School		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	10,784	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Elizabeth M M Laing Prize	Not registered charity		Prize for best pupil in french at Aberdeen Academy		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	538	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Robert Skene Mathew Bequest	Not registered charity		?		As above	None		17,376	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Molly Craig Fund	Not registered charity		?		As above	None		1,661	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Stewart Reid Memorial Fund	Not registered charity		?		As above	None		2,666	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
Rose Hip Fund	Not registered charity		To be used at the discretion of Director of Education		As above	None	THE EDUCATIONAL ENDOWMENTS (GRAMPIAN REGION) TRANSFER SCHEME 1996	1,213	Share of listed investments and cash inLoans Fund	EEIF - Education	Amalgamate	
John M. Henderson Bequest	Registered charity	SC025063	To purchase music of an intrinsically Scottish nature		As above	Trust Deed	Revised constitution adopted in 2015 enabling Libraries to expend funds on music download service. Expenditure ongoing and when funds expended trust will be wound up.	21,087	All Funds in ACC Loans Fund	EEIF - Education	Amalgamate	
Aberdon-Comforts Fund	Not registered charity		To provide comforts for residents at the named home		As above	None		2,557	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Albyn-Comforts fund	Not registered charity		To provide comforts for residents at the named home		As above	None		33,445	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Balnagask Home-Comforts Fund	Not registered charity		To provide comforts for residents at the named home		As above	None		6,796	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Croft House-Comforts Fund	Not registered charity		To provide comforts for residents at the named home		As above	None		9,494	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Fergus House-Comforts Fund	Not registered charity		To provide comforts for residents at the named home		As above	None		17,045	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	

Ferryhill House-Comforts Fund	Not registered charity		To provide comforts for residents at the named home		As above	None		7,538	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Northfield-Comforts Fund	Not registered charity		To provide comforts for residents at the named home		As above	None		15,616	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Polmuir-Comforts Fund	Not registered charity		To provide comforts for residents at the named home		As above	None		81,749	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Rosewell-Comforts Fund	Not registered charity		To provide comforts for residents at the named home		As above	None		16,114	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Thorngrove-Comforts Fund	Not registered charity		To provide comforts for residents at the named home		As above	None		4,045	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Westbank-Comforts Fund	Not registered charity		To provide comforts for residents at the named home		As above	None		310	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Westburn Comforts Fund	Not registered charity		To provide comforts for residents at the named home		As above	None		1,948	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
FRIENDS OF NEO NATAL UNIT	Not registered charity		To provide comforts for users of the named service		As above	None		766	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Friends of Balnagask Court	Not registered charity		To provide comforts for residents at the named home		As above	None		603	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Victoria House-Comforts Fund	Not registered charity		To provide comforts for residents at the named home		As above	None		43,221	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Befriending Fund	Not registered charity		To be used at discretion of Director of Social Work		As above	None		3,617	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Donations S.W.Director	Not registered charity		To be used at discretion of Director of Social Work		As above	None		4,694	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Social Work Dept.Mental Health Training	Not registered charity		To be used at discretion of Director of Social Work		As above	None		9,167	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Social Work Dept.Training Fund	Not registered charity		To be used at discretion of Director of Social Work		As above	None		1,920	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Elizabeth M. M. Laing	Not registered charity		To provide comfort at homes for the Elderly		As above	None		1,119	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Agnes Park Legacy	Not registered charity		To provide comfort at homes for the Elderly		As above	None		11,045	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Dyce Handicapped Children Fund	Not registered charity		To be used at discretion of Director of Social Work		As above	None		2,537	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Lewis J. Smith Bequest	Not registered charity		To be used at discretion of Director of Social Work		As above	None		980	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Agnes Taylor Donations	Not registered charity		To be used at discretion of Director of Social Work		As above	None		515	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
A. McKay Fund	Not registered charity		To be used at discretion of Director of Social Work		As above	None		757	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	

Disabled Living Centre	Not registered charity		To be used at discretion of Director of Social Work		As above	None		6,688	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
The Richard Garden Trust	Not registered charity		To support the families of childldren with head or spinal injuries		As above	None		30,723	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Community Placement Scheme	Not registered charity		To be used at discretion of Director of Social Work		As above	None		-410	Share of listed investments and cash inLoans Fund	EEIF - Social Care	CLOSED	
Horizon Amenity Fund	Not registered charity		For the benefit of users of the service		As above	None		2,753	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
Park House Amenity Fund	Not registered charity		For the benefit of users of the service		As above	None		634	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	
M J Elliot Trust	Not registered charity		For the benefit of users of Rosehill House		As above	None		35,665	Share of listed investments and cash inLoans Fund	EEIF - Social Care	Amalgamate	

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## **APPENDIX B**

### **ABERDEEN CITY ARCHIVES – BRIDGES FUND PROPOSAL**

1. Aberdeen City Archive is currently engaged with the University of Aberdeen in a prestigious three year project (2016-2019) funded by the Leverhulme Trust to transcribe and make more widely accessible the late-medieval records of the burgh (see <https://aberdeenregisters.org> ). These volumes, which are owned by Aberdeen City Council and reside in the Charter Room of the Town House, are recognised by UNESCO as being of outstanding historical importance to the UK because of their status as the oldest and most complete set of records of any Scottish town. Their inscription on the UNESCO UK Memory of the World Register in 2013 established these records as one of Aberdeen's, and indeed Scotland's, primary cultural assets. They offer a unique window on medieval Scotland and its European context, and they are an unrivalled source for Scottish history.
2. The records themselves beginning in 1398 are handwritten in Latin and Middle Scots, and the transcription of the ancient writing is carried out by two post-doctoral Research Assistants with the necessary linguistic and palaeographical skills. This is both technical and time consuming. The timescale of the current project will see seven of the eight UNESCO-recognised volumes transcribed and made machine readable. This digital transcription is also enriched with annotations providing significant additional linguistic detail about the text.
3. The contracts of the Research Assistants will conclude at the end of 2017. A grant of £36,216 from the Bridges Fund would enable their employment to be extended by six months each. This would enable the 1200 pages of volume eight to also be included in the digital resource, with the same level of annotation.
4. These records have already been digitised and, by now transcribing them, the aim of the current project is to begin opening up these volumes to many new and different audiences. Academic and national media interest is already very strong. These records convey fascinating aspects of everyday life from 600 years ago and as such have the power to engage on many levels, from primary education to local cultural and heritage events, through to the tourist market. Volume eight is a particularly rich resource and has the potential to bring Aberdeen's past to life, allowing diverse audiences to immerse themselves in medieval Scotland.
5. The Council, as the trustees of the Bridge of Don Trust, are therefore requested to approve that the funds requested are granted to Aberdeen City Archives in order for the researchers' employment to be extended by six months. A breakdown of costs follows below. The funds granted to the City

Archives would enable a secondary contract to be arranged with the University of Aberdeen to ensure the necessary extensions in order to achieve the outcome proposed.

**6. Breakdown of costs:**

Salary cost	£14,166 (x2) =	£28,332
Pension cost	£2,550 (x2) =	£5,100
NI cost	£1,392 (x2) =	£2,784
<b>TOTAL COST</b>	<b>£18,108 (x2) =</b>	<b>£36,216</b>



## ABERDEEN CITY COUNCIL

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COMMITTEE	Council
DATE	23 August 2017
REPORT NUMBER	CG/17/092
DIRECTOR/HOS	Fraser Bell, Head of Legal and Democratic Services
TITLE OF REPORT	Appointment of a Chairperson to the Sport Aberdeen Board
REPORT AUTHOR	Iain Robertson

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### 1. PURPOSE OF REPORT:-

To advise Council on the resignation of Mr Fred Dalgarno as the Chairperson of Sport Aberdeen and to request that Council approve the appointment of Mr Colin Taylor as the new Chairperson of Sport Aberdeen.

### 2. RECOMMENDATION(S)

It is recommended that Council

- a) Note the resignation of Mr Fred Dalgarno as a Director and Chairperson of the Sport Aberdeen Board; and
- b) Approve the appointment of Mr Colin Taylor as the new Chairperson of Sport Aberdeen.

### 3. BACKGROUND/MAIN ISSUES

- 3.1 Sport Aberdeen is a Tier 1 arm's length external organisation (ALEO) which provides management, development and operation of a wide range of leisure services for and on behalf of Aberdeen City Council. It was formed on 9 July 2010 and has a contract until July 2020.
- 3.2 The Sport Aberdeen Board is comprised of 13 Trustee Directors, three of which are councillors appointed by the City Council. The Articles of Association, which govern the charitable body, allow for the appointment of an independent chair to be elected from within the Board of Directors. As per article 9.3.1 of Sport Aberdeen's Articles of Association, elected members are excluded from taking on the role of Chairperson.

- 3.3 At its meeting on 28 June 2017, the Sport Aberdeen Board accepted the resignation of Fred Dalgarno, both as Chairman and Trustee Director. It had been Mr Dalgarno's intent to stand down in 2018; however extenuating circumstances necessitated bringing this forward. Mr Dalgarno had been the Chairperson of Sport Aberdeen since 2010.
- 3.4 Sport Aberdeen has developed succession plans and the Board unanimously agreed that these be brought forward, after which the Board nominated Colin Taylor to be the new Chairperson of the Board, following his previous position as Deputy Chairperson of Sport Aberdeen.
- 3.5 Mr Taylor holds a number of voluntary roles in organisations and charities across Aberdeen and was the founding chairperson of the Aberdeen Sports Council and a former advisor to sportscotland. He is currently Dean of Guild for the City of Aberdeen.

#### **4. FINANCIAL IMPLICATIONS**

There are no direct financial implications for the Council as Sport Aberdeen has operational responsibility as an ALEO in this business area.

#### **5. LEGAL IMPLICATIONS**

- 5.1 The recommendations contained within this report are consistent with the governance arrangements for Sport Aberdeen and the provisions within the Articles of Association. Council should be mindful that there may be legal implications if a decision was made not to appoint Sport Aberdeen's nominated Chairperson.

#### **6. MANAGEMENT OF RISK**

- 6.1 Financial - No significant risk.
- 6.2 Employee – No significant risk.
- 6.3 Customer/Citizen - Effective leadership and governance arrangements can mitigate risk to service users and ensure that Sport Aberdeen can continue to operate effectively and safely in the local economy.
- 6.4 Environmental - No significant risk.
- 6.5 Technological - No significant risk.
- 6.6 Legal - There may be legal risk if Council resolved not to appoint Sport Aberdeen's nominated Chairperson.
- 6.7 Reputational – There may be reputational risk to the Council if it resolved not to appoint Sport Aberdeen's nominated Chairperson.

## **7. IMPACT SECTION**

### **Economy**

Sport Aberdeen contributes to the local economy through employment and the provision of services. The appointment of qualified and dedicated leaders in conjunction with robust governance arrangements should enable Sport Aberdeen to continue to operate effectively within the local economy.

### **People**

No significant equalities implications have been anticipated. An Equality and Human Rights Impact Assessment has been completed and submitted to the Council's Equalities team.

### **Place**

No significant impact on place.

### **Technology**

No significant impact on technology.

## **8. BACKGROUND PAPERS**

N/A

## **9. APPENDICES**

N/A

## **10. REPORT AUTHOR DETAILS**

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## AUDIT, RISK AND SCRUTINY COMMITTEE

27 JUNE 2017

### AUDIT, RISK AND SCRUTINY COMMITTEE - ANNUAL REPORT - OCE/17/007

10. The Committee had before it a report by the Chief Executive which presented the annual report of the Audit, Risk and Scrutiny Committee.

**The report recommended:**

That the Committee -

- (a) approve the annual report; and
- (b) refer the report to the Council for their consideration.

Councillor Allard sought clarification in relation to the Whistleblowing Policy and how it was operated throughout the Council, wherein the Policy Performance & Parliamentary Liaison Manager advised that during the period no complaints had been raised via the policy and that the policy had been approved by Committee although the operation of it may not be clearly notified to employees.

**The Committee resolved:-**

- (i) to note the information provided in relation to the Whistleblowing Policy;
- (ii) to request that a report be submitted to this Committee providing an update on the Whistleblowing Policy, how it is implemented, communicated and monitored throughout the organisation; and
- (iii) to otherwise approve the recommendations contained in the report.

**AUDIT, RISK AND SCRUTINY COMMITTEE**  
27 June 2017

DRAFT

## ABERDEEN CITY COUNCIL

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COMMITTEE	Audit, Risk & Scrutiny
DATE	27th June 2017
REPORT TITLE	Audit, Risk & Scrutiny Committee – Annual Report
REPORT NUMBER	OCE/17/007
DIRECTOR	Angela Scott
REPORT AUTHOR	Martin Murchie

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### **1. PURPOSE OF REPORT:-**

- 1.1 The purpose of this report is to present the annual report of the Audit, Risk & Scrutiny Committee.

### **2. RECOMMENDATION(S)**

- 2.1 that the Committee:-

- (a) Approve the annual report; and
- (b) Refer the report to the Council for their consideration.

### **3. BACKGROUND/MAIN ISSUES / OTHER HEADINGS AS APPROPRIATE**

- 3.1 Members have previously agreed that the Committee prepare an annual report of its activities and that this be referred to Council. Annual reports were published in 2015 and 2016. This report attaches a draft of the annual report for 2016/17.

### **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no direct financial implications arising from this report.

### **5. LEGAL IMPLICATIONS**

- 5.1 There are no direct legal implications arising from the recommendations of this report.

## **6. MANAGEMENT OF RISK**

- 6.1 There are no identified material risks which would result from the approval of the recommendations in this report.

## **7. IMPACT SECTION**

- 7.1 There is impact on the Council's governance arrangements through improved transparency, understanding and challenge of the activity and outcomes from the Audit, Risk & Scrutiny Committee.

**Economy** - No direct impact.

**People** - No direct impact.

**Place** - No direct impact.

**Technology** - No direct impact.

## **8. BACKGROUND PAPERS**

- "A Toolkit for Local Authority Audit Committees" - CIPFA
- "Audit Committees: Practical Guidance for Local Authorities and Police" - CIPFA (2013)

All Audit, Risk and Scrutiny Committee papers for 2016/17 are available on the Council's website.

## **9. APPENDICES (if applicable)**

- 9.1 Appendix A - List of all Reports considered by the Committee in 2016/17.

## **10. REPORT AUTHOR DETAILS**

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## HEAD OF SERVICE DETAILS

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**Audit, Risk and Scrutiny Committee**  
**Annual Report 2016/17**

## **Introduction**

I am pleased to present this year's Annual Report of the Audit, Risk & Scrutiny Committee. An annual report to Council is a useful way to develop understanding of the Committee's role and functions. The Committee is accountable to Council and welcomes scrutiny of its effectiveness in fulfilling its terms of reference and its impact on the improvement of governance, risk and control within the authority. This report covers the work of the Audit, Risk & Scrutiny Committee during the period April 2016 – March 2017. In addition, to a summary of work undertaken, the report includes details of the Committee's membership and officer support to the Committee. The report ends with a look forward to 2017/18 and the Committee would welcome any feedback from Members of the Council on the themes identified.

**Stephen Flynn**

*Convener*

*Audit, Risk & Scrutiny Committee*

## The role of the Audit, Risk & Scrutiny Committee

Cipfa (the Chartered Institute of Public Finance and Accountancy) defines the purpose of an audit committee as:

*“...to provide to those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.”<sup>1</sup>*

In accordance with this, the role of the Committee is primarily concerned with assuring itself, and advising the Council as necessary, that the Council’s policies are being implemented and has in place systems which provide adequate controls over the Council’s resources and assets to prevent the risk of loss through fraud and corruption. It is not the role of the Audit, Risk & Scrutiny Committee to be responsible for, or manage, the arrangements themselves.

Key to the role of the Committee is that it should be independent; have clear reporting lines and rights of access to other committees; and that its members should be properly trained to fulfil the role. The Orders of Reference for the Committee are listed below with a summary of work undertaken.

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<sup>1</sup> CIPFA (2013) Audit Committees: Practical Guidance for Local Authorities and Police

# 1. Risk Management

The Committee will:-

- (a) receive an annual review of the risk management process, and an update every six months on the risk register and related action plans;
- (b) approve the risk management strategy and implementation plan;
- (c) monitor risk management and internal control arrangements; and
- (d) commission and review annual assessments of the effectiveness of the risk management and control framework.

## Summary of Activity

- Considered a review conducted by “The Good Governance Institute” which provided an external evaluation of the Council’s system of risk management. Agreed an action plan to further strengthen risk management arrangements.
- Reviewed Service Risk Register for each of the Council’s Directorates.
- Considered a number of reports on incidents as well as emerging risks. Reviewing effectiveness of controls and actions to mitigate future risks.

## Outcomes

- The major review of the system of risk management, conducted by “The Good Governance Institute” gave the Committee assurance of the strengths of existing arrangements as well as a clear understanding of where further improvements are required. A number of significant improvement actions have been begun in 2016/17 including:-
  - mapping the sources of assurance for the controls of the Council’s corporate risks;
  - supporting the transformation programmes with risk assessment structures to ensure a consistent and cross-cutting dynamic to delivery;
  - the co-ordination of a corporate “Issues Log” to identify and assess external risks as they emerge.
- The practice of reporting post-incident reviews to the Committee is a significant step in increasing the understanding of weaknesses in risk management and controls and has provided greater assurance around future controls.

## 2. Internal Audit

The Committee is charged with responsibility for ensuring that there is an effective Internal Audit function. This to be achieved through the following:-

- (a) the approval of the Internal Audit Annual Plan;
- (b) the consideration of all reports issued by Internal Audit with the exception of those on the Pension Fund;
- (c) responsibility for ensuring that there is an adequately resourced Internal Audit service; and
- (d) the consideration of performance reports on Internal Audit activity.

### **Summary of Activity**

- Approved a risk based Audit Plan 2016/17 and Internal Audit Charter;
- Reviewed the performance of Internal Audit, including the progress in completing the Audit Plan, at each meeting;
- Considered 30 internal audit reports and management responses;
- Followed up on the implementation of all recommendations agreed following audit reviews;
- Considered an Annual Report by the Head of Internal Audit which included the Head of Internal Audit's annual opinion on the adequacy and effectiveness of the Council's framework of governance, risk management and control;

### **Outcomes**

- Whilst a small number of planned reviews have been carried forward to 2017/18 this has not impacted on the internal auditors ability to produce an overall opinion on the adequacy of the Council's control environment for 2016/17;
- Where appropriate, recommendations for improvement in the control environment have been made by Internal Audit and these have been supported by the Committee.

### 3. External Audit

To receive all reports prepared by the Council's External Auditor with the exception of those on the Pension Fund.

#### **Summary of Activity**

- Considered the external auditor's independent report on the financial statements; and annual report to members and the Controller of Audit.
- Reviewed regular reports from the external auditor on progress in implementing the Audit Plan;
- Considered specific reports from the external auditor relating to Major Capital Projects;
- Considered the local implications and responses to nine national reports from Audit Scotland;
- Considered reporting of progress against External Audit recommendations and received status reports at each Committee meeting;
- Approved an External Audit Strategy, prepared by KPMG, for 2016/17.

\* It is noted that Aberdeen City Council's Local Scrutiny Plan for 2017/18, which is prepared by the "Local Area Network" of inspection agencies and regulators, was not presented to the Committee during 2016/17, but will be submitted to the June 2017 meeting.

#### **Outcomes**

- Ensured the discharge of the Council's responsibilities with regard the external audit function;
- Oversaw the transition to a new External Auditor with KPMG taking over from Audit Scotland;
- Reviewed progress of external audit activity, including implementation of recommendations, throughout the year;
- The external auditor's annual report to members was concluded and was considered by the committee alongside the audited financial statements.

## **4. Accounts**

To consider and approve the Council's, and its Registered Charities, Annual Accounts.

### **Summary of Activity**

- Approved an action plan and key dates for the preparation and audit of the Annual Accounts;
- Considered and approved the Annual Accounts for the Council and its Registered Charities; and
- Within the annual accounts, the Annual Governance Statement was specifically considered and approved.

### **Outcomes**

- The audited 2015/16 accounts were prepared and certified in line with the requirements of the Local Authority Accounts (Scotland) Regulations 2014.



## 5. Whistleblowing and Other Investigations

### Summary of Activity

- Considered and reviewed the activity and business plan of the Corporate Investigations Team
- Heard oral reports on a small number of investigations during 2016/17;
- Considered a “Whistleblowing Policy Annual Report” which gave details of “whistleblowing activity” during 2015/16;
- No whistleblowing reports were received or considered by the Committee in 2016/17.

## 6. Anti-Fraud

The approval of an anti-fraud policy and monitoring its implementation; and

- (a) Commissioning investigations to secure value for money in the delivery of services.
- (b) To oversee the processes by which services are exposed to competition and costs are let, where the Council itself is a bidder for the work.

### Summary of Activity

- The first Fraud Annual Report was considered by the Committee for the year 2015/16;
- Considered updates from the Corporate Investigation Team on the National Fraud Initiative;
- No frauds were reported to the Committee during the year.

## 7. Legal Compliance

To review minuted actions from all main Committees with the exception of the Planning Development Management and Licensing Committees (or Regulatory Committee) to ensure compliance with legal requirements and good practice. The Committee will not prevent any decision being taken and will only review a decision.

### Summary of Activity

- Reports to the Audit, Risk and Scrutiny Committee can cover matters relating to services across the Council. This provides the Committee with an opportunity to ensure that services are being delivered in accordance with the law, Council procedures and best practice; and
- The Audit, Risk and Scrutiny Committee receives information on a regular basis in respect of the Council's compliance with the Data Protection Act 1998. This allows members to scrutinise performance in this area. The General Data Protection Regulation (GDPR) will replace the Data Protection Act 1998 from 25 May 2018.

## 8. Health and Safety

Approve the Council's Health & Safety Policy, including its annual review and implementation.

### Summary of Activity

- The Audit, Risk & Scrutiny Committee received the minutes of each meeting of the Central Health and Safety Committee during 2016/17.

## 9. Arm's Length External Organisations (ALEOs)

The Committee will ensure, through consideration of a quarterly report from the governance hub, that each tier 1 Arm's Length External Organisation has an effective system of risk management in place, covering strategy, structure, skills, system, staff and shared values. The Committee will use this to determine the level of assurance it can place on the effectiveness of that system and its ability to achieve the organisational objectives.

### Summary of Activity

- The Committee received and considered minutes of the meetings of the ALEO Governance Hub and a report of significant issues for May and August 2016;

### Outcomes

- The Committee's scrutiny of the work of the ALEO Governance Hub provides additional assurance that risks are controlled and this will continue in 2016/17.

## 10. Additional Reports

The Committee commissioned and received additional reports covering a number of areas, including:-

- Regular reports identifying any upheld complaints which had been considered by the Scottish Public Services Ombudsman;
- Inspector of Crematoria Complaint Decisions Crematoria Investigation
- Due Diligence Process for the Establishment of the Aberdeen City Health & Social Care Partnership
- Regular reports on compliance with FOI and Data Protection legislation, including breaches;
- Third Don Crossing;
- Solar Photovoltaic Agreement;
- Update on Gas Central Heating Maintenance Framework Contract;
- Aberdeen Treasure Hub.

## Membership of the Committee

The Audit, Risk & Scrutiny Committee is composed of 17 Members from across all parties. Members bring with them business experience of audit, risk management, health & safety, project management and relevant service and local governance knowledge. During the self-evaluation of the committee's effectiveness, Members and officers acknowledged the skills and knowledge of the Committee.

During 2016/17 training was delivered to all new members of the committee giving an overview of the role of the Committee and the member's role in this. Additional training packages were delivered to members:-

- The annual accounts process;
- Internal Audit;
- Risk Management.

### Attendance:

Member	Total Expected Attendances	Total Attendances	Nominated Substitute Attended
Cllr Flynn Convener from 27 June 16	5	1 as member 4	
Cllr Yuill Vice Convener	5	5	
Cllr Cameron	5	4	Cllr Corall 23 Feb 17
Cllr Cooney	5	4	Cllr Young 27 Sept 16
Cllr Crockett	5	4	Cllr Ironside 27 June 16 Cllr Grant 24 Nov part
Cllr Dickson	5	5	
Cllr Donnelly	5	5	
Cllr Jackie Dunbar Convener for 28 April 16	5	1 as convener 4	
Cllr Graham	5	4	Cllr Allan 23 Feb 17
Cllr Greig	5	5	
Cllr Lawrence	5	5	
Cllr Malik	5	5	
Cllr Jean Morrison	5	5	
Cllr Nathan Morrison	5	0	Cllr Young 27 June 16 Cllr Carle 27 Sept 16 Cllr Young 24 Nov 16 Cllr Young 23 Feb 17
Cllr Reynolds	5	2	Cllr Taylor 27 Sept 16 Cllr Taylor 24 Nov 16
Cllr Samarai	5	3	Cllr Nicoll 24 Nov 16 Cllr Copland 23 Feb 17
Cllr Townson	5	5	

## **Officer support to the Committee**

### The Chief Executive

The Chief Executive has taken a very active role in the development and support of the Committee over the last 12 months. She regularly attends the Committee and ensures that the Committee is effectively supported.

### The Section 95 Officer

Steve Whyte, Head of Finance, provides key support to the Committee. Statute requires every local authority to make arrangements for the proper administration of their financial affairs and requires one officer to be nominated to take responsibility for the administration of those affairs. The Section 95 Officer, with the support of his colleagues and external audit, has provided reports and training in relation to the Annual Accounts, external audit activity and financial management. They have attended every Audit, Risk & Scrutiny Committee meeting and ensured that the Committee has received the information and advice that it needs to do its job effectively.

### Chief Internal Auditor

David Hughes, who manages a joint service with Aberdeenshire Council, is the Chief Internal Auditor. David and his colleagues have attended each meeting of the Committee to present their reviews, answer members' questions and provide advice in relation to scrutiny and the regulatory framework. In addition, the Committee and the Council Corporate Management Team have commissioned additional investigations from David's team.

### Lead Executive Support

The lead executive support role for the Committee was performed by Richard Ellis the then Interim Director of Corporate Governance. He was supported in this role by Martin Murchie, Office of Chief Executive.

### External Audit

During 2016/17 Audit Scotland were the Council's appointed external auditors. The appointed auditor for the Council was Stephen Boyle and the local contact responsible for day to day management of the audit was Anne MacDonald. External Auditors' primary responsibility is to give their opinion on whether the Council's accounts give a true and fair view of the Council's financial transactions. Audit Scotland also deliver a targeted programme of risk based reviews and, as the Council's External Auditor, took the lead role in the Local Area Network, which determines the level and nature of external scrutiny which will be applied to the Council's services. On 1<sup>st</sup> April 2017 KPMG took over from Audit Scotland as the Council's External Auditor.

**Attendance:**

<b>Officer</b>	<b>Total Expected Attendances</b>	<b>Total Attendances</b>	<b>Nominated Substitute Attended</b>
Chief Executive	5	5	N/A
Steve Whyte	5	5	N/A
David Hughes	5	5	N/A
Anne Macdonald	5	5	N/A
Richard Ellis	5	5	N/A
Martin Murchie	5	5	N/A

## **Next year's focus**

The Audit, Risk & Scrutiny Committee will continue to review and challenge the Council's arrangements with regards to risk management, corporate governance, internal and external audit and treasury management throughout 2017/18.

Amongst the issues which are likely to receive particular focus are:-

- Oversight of the appropriate outputs from the Council's Governance Review. This will include a revised model for obtaining assurance from the Council's ALEOs;
- The new approach to Best Value developed by the Accounts Commission, which includes an annual focus on specific aspects of Best Value;
- Implications of the BOND and the rules of the London Stock Exchange;
- Preparation for the commencement of The General Data Protection Regulation;
- Overseeing the ambition to accelerate the preparation of annual accounts;
- Continuing development of the governance arrangements for the Council's Arm's Length External Organisations;
- Implementation of the System of Risk Management Action Plan previously agreed by the Committee;
- Continuing development of scrutiny arrangements with respect to integrated health and social care;
- Assessment and development of the internal audit function;
- The exercise of the Committee's responsibilities for Health and Safety;
- Follow up on the first Fraud Annual Report;
- The transition to a new External Auditor;
- The development of arrangements for the Local Area Network.

## APPENDIX B

Title of Report	Lead Officer	28/04/16	27/06/16	27/09/16	24/11/16	23/02/17
<b>Risk Management</b>						
Risk Register – Corporate Governance	N Buck	✓				
Risk Register – Communities, Housing & Infrastructure	Director of CHI			✓		
Risk Register – Education and Children’s Services	Director of CHI			✓		
Review of Risk Management System	Interim Director of CG				✓	✓
Public Mortuary Status Report	Director of CHI					✓
Website Breach	Interim Director of CG					✓
<b>Internal Audit</b>						
Internal Audit Progress Report & Performance	D Hughes	✓	✓	✓	✓	✓
Revised Internal Audit Charter	D Hughes	✓				
Internal Audit – Outstanding Recommendations	D Hughes	✓	✓	✓	✓	✓
Internal Audit Annual Report and Internal Financial Control Statement	D Hughes	✓				
Internal Audit Plan 2016/17	D Hughes					✓
Cross Service Corporate Policies and Procedures	D Hughes	✓				
Education Secondary Schools	D Hughes	✓				
Education Teachers’ Payroll	D Hughes	✓				
Rent Collection and Arrears Management	D Hughes	✓				
Communities, Housing and Infrastructure - Vehicles	D Hughes	✓				
Social Work Tendering	D Hughes	✓				
Compliance with Procurement Related Legislation and Financial Regulations	D Hughes		✓			
Infosmart System	D Hughes			✓		
Scottish Welfare Fund	D Hughes			✓		
Building Services Re-charges	D Hughes			✓		
Building Services Procurement	D Hughes			✓		
Cleaning Payroll	D Hughes			✓		
Roads Payroll	D Hughes			✓		
Family and Community Support – Family Centres	D Hughes			✓		
Public Records (Scotland) Act	D Hughes			✓		
Budget Monitoring	D Hughes				✓	
Following the Public Pound	D Hughes				✓	



Purchasing and Creditors System	D Hughes				✓	
Business Rates	D Hughes				✓	
Self-Directed Support	D Hughes				✓	
Council Tax Reduction	D Hughes		✓			
Care First	D Hughes				✓	
Council Owned Land and Property	D Hughes					✓
Treasury Management	D Hughes					✓
Cash Receipting System	D Hughes					✓
3 <sup>rd</sup> Don Crossing	D Hughes					✓
Timesheets	D Hughes					✓
Agency Staff	D Hughes					✓
Primary School Visits	D Hughes					✓
Compliance with Procurement Related Legislation	D Hughes					✓
<b>External Audit (Non-Accounts)</b>						
External Audit – Outstanding Recommendations	A MacDonald	✓	✓	✓	✓	✓
External Audit Progress & Performance	A MacDonald	✓	✓	✓		
External Audit Strategy 2016/17	KPMG					✓
Borrowing and Treasury Management in Councils	Interim Director of CG	✓				
Managing Capital Projects	A MacDonald			✓		
<b>External Inspection &amp; Regulation</b>						
Best Value Audit	M Murchie	✓				
<b>Annual Accounts</b>						
Interim Report on the 2015/16 Audit	A MacDonald		✓			
Annual Report to Members and the Controller of Audit on the 2015/16 Audit	A MacDonald			✓		
Unaudited Accounts & Annual Governance Statement	S Whyte		✓			
Audited Annual Accounts 2015/16	S Whyte			✓		
Annual Accounts 2016/17 – Action Plan and Key Dates	S Whyte					✓
<b>ALEO Governance</b>						
Aleo Governance Hub – Minutes and Significant Issues <ul style="list-style-type: none"> <li>• AECC</li> <li>• Bon Accord care</li> <li>• Sport Aberdeen City Council</li> <li>• Aberdeen Sports Village</li> </ul>	R MacBeath		✓	✓*		
<b>Audit Scotland – National Reports</b>						
Procurement in Councils	M Murchie		✓			
Major Capital Investment in Councils - Follow Up	M Murchie		✓			

Community Planning – An Update	M Murchie		✓			
Overview of Local Government in Scotland and	M Murchie		✓			
Changing Models of Health and Social Care	M Murchie		✓			
Maintaining Scotland's Roads	M Murchie				✓	
Social Work in Scotland	M Murchie				✓	
Financial Overview 2015/16	M Murchie					✓
How Councils Work, Roles and Working Relationships in Councils	M Murchie					✓
<b>Health &amp; Safety</b>						
Minute of Meeting of the Corporate Health & Safety Committee of:- - 19 <sup>th</sup> February 2016 - 20 <sup>th</sup> May 2016 - 26 <sup>th</sup> August 2016	K Rennie		✓	✓	✓	
<b>Fraud, Corruption, Bribery and Whistleblowing</b>						
Fraud Annual Report	B Muldoon	✓				
Matters Under Investigation	S Whyte / M Murchie					
Whistleblowing Policy Annual Report	Interim Director of CG		✓			
Corporate Investigation Team Business Plan	B Muldoon		✓			
Corporate Investigation Team Update	B Muldoon			✓		
<b>Committee Development</b>						
Committee Annual Report	M Murchie		✓			
<b>Information Governance</b>						
Data Protection Monitoring	Interim Director of CG	✓	✓	✓		
Data Protection Annual Report	Interim Director of CG		✓			
Information Governance Management and Reporting Arrangements	Interim Director of CG			✓		
<b>Complaints Management</b>						
Scottish Public Services Ombudsman (SPSO) Complaint Decisions	L McKenzie	✓			✓	
<b>Other Reports</b>						
Due Diligence Process for the Establishment of the Aberdeen City Health & Social Care Partnership	Interim Director of CG	✓				
Public Performance Reporting	Interim Director	✓				

	of CG					
Crematoria Investigation	Chief Executive		✓			
Inspector of Crematoria Complaint Decisions	Interim Director of CG				✓	
Third Don Crossing*	Interim Director of CG			✓		✓
Solar Photovoltaic Agreement	Director of CH&I				✓	
Update on Gas Central Heating Maintenance Framework Contract	Director of CH&I				✓	✓
Aberdeen Treasure Hub	Director of E&CS					✓

\* *Late paper.*

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## FINANCE, POLICY AND RESOURCES COMMITTEE

29 JUNE 2017

### TREASURY MANAGEMENT POLICY AND STRATEGY – CG/17/047

**14.** The Committee had before it a report by the Head of Finance which provided an update on Treasury Management activities undertaken during financial year 2016/17.

**The report recommended:-**  
that the Committee –

- (a) consider and note the Treasury Management activities undertaken in the 2016/17 financial year as detailed in this report; and
- (b) refer this report to Council with a recommendation to note the Treasury Management activities undertaken in the 2016/17 financial year.

**The Committee resolved:-**  
to approve the recommendation.

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COMMITTEE	Finance, Policy and Resources
DATE	29 June 2017
REPORT TITLE	Treasury Management Policy and Strategy
REPORT NUMBER	CG/17/047
LEAD OFFICER	Steven Whyte, Head of Finance
REPORT AUTHOR	Neil Stewart

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**1. PURPOSE OF REPORT:-**

- 1.1 To update the Committee on Treasury Management activities undertaken during financial year 2016/17.

**2. RECOMMENDATION(S)**

- 2.1 Consider and note the Treasury Management activities undertaken in the 2016/17 financial year as detailed in this report.
- 2.2 Refer this report to Council with a recommendation to note the Treasury Management activities undertaken in the 2016/17 financial year.

**3. BACKGROUND/MAIN ISSUES**

**Introduction**

- 3.1 The Council approved a Treasury Management policy for the financial years of 2017/18 to 2019/20 on 16 February 2017. Part of this policy is to report a year-end review to committee on Treasury Management activities undertaken during the financial year 2016/17.
- 3.2 Historically, the Council's annual programme of capital investment has been funded by Treasury Management activities, such as additional long term borrowing. It is a requirement of CIPFA "Code of Practice for Treasury Management in the Public Services" that Treasury Management is carried out in accordance with good professional practice, which this Council does.

## **Treasury Management 2016/17**

- 3.3 The following is a summary of the significant Treasury Management activities which were undertaken during 2016/17: -

### Loans Pool Rate

- 3.3.1 The Council's average Loans Pool Rate takes account of all loan interest and expenses paid, as well as investment interest received during the financial year. The Loans Pool Rate for 2016/17 was 3.48%, which can be broken down to 3.46% for interest, and 0.02% for expenses. This is a reduction of 0.36% from the Loans Pool Rate in 2015/16, which equates to a saving of £2.5m in financing costs.

### Long Term Borrowing

- 3.3.2 The Council issued Bonds to the value of £370m to the debt capital markets on the 8<sup>th</sup> of November, at an annual interest rate of 0.1%, to assist financing the Council's future capital programmes. The Bonds are repayable in half-yearly instalments, over 35 years from financial year 2019/20. This repayment structure complemented the Council's existing debt maturity profile by smoothing out future debt repayments.
- 3.3.3 Two new PWLB (Public Works Loan Board) loans totalling £30 million were borrowed at an average interest rate of 2.67%, which will also assist financing the Council's capital programmes. These new PWLB loans have an average life of 48 years and were borrowed in line with the Council's existing debt Maturity Profile.

### Bond Tap

- 3.3.4 HSBC, the Council's bond book-runner, were approached by a new investor about a potential tap on the existing bonds. This would involve the Council issuing additional debt, at the terms of the original bonds. In order to investigate this opportunity, Council approval was sought and granted for the Head of Finance to issue up to £500m of Bonds, an increase of £100m on the previously agreed figure. Some initial talks were held with the potential investor, but due to changes in market conditions, the proposed tap did not come to fruition. This may be revisited in the future, subject to changes in market sentiment.

### Short Term Borrowing

- 3.3.5 Short term borrowing rates for periods of up to 1 year continued at relatively low levels. The Council's borrowing strategy during the year was to borrow short term where possible, to take advantage of these lower rates. The Council's stance changed in November, once the Bonds proceeds were received. After this point, all Temporary Loans from other Local Authorities were repaid upon their maturity. As at 31<sup>st</sup> March 2017, only one loan of £3m remained which was repaid in mid-April 2017.



## Investments

3.3.6 The Counterparty list is compiled using credit rating information supplied by the major credit rating agencies to Capita Asset Services, the Council's appointed Treasury Management advisors. The Council's investment strategy required to be updated in August 2016, with a revised Counterparty list, taking account of the additional capacity needed to invest the funds resulting from the bonds issuance.

3.3.6 As at 31st March 2017, the Council had temporary investments totalling £309.4m at an average rate of 0.38%. These funds will gradually reduce over the next 12 to 18 months, as capital programme work progresses. Investments were made in line with the current Counterparty List to the following institutions:-

• Standard Life (Money Market Fund)	£50.0m
• Federated (Money Market Fund)	£50.0m
• Aberdeen (Money Market Fund)	£50.0m
• Clydesdale Bank	£18.4m
• Santander UK	£18.0m
• Bank of Scotland	£30.0m
• Highland Council	£10.0m
• Goldman Sachs Int'l Bank	£20.0m
• W Dunbartonshire Council	£13.0m
• Tewkesbury Borough Council	£10.0m
• Dundee City Council	£5.0m
• Stirling Council	£9.0m
• Lancashire County Council	£5.0m
• Plymouth City Council	£8.0m
• Leeds Building Society	£5.0m
• Moray Council	£2.0m
• Conwy County Borough Council	£1.0m
• Salford City Council	£5.0m

## **4. FINANCIAL IMPLICATIONS**

4.1 Treasury Management activities influence the loans pool interest rates and aims to minimise the cost of borrowing. This directly impacts on costs chargeable to the Council's revenue budgets through the interest rates that are applied to capital financing costs. Whilst the level of borrowing a Council can undertake is now devolved from the Scottish Government to individual Councils, it will still be constrained by the requirement for capital investment to be affordable, sustainable and prudent. The main test of affordability will be whether the capital financing costs can be contained within the revenue budgets.

## **5. LEGAL IMPLICATIONS**

- 5.1 There are no direct legal implications arising from the recommendations of this report.

## **6. MANAGEMENT OF RISK**

### **Financial**

- 6.1 The CIPFA Code of Practice states that in the use of financial instruments for the prudent management of risk, priority must be given to security and liquidity, when investing funds.

### **Other**

- 6.2 Consideration has also been given to Employee, Customer / Citizen, Environmental, Technological, Legal and Reputational risks, and no risks were identified.

## **7. IMPACT SECTION**

### **Economy**

- 7.1 The strategy of using cost-effective short-term borrowing to help reduce the Council's financing costs demonstrates a pro-active approach, which will use the Council's resources more effectively.
- 7.2 If an active Treasury Management policy is not undertaken and implemented there may be future budgetary implications for the Council through greater than budgeted capital financing costs.

### **People**

- 7.3 No direct impact arising from this report.

### **Place**

- 7.4 No direct impact arising from this report.

### **Technology**

- 7.5 No direct impact arising from this report.

## **8. BACKGROUND PAPERS**

- 8.1 CIPFA "Code of Practice for Treasury Management in the Public Services"; Capita Asset Services "Treasury Management Annual Investment Strategy"; Scottish Government "The Investment of Money by Scottish Local Authorities".

**9. APPENDICES (if applicable)**

9.1 There are no appendices to the report.

**10. REPORT AUTHOR DETAILS**

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## ABERDEEN CITY COUNCIL

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COMMITTEE	Council
DATE	23 August 2017
REPORT TITLE	Council Financial Performance – Quarter 1, 2017/18
REPORT NUMBER	CG/17/084
LEAD OFFICER	Steven Whyte, Head of Finance
REPORT AUTHOR	Sandra Buthlay

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### **1. PURPOSE OF REPORT:-**

1.1 To provide the financial position of the Council, as at Quarter 1 (April – June 2017) and the full year forecast position for the financial year 2017/18, including:

- General Fund and Housing Revenue Account (HRA) revenue and capital accounts and the associated Balance Sheet; and
- Common Good revenue account and Balance Sheet.

### **2. RECOMMENDATION(S)**

2.1 It is recommended that Council note the following:-

- a) General Fund and HRA financial performance as detailed in Appendix 1;
- b) Common Good financial performance as detailed in Appendix 3;
- c) General Fund forecast revenue position as detailed in Appendix 2;
- d) HRA forecast revenue position as detailed in Appendix 2;
- e) General Fund five year capital position as detailed in Appendix 2;
- f) HRA forecast capital position as detailed in Appendix 2; and
- g) Common Good forecast revenue position as detailed in Appendix 1.

2.2 It is recommended that Council agree the following, further details of which are provided in Appendix 2:

#### **2.2.1 General Fund Revenue**

- h) Allocation of £130,000 from the Contingency budget to fund additional resources to respond to the Scottish Child Abuse Inquiry;
- i) Allocation of £50,000, initially from the Contingency budget, to fund the reburial of human remains at the Mither Kirk on the understanding that other sources of funding will be investigated and if identified used to reimburse the General Fund;

- j) Further to the confirmation by Council on 29 June 2017 of its commitment to the project, agree the use of the “De-Risk the Council” earmarked reserve to provide a £2m loan to Aberdeen Performing Arts (APA) for the redevelopment of the Music Hall and delegate authority to the Head of Legal & Democratic Services in consultation with the Head of Finance to agree the terms of the loan and associated legal agreements; and
- k) Instruct the Head of Finance to work with Services, using his influence as appropriate, to ensure the budget position agreed by Council is adhered to.

#### 2.2.2 General Fund Capital

- l) Inclusion of the JIVE (Joint Initiative for Hydrogen Vehicles across Europe) project in the programme with the current provisional figures, Gross Expenditure £7.2m, Gross Income £4.7m, Net Expenditure £2.5m to be funded by borrowing;
- m) Further to the agreement in principle by Council on 21 June 2017 to purchase Kingsmead Nursing Home agree the inclusion of the acquisition in the programme with delegated authority provided to the Head of Land & Property Assets in consultation with the Convener of Finance, Policy & Resources, Head of Finance and Head of Legal & Democratic Services to negotiate and conclude the purchase of the property; and
- n) Further to the report to Audit, Risk & Scrutiny committee on 27 June 2017 on Capital Programme Governance and the actions contained therein, provide delegated authority to the Interim Director of Communities, Housing & Infrastructure, in consultation with the Head of Finance, Head of Legal & Democratic Services and Convener of Finance, Policy & Resources to allocate funds for Project Management and Other costs from the Construction Inflation budget.

#### 2.2.3 Common Good

- o) Allocation of £20,000 funding to Celebrate Aberdeen;
- p) Allocation of £2,000 funding from the International Twinning budget to the Aberdeen History Society;
- q) Allocation of £56,000 for the Denis Law Freedom of the City event; and
- r) Allocation of up to £1m capital funding for the proposed redevelopment of Aberdeen Science Centre, to be phased over financial years 2018/19 and 2019/20, with this being subject to the exploration of other funding sources thereby reducing the amount required from the Council, and with delegated authority to the Head of Legal & Democratic Services, in consultation with the Head of Finance to agree the terms associated with the funding.

### **3. BACKGROUND/MAIN ISSUES**

- 3.1 This is the first quarterly financial report for 2017/18, representing the first stage of a stepped change in the way the Council reports its financial position.
- 3.2 This report focuses on both the financial performance for the quarter April to June 2017 and the projected financial position for the full year for the Council's General Fund, Housing Revenue Account and Common Good.

- 3.3 Quarterly reporting will evolve throughout the year to incorporate further changes such that the ultimate aim of a faster year end closedown and the production of the unaudited annual accounts by the end of April 2018 can be achieved. This means the Council would have produced its annual accounts two months earlier than the statutory deadline.
- 3.4 The performance for the first quarter is a positive one with expenditure and income largely in line with budget for this stage of the year. Notwithstanding this there are cost and demand pressure areas which services are actively managing. Further information on this is contained within Appendices 1 and 2 to this report.
- 3.5 The financial statements contained within Appendix 1 reflect the income and expenditure for the quarter and start to reflect some of the statutory accounting adjustments required to ensure compliance with International Financial Reporting Standards (IFRS). These are detailed within the appendix and the application of such adjustments will evolve throughout the year with further adjustments being reflected in future quarterly reports.
- 3.6 The Balance Sheet figures at 30 June 2017 reflect the actual position at the balance sheet date where appropriate, the resultant figure including statutory adjustments where these have been made or where they haven't be made the figure at 31 March 2017 has been used. Reserves have been updated to reflect the impact of the performance to date such that usable reserves have increased during the period. This in part reflects that there is currently a net income position due to the timing of the receipt of income from the Scottish Government.
- 3.7 The forecast outturn position for the year reflected in Appendix 2 shows that the Housing Revenue Account is line with budget whilst General Fund revenue has a small overspend which will be addressed during the year along with emerging cost pressures through a strategic review of spend. In addition to this and as per normal practice, to ensure the financial stability of the Council, the Head of Finance will work with Services, using his influence as appropriate and where necessary, to ensure the financial position of the Council is in line with the budget as agreed by Council.
- 3.8 The General Fund capital programme has been re-profiled since the budget was set in February 2017 to take account of amounts budgeted but not spent in 2016/17. This has no impact on overall project costs. Subsequent approvals by committee and fully funded projects have also been added to the programme.
- 3.9 The Housing capital programme is currently projected to be maintained within the funded level which assumes a level of underspend will occur across projects.
- 3.10 Common Good is reflecting a small underspend against budget which will be partly utilised should the recommendations contained within this report be approved.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 The financial performance of the Council's main accounts, General Fund, Housing Revenue Account and Common Good for the first quarter, April – June 2017, of the financial year 2017/18 is reflected in Appendices 1 and 3 to this report.
- 4.2 The forecast full year financial position for these same accounts, both revenue and capital is provided in Appendix 2 to this report.
- 4.3 Appendix 1 also includes a Management Commentary providing:
- Further information on the Performance in Quarter 1; and
  - Further information on the 2017/18 Projected Financial Position, including details of the items for which there are specific recommendations above.
- 4.4 Following a positive financial performance in 2016/17, the Council starts the financial year 2017/18 with a strong financial platform from which to operate. It is recognised that this will be another financially challenging year and that strong fiscal management coupled with financial restraint will be required to ensure that a balanced position against budget is achieved which in turn will continue to provide a strong balance sheet for future financial years.
- 4.5 Services continue to manage increased demand within the current service delivery model and structure within which the Council operates and this requires continuous close fiscal management. Indeed services are examining all areas of spend with a view to avoiding expenditure except where absolutely necessary.
- 4.6 A small overspend position against budget is currently forecast for the year for the General Fund. This is in the context of a number of identified cost and/or demand pressures on services which require to be addressed during the remainder of the year.
- 4.7 A short life working group has been set up to carry out a strategic review of spend across a range of council wide areas including procurement, workforce, technology and service specific areas where there has been historic or current budget pressures, taking into consideration trends and benchmarking data where possible to inform options going forward. Initial work carried out by the group indicates that whilst there are challenges ahead, a number of options are available to address these, which coupled with general restraint on spend means that a balanced position can be achieved.
- 4.8 These options will continue to be developed over the course of the next few weeks for initial review by services and consideration by the Corporate Management Team (CMT). Thereafter, proposed options will be taken through the proper governance process including consultation with Elected Members and reporting to committee for formal decisions where necessary.

#### **5. LEGAL IMPLICATIONS**

- 5.1 While there are no direct legal implications arising from the recommendations of this report, there are additional reporting requirements due to the London Stock Exchange listing and issue of bonds.



## **6. MANAGEMENT OF RISK**

### **Financial**

- 6.1 Every organisation has to manage the financial risks inherent in the operation of large and complex budgets. These risks are minimised by the regular review of financial information by services and corporately by Elected Members. This report is part of that framework and has been produced to provide an overview of the current operating position and so financial risk related to this report is considered to be low.
- 6.2 The main financial risk that the Council is managing is the increased demand on services. This is being mitigated through reviewing all areas of expenditure with a view to only incurring expenditure that is absolutely necessary.
- 6.3 In relation to capital projects there is a risk that following the procurement process, tendered costs will vary from that assumed at the time of project approval. This risk is mitigated through quantification and review of indicative project costs by suitably qualified staff or external body where appropriate.

### **Other**

- 6.2 Consideration has also been given to Employee, Customer / Citizen, Environmental, Technological and Legal risks, and no risks were identified.

### **Reputational**

- 6.7 The reputational risks to the Council are minimised by the regular review of financial information by services, CMT and Elected members throughout the Financial Year.

## **7. IMPACT SECTION**

### **Economy**

- 7.1 Investment in the city will have a positive impact on the economy.

### **People**

- 7.4 Robust management of the council's finances will ensure that council services can continue to be provided.

### **Place**

- 7.5 Investment will enhance the place by creating a better and more vibrant city in which to live.

### **Technology**

- 7.6 There are no direct implications on technology arising from the recommendations of this report

**8. BACKGROUND PAPERS**

None

**9. APPENDICES**

Appendix 1 – Financial Statement for the quarter 1 April – 30 June 2017

Appendix 2 – Projected Financial Position for the year 2017/18

Appendix 3 – Common Good Financial Statement for the quarter 1 April – 30 June 2017

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**ABERDEEN**  
**CITY COUNCIL**

**FINANCIAL STATEMENT  
FOR THE QUARTER  
1 APRIL 2017 TO 30 JUNE 2017**

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### Management Commentary

The purpose of the management commentary is to inform readers, helping them to assess how the Council is performing and understand our financial performance for the quarter to 30 June 2017.

It also provides an insight into the expected financial performance for the remainder of the financial year 2017/18, the challenges we face and how we will address these challenges to provide stability, financially, thus allowing our citizens to have confidence that we can continue to provide the diverse portfolio of services on which they rely.

### Background

During 2016/17, Aberdeen City Council became the first local authority in Scotland to be awarded a credit rating and subsequently secure funding towards its capital investment programme, by issuing bonds of £370 million on the London Stock Exchange (LSE).

The credit rating must be maintained over the term of the bonds with the credit rating agency conducting a review at least once every twelve months. The next review of the Council's credit rating is due to take place in October 2017.

The credit rating and LSE listing has brought a number of reporting and governance requirements on the Council which in turn has led to a move from monthly to quarterly financial reporting and a change in the focus and format of the reporting to provide a holistic view of the Council's financial position as would be expected by investors in an LSE listed organisation.

This is the first quarterly financial performance report for 2017/18, representing the first stage of a stepped change in the way the Council reports, which not only meet the new requirements but also increases financial transparency for citizens of the City and beyond.

### Our Financial Performance

#### • Performance in Quarter 1

In February 2017, the Council set its General Fund and Housing Revenue Account (HRA) revenue and capital budgets for the financial year 2017/18. Performance for the year is measured against these budgets with the projected full year position considered in a later section of this report. This section focuses on the actual financial results for the period 1 April to 30 June 2017 as presented, in the format of our Annual Accounts, on pages 7 to 14.

*The Expenditure and Funding Analysis provides details of the net expenditure or income position for each service based on actual transactions for the period and the statutory accounting adjustments processed to date.*

1. Education and Children's Services is the largest service provider within Aberdeen City Council with responsibility for delivering key statutory and frontline services to children and young people, adults, families and communities of Aberdeen. This includes the delivery of early years, primary, secondary and special education, children's social work services and cultural services for all ages through the provision of libraries and museums.

At 24% against the full year budget, the services net expenditure for the first quarter is in line with expectations. However, the Service is currently managing a number of cost pressures, including commissioning of fostering, out of authority placements for children and self directed support which may affect performance in future quarters. These are areas where decision making and control doesn't sit solely within the Service.

2. Communities, Housing and Infrastructure is responsible for a broad range of services to those who live, work, visit and invest in the City of Aberdeen, each day providing thousands of transactions such as school meals; waste collections; repairs to housing, roads, street lighting and other infrastructure; planning and building control applications; housing and homelessness applications and many more, maintaining standards within our streets and public open spaces, managing the Council's assets and providing facilities management to all of the Council's public buildings, schools and operational properties, providing protective services such as Environmental Health, Food Safety, Commercial Health and Safety, Public Analyst, Trading Standards and Community Safety and playing a major role in shaping the future of the City of Aberdeen via Planning and Sustainable Development and Economic Development services.

At 23% against the full year budget, the services net expenditure for the first quarter is in line with expectations. However, the Service is currently managing pressures mainly in relation to income from the recharge of in house consultancy/design teams for work undertaken.

3. Integration Joint Board (IJB) / Adult Social Care is responsible for the provision of health and social care services to adults, with the expenditure incurred being on services which the IJB has directed the Council to deliver on its behalf such as the provision of care to the elderly and support to adults with support needs.

At 26% against the full year budget, net expenditure on these services for the first quarter is in line with expectations. However, with demand led services there are invariably cost pressures which require to be managed and in particular there are pressures in relation to services for those transitioning from children's services with support needs.

4. Corporate Governance is responsible for a number of front line services such as housing benefits, council tax and non domestic rates billing and collection and customer services. In addition it supports the Council through the provision of Finance, HR, Legal and IT services.

At 24% against the full year budget, the services net expenditure for the first quarter is in line with expectations and like other services must manage any cost pressures which arise during the year.

5. Office of the Chief Executive is a relatively small service which includes the head of paid service (Chief Executive) as well as the provision of communications and promotions services for the Council.

At 27% against the full year budget, the services net expenditure for the first quarter is in line with expectations. There are no major cost pressures facing the service at this time.

6. Corporate and Miscellaneous includes the cost of councillors, contingencies, funding to Grampian Valuation Joint Board and the repayment of capital debt.

At 22% against the full year budget, net expenditure for the first quarter is in line with expectations with no major variances expected against budget for these areas.

7. Housing Revenue Account is responsible for the provision of council housing to over 20,000 households with the most significant areas of expenditure being on repairs and maintenance and the servicing of debt incurred to fund capital investment in the housing stock. This is a ring fenced account such that its costs must be met by rental income which at this stage in the year exceeds expenditure incurred. This is as expected due to the ongoing receipt of rental income each month whilst costs are incurred at a slower pace.

8. Other Income and Expenditure includes interest payable and receivable, income and expenditure from trading operations (car parking, investment property and building services) and income received through council tax, non domestic rates and government grants. At this stage net income from trading services is in line with the full year budget whilst income from council tax, non domestic rates and government grants is ahead of budget largely due to the phasing of government grants.

*The Comprehensive Income and Expenditure Statement incorporates the statutory accounting adjustments to provide the cost of providing services in accordance with International Financial Reporting Standards (IFRS) details of which are provided below.*

*The Balance Sheet is presented on an IFRS basis and shows the value of assets and liabilities recognised by the Council which are matched by reserves held. Notes on the amounts contained within the Balance Sheet are provided below.*

## 2017/18 Projected Financial Position

### • General Fund Revenue

Appendix 2 shows that a small overspend position against budget is currently forecast for the year. This is in the context of a number of identified cost and/or demand pressures on services which require to be addressed during the remainder of the year. A short life working group has been set up to carry out a strategic review of spend across a range of council wide areas including procurement, workforce, technology and service specific areas where there has been historic or current budget pressures, taking into consideration trends and benchmarking data where possible to inform options going forward. Initial work carried out by the group indicates that whilst there are challenges ahead, a number of options are available to address these which coupled with general restraint on spend means a balanced position can be achieved. These options will continue to be developed over the course of the next few weeks for initial review by services and consideration by the Corporate Management Team (CMT). Thereafter, proposed options will be taken through the proper governance process including consultation with Elected Members and reporting to committee for formal decisions where necessary. Further information on the pressure areas is contained within Appendix 2.

Whilst budgets are set taking account of all known future requirements at the time, it is normal for items to arise during the year which require to be addressed. At this time the following items have been identified which require consideration and approval in order to progress:

- The ongoing national inquiry into historic child abuse in Scotland is now underway and the Council has been subject to a number of requests from the Inquiry. The historic nature of the inquiry, which covers from 1930 to 2014 means demand on a range of services to access information is significant and requires resource going forward to ensure adequate and timely responses to the Inquiry. A business case has been prepared and it is recommended that additional resources be secured to assist in responding to the Inquiry. The business case identifies part year costs of £84k and full year costs of £130k which can be met from the Contingency budget and it is therefore recommended that Council agree to the allocation of funding for this purpose.
- Approximately 2,000 buried bodies were uncovered during the archaeological work undertaken at the Mither Kirk. It is intended that all the human remains will be reinterred, in a religious ceremony, below the floor of the new building which is to be constructed inside the exterior walls. The reburial of the bodies will cost approximately £50,000 and the Open Space Trust who are undertaking the wider Mither Kirk project has asked the Council to consider funding this. Options on a funding source are being investigated, however to allow the reburial to proceed it is recommended that this amount be allocated from the Contingency budget meantime on the basis that should alternative funding be identified, the General Fund will be reimbursed.
- At its meeting on 29 June 2016, Council considered a report on the Music Hall Redevelopment and agreed to confirm its commitment to the Music Hall redevelopment project; and to instruct the Head of Legal and Democratic Services to enter into a legally binding agreement with Aberdeen Performing Arts to ensure the Council's interests are suitably protected. The report contained information on the provision of a guarantee to provide a loan of up to £2m to Aberdeen Performing Arts (APA) towards the redevelopment and this guarantee has previously been cash backed through the "De-Risk the Council" earmarked reserve. APA have recently approached the Council to request drawdown against this guarantee and the process of agreeing the terms and legal documentation for the loan is underway. It is therefore recommended that Council confirm its commitment to the provision of this loan, the use of the earmarked reserve to fund the loan and delegate authority to the Head of Legal & Democratic Services in consultation with the Head of Finance to agree the terms and legal agreement taking cognisance of the aforementioned Council decision.

## • Housing Revenue Account

Appendix 2 shows that a balanced position against budget is forecast for the year with no major variances identified.

## General Fund Capital

Appendix 2 provides the five year capital programme as it currently stands. This varies from that agreed by Council in February 2017 for a number of reasons:

- re-profiling of expenditure having taken account of actual expenditure incurred to 31 March 2017;
- inclusion of projects approved by Finance, Policy & Resources Committee on 9 March 2017;
- inclusion of the City Duct Network project as approved and fully funded by the City Region Deal; and
- inclusion of planning condition costs for the Stoneywood Primary project which are fully funded by developer contributions.

Two projects have been identified which if approved to be included in the programme will require to be funded:

- JIVE (Hydrogen Buses Phase 2) – at its meeting on 9 March 2017, the Finance, Policy & Resources Committee agreed to approve the signing of the JIVE Grant Agreement by a Proper Officer of Aberdeen City Council on condition that the Council must notify their intention to leave the project by October 31st if they are unable to demonstrate a Scottish Government financial contribution of £3m. This was on the basis that this contribution was unconfirmed at that time. This has now been confirmed and is reflected below:

Total Project Cost *	£7.2m
EU & Scottish Government Funding	£4.7m
Net Project Cost – to be funded by ACC *	£2.5m

\* This is the provisional total and net project cost at this stage. Work is ongoing around some elements of the project, such as the procurement of the buses, which may affect this cost.

It is requested that approval be given for this project to be included within the capital programme at a provisional net cost to the Council of £2.5m.

- Kingsmead Nursing Home – at its meeting on 21 June 2017, Council agreed in principle to purchase Kingsmead Nursing Home, subject to the Integration Joint Board (IJB) agreeing to cover the capital financing costs and the running costs of the Nursing Home; and that further updates would be provided to the Finance, Policy and Resources Committee as the options identified were progressed. This purchase route is required as the IJB does not have the legal powers to incur capital expenditure or hold assets, however it can provide funding to cover all revenue costs associated with the purchase and running of the facility.

Work is progressing on this including discussion on purchase price and consideration of work required to bring the facility to a suitable standard. It is now requested that delegated authority be provided to the Head of Land & Property Assets in consultation with the Head of Finance, Head of Legal & Democratic Services and Convener of Finance, Policy & Resources Committee to negotiate and conclude the purchase of the property.

The Audit, Risk & Scrutiny Committee on 27 June 2017 considered a report “Review of the Capital Programme Governance” which highlighted a number of changes and actions required to enhance governance which requires suitable resources to be in place including a requirement for specific project management expertise and similar resources to supplement internal resources. Therefore, it is recommended that NHCP No. 999, Construction Inflation Allowance be re-allocated to provide a budget for the procurement of such resources with delegated authority provided to the Interim Director of Communities, Housing & Infrastructure, in consultation with the Head of Finance, Head of Legal & Democratic Services and Convener of Finance, Policy & Resources Committee to allocate funds as appropriate in line with the actions from the the afore-mentioned report.

The capital programme is funded through a number of project specific grants and contributions, general government grant, capital receipts and borrowing.



This includes Developer Contributions (Section 75 Agreements) for which an overall total of £11.7m was held at 30 June 2017. It must be noted however, that these funds have conditions including the purpose for which they can be used. A detailed report on this will be considered by the Finance, Policy & Resources Committee in November 2017 and further information will be incorporated into this report in due course.

- **Housing Capital**

Appendix 2 shows that the forecast outturn is on budget with work ongoing to ensure that expenditure remains within the funded programme as set by Council in February 2017.

- **Common Good**

Appendix 2 provides the budget and current forecast outturn. A number of funding requests have come forward as follows:

- Denis Law Freedom of the City – at its meeting in March 2017 the Council agreed the Dennis Law Freedom of the City. It is now requested that funding of £56,000 for this event be met from Common Good;
- Celebrate Aberdeen – a contribution of £20,000 is requested towards the costs of the annual parade; and
- Aberdeen History Society – a contribution of £2,000 is requested from the International Twinning budget towards the costs of travelling to Regensburg, 19-24 October 2017.

The costs of these items can be met through the use of the forecast surplus balance as shown in appendix 2.

In addition, funding is requested for a capital project which can be met from the receipts from the sale of Pinewood/Hazledene:

- Aberdeen Science Centre – a request has come forward for funding of up to £1m towards the proposed redevelopment of the existing venue. It is anticipated that this will be phased over two financial years, 2018/19 and 2019/20.

This is an important venue in the City providing both a visitor attraction and educational facilities with the vision of this redevelopment being by 2020 to deliver a welcoming and accessible STEM (science, technology, engineering and mathematics) learning and engagement hub for North Scotland - a place where people of all ages, backgrounds and abilities can feel welcome and unthreatened, and have access to an inspiration platform for learning, creativity and discovery. Most importantly, the redeveloped centre will be a place visitors will associate with positive emotive experiences and will want to come back to. The project already has confirmed funding from the 'Inspiring Science' Fund offered in partnership by the Wellcome Trust and the UK Govt. Department for Business, Energy and Industry (BEIS) and conditional commitments from other parties such that the contribution from the Council makes up the balance.

**It is recommended that funding of up to £1m be agreed subject to work continuing to identify other sources of funding thereby reducing the ask from the Council, with delegated authority to the Head of Legal & Democratic Service, in conjunction with the Head of Finance to agree suitable terms for the funding.**

## **Conclusion**

In a change from prior years, this is the first quarterly financial performance report being presented to Elected Members for consideration of the financial year 2017/18. With the change being made in the context of the Council obtaining a credit rating and issuing bonds during 2016/17, this report aims to meet the new reporting requirements from this as well as enhancing financial transparency by providing more information and by providing it in a manner consistent with the Council's Annual Accounts. As the financial year progresses, further developments will be made and reflected in future quarterly reports.

## Movement in Reserves Statement

*This statement shows the movement on the different reserves held by the Council analysed into usable reserves (those that can be applied to fund expenditure or reduce local taxation) and other reserves.*

	General Fund	Housing Revenue Account	Statutory and Other Reserves	Total Usable Reserves	Total Unusable Reserves	Total Council Reserves
	£'000	£'000	£'000	£'000	£'000	£'000
<b>Balance at 31 March 2017 brought forward</b>	<b>(50,476)</b>	<b>(11,308)</b>	<b>(29,419)</b>	<b>(91,203)</b>	<b>(1,410,796)</b>	<b>(1,501,999)</b>
<b>Movement in Reserves during 2017/18</b>						
Total Comprehensive Income & Expenditure	(52,610)	(15,933)	0	<b>(68,543)</b>	(4,735)	<b>(73,278)</b>
Adjustments between accounting basis & funding basis under regulations	1,370	5,463	0	<b>6,832</b>	(6,832)	<b>0</b>
<b>Net (Increase)/Decrease before Transfers to Earmarked Reserves</b>	<b>(51,240)</b>	<b>(10,471)</b>	<b>0</b>	<b>(61,711)</b>	<b>(11,568)</b>	<b>(73,278)</b>
Transfers to/from Earmarked Reserves	31,326	10,471	(1,449)	<b>40,348</b>	(40,348)	<b>0</b>
<b>(Increase)/Decrease in Year</b>	<b>(19,914)</b>	<b>0</b>	<b>(1,449)</b>	<b>(21,362)</b>	<b>(51,916)</b>	<b>(73,278)</b>
<b>Balance at 30 June 2017</b>	<b>(70,390)</b>	<b>(11,308)</b>	<b>(30,868)</b>	<b>(112,565)</b>	<b>(1,462,712)</b>	<b>(1,575,277)</b>

## Expenditure and Funding Analysis

The Expenditure and Funding Analysis shows how the net expenditure or income is allocated for decision making purposes between the Council's services. Income and expenditure accounted for under generally accepted accounting practices is presented more fully in the Comprehensive Income and Expenditure Statement.

Services	Quarter 1, 2017/18			Notes
	Net Expenditure chargeable to General Fund & Housing Revenue Account	Adjustments between funding & Accounting basis	Net Expenditure in the CIES £'000	
	£'000	£'000	£'000	
Education & Childrens Services	52,371	(9,563)	42,808	1
Communities, Housing & Infrastructure	20,245	0	20,245	2
Integrated Joint Board/Adult Social Care	21,502	0	21,502	3
Corporate Governance	6,718	0	6,718	4
Housing Benefits	328	0	328	4
Office of the Chief Executive	1,008	0	1,008	5
Corporate & Miscellaneous	3,012	(1,633)	1,379	6
<b>Net Cost of General Fund Services</b>	<b>105,184</b>	<b>(11,196)</b>	<b>93,988</b>	
Housing Revenue Account	(10,095)	(5,811)	(15,906)	7
<b>Net Cost of Services</b>	<b>95,088</b>	<b>(17,007)</b>	<b>78,082</b>	
Other Income and Expenditure	(145,543)	(1,082)	(146,625)	8
<b>(Surplus) or Deficit on Provision of Services</b>	<b>(50,455)</b>	<b>(18,088)</b>	<b>(68,543)</b>	
Opening General Fund and HRA Balance at 31 March 2017	(61,785)			
(Surplus)/deficit on General Fund and HRA Balance in Year	(50,455)			
To/From Other Statutory Reserves	30,542			
<b>Closing General Fund and HRA Balance at 30 June 2017</b>	<b>(81,698)</b>			

## Notes

- See page 3 for information relating to Net Expenditure chargeable to the General Fund. The £9.6m accounting adjustment is the removal of unitary charge costs for the 3R's schools which for accounting purposes is required to be split into its component parts, payment for services; repayment of capital; and financing costs.
- See page 3 for information relating to Net Expenditure chargeable to the General Fund. There are no accounting adjustments relating to this service in this quarter.
- See page 3 for information relating to Net Expenditure chargeable to the General Fund. There are no accounting adjustments relating to this service in this quarter.
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- See page 3 for information relating to Net Expenditure chargeable to the General Fund. There are no accounting adjustments relating to this service in this quarter.
- See page 3 for information relating to Net Expenditure chargeable to the General Fund. The £1.6m accounting adjustment is the reversal of contributions from revenue to fund capital expenditure which for accounting purposes is required to be charged to the Council's capital account.

7. See page 3 for information relating to Net Expenditure chargeable to the Housing Revenue Account. The £5.8m adjustment is the reversal of contributions from revenue to fund capital expenditure which for accounting purposes is required to be charged to the Council's capital account.
8. See page 4 for information relating to Net Expenditure chargeable to the General Fund. The £1.1m adjustment comprises two elements:
  - £6.9m is the element of reallocation of the 3R's unitary charge as per note 1 above which relates to financing costs which flows into the Financing and Investment Income and Expenditure line in the CIES below; and
  - £8m is the allocation of capital grant income which flows into the Taxation and Non Specific Grant Income line in the CIES below.

## Comprehensive Income and Expenditure Statement

This statement shows the accounting cost in the year of providing services in accordance with International Financial Reporting Standards (IFRS).

Services	Quarter 1, 2017/18			Notes
	Gross Expenditure	Gross Income	Net Expenditure	
	£'000	£'000	£'000	
Education & Childrens Services	46,451	(3,642)	42,809	
Communities, Housing & Infrastructure	31,468	(11,223)	20,245	
Integrated Joint Board/Social Work	33,662	(12,160)	21,502	
Corporate Governance	9,829	(3,111)	6,718	
Housing Benefits	14,334	(14,007)	327	
Corporate & Miscellaneous	1,476	(97)	1,379	
Office of the Chief Executive	1,562	(554)	1,008	
<b>Cost of General Fund Services</b>	<b>138,782</b>	<b>(44,794)</b>	<b>93,988</b>	
Housing Revenue Account	8,043	(23,949)	(15,906)	
<b>Cost of Services</b>	<b>146,825</b>	<b>(68,743)</b>	<b>78,082</b>	
Other Operating Expenditure			0	1
Financing and Investment Income and Expenditure	19,521	(10,285)	9,236	2
Taxation and Non Specific Grant Income	0	(155,861)	(155,861)	
<b>(Surplus) or Deficit on Provision of Services</b>	<b>166,346</b>	<b>(234,889)</b>	<b>(68,543)</b>	
(Surplus)/deficit on revaluation of Property, Plant and Equipment assets			0	3
Impairment losses on non current assets charged to the Revaluation Reserve			0	3
(Surplus)/deficit on revaluation of available for sale financial assets			0	3
Actuarial (gains)/losses on pension losses/liabilities			0	3
Other (gains)/losses			(4,735)	3
<b>Other Comprehensive Income and Expenditure</b>			<b>(4,735)</b>	
<b>Total Comprehensive Income and Expenditure</b>			<b>(73,278)</b>	

### Notes

1. This line will be used to reflect gains or losses on the disposal of assets which take place during the year.
2. This largely reflects interest payable and receivable.
3. These lines are predominantly used for statutory adjustments.

## Balance Sheet

The Balance Sheet shows the value of the assets and liabilities recognised by the Council. The net assets of the Council are matched by the reserves held by the Council.

31 March 2017 £'000		30 June 2017 £'000	Note
2,238,305	Property, Plant & Equipment	2,287,610	1
172,756	Heritage Assets	172,756	1
85,335	Investment Property	85,335	1
23,865	Long Term Investments	23,865	2
16,225	Long Term Debtors	16,199	3
<b>2,536,486</b>	<b>Long Term Assets</b>	<b>2,585,765</b>	
181,145	Cash and Cash Equivalents	158,483	4
141,227	Short Term Investments	129,196	5
69,242	Short Term Debtors	62,833	6
1,645	Inventories	7,859	7
5,382	Assets Held for Sale	5,382	8
<b>398,641</b>	<b>Current Assets</b>	<b>363,753</b>	
(81,351)	Short Term Borrowing	(32,354)	9
(90,396)	Short Term Creditors	(78,685)	10
(4,233)	Short Term Provisions	(4,875)	11
(2,611)	PPP Short Term Liabilities	(3,222)	12
(5,515)	Accumulated Absences Account	(5,515)	13
(473)	Grants Receipts in Advance - Revenue	(169)	14
(518)	Grants Receipts in Advance - Capital	(4,545)	14
<b>(185,097)</b>	<b>Current Liabilities</b>	<b>(129,365)</b>	
(896,504)	Long Term Borrowing	(897,251)	15
(108)	Long Term Creditors	(108)	16
(679)	Long Term Provisions	0	11
(100,973)	PPP Long Term Liabilities	(97,751)	12
(249,767)	Pension Liabilities	(249,767)	17
<b>(1,248,031)</b>	<b>Long Term Liabilities</b>	<b>(1,244,877)</b>	
<b>1,501,999</b>	<b>Net Assets</b>	<b>1,575,276</b>	
	Usable Reserves:		
(50,476)	General Fund Balance	(70,390)	18
(11,308)	Housing Revenue Account	(11,308)	18
(29,419)	Statutory and Other Reserves	(30,868)	18
(1,410,796)	Unusable Reserves	(1,462,710)	19
<b>(1,501,999)</b>	<b>Total Reserves</b>	<b>(1,575,276)</b>	

## Balance Sheet Notes

1. Depreciation is calculated annually and therefore no depreciation has been applied in Quarter 1. Capital expenditure to the end of Quarter 1 totaling £49.304m has been applied to Property, Plant & Equipment (this includes £39.783m of general fund expenditure and £9.521m of HRA expenditure). Disposals, revaluations and transfers have not been accounted for in Quarter 1.
2. Long Term Investments comprises the council's interest in Aberdeen Sports Villiage and the Integration Joint Board. These will be revalued and updated in Quarter 4.
3. Long term debtors reflects the movement based on transactions for the period.
4. Cash and cash equivalents have been adjusted for short term investments of £149.754m ( those investments classed as cash equivalents because they can be called up at short notice i.e. 0 to 30 days) and developers contributions of £18.393m. See the cash flow statement for an analysis of how this is used.
5. Short term investments have been adjusted as described in note 4.
6. Short term debtors reflects the movement based on transactions for the period.
7. Inventories are adjusted at year end for inter-related balances. This adjustment has not been made in Quarter 1 but will be included in future quarters.
8. Assets held for sale will be reviewed in Quarter 4.
9. Short term borrowing reflects the current position based on transactions for the period.
10. Short term creditors reflects the current position based on transactions for the period.
11. Short term provisions reflects the current position with no adjustment to split this total into long and short term provisions. This split will be reflected in future quarters.
12. PPP short term liabilities has been adjusted to reflect the outstanding position at March 2018.
13. The accumulated absences account is reviewed annually and will therefore be updated in Quarter 4.
14. The grants received in advance totals reflect the position at the end of Quarter 1.
15. Long term borrowing reflects the current position based on transactions for the period.
16. Long term creditors reflects the current position based on transactions for the period.
17. Pension liabilities are reviewed annually and will therefore be updated in Quarter 4.
18. Usable reserves reflects the current position based on the transactions for the period.
19. Unusable reserves have been for statutory accounting adjustments as detailed above.

## Contingent Liabilities

In addition to amounts recognised on the Balance Sheet, the Council was aware of the following contingent liabilities at 31 March 2017 and formally recognised within the 2016/17 Annual Accounts:

### ○ **Aberdeen Science Centre (formerly Satrosphere)**

The Council has agreed to provide a guarantee to the Bank of Scotland for the sum of £128,923 in support of an overdraft facility and card transactions until 31 March 2018.

○ **Transition Extreme Sports Ltd**

The Council has agreed to provide a guarantee to the Bank of Scotland in respect of a loan of £37,139 and a maximum overdraft facility of £250,000 as well as a guarantee of £237,215 to Social Investment Scotland in respect of an 11 year loan which is due to be repaid by June 2025.

○ **Landfill Sites**

The Council is responsible under environmental legislation for the ongoing monitoring, maintenance and ultimately capping and re-instatement of 3 closed landfill sites. The costs associated with two of these sites, Ness and Hill of Tramaud, have been accounted for through a mix of revenue and capital funding.

The third site at Mill of Dyce was previously operated by the Council under a lease. The Council purchased the site in 2012/13, and following an assessment of the environmental monitoring and reinstatement requirements works were carried out in 2014. The works are now complete with no further activity planned for the site.

○ **Waste Disposal**

The Council has a long term contract with an external contractor for the disposal of all relevant waste arising in the City and the operation and maintenance of waste transfer stations, recycling facilities and landfill sites. The contract commenced in September 2000 and is due to run for 25 years.

○ **Landfill Allowance Scheme (LAS)**

The Scottish Government had previously introduced a scheme under which Local Authorities were to be penalised for exceeding landfill tonnage targets. The penalties have never been imposed and it is expected that the regulations will be repealed in due course. However, until such a repeal is formalised there remains a potential liability on the Council.

○ **External Organisations - Guarantor in relation to North East Scotland Pension Fund (NESPF)**

As the administering authority, the Council may admit a body to the Pension Fund as an 'admitted body' provided (i) the organisation can confirm they have sufficient links with a Scheme employer for the body and the Scheme employer to be regarded as having a community of interest; and (ii) the Scheme employer is prepared to act as guarantor in the event the admitted body should cease to exist. If this situation was to occur and staff made redundant the staff over 50 years old would become entitled to immediate payment of their pension benefits. The Council has agreed a number of such guarantees to organisations that include Aberdeen Sports Village, Sport Aberdeen, Aberdeen Performing Arts, Aberdeen International Youth Festival, Aberdeen Heat and Power, Bon Accord Support Services and Bon Accord Care Ltd. The potential values guaranteed are subject to a range of actuarial assumptions.

○ **Sport Aberdeen**

The Council agreed to provide a bank guarantee to Sport Aberdeen to a maximum of £5 million over a 5 year period for investment in Council leisure facilities, as approved at the 7 June 2016 Finance, Policy and Resources Committee. There is currently a guarantee being drawn up for an RCF facility for £1.4 million for Sport Aberdeen.

○ **SEEMIS Group LLP**

The Council has agreed to fund any additional pension liability payments arising from its membership of the SEEMIS organisation (the provider of our schools' Management Information System). To date there has been no call on the guarantee.

○ **Scottish Child Abuse Enquiry**

The Scottish Child Abuse Enquiry is a national enquiry which was set up on 1 October 2015. The Council recognises a potential liability in respect of claims from this enquiry, but is not aware of any specific claims at this time.



## Cash Flow Statement

*The statement shows how the Council generates and uses cash and cash equivalents by classifying cash flows as operating, investing and financing activities.*

	<b>Quarter 1 2017/18</b>
	<b>£'000</b>
Net Surplus or (Deficit) on the provision of services	68,543
Adjust net surplus or deficit on the provision of services for non cash movements	(28,005)
Adjust for items included in the net surplus or deficit on the provision of services that are investing and financing activities	(8,033)
Net cash flows from Operating Activities	32,505
Net cash flows from Investing Activities	(53,303)
Net cash flows from Financing Activities	(1,864)
Net increase or decrease in cash and cash equivalents	(22,662)
Cash and cash equivalents at the beginning of the reporting period	181,145
<b>Cash and cash equivalents at the end of the reporting period</b>	<b>158,483</b>
Cash held by the Authority	47
Bank current accounts	158,436
	<b>158,483</b>

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**PROJECTED FINANCIAL POSITION  
FOR THE YEAR 2017/18**

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## GENERAL FUND REVENUE

As at 30 June 2017	Full Year Budget 2017/2018	Forecast Outturn 2017/2018	Variance from Budget		Notes
	£'000	£'000	£'000	%	
Education & Children's Services	218,912	218,912	0	0.0	1
Communities, Housing & Infrastructure	86,343	86,343	0	0.0	2
Integration Joint Board / Adult Social Care	83,308	83,308	0	0.0	3
Corporate Governance	27,764	27,749	(15)	(0.1)	4
Housing Benefits	2,153	2,153	0	0.0	4
Office Of Chief Executive	3,731	3,728	(3)	(0.1)	5
<b>Total Service Budgets</b>	<b>422,212</b>	<b>422,194</b>	<b>(18)</b>	<b>(0.0)</b>	
Contingencies	(16,202)	(16,202)	0	0.0	6
Council Expenses	2,858	2,790	(68)	(2.4)	7
Joint Boards	1,645	1,645	0	0.0	8
Miscellaneous Services	36,227	36,518	292	0.8	9
Trading Services	(10,829)	(10,625)	203	(1.9)	10
<b>Total Corporate Budgets</b>	<b>13,699</b>	<b>14,126</b>	<b>427</b>	<b>3.1</b>	
Non Domestic Rates	(205,547)	(205,547)	0	0.0	11
General Revenue Grant	(118,601)	(118,601)	0	0.0	12
<b>Government Support</b>	<b>(324,148)</b>	<b>(324,148)</b>	<b>0</b>	<b>0.0</b>	
Council Tax	(111,763)	(111,763)	0	0.0	13
<b>Local Taxation</b>	<b>(111,763)</b>	<b>(111,763)</b>	<b>0</b>	<b>0.0</b>	
<b>General/Fund Deficit/(Surplus)</b>	<b>(0)</b>	<b>409</b>	<b>409</b>		

### Notes

It should be noted that the full year budgets reflected above differ from those set by Council in February 2017 for a number of reasons. This is normal practice during the year as virements are identified. The main change in services relates to the allocation of procurement savings which was held within Contingencies at the time the budget was set.

There are a number of identified cost and/or demand pressures on services which require to be addressed during the remainder of the year. A short life working group has been set up to carry out a strategic review of spend across a range of areas including those detailed below. Initial work carried out by the group indicates that whilst there are challenges ahead, a number of options are available to address these such that a balanced position can be achieved.

1. The main areas of pressure within Education & Children's Services are:

- Foster care costs have risen due to the inability to recruit within the city, a national problem, with a high number of placements now being provided by external agencies that charge higher fees as part of a national contract;
- There is pressure of rising client numbers on Self Directed Support packages for children with complex support needs;
- In respect of Out of Authority placements there is continued pressure of cost increases per package, Sheriff Court, Children's Hearing and Education Tribunal placement decisions, and the need to safely manage child protection risks; and

- The closure of the Art Gallery and Provost Skene House means that income targets are not achievable.
2. The main areas of pressure within Communities, Housing & Infrastructure are:
    - Construction Consultancy/Design Team income is subject to the risk of any delays in the capital programme or decisions not to under take work in house; and
    - The revenue costs of operating AECC are subject to finalisation with the new operator and may vary from those budgeted.
  3. The main areas of pressure within Integration Joint Board/Adult Social Care are:
    - Commissioned care packages transitioning from Childrens' services due to an increase in both number and cost of packages and more clients transition with increased medical needs;
    - Additional costs of running Kingsmead Nursing home and associated capital costs if it is purchased; and
    - Increased demographic demand for commissioned services across all client groups and continued price inflation as anomalies in the pricing structure are fixed or providers withdraw from services and a premium has to be paid at short notice to a new provider.
  4. There are no material areas of pressure within Corporate Governance although it should be noted that Housing Benefits is demand led which can lead to cost pressures which in the main are offset by additional income from the DWP.
  5. There are no material areas of pressure within the Office of the Chief Executive.
  6. This budget has been adjusted from that set at Council in February due to the allocation of procurement savings across all services. The budget includes savings from vacant staff posts which is currently assumed to be achieved.
  7. There are no material areas of pressure within Council Expenses.
  8. This budget and outturn is based on the amount requisitioned by Grampian Valuation Joint Board.
  9. The main area of pressure within Miscellaneous Services is around interest receivable due to the lower level of cash balances held.
  10. The main area of pressure within Trading Services relates to Car Parking which continues to show a lower level of demand than in previous years.
  11. This figure is set by the Scottish Government as part of its overall funding support package rather than the amount billed and receivable by the Council. Following the revaluation of rateable values, two relief schemes have been put in place – a national transitional relief scheme and a localised relief scheme. At this time there have been 240 applications to the national scheme, with a value of £3m which will be met by the Scottish Government. There have been 84 applications to the local scheme, with a value of £0.3m which will have to be met by the Council.
  12. This figure is set by the Scottish Government as part of its funding support package. This may change during the year as the government announces funding redeterminations.
  13. This budget has been adjusted downwards by £2m from that set at Council in February to reflect revised assumptions on the level and banding of new properties which will become chargeable, taking account of the actual position at the 2016/17 year end. The short life working group previously referred to will consider means by which to mitigate against this variance.

**HOUSING REVENUE ACCOUNT**

As at 30 June 2017	Full Year Budget 2017/2018	Forecast Outturn 2017/2018	Variance from Budget	
	£'000	£'000	£'000	%
Housing Revenue Account	(500)	(500)	0	(0.0)

There are no major variances anticipated in relation to the Housing Revenue Account.

## GENERAL FUND CAPITAL PROGRAMME

Recognising the need to improve and enhance governance around the capital programme and the projects within it, as reported to the Audit, Risk & Scrutiny committee in June 2017, the presentation of the General Fund Capital Programme has been updated, with the programme presented on the basis of the current tender status of each project. The following should be noted:

- Where tenders have been let, the figures in the first section of the tables below reflect costs based on those tenders. It is worth noting however that circumstances can arise which affect the costs of a tendered project and whilst some will be mitigated against through legal clauses within the contract, others may be unavoidable and lead to an increase in overall project cost;
- The second section of the tables below reflects those projects which are governed by specific funding arrangements and therefore are not necessarily subject to tenders;
- Some project lines within the programme will contain multiple contracts, not necessarily tendered at this stage and are therefore shown in the third section of the tables below as part let; and
- The final section of the tables below reflects those projects for which tenders are not currently let and therefore whilst appropriate steps are taken to estimate costs, the figures reflected below should be treated as provisional only. A number of factors can influence the market at any time and ultimately affect contract prices such that definitive costs will only become available through the tendering process.

			Outturn	Budget	Budget	Budget	Budget	Total	Notes
			2017/18	2018/19	2019/20	2020/21	2021/22		
NHCP No.	Tender Let?		£'000	£'000	£'000	£'000	£'000	£'000	
587	Yes	Access from the North / 3rd Don Crossing	2,589	0	0	0	0	2,589	
627	Yes	Aberdeen Western Peripheral Route	7,132	17,041	2,405	825	2,605	30,008	
630	Yes	Data Centre Transition & Infrastructure Transformation	62	156	0	0	0	218	
773	Yes	New Brimmond School	(43)	0	0	0	0	(43)	
776	Yes	Centre of Excellence (formerly ASN)	3,444	0	0	0	0	3,444	
794	Yes	Hydrogen Buses	0	5	0	0	0	5	
795	Yes	Accelerate Aberdeen (City Broadband)	360	0	0	0	0	360	
799A	Yes	Art Gallery Redevelopment - Museums Collection Centre	3	0	0	0	0	3	
799B	Yes	Art Gallery Redevelopment - Main Contract (HLF)	7,351	4,008	0	0	0	11,359	
807	Yes	A96 Park & Choose / Dyce Drive Link Road	1,775	40	0	0	0	1,815	
810E	Yes	Investment in Waste Collection	1,603	0	0	0	0	1,603	
810F	Yes	Refuse Derived Fuel Plant	480	0	0	0	0	480	
810G	Yes	Co-mingled MRF & Depot	400	556	0	0	0	956	
821	Yes	New Aberdeen Exhibition & Conference Centre	142,008	99,538	44,786	0	0	286,332	
823	Yes	Music Hall Refurbishment	0	0	0	0	0	0	
826	Yes	Aberdeen City Hydrogen Energy Storage (ACHES)	(55)	0	0	0	0	(55)	
827	Yes	SIP New Build Housing Programme	541	700	200	0	0	1,441	
828	Yes	Greenbrae Primary Extension and Internal Works	495	0	0	0	0	495	
829	Yes	Middlefield Project Relocation (Henry Rae CC)	(103)	0	0	0	0	(103)	
831	Yes	Stoneywood Primary	10,461	1,471	0	0	0	11,932	
832	Yes	Dyce 3G Pitch	10	0	0	0	0	10	
834	Yes	Refurbish Throughcare Facility - 311 Clifton Road	42	0	0	0	0	42	
837	Yes	Flood Prevention Measures: Riverside Drive at Bridge of Dee Court	351	149	0	0	0	500	
			178,906	123,664	47,391	825	2,605	353,391	
			Outturn	Budget	Budget	Budget	Budget	Total	
			2017/18	2018/19	2019/20	2020/21	2021/22		
NHCP No.	Tender Let?	Projects governed by specific funding arrangements	£'000	£'000	£'000	£'000	£'000	£'000	
551	n/a	Cycling Walking Safer Streets	339	0	0	0	0	339	1
843	n/a	Station House Media Unit Extension	750	149	0	0	0	899	1
844	n/a	Sustrans Active Travel Infrastructure Fund	600	594	0	0	0	1,194	1
765G	n/a	Nestrans Capital Grant	1,000	2,691	1,500	1,295	1,295	7,781	2
779	n/a	Private Sector Housing Grant (PSHG)	700	700	700	700	700	3,500	2
798	n/a	National Housing Trust Loans	0	0	0	0	0	0	2
808A	n/a	New Academy to the South - ICT Infrastructure	0	1,000	0	0	0	1,000	3
808B	n/a	New Academy to the South - Infrastructure Improvements	70	1,430	0	0	0	1,500	3
845	n/a	City Deal: Strategic Transport Appraisal	82	668	50	200	0	1,000	4
846	n/a	City Deal: Aberdeen Harbour Expansion Project	1,500	2,000	2,000	0	0	5,500	4
847	n/a	City Deal: Digital Infrastructure	0	1,750	1,750	0	0	3,500	4
852	n/a	City Deal: City Duct Network	350	2,000	2,000	650	0	5,000	4
810C	n/a	Energy from Waste (EFW) Procurement and Land Acq.	3,944	589	1,382	0	0	5,915	5
			9,335	13,571	9,382	2,845	1,995	37,128	



			Outturn	Budget	Budget	Budget	Budget	Total	
			2017/18	2018/19	2019/20	2020/21	2021/22		
NHCP No.	Tender Let?	Project budgets include more than one contract	£'000	£'000	£'000	£'000	£'000	£'000	
294	Part	Corporate Property Condition & Suitability	7,758	10,070	9,000	8,000	8,000	42,828	
784	Part	Fleet Replacement Programme (including Zero Waste Strategy Fleet)	2,979	3,900	4,100	4,272	4,300	19,551	
789	Part	Planned Renewal & Replacement of Roads Infrastructure	5,115	5,211	5,211	4,968	4,968	25,473	
789E	Part	Street Lighting	473	500	1,000	1,000	1,000	3,973	
791	Part	Strategic Land Acquisition	1,922	1,051	2,775	0	0	5,748	
805	Part	Technology Investment Requirements & Digital Strategy	1,100	1,134	695	855	0	3,784	
806B	Part	CATI - Berryden Corridor (Combined Stages 1, 2 & 3)	685	320	3,096	10,300	4,490	18,891	
810K	Part	Energy from Waste (EfW) Construction & Torry Heat Network	456	457	22,000	49,000	13,087	85,000	
811	Part	Social Care Facilities - Len Ironside Centre	101	186	0	0	0	287	
820	Part	Investment in Tenanted Non-Residential Property Portfolio	30	500	2,340	0	0	2,870	
824	Part	City Centre Regeneration	6,168	14,632	7,114	0	0	27,914	
825	Part	City Deal	10	34	0	0	0	44	
835	Part	Street Lighting LED Lanterns (PACE 5 Year programme)	1,500	1,659	1,500	1,500	1,500	7,659	
836	Part	Flood Prevention Measures: Flood Guards Grant Scheme	10	100	100	100	100	410	
840	Part	Tillydrone Primary School	2,871	6,595	7,500	0	0	16,966	
841	Part	Torry Primary School and Hub	2,983	7,000	9,000	1,000	0	19,983	
			34,161	53,349	75,431	80,995	37,445	281,381	
			Outturn	Budget	Budget	Budget	Budget	Total	
			2017/18	2018/19	2019/20	2020/21	2021/22		
NHCP No.	Tender Let?		£'000	£'000	£'000	£'000	£'000	£'000	
812	No	Kingsfield Childrens Home	420	1,080	50	0	0	1,550	6
819	No	Tillydrone Community Hub	2,349	2,790	134	0	0	5,273	6
821	No	New Aberdeen Exhibition & Conference Centre : Anaerobic Digestion Plant	0	21,270	4,000	0	0	25,270	6
806A	No	CATI - South College Street	50	250	2,300	2,300	492	5,392	
809	No	New Milltimber Primary	0	500	11,000	1,500	0	13,000	
810J	No	Bridge of Don HWRC	0	50	50	1,300	0	1,400	
838	No	Flood Prevention Measures: Millside & Paddock Peterculter	200	300	500	2,000	0	3,000	
839	No	Flood Prevention Measures: Inchgarth Road	30	20	950	0	0	1,000	
851	No	Northfield / Cumming Park Early Learning and Childcare Provision	0	500	0	0	0	500	
849	No	Cruyff Court	150	75	0	0	0	225	
850	No	Community Growing Spaces	80	65	0	0	0	145	
999	n/a	Construction Inflation Allowance for existing projects	1,195	0	0	0	0	1,195	
			4,474	26,900	18,984	7,100	492	57,950	
		Totals	226,876	217,484	151,188	91,765	42,537	729,850	

1. Projects which are completely funded by ring-fenced capital grant. If the project is stopped, the funding will be lost.

2. Specific grants/loans to external bodies; tendering is not applicable

3. Budgets represent the Council's associated projects in addition to the SFT funded model for the new Academy

4. No tender exercises have been completed for any City Deal projects, though the Council committed to delivering these projects by signing the City Region Deal agreement.

5. The Council committed to completing the EfW Procurement and Land Acquisition project with the Inter Authority Agreement also agreed by Aberdeenshire Council and The Moray Council.

6. Projects where tenders have been received, and formal letting of contract could be imminent.

## Reconciliation – Original Budget at February 2017 to Current Budget

Original Budget (as set by Council February 2017)	239,518	214,429	139,213	76,458	37,555	707,173
Re-profiled from 2016/17 to future years						15,332
Approved by FP&R 9 March 2017:						
Station House Media Unit Extension						150
Cruyff Court						250
Community Growing Spaces						145
Northfield / Cumming Park Early Learning and Childcare Provision						500
New/Additional Fully Funded Amounts:						
City Deal: City Duct Network						5,000
Stoneywood Primary						1,300
Totals						729,850

**Note** – the re-profiling from 2016/17 to future years does not alter the total cost of any project, it simply profiles the costs across the project life.

## HOUSING CAPITAL PROGRAMME

	<b>Approved Budget</b>	<b>Forecast Expenditure</b>
	£'000	£'000
Compliant with the tolerable standard	95	95
Free from Serious Disrepair	20,612	20,612
Energy Efficient	7,687	7,687
Modern Facilities & Services	3,140	3,140
Healthy, Safe & Secure	3,648	3,648
Non Scottish Housing Quality Standards	26,972	26,972
	<b>62,154</b>	<b>62,154</b>

The table above reflects the gross capital programme and this stage is currently shown as being fully spent. However, it is important to note that the budget set in February 2017 assumes that a level of slippage will occur across projects such that the net or funded programme is £55.318m.

Work is ongoing to review the programme to identify where this slippage is likely to occur and will be reflected in Quarter 2.

**COMMON GOOD**

As at June 2017	Full Year Revised Budget	Forecast Actual	Variance Amount		Notes
			£'000	%	
Recurring Expenditure	2,783	2,741	(42)	(0.0)	1
Recurring Income	(3,428)	(3,428)	0	0.0	
<b>Budget After Recurring Items</b>	<b>(645)</b>	<b>(687)</b>	<b>(42)</b>	0.1	
Non Recurring Expenditure	421	421	0	0.0	
Non Recurring Income	0	0	0	0.0	
<b>Net Income</b>	<b>(224)</b>	<b>(266)</b>	<b>(42)</b>	<b>0.2</b>	
<b>Amounts required for increase in cash balances in line with inflation</b>	<b>(168)</b>	<b>(168)</b>			
<b>Revised Net income</b>	<b>(56)</b>	<b>(98)</b>			
<b>Cash Balances as at 1 April 2017 (unaudited)</b>	<b>(22,001)</b>	<b>(22,001)</b>			
<b>Estimated Cash Balances as at 31 March 2018</b>	<b>(22,225)</b>	<b>(22,267)</b>			
<b>Minimum cash balance requirement per budget report (Council February 2015)</b>	<b>(18,808)</b>	<b>(18,808)</b>			

**Notes**

1. It is anticipated that the Twinning budget will be underspent due to a staff vacancy whilst based on the previous year and information to date it is expected that service support charges will be lower than budgeted.

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**COMMON GOOD  
FINANCIAL STATEMENT  
FOR THE QUARTER  
1 APRIL 2017 TO 30 JUNE 2017**

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## Common Good

The Common Good stands separate from other accounts and funds of the Council, and could be said to originate in the grant of freedom lands by King Robert the Bruce in 1319. The Common Good is corporate property and must be applied for the benefit of the community as the Council thinks fit. It is invested in land and buildings, such as industrial estates and farms, with any surplus being placed on cash deposit with other local authorities, building societies and the Council's Loans Fund.

## Movement in Reserves Statement

	Common Good Fund	Reserves Fund	Total Common Good
	£'000	£'000	£'000
<b>Balance at 31 March 2017</b>	<b>(111,107)</b>	<b>(68)</b>	<b>(111,175)</b>
<b>Movement in Reserves during 2017/18</b>			
(Surplus) or Deficit on provision of services	(866)	0	(866)
<b>Total Comprehensive Expenditure and Income</b>	<b>(866)</b>	<b>0</b>	<b>(866)</b>
<b>Balance at 30 June 2017</b>	<b>(111,973)</b>	<b>(68)</b>	<b>(112,041)</b>

## Comprehensive Income and Expenditure Statement

	Quarter 1, 2017/18			Notes
	Gross Expenditure	Gross Income	Net (Income) Expenditure	
	£'000	£'000	£'000	
Administration Costs	6		6	
Donations, Grants, Contributions etc.	214		214	
Civic Hospitality	29		29	
Funding of International Budget	10		10	
Christmas Illuminations & Festivities	71		71	
Civic Administration Unit	45		45	
Other Projects	17		17	
Miscellaneous Expenditure	0		0	
Youth Activity Funding	0		0	
Exhibitions, Displays and Galas	0		0	
Duthie Park HLF	0		0	
<b>Cost Of Services</b>	<b>393</b>	<b>0</b>	<b>393</b>	1
Other Operating Expenditure			0	2
Financing and Investment Income and Expenditure			(1,259)	3
<b>(Surplus) or Deficit on Provision of Services</b>			<b>(866)</b>	
(Surplus) or Deficit on revaluation of investment property			0	4
<b>Total Comprehensive Income and Expenditure</b>			<b>(866)</b>	

### Notes

1. This is project expenditure to June 2017. It should be noted that historically many transactions have been undertaken at year end. A future phase of quarterly reporting will include moving such transactions to a quarterly basis.
2. This line will be used to reflect any gains or losses on the disposal of assets which take place during the year.
3. This reflects income receivable from investment properties net of associated expenditure.
4. The revaluation of investment property will be undertaken in Quarter 4.



**Balance Sheet**

<b>31 March 2017</b>			<b>30 June 2017</b>	<b>Notes</b>
<b>£'000</b>			<b>£'000</b>	
89,046	Investment Property		89,046	1
<b>89,046</b>	<b>Long Term Assets</b>		<b>89,046</b>	
21,918	Investments in Aberdeen City Council Loans Fund		22,907	2
61	Investment Property Held for Sale		61	3
472	Short Term Debtors		28	4
<b>22,451</b>	<b>Current Assets</b>		<b>22,996</b>	
(322)	Short Term Creditors		(1)	5
<b>(322)</b>	<b>Current Liabilities</b>		<b>(1)</b>	
<b>111,175</b>	<b>Net Assets</b>		<b>112,041</b>	
(111,107)	Common Good Fund		(111,973)	6
(68)	Reserve Fund		(68)	6
<b>(111,175)</b>	<b>Total Reserves</b>		<b>(112,041)</b>	

**Notes**

1. The revaluation of investment property will be undertaken in Quarter 4, at which time this figure will be updated.
2. Reflects current cash balances held following transactions to June 2017.
3. Will be reviewed and updated accordingly in Quarter 4.
4. Based on transactions to June 2017.
5. Based on transactions to June 2017.
6. Reflects the accounting value of the funds, based on transactions to June 2017.

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## ABERDEEN CITY COUNCIL

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COMMITTEE	Council
DATE	23 August 2017
REPORT TITLE	Recruitment to Aberdeen Economic Policy Panel
REPORT NUMBER	CHI/17/199
DIRECTOR	Angela Scott
REPORT AUTHOR	Matt Lockley

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### **1. PURPOSE OF REPORT**

- 1.1 The purpose of the report is to seek Council approval to appoint three members to the Aberdeen Economic Policy Panel (the Panel) and to inform Council of the Panel's immediate working priorities.

### **2. RECOMMENDATION(S)**

- 2.1 It is recommended that Council approves the appointment of the three preferred candidates to the Panel as outlined in the report and notes the immediate working priorities of the Panel.

### **3. BACKGROUND/MAIN ISSUES**

- 3.1 At the Council meeting of 15<sup>th</sup> March 2017, the Council approved plans to establish an Economic Policy Panel to advise on and inform the Council's annual credit rating reassessment and to inform the Regional Economic Strategy and other economic matters relevant to the Council. Members further instructed the Chief Executive to undertake a national advertisement with a view to recruiting appropriately qualified members to the Panel.
- 3.2 Approval of members to the Panel was reserved to the first available Finance, Policy and Resources Committee after the recruitment exercise had been undertaken. The recruitment exercise took place in early July and resulted in three preferred candidates being identified. Given this, the need for the Panel to be able to start its work in advance of the first annual credit rating reassessment in the autumn and the Committee meeting cycle, approval is now sought from Council (rather than Finance, Policy and Resources Committee) for confirmation of the Panel's membership.
- 3.3 A copy of the recruitment pack is included with this report at Appendix 1. The advertisement for Panel members was published nationally in the Financial

Times and The Economist in June. There were over 35 applications from a wide range of potential candidates, many of whom were internationally based.

3.4 Shortlisting and subsequent interviews were undertaken by the Chief Executive, Head of Finance and Acting Head of Economic Development in early July. This resulted in three preferred candidates being provisionally invited to form the Panel, subject to confirmation of their appointment through the Council's governance.

3.5 The three preferred candidates and their relevant experience for the Panel Member role are detailed below.

3.5.1 **Stephen Boyle**

Currently Chief Economist at the Royal Bank of Scotland Group plc, Stephen is also a Non-Executive Director of RBS Pension Trustee Limited. He is a member of the Scottish Government's Enterprise and Skills Review Implementation Board and the Economic Advisory Group for the British Chambers of Commerce. Stephen is a member of the Scottish Experts Advisory Group at the Fraser of Allander Institute and is a trustee of the David Hume Institute.

3.5.2 **Dr Hanan Morsy**

Dr Hanan Morsy is a global strategist, macro-economic and public policy expert with diversified experience in top international financial institutions and the private sector. She has provided strategic advice and quantitative policy analysis to national governments on macroeconomic, fiscal and financial issues as well as on private sector development and structural reforms. She is currently the Lead Economist (Southern and Eastern Mediterranean) for the European Bank for Reconstruction and Development (EBRD). Prior to joining the EBRD, she held Senior Economist roles across different departments at the International Monetary Fund. She has a PhD in Economics (Essays on Financial Turmoil) from the George Washington University and a Masters in Economics from the University of California, Davis. She has been published on a diverse range of topics including Structural Reform, Fiscal Stimulus and Current Account Determinants for Oil-Exporting Countries. She was a member of the Global Sovereign Risk Panel founded by the Peterson Institute for Economics and Moody's Investor Services to exchange views and analysis on sovereign credit risk issues.

3.5.3 **Douglas Peedle**

Since March 2004, Dougie has been the Chief Economic Adviser to the States of Jersey, advising on all aspects of macro and microeconomic policy. During his tenure in the role, he has been the lead adviser on the development of Jersey's new fiscal framework which has included the establishment of an independent Fiscal Policy Panel and policy for a type of sovereign wealth fund. Dougie has also led the development of the last two Economic Development Strategies for Jersey and has worked extensively on competition and innovation policy. Prior to working in Jersey, Dougie held senior economist roles with both the CBI and Engineering Employers' Federation (EEF) and also worked as international economist for multinational Rio Tinto.

- 3.6 As outlined in the previous report to Council and the (approved) draft terms of reference for the Panel, secretariat support will be provided by the Council alongside access to economic data and analysis from the Council's Economic Development and Finance services. In addition, external stakeholders will also be engaged in the work of the Panel and will contribute information and perspectives accordingly.
- 3.7 The first credit rating reassessment (by Moodys) is scheduled for the autumn of 2017. Given that the Panel will only just have been established, it will not be possible for an annual economic report to be produced in advance of this first reassessment. However the Panel will meet with the assessors to discuss their initial thinking on the Aberdeen economy and how they will work as a Panel to support the rating reassessment process in subsequent years.
- 3.8 Other short-term priorities for the Panel include:
- A two-day familiarisation visit, being planned for September, which will enable the Panel to meet key Elected Members and business and civic leaders from across the city;
  - Finalising the Panel's terms of reference, which will include agreeing on a Chair and procedural issues relating to meetings, secretariat requirements and the nature and scope of observers to the Panel;
  - Understanding the datasets that will be at the Panel's disposal to track economic performance;
  - Setting out an annual work plan, which will revolve around the publication each year (likely to be Sept-Oct) of its annual economic report

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no additional financial implications from those previously reported to Council at its meeting of 15 March 2017.

#### **5. LEGAL IMPLICATIONS**

- 5.1 The Council's credit rating and subsequent Bond Issue do not legally require the formation of an Economic Policy Panel. However, and as noted in the report to Council in March 2017, credit rating agencies value independent analysis and reporting of local economies. A panel is seen as a robust check on the economic analysis provided to the credit rating agency as it provides independent validation of economic policy and performance. As the Panel members will have access to significant amounts of data and Council information, the appropriate confidentiality clauses will be included in the Panel members' contracts.
- 5.2 The Council is procuring the services of individuals to serve on the Panel, rather than employing them. Ordinarily, given the total estimated value of the services to be procured, the potential candidates would have been invited to tender via a notice published on Public Contracts Scotland, however other methods of advertisement may be used when deemed appropriate. In this

instance, it was felt that an advertisement in both the Financial Times and The Economic publications was more appropriate. Both publications have an international reach and have a target audience possessing the skills necessary to fulfil the role advertised.

- 5.3 The price for service was within a fixed range, so the process of evaluating potential candidates was based on their suitability for the role. It should follow that the selected candidates were the most economically advantageous to the Council, being the required award criteria for procurement for services with this level of expenditure.

## **6. MANAGEMENT OF RISK**

- 6.1 The following categories, namely Financial, Employee, Customer/citizen, Environmental, Technological, Legal and Reputational, were considered and where material risks were thought to be present, these are set out below.
- 6.2 Financial – there is a risk to the Council if the credit rating reassessment process is not supported by robust, credible and independent economic analysis. Establishing the Economic Policy Panel and supporting it to provide independent advice to the Council and the credit rating agency mitigates this risk.
- 6.3 Reputational – linked to the above, if the Council's credit rating is reassessed negatively, this could have reputational implications for both the Council and the wider Aberdeen economy. The Economic Policy Panel will therefore play a key role in terms of influencing the Council's financial planning and wider initiatives such as the Regional Economic Strategy and diversification agenda.

## **7. IMPACT SECTION**

- 7.1 This section demonstrates how the proposals within this report impact on the strategic themes of Aberdeen City Council and Community Planning Aberdeen, as set out in the [Aberdeen City Local Outcome Improvement Plan 2016-26](#) and the [Aberdeen City Council Strategic Business Plan](#).

### **7.2 Economy**

- 7.2.1 The report is of importance to the economy as it recommends the next steps in establishing an Economic Policy Panel for Aberdeen. Whilst the principle role of the Panel will be to support the annual credit rating reassessment process, it will also provide critical, independent insight and advice on the economy to the Council and the wider stakeholders in the Aberdeen and city region economy. The credibility of the Panel will be important and its independence from the Council will therefore need to be a founding and sustained principle.
- 7.2.2 The Panel will consider historical data and regional, national and international trends in assessing economic performance but it will also advise on future

trends and market activity that will affect / provide opportunities for the city region economy going forward. This may influence future reviews of the Regional Economic Strategy and associated initiatives / investments through the city region's partnerships.

### **7.3 People**

- 7.3.1 The work of the Economic Policy Panel will be of interest to citizens, businesses and their workforce across the city region. It will be important for the Panel to be independent and credible as this will affect the level of engagement people have with it and the confidence in which it is held.

### **7.4 Place**

- 7.4.1 The Economic Policy Panel's work, in particular its annual report, will have a direct impact on the place of Aberdeen as it will be an independent statement on the economic performance of the city and its future growth potential. The Panel will work with and seek input from a range of stakeholders and business and civic leaders and its statements will therefore be impactful as a summary analysis of input it has received. The Panel's annual report will be an important factor in economic confidence in the city and will influence priorities around areas such as inward investment and business support.

### **7.5 Technology**

- 7.5.1 There are no technology implications as a result of this report.

## **8. BACKGROUND PAPERS**

- 8.1 Bond Financing Strategy – Economic Policy Panel – report to Council, 15<sup>th</sup> March 2017.  
<https://committees.aberdeencity.gov.uk/documents/s67581/Bond%20Financing%20Strategy%20-%20Economic%20Policy%20Panel.pdf>

## **9. APPENDICES**

- 9.1 Appendix 1 - recruitment pack

## **10. REPORT AUTHOR DETAILS**

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## Candidate Brief: Aberdeen Economic Policy Panel



**Shaping  
Aberdeen**

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May 2017



# Background

Aberdeen is an internationally recognised business centre with globally competitive industries, and is one of the most prosperous and strategically important cities for Scottish and UK governments:

- It is the third largest city in Scotland with continued demographic appeal
  - Population of 229,000 (4.3% of Scotland's population); strong population growth of 11% between 2004 and 2014 (at c.489,490 for the wider region), largely due to migration both internationally and from within the UK
- It has disproportionately large economic contribution to Scottish and UK economies relative to resident population
  - GVA contribution at £18bn, with GVA per head of £36,242 being the second highest in the UK after Inner London (65% higher than Scottish average)
- It is a prosperous city region with high productivity and propensity for innovation
  - 25% higher workplace full-time weekly employee earnings versus Scottish average with 79% employment rate (71% Scottish average)
  - It ranks second out of 63 UK cities on number of patents per 100,000 of population
- Strategically important to UK and Scottish governments as an economic powerhouse and Energy Capital of Europe:
  - Significant contributor to the UK Exchequer largely due to oil and gas industry - ranks eighth in the "tax take per worker" (2014) in the UK, ranking higher than all other Scottish regions
  - It is the UK's gateway to maximising economic recoveries from the UK Continental Shelf, growing the UK and Scottish supply chain base and capitalising on the £46bn North Sea decommissioning market
  - Politically supported ambition to become a globally recognised offshore technology base with internationally exportable expertise
  - Research and innovation activities backed by the top Scottish Universities and significant research centres
- It secured over £500m funding commitment from UK and Scottish government evidences overwhelming support for Aberdeen and the region:
  - The City Region deal – a tripartite agreement between Scottish government and UK government with both governments committing to jointly investing £250m over next 10 years towards innovation, digital infrastructure and connectivity
  - Additionally, SG pledge for another £254m funding towards infrastructure projects to act as catalyst for economic growth



# Aberdeen City Council

## **Aberdeen City Council is leading an unprecedented period of city-wide transformation.**

Our organisation delivers services to more than 115,000 households, 8,600 businesses and directly to a population in excess of 229,000 as part of the wider north-east population of 489,000.

In the 2017 Scottish Council Elections 45 councillors were returned to serve Aberdeen City Council across 13 multi-member wards. A coalition administration has been formed by Scottish Conservative and Unionist (11 members), Aberdeen Labour (nine members) and Independent Alliance Group (three members) councillors.

We have 8,600 employees and their commitment, professionalism and expertise is critical to everything Aberdeen City Council does. There is great pride in the knowledge, expertise and experience we call upon within the organisation.

From the largest infrastructure roads project in Europe in the Aberdeen Western Peripheral Route to investment in affordable housing to building new schools to a £30m project to renovate our Art Gallery, Aberdeen is changing.

This massive programme of regeneration and renewal is not just limited to our services and infrastructure. There is a determined focus on developing our workforce and improving our use of resources to ensure we support the people of Aberdeen in a progressive and forward thinking way.

We are changing the way we do business as we embark on one of the most important periods in the history of the city. Underpinning all of this activity is a clear aim to improve the experiences of our customers and staff to shape the future of Aberdeen.

**Aberdeen - The Smarter City** (2013-18), provides the strategic goals of the Council. The Plan makes commitments to build on the Council's current performance and make further improvements across the City in key areas including:

- Digital infrastructure
- Educational attainment
- Jobs and economic development
- Affordability and quality of social housing
- Recycling, carbon management and sustainable transport
- The strength and safety of our local communities

The full Business Plan is available at:

[http://www.aberdeencity.gov.uk/nextfiveyears/nfy\\_home.asp](http://www.aberdeencity.gov.uk/nextfiveyears/nfy_home.asp)

This was refreshed in 2016 to include restated and updated objectives, and is available at:

<https://committees.aberdeencity.gov.uk/documents/s66660/Strategic%20Business%20Plan.pdf>



# The Bond and Credit Rating

In November 2016, the Council became the first Scottish local authority to issue an index linked bond through the debt capital markets, raising £370m to drive forward an ambitious capital programme, supporting vital infrastructure throughout the city

A key element of this process was the need to obtain a suitable credit rating from a credit ratings agency. The Council was rated at Aa2 by Moodys Investors Service, just one notch below the UK sovereign rating. The rating had a negative outlook, mirroring the UK sovereign rating following the UK voting to leave the European Union. In terms of investor confidence in Aberdeen City Council, it is important that the Council maintains its credit rating level. This credit rating shall be reviewed by Moodys on an annual basis, commencing in autumn 2017.

As part of the credit rating appraisal, Moodys required an assessment of the Council's financial

and institutional framework, as well as a detailed assessment of the current and future economic performance of Aberdeen and the North East of Scotland. Independent economic commentary will both support the Council's credit rating reviews by providing assurance on the medium to long term economic outlook of Aberdeen and the North East of Scotland to existing and future investors.

In March 2017, the Council instructed the Chief Executive to undertake a national advertisement with a view to recruiting appropriately qualified members for the Aberdeen Economic Policy Panel.



# The Economic Policy Panel

The Economic Policy Panel is to be set up as part of a new governance that was designed as part of the Council's successful Bond Issue and supporting credit rating assessment (Council Report available here: <https://committees.aberdeencity.gov.uk/documents/s64876/Bond%20Financing%20Strategy.pdf>)

While the focus of a Panel would be to support the Council's annual credit rating review, it could also provide further benefits in relation to informing the delivery of the Regional Economic Strategy and the key economic priorities in the city and wider region in the context of responding to implications of Brexit, the Council's medium term financial planning and providing independent commentary on any major proposals.

In order to meet the aims to support the annual credit rating assessment for the Council, the objectives of the panel are to:

- Provide independent commentary of the state of the Aberdeen economy in the form of an annual report that will be presented at the Council's Finance, Policy & Resources Committee. This could include:
  - Commentary on the strength of the economy in Aberdeen and the North East of Scotland;
  - Outlook for the economy and, generally, national, world economies and financial markets
  - The economic cycle in Aberdeen and the North East of Scotland.
- Provide a 'sounding board' for any emerging issues in relation to the wellbeing of the Aberdeen and regional economies; and
- Meet on a six monthly basis with regional stakeholders – elected members, industry, /businesses to discuss emerging issues from economic data and returns provided by officers.

Throughout the year, members will be required to monitor and consider all the developments in the Aberdeen city region as data becomes available. Members will need to undertake their own analysis and also consider the need for any detailed research that could be commissioned to help them reach conclusions on the above for their reports.

The Panel is independent from both the Council and industry, but the Council has agreed that its Finance, Policy & Resources Committee shall have due regard to the reports and other work of the Panel. In this sense the Convenor can request additional reports at any point in the year should economic and/or fiscal conditions change significantly between annual reports. Any such additional work would be agreed separately to this remit for the Panel.

The Council's budget and financial planning can be found here:

<https://committees.aberdeencity.gov.uk/documents/s66669/General%20Fund%20and%20NHCP.pdf> and <https://committees.aberdeencity.gov.uk/documents/s67252/Approved%20Budget.pdf>.

## Composition

The Panel will be made up of at least 3 leading independent economists that can bring together the right mix of experience and skills. Panel members will be engaged by the Council's Chief Executive for up to 3 years.

The Chair of the Panel will be selected from the members who are engaged.



## Knowledge and Skills

Members will be leading independent economists that can bring diverse and cumulative knowledge and extensive experience from one or more of the following:

- Developing and implementing economic policy, for example at a central bank or within government
- Advising government on the macroeconomic implications of tax and spending decisions
- Holding senior economics positions in the private sector, where experience is relevant to the Aberdeen city region economy
- Leading relevant academic research and leading expert in field eg macroeconomic and fiscal policy.

Specific expertise required includes:

- The ability to work well as part of a team and to work with others in making recommendations
- Taking a pragmatic approach to economic policy making and implementation
- The ability to reach conclusions and make recommendations on the basis of the information available
- Demonstrating strong communication skills and ability to express economic issues in a non-technical manner

## Support

The Council's Economic Adviser will act as Secretary to the Panel and its local support – arranging/preparing for meetings, providing the information needed and analysis required for the Panel's reports. The Panel can draw on any other sources of information that it sees fit and may require. The Economic Adviser will work with the Council's research unit as well as local/regional partners to improve (where feasible) the amount of economic data available and to meet the data requirements of the Panel, and, if necessary, commission additional research on the Panel's behalf.

## Time Commitment

The Economic Policy Panel is expected to require around one day a month of members' time, although this will not be evenly spread over the course of the year. Demands are likely to be higher when the Panel meets to gather evidence and prepare its reports around the annual credit rating process.

Payment will be c£15,000 - £17,000 p.a.

Appointment will be for a period of up to three years.



## Further Information

If you have queries about the work of the Economic Policy Panel which have not been answered in this pack, please contact:

**Steve Whyte**, Head of Finance, [swhyte@aberdeencity.gov.uk](mailto:swhyte@aberdeencity.gov.uk) or

**Richard Sweetnam**, Head of Economic Development, [rsweetnam@aberdeencity.gov.uk](mailto:rsweetnam@aberdeencity.gov.uk)

## How to Apply

Please apply in writing with a CV to: **Angela Scott**, Chief Executive ([chiefexecutive@aberdeencity.gov.uk](mailto:chiefexecutive@aberdeencity.gov.uk)).

## Closing Date

The closing date for applications is **5:00pm** on **Monday 26th June 2017**.

## Interview Date

Interviews will be held at Marischal College, Aberdeen on the afternoon of **Tuesday 4th July 2017**.





## ABERDEEN CITY COUNCIL

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COMMITTEE	Council
DATE	23 August 2017
REPORT TITLE	Update on negotiations with Places for People (Shaping Aberdeen Housing LLP Approved Business Plan)
REPORT NUMBER	CHI/16/326
DIRECTOR	Bernadette Marjoram (Interim Director Communities Housing and Infrastructure)
REPORT AUTHOR	Paul Genoe

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### **1. PURPOSE OF REPORT:-**

- 1.1 At the Council meeting of the 15 March 2017 the Shaping Aberdeen Housing LLP Business Plan was approved and Council resolved to 'instruct the Chief Executive to negotiate with Places for People on the delivery of 1,000 affordable homes and report back to the next Council meeting on the mechanism by which this could be achieved'.

### **2. RECOMMENDATION(S)**

- 2.1 To approve the further 103 affordable homes in addition to the 897 proposed within the Shaping Aberdeen Housing LLP Business Plan reported and approved by Council on the 15 March 2017 and the mechanism of how this will be achieved.

### **3. BACKGROUND/MAIN ISSUES**

- 3.1 A report was considered by Council at its meeting on the 15 March 2017 for approval of the Shaping Aberdeen Housing LLP Business Plan and other approvals necessary for the project to proceed.
- 3.2 Council approved the recommendations within the report of the 15 March 2017. Council also instructed the Chief Executive to negotiate with Places for People on the delivery of 1,000 affordable homes and report back to the next Council meeting on the mechanism by which this could be achieved.

- 3.3 This report is intended to address the instruction (3.2) and apprise Council of how this will be achieved, together with providing written confirmation from Places for People of their agreement as partners within the LLP structure.
- 3.4 The Business Plan provides for a total of 897 affordable homes in lieu of the required 1,000 affordable homes, leaving a shortfall of 103 affordable homes. This was created as a direct result of the removal of the Tillydrone sites. Through negotiations with Places for People the additional 103 affordable homes required to achieve the 1,000 affordable homes can be accommodated at the Greenferns development site.
- 3.5 The mechanism to achieve the additional 103 affordable homes will be accomplished through the updated Development Framework to reflect a more refined design density and create a greater number of affordable homes. It is anticipated that the Development Framework and supporting studies will be submitted to committee in October 2017.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 The financial implications can be accommodated within the Shaping Aberdeen LLP Business Plan.

#### **5. LEGAL IMPLICATIONS**

- 5.1 There are no direct legal implications arising from the recommendations of this report.

#### **6. MANAGEMENT OF RISK**

- Financial: there are no financial risks associated with the decision requested of the Council.
- Employee: there are no employee risks associated with the decision requested of the Council.
- Customer / citizen: there are no customer / citizen risks associated with the decision requested of the Council.
- Environmental: there are no environmental risks associated with the decision requested of the Council.
- Technological: there are no technological risks associated with the decision requested of the Council.
- Legal: there are no legal risks associated with the decision requested of the Council.

- Reputational: there are no reputational risks associated with the decision requested of the Council.

## **7. IMPACT SECTION**

7.1 This section demonstrates how the proposals within this report impact on the strategic themes of Aberdeen City Council and Community Planning Aberdeen, as set out in the Aberdeen City Local Outcome Improvement Plan 2016-26 and the Aberdeen City Council Strategic Business Plan.

### **7.2 Economy**

7.2.1 The provision of good quality affordable housing continues to be an important factor in encouraging people to live and work in Aberdeen city; the proposal for these additional affordable homes contributes to this objective.

### **7.3 People**

7.3.1 The Council is committed to improving the key life outcomes of all people in Aberdeen city. The proposal for these additional affordable homes contributes to this objective. An Equality and Human Rights Impact Assessment (EHRIA) in connection with this programme has already been completed as part of the report to the meeting of the Council on 8<sup>th</sup> October 2015. Privacy impact assessment (PIA) screening has also been undertaken and a PIA is not necessary.

### **7.4 Place**

7.4.1 The Council is committed to ensuring that Aberdeen is a welcoming place to invest, live and visit and operating to the highest environmental standards. The proposal for these additional affordable homes contributes to the place making and infrastructure of the city.

### **7.5 Technology**

7.5.1 The Council recognises that enabling technology is central to innovative, integrated and transformed public services. There are no direct implications arising from the recommendations in this report.

## **8. BACKGROUND PAPERS**

8.1 Strategic Infrastructure Plan Council Reports:

- 10 June 2014 (EPI/14/165)
- 20 August 2014 (H&E/14/054)
- 8 October 2014 (CHI/14/038)
- 8 October 2015 (CHI/15/241)
- 17 August 2016 (CHI/16/182)
- 6 October 2016 (ECS/16/060)

- 14 December 2016 (CHI/16/223)
- 15 March 2017 (CHI/16/326)

## **9. APPENDICES**

- 9.1 Appendix 1 – Letter of Authorisation from Places for People dated 16 March 2017.

## **10. REPORT AUTHOR DETAILS**

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16<sup>th</sup> March 2017

Angela Scott  
Chief Executive  
Aberdeen City Council  
Business Hub 12  
Level 2 West  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

Dear Angela

**SHAPING ABERDEEN HOUSING LLP**

We are delighted with the Council's decision on 15<sup>th</sup> March 2017 to approve the Shaping Aberdeen Housing LLP business plan.

As Group Development Director of Places for People we hereby confirm our Board approval of the Shaping Aberdeen Housing LLP's business plan and agree to the provision of a further 103 (one hundred and three) additional affordable homes at the Greenferns site.

As Shaping Aberdeen Housing LLP management board member and representing Places for Peoples membership interests, it is agreed to the additional 103 properties which will bring the total number of affordable homes to 1,000 (one thousand) in the LLP 5 year business plan.

It is hoped this letter provides you with the necessary re-assurance of Shaping Aberdeen Housing LLP's intentions.

Please do not hesitate to contact me directly should you want to discuss further.

Kind regards

A large black rectangular box redacts the signature of Colin Rae.

Colin Rae  
Group Development Director

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## ABERDEEN CITY COUNCIL

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COMMITTEE	Council
DATE	23 <sup>rd</sup> August 2017
REPORT TITLE	Welfare Reform
REPORT NUMBER	CHI/17/198
DIRECTOR	Bernadette Marjoram C, H& I (Interim)
REPORT AUTHOR	Dave Kilgour, Inclusion and Welfare Manager

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### **1. PURPOSE OF REPORT:-**

- 1.1 At the Council meeting on 21 June 2017 members requested that a report on Welfare Reform be provided for this meeting.

### **2. RECOMMENDATION(S)**

- 2.1 To note the update on Welfare Reform including the current position regarding Universal Credit and the Scottish Welfare Fund.
- 2.2 To note the information regarding the Social Security (Scotland) Bill being considered by the Scottish Parliament currently and that this will be monitored by officers and the Welfare Matters Programme Board with further reports on this and devolved social security powers being provided as appropriate for future committees.

### **3.1 BACKGROUND/ MAIN ISSUES**

- 3.1.1 The Welfare Reform Act completed its passage through the UK Parliament in March 2012 and received royal assent on 5th March 2012. Its primary purpose is aimed at delivering a system that is simpler, fairer and ensuring that “work always pays”.
- 3.1.2 The main change relates to the introduction of Universal Credit which will provide a basic allowance/single payment with additional elements for children, disability, housing and caring that will support people both in and out of work replacing Working Tax Credit, Child Tax Credit, Housing Benefit, Income Support, income based Jobseekers allowance and income-related Employment and Support Allowance. In Aberdeen Universal Credit is “Live” currently and is being applied to a small number of new claimants. Universal Credit “Full Service” which will apply to all claimants will be rolled out from June 2018.

3.1.3 The Welfare Matters Programme Board was established by CMT in 2012 to mitigate and manage the impact of Welfare Reform changes. The Board is chaired by a Senior Council Officers and includes a wide range of Community Planning Partners from the public, community and voluntary sectors given the wide ranging implications of Welfare Reform.

3.1.4 Areas of work being considered by the Programme Board include:

- Universal Credit: A planned approach with partners and strategies for early intervention
- Co-location: A strategic look at where our 'Welfare Matters Access Points should be and the co-location of staff at these venues
- Communication Strategy: to include updated website, flyers, digital apps and events in communities
- Staff Training: For front line staff across the partnership to ensure consistent messages and a joined up approach is given to our customers
- Case Conferencing: For serious and complex cases a route in which these can be escalated
- Financial Inclusion: A review of how we spend our money and a costed plan to be presented as part of the 2018/19 budget setting process.
- Monitoring Stats: Monitoring key data to inform decision making including the Scottish Welfare Fund and Rent Arrears
- Continuous Learning through experiences from other Councils and organisations along with feedback from our customers and staff
- Implement Towards a Fairer Aberdeen that Prospers for All agreed by Finance, Policy and Resources Committee in March 2017).for those actions that directly relate to addressing welfare reform.

## **3.2 Universal Credit (UC)**

3.2.1 Whilst it is very difficult to accurately predict what the impact of U.C Full Service will be on claimants and Housing Revenue Account, modelling work is currently being undertaken and will be reported to the Communities, Housing and Infrastructure Committee at a future date.

3.2.2 Currently Housing Benefit for claimants administered by the Council and Housing Benefit for the majority of social housing tenants is paid directly to the landlord. At end of July 2017 (22months into UC "live service") less than 2% of total Housing tenancies (c.400 properties) are subject to UC, increasing at an average rate of 5 new cases per week.

3.2.3 At the end of July 2017, average arrears across UC tenancies in Aberdeen is £616, versus £382 across mainstream tenancies, and 34% of our U.C. tenancies are more than 8 months in arrears as against 7% across our mainstream tenancies. 76% of our UC tenancies are in arrears versus 38% across all our mainstream tenancies, 30% of UC tenancies are more than 8 weeks in arrears versus 6% across all mainstream tenancies.

3.2.4. The following Councils have now gone Universal Credit Full Service: Highland, East Lothian, Midlothian, Stirling, East Dunbartonshire and Clackmannanshire. Highland and East Lothian Councils have been the



operating the longest and have feedback indicate a significant rise in rent arrears primarily linked to the minimum 6 week wait for beneficiaries' first U.C payment.

- 3.2.5 Under U.C, Housing Benefit will be paid to the tenant, whose responsibility it will be to pay the rent unless there are exceptional circumstances. In Aberdeen U.C is currently "Live" for a small number of beneficiaries, essentially single households. Universal Credit "Full Service" (F.S) will apply to all claimants being fully rolled out in the city by the DWP from June 2018.

### 3.3 Scottish Welfare Fund

- 3.3.1 The Scottish Welfare Fund provides a safety net for vulnerable people on low incomes through the provision of Community Care Grants and Crisis Grants. The Scottish Welfare Fund is a national scheme, underpinned by law and delivered on behalf of the Scottish Government by all local councils. The Scottish Welfare Fund replaced elements of the Social Fund abolished by the Department for Work and Pensions in 2013.

- 3.3.2 Crisis Grants made under the scheme aim to help people facing a disaster or emergency and applications have increased significantly since its inception. .

2015/2016	2016/17
7750	10328

- 3.3.3 At the same time demand is increasing the SWF award from the Scottish Government is decreasing. From 2018 distribution of grant levels will be applied using the SCG formula, based on the Income Domain of the Scottish Index of Multiple Deprivation 2016.

SWF award 2015/16	SWF award 2016/17	SWF award 2017/18
£920,600	£905,097	£894,479

- 3.3.4 It can be anticipated that from 2018/19 when U.C Full Service is fully rolled out there will likely be an increased demand for crisis grants. This will be monitored by officers and reported to Committee with proposals to address this if this materialises.

### 3.4 Social Security (Scotland) Bill

- 3.4.1 Social Security (Scotland) Bill (20<sup>th</sup> June 2017) sets out the principles and the powers relating to the 11 devolved benefit areas stemming from the Smith Commission.

- 3.4.2 The Scottish social security principles set out in the Bill are:—

- (a) Social security is an investment in the people of Scotland,
- (b) Social security is itself a human right and essential to the realisation of other human rights,

(c) Respect for the dignity of individuals is to be at the heart of the Scottish social security system,

(d) The Scottish Ministers have a role in ensuring that individuals are given what they are eligible to be given under the Scottish social security system,

(e) The Scottish Social Security System is to be designed with the people of Scotland on the basis of evidence,

(f) Opportunities are to be sought to continuously improve the Scottish social security system in ways which put the needs of those who require assistance first,

(g) The Scottish social security system is to be efficient and deliver value for money.

#### 3.4.3 The devolved benefit areas are:

- Attendance Allowance
- Carer's Allowance
- Disability Living Allowance
- Personal Independence Payment
- Industrial Injuries Disablement Benefit
- Severe Disablement Allowance
- Cold weather Payment
- Funeral Payment
- Sure Start Maternity Grant ( to be replaced by Best Start Grant)
- Winter Fuel Payment
- Discretionary Housing Payments

3.4.4 In addition, the Smith Commission agreed that Scottish Parliament should be given the power to make administrative changes to Universal Credit and to vary the housing cost element alongside powers for the Scottish Parliament to create new benefits in areas of devolved responsibility, and top up reserved ones.

3.4.5 Powers around Discretionary Housing payments are already transferred and operating.

3.4.6 The timescales for implementation of other areas will depend on the passing of the Bill and the establishment of a new Social Security Agency and that most of these devolved areas will be operational during 2018/19.

3.4.7 The Scottish Government intention is to have a new Central Social Security Agency which will employ around 1500 staff and to have a series of satellites bases throughout Scotland potentially co-located with existing public sector bodies. The Council Leader wrote to the Scottish Government earlier this year to make the case for Aberdeen being the host City for this new Agency, which would bring employment to the City.

- 3.4.8 The roll out and delivery of the Scottish Social Security Bill and the devolved powers once these are enacted will be monitored by officers and will be a standing item on the Welfare Matters Programme Board agenda and will be reported to Council committees as and when required.

## **4 FINANCIAL IMPLICATIONS**

- 4.1 There are no direct financial costs stemming from this report. Within the Housing Revenue Account for 2017/18 a sum of £2.85 M has been reserved for Welfare Reform.
- 4.2 The Scottish Governments required Annual Report 2017 to the Scottish Parliament following the Welfare Reform (Further Provision) (Scotland) Act 2012 includes analysis of the financial impact of welfare reform at Local Authority level.
- 4.3 In relation to the financial impact of welfare reform changes the report estimates that whilst Aberdeen, compared with other parts of Scotland, will be one of the least affected local authorities by 2020/21; the cumulative financial loss to households in the city will amount to £26M per annum amounting to a reduction per head of working age population of around £160 per person per year.

## **5 LEGAL IMPLICATIONS**

- 5.1 There are no direct legal implications arising from the recommendations in this report

## **6. MANAGEMENT OF RISK**

- 6.1 There is risk associated with the current increase in arrears associated Universal Credit and the potential increased risk when U.C. Full Service is introduced from June 2018. It is intended that Officers and partners will continue to work in partnership with the Welfare Matters Partnership Board to mitigate this risk.

## **7. IMPACT SECTION**

### **7.1 Economy**

- 7.1.1 As outlined by 2022 the estimated loss of income to households in the city is estimated by the Scottish Government to be 26M per annum, amounting to a reduction per head of working age population of around £160 per person per year.

### **7.2 People**

- 7.2.1 Welfare Reform changes are affecting people in different ways. Universal Credit is designed to allow people to move in and out of work more easily and access benefit support when required.
- 7.2.2 The Welfare Reform (Further Provision) (Scotland) Act 2012 annual report for 2017 brings together evidence of the impact of welfare reform on income inequality, poverty and child poverty in the UK and the impact on equality groups, including the impacts on women and people with disabilities.
- 7.2.3 There is some evidence to suggest that women are disproportionately impacted by the UK government reforms to the social security system. The fact that lone parents are more reliant on many low income benefits is a big factor in this. However, the extent is difficult to assess because most benefits are paid for the household as a whole. The child element award within Tax Credit and UC entitlement calculations is to be limited to just 2 children, regardless of how many children are in the family
- 7.2.4 There have been large-scale reforms to disability and incapacity benefits which have affected disabled people. The reassessments from DLA to PIP resulted in a number of people receiving no award or a reduced award, whilst the introduction of a stricter test has meant that some people have lost their Motability entitlement. It should be noted, however, that 57% of those reassessed from DLA saw no change to their award, or had their award increased.
- 7.2.5 As an area goes live for Full Service delivery of UC, the automatic entitlement of its tenants to Housing Benefit and/or UC Housing Costs for 18-21 year olds is removed, placing young people at increased risk of homelessness

### **7.3 Place**

- 7.3.1 Those parts of the city where there are people with lower incomes and high levels of unemployment are being more affected by welfare reform changes

### **7.4 Technology**

- 7.4.1 The expectation that welfare claims need to be maintained on line provides challenges for citizens who may have limited new technology skills, literacy and numeracy issues and access to new technology itself.

## **8. BACKGROUND PAPERS**

None

## **9. APPENDICES**

None

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## ABERDEEN CITY COUNCIL

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COMMITTEE	<b>Council</b>
DATE	<b>23 August 2017</b>
REPORT TITLE	<b>Corporate Parenting: Annual Update 2016 - 17</b>
REPORT NUMBER	<b>ECS/17/040</b>
DIRECTOR	<b>Gayle Gorman</b>
REPORT AUTHOR	<b>Maggie Cruickshank / Dave Bliss</b>

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### **1. PURPOSE OF REPORT**

- 1.1 The purpose of the report is to provide an annual update to Elected Members on the progress of the implementation of the Corporate Parenting responsibility under Part 9 of the Children and Young People (Scotland) Act 2014, for the benefit of care experienced children and young people.
- 1.2 Corporate Parenting work is also fed into the Integrated Children's Services Outcome Groups and is included in the Integrated Children's Services Plan 2017 – 2020.
- 1.3 This report highlights our corporate parenting achievements over the last twelve months and details next steps and actions that will be undertaken over the forthcoming year.

### **2. RECOMMENDATION(S)**

- 2.1 It is recommended that Council:
  - i. Agree that all Councillors commit to attending a corporate training session within the next twelve months.
  - ii. Note the Action Plan for the development of the Champions Board.
  - iii. Instruct the Lead Officer for Corporate Parenting to report back to Council in 2018. This will ensure that all Councillors have a broad overview of the activities undertaken to ensure Aberdeen City Council is meeting its Corporate Parenting responsibilities ahead of the first report due to the Scottish Government.
  - iv. Agree to continue to promote the corporate parenting agenda in Council business by raising awareness of the issues affecting care experienced young people and encouraging sustainable change for the benefit of our care experienced young people in the city.

### **3. BACKGROUND/MAIN ISSUES**

- 3.1 Corporate Parenting refers to the collective responsibility of the Council, its community partners and other public bodies to provide good parenting for our care experienced young people. The Statutory Guidance on Corporate Parenting defines it as: “An organisation’s performance of actions necessary to uphold the rights and safeguard the wellbeing of a looked after child or care leaver, and through which physical, emotional, spiritual, social and educational development is promoted.” By ensuring that the needs of our care experienced young people are being met they are more likely to achieve positive outcomes irrespective of their care experience.
- 3.2 The term looked after children (LAC) is the legal term used in the legislation to describe children and young people who have experience of being in care. In recent years, the term care experienced young people (CEYP) is increasingly being used nationally to describe looked after children and young people as well as care leavers.
- 3.3 As at May 2017 we have 587<sup>1</sup> looked after children under the age of eighteen. Of these 19% are looked after at home; 20% are in kinship arrangements; 48% are looked after in foster care settings; 2% are with prospective adopters; >10% are looked after in children’s homes (in and out of the city); and <1% are in secure accommodation.
- 3.4 With the new legislation, Aberdeen City Council, like other local authorities throughout Scotland, has a duty to provide support, advice and guidance to children who are looked after and specified young people leaving care, up to their 26<sup>th</sup> birthday. The increase in entitlements, highlights the need to have meaningful intervention, change and opportunities to ensure that they have positive outcomes and are supported to be successful learners, confident individuals, responsible citizens and effective contributors.
- 3.5 The Act also extends the range of public bodies required to act as Corporate Parents as well as introducing new responsibilities on Corporate Parents to plan and collaborate to promote the wellbeing of care experienced young people. The Act requires local authorities to develop a corporate parenting plan detailing how it intends to deliver on its responsibilities. The action plan for the development of the Champions Board and associated areas provides the basis for Aberdeen City Council’s initial corporate parenting plan.
- 3.6 Under Part 9 of the Act, Section 61, Corporate Parents have a responsibility to report on how they are meeting their corporate parenting responsibilities under section 58, their planning and collaborating functions under sections 59 and 60, and its other functions, detailed in the Act. A corporate parenting report should be published at least once every three years. In addition, under Section 62 Corporate Parents have a duty to provide information to the Scottish Ministers. Such a request was received and completed in July 2017.

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<sup>1</sup> ECS Looked After Children monthly Lead Service Managers data, May 2017, Covalent.



### **3.7 Life Changes Trust Funding**

- 3.7.1 The Life Changes Trust (LCT) is an independent Scottish charity established with an endowment of £50 million from the Big Lottery Fund to improve the lives of two key groups in Scotland: care experienced young people and people affected by dementia. In 2015 Aberdeen City was successful in its application to receive funding of £219,117, from the Life Changes Trust to help further develop our Champions Board and associated activities over three years from April 2016.
- 3.7.2 The application process helped us produce an ambitious three year action plan for both developing the Champions Board and consolidating Corporate Parenting duties over three years<sup>2</sup>. The plan details the strategy for our local Corporate Parents to build on young people's participation and to ensure that it is making a meaningful contribution to improving outcomes for individual young people.
- 3.7.3 This has been an exciting year for Corporate Parenting. Since the LCT award was announced there has been a renewed enthusiasm, momentum and commitment. For example, this year has seen the achievement of significant milestones from our plan as well as opportunities to strengthen participation in the city with a growing network of professionals working together to support care experienced young people.

### **3.8 Champions Board**

- 3.8.1 The foundations of Aberdeen's Champions Board were established in 2013 with the inaugural meeting held in January 2014. It was based on the Dundee model which aims to provide care experienced young people with an opportunity to talk directly to decision makers about how best to remove complex barriers to multi-agency working so that innovative solutions could be agreed and implemented in a timely manner.
- 3.8.2 The Aberdeen City Champions Board has met three times in this reporting period; November 16, March 17 and June 17. Please see Appendix 1 for more detail.

### **3.9 Young People's Participation**

- 3.9.1 An essential element of our Champions Board Action Plan has been to develop participation in the city that will help empower our care experienced children and young people and provide them with opportunities to develop their confidence, leadership and teamwork skills. Activities were arranged from August 2016 onwards with the aim of building participation in the city prior to the first annual residential.
- 3.9.2 Empowering care experienced young people to participate, contribute and lead is a crucial element of the Champions Board. Following the first annual week-long residential<sup>3</sup> seven young people consistently supported and attended a fortnightly group. The group branded themselves as A.C.E. (Aberdeen's Care Experienced). The A.C.E. group is essential to

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<sup>2</sup> Please see the *Champions Board Action Plan 2016 – 2019*, available in the Member's Library.

<sup>3</sup> Please see '*Cromdale Report*' by Jasmine Urquhart – available in the Members library.

the success of the Champions Board and is working to present the issues and areas for improvement to its subsequent meetings. Our young people continue to inspire and impress us with their commitment and enthusiasm.

### **3.10 Appointment of Who Cares? Scotland Development Officer**

- 3.10.1 With the support of the LCT funding Aberdeen City Council in partnership with Who Cares? Scotland recruited a Development Officer. The Development Officer is the nucleus for young people's participation; the facilitator to empower young people to take the Champions Board forward; and an inspiration for all corporate parents in the city to develop participation within their own organisations. The Development Officer facilitates regular meetings of the A.C.E. group; supports and empowers young people to participate in the Champions Board; links with other corporate parents in the city; and arranges and facilitates activities to raise awareness and encourage participation.

### **3.11 Children's Rights Service**

- 3.11.1 The Children's Rights Service continues to hear and champion for looked after children. The two full time Children's Rights Officers within Children's Social Work contribute to building relationships with young people and encouraging them to attend activities. The Children's Rights Officers manage and coach the Children's Rights Development Assistants (CRDAs) to develop their confidence, knowledge and skills. The Children's Rights Officers and CRDAs work closely with the Who Cares? Scotland Development Officer in order to strengthen participation and the views of young people in the city.

### **3.12 Appointment of Children's Rights Development Assistants**

- 3.12.1 LCT funding has also enabled the appointment of the three CRDAs who themselves must be care experienced young people. The CRDA contracts are fixed-term for one year and are for six hours per week.
- 3.12.2 The CRDAs are given projects and tasks related to the Corporate Parenting action plan and the Champions Board.

### **3.13 Raising Awareness**

- 3.13.1 Over this reporting period young people have participated in several other events to inform policy and practice. There has been Community Planning Partnership wide interest in the A.C.E. group and in the CRDAs with many requests for them to be involved in consultations on service policy and practice. Please see Appendix 2 for further information.

### **3.14 Positive Destinations / Education**

- 3.14.1 Aberdeen Guarantees continues to be a useful resource where young people and professionals can access information and support to encourage post school transitions into positive destinations.
- 3.14.2 Activity Agreements continue to be vital in developing the skills of some of our care experienced young people. The Activity Agreements team

provides support for children and young people in their transition journey from school to employment. There were 65 young people supported in Activity Agreements in 2016/17. Care experienced young people represented 34% of this cohort.

- 3.14.3 The latest data set for 2015/16<sup>4</sup> is continuing to show improvement in looked after children's attainment and school leaver destinations. The data shows that 71% of looked after children achieved positive follow up destinations compared with 40% in 2009/10. Although, the outcomes for looked after children have improved there are still large gaps compared to all pupils. For example, for all pupils 91% achieved positive destinations, compared with the 71% of looked after children.
- 3.14.4 The Virtual School was established in December 2015. The Virtual School acts as a local authority champion to improve the education of our looked after children and to promote their educational achievement as if they were in a single school. The school does not exist in real terms. Children who are part of the Virtual School remain the responsibility of the school at which they are enrolled. The Virtual School is a term time provision and an organisational tool which has been created for the effective co-ordination of support for this vulnerable cohort at a strategic and operational level.
- 3.14.5 Since the creation of the school, there have been a number of developments to support our looked after children in education. Key to these developments has been the partnership between colleagues in Education, Social Work, Health and the Third Sector.
- 3.14.6 The Looked After Children Teacher continues to work closely with our care experienced young people, their social workers and carers to improve their educational attainment and attendance.
- 3.14.7 Another incentive that will contribute to the long term positive outcomes for looked after children is the implementation of the Dolly Parton's Imagination Library<sup>5</sup>. Dolly Parton's Imagination Library is monthly book gifting for looked after children aged under five. It is supported by the Dollywood Foundation and the Scottish Book Trust. Of the 138 eligible looked after children aged under five, 75% are enrolled in the Library and are receiving an age appropriate book every month.

### **3.15 Family Firm**

- 3.15.1 Family Firm opportunities continue to focus on the Keen4Work programme that is delivered by Aberdeen City Council in partnership with Action for Children<sup>6</sup>. The programme offers twelve week work experience opportunities in addition to an Employability Award qualification for care experienced young people.
- 3.15.2 Last year 39 care experienced young people were supported by Keen4Work, eight of whom have completed placements and three young people gained employment. Some of the young people who are

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<sup>4</sup> Education Outcomes for Looked After Children 2015/16, <http://www.gov.scot/Publications/2017/06/2978/1>

<sup>5</sup> For more information on Dolly Parton's Imagination Library: <http://uk.imaginationlibrary.com/>

<sup>6</sup> Please see the *Keen4Work Annual Report 2016* - available in the Members library.

participating in Keen4Work have taken an interest in other participation opportunities and vice versa. The generation of engagement helps add value to the Keen4Work programme.

- 3.15.3 Family Firm opportunities are interlinked with the aim of Aberdeen Guarantees in promoting positive destinations to the most vulnerable groups at risk of negative destinations. In developing Family Firm opportunities the links and communication to the Aberdeen Guarantees team has proved vital in getting the right opportunity for the right young person. In addition, Family Firm opportunities are advertised and included on the Aberdeen Guarantees website.

### **3.16 Individual Grants**

- 3.16.1 The individual grants scheme funding for care experienced young people was launched in September 2016. In year one £6000 was allocated to the Fund. £3000 was from the Life Changes Trust match funded by Aberdeen City Council. It is managed by ACVO, the local Third Sector Interface, who are responsible for the launch, administration and management of the grants. There was a six week timeline for applications to be received between September and October 2016. Young people aged 14 – 25 could apply for a grant of up to £500 if they were looked after by Aberdeen City Council and had had at least three months care experience.
- 3.16.2 There were 90 applications in total. 43% of these were for driving lessons; 21% for clothes; 20% for furniture/decorating; 10% for laptops/college equipment; and 5% for miscellaneous. A decision panel consisting of two young people from A.C.E. and representatives from Education, the Children's Rights Service; Who Cares? Scotland; and ACVO itself, was created to assess and decide on the applications.
- 3.16.3 Given the high number of applications and the limited funds available alternative resources had been sought for some of the requests. For example, the Cash in Your Pocket Partnership ("CITPP") and other organisations were approached to help with a request for furniture or baby items.
- 3.16.4 There were 43 awards of funding made, ranging from an award of £500 for the strongest driving lesson application, to £50 for a provisional licence.

### **3.17 Communities, Housing & Infrastructure**

- 3.17.1 The joint working protocol between the former Social Care and Well-being Directorate and Communities, Housing and Infrastructure Directorate continues to ensure that young people preparing to leave care receive an effective assessment for the allocation of appropriate housing. This ensures a planned move on for the individual and where possible, avoids the need to resort to homelessness legislation.

### **3.18 Wellbeing and Health**

- 3.18.1 A joint working arrangement with NHS Grampian continues to ensure that all looked after children and young people have access to health

assessments and a GP. The NHS Grampian Looked After Children team report that 100% of all children and young people who are looked after and for whom information is forwarded to them continue to be offered an assessment.

- 3.18.2 In 2016, 97% of all children and young people who were looked after and for whom the relevant information and consent was received had health assessments carried out. The team actively contact parents, kinship carers, foster carers and key workers to help facilitate looked after children's health assessments being carried out.

### **3.19 Next Steps**

- 3.19.1 The priority is the development of the Champions Board. The action plan identifies individuals and teams as having responsibility for specific tasks and their achievement will contribute to the successful delivery of the Council's corporate parenting responsibilities.
- 3.19.2 The second year of the action plan focuses on building and consolidating capacity. Activities that will help achieve this include the recruitment of more Children's Rights Development Assistants; commitment from the Champions Board partners to review their own services to better support care experienced young people; and raising the voice of care experienced young people.
- 3.19.3 The action plan provides an ambitious framework that will help ensure that we are meeting the needs of our care experienced children and young people under our corporate parenting responsibilities. A robust monitoring and evaluation process will be developed based on the Aberdeen 21, a tool developed within Children's Social work that is based on the GIRFEC SHANARRI outcomes. In addition, the voice of care experienced young people will be crucial in evaluating how well we are doing.
- 3.19.4 The last Corporate Parenting training for Councillors was delivered in 2012/13 with a one off session offered in 2014 by Who Cares? Scotland. This was before the Children and Young People (Scotland) Act 2014. The Scottish Government has made funding available to Who Cares? Scotland to deliver further training to local authorities. As there are newly appointed Councillors this would be a great opportunity for all the Councillors to attend Corporate Parenting training and demonstrate their commitment to Aberdeen's care experienced young people. Training dates will be circulated in due course.
- 3.19.5 The development of the Champions Board is helping to better understand what works to reduce poor experiences and improve outcomes for care experienced young people. Ensuring that Champions Board members have a clear understanding of care experienced young people's needs, is enabling them to identify future commitments that will lead to sustained change. This will further develop with the inclusion of additional corporate parents as a result of the 2014 Act.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no direct financial implications for the revenue or capital budget at this time.
- 4.2 However, with regard to developing opportunities for care experienced young people through the associated Family Firm policy, a business proposal was approved at Education & Children's Services Senior Management Team in February 2015 to allow funding from within existing budgets for 40 care experienced young people per year to participate in the Keen4Work 12 week work experience opportunities. As described above, this funding has supported the Keen4Work project in partnership with Action for Children to provide intensive support for those participating in Keen4Work. This initiative has been jointly funded with contributions from Inspire Scotland and the EU and is in its final year of funding.
- 4.3 With regard to developing Aberdeen City's Corporate Parenting Champion's Board a proposal was submitted to attain funding from the Life Changes Trust in 2015. As highlighted above, £219,117 funding was granted to allow for the development of the Champions Board over three years. The funding is now in its second year and the implications of this funding beyond March 2019 will need to be considered within the next twelve months.

#### **5. LEGAL IMPLICATIONS**

- 5.1 With regard to legal implications, the Corporate Parenting duties included in Part 9 of the Children & Young People (Scotland) Act 2014 Act are designed to ensure that the attention and resources of various publicly funded organisations are explicitly focused on the task of safeguarding and promoting the wellbeing of looked after children, young people and care leavers. This Part extends the duties of corporate parents and the reporting responsibilities of local authorities. Aberdeen City Council now has a duty to report to Ministers every three years on how it is meeting its corporate parenting responsibilities detailed in the Act. Although the Scottish Government have recently requested information about the development of the local Action Plan the first formal submission is not required until 2018.

#### **6. MANAGEMENT OF RISK**

##### **Financial**

- 6.1 There are no risks identified at this time.

##### **Employee**

- 6.2 There are no risks identified at this time.

##### **Customer / citizen**

- 6.3 There are no risks identified at this time.

### **Environmental**

- 6.4 There are no risks identified at this time.

### **Technological**

- 6.5 There are no risks identified at this time.

### **Legal**

- 6.6 Although, there are no specific risks identified in relation to this report the Council has a responsibility to comply with its statutory corporate parenting duties and responsibilities. The Council will continue to monitor and report annually on corporate parenting to ensure that we mitigate any breach of our statutory responsibilities.

### **Reputational**

- 6.7 A failure of Aberdeen City Council to comply and meet its Corporate Parenting statutory duties and responsibilities would reflect negatively on the Council.

## **7. IMPACT SECTION**

- 7.1 An Equalities and Human Right Impact Assessment (EHRIA)<sup>7</sup> has been completed for this annual report that seeks to inform Elected Members on the progress of the corporate parenting programme of work.

### **Economy**

- 7.2 Not at this time.

### **People**

- 7.3 The programme of work contributes to the Council's commitments set out in the Local Outcome Improvement Plan (LOIP) under the Prosperous People theme. The priorities of this theme are that children are our future and that people are resilient, included and supported when needed.

### **Place**

- 7.4 Not at this time.

### **Technology**

- 7.5 Not at this time.

## **8. BACKGROUND PAPERS (Available in the Members' Library)**

- Champions Board Action Plan 2016 – 2019, Aberdeen City Council

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<sup>7</sup> Please see EHRIA form Corporate Parenting 2017 – available in the Members library

- Keen4Work Annual Report 2016, Action For Children
- Cromdale Report by Jasmine Urquhart, October 2016.
- Champions Board Discussion Leaflets – March and June

## **9. APPENDICES**

Appendix 1: Champions Board 2017 Summary

Appendix 2: Raising Awareness Activities 2017 Summary

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## **APPENDIX 1 : CHAMPIONS BOARD 2017 SUMMARY**

With the Life Changes Trust funding there is now a renewed sense of optimism amongst Corporate Parents in Aberdeen. Our current Board members consist of care experienced young people and eleven executive level professional members representing Aberdeen City Council, the Police, NHS Grampian, the University of Aberdeen, the Robert Gordon University, North East of Scotland College and the Third Sector through ACVO. This membership has grown to include representatives of those groups to which the corporate parenting duty was extended in the 2014 legislation. There are plans to extend this invitation further to other Corporate Parents in the city once the Board is fully established and has a clear direction of travel.

The Aberdeen City Champions Board has met three times in this reporting period; November 16, March 17 and June 17.

The first substantial meeting on 29 November 2016 was very much an introduction and regroup with a focus on moving forward. It was held at the Amusement Centre at Aberdeen Beach and was kindly provided free of charge by the management. It was opened with a game of bowling followed by food and a formal meeting. The opportunity to meet and take down barriers was welcomed by all even if the games were more competitive than friendly at times! The meeting was a recap of what had happened previously and a focus on future plans. The young people had put together a draft Champions Board pledge document that was discussed. It was reaffirming to see everyone around the table full of enthusiasm and excitement about the future direction of the Board.

The Champions Board held on 29 March 2017<sup>8</sup> was attended by four young people, eight executive professionals, three guests and two support staff. The focus of this meeting was education. A young person and a professional Champions Board member co-chaired the meeting. A short video designed by the young people illustrating how they felt about the stigma attached to being care experienced in the education system was shown. This was followed by three workshops aimed at encouraging discussion and generating action points. The A.C.E. group developed the workshops that focused on different aspects of care experienced young people's experience of education and provided a safe space to explore these issues together. Four action points were agreed by the Champions to be taken forward and the progress was reported back at the meeting in June.

The Champions Board held on 28 June 2017 was attended by nine young people, seven executive professionals, three guests and three support staff. The focus of this meeting was aftercare and was again co-chaired by a young person and a professional Champions Board member. The University of Aberdeen hosted the meeting, provided the venue, activity and food. The discussions from the workshops led to six action points being agreed that will be reported back to the following meeting in September.

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<sup>8</sup> Please see CB Discussions, Issue 1, 29/03/17 – available in the Members library

## **APPENDIX 2: Raising Awareness Activities 2017 Summary**

Over this reporting period young people have participated in several other events to inform policy and practice. There has been Community Planning Partnership wide interest in the A.C.E. group and in the Children's Rights Development Assistants with many requests for them to be involved in consultations on service policy and practice. A.C.E. members were asked to present at Aberdeen's Integrated Children's Services Conference in November 2016. As described in more detail below four young people from the group participated in a questions and answer session with Aberdeen City Council's Director of Education and Children's Services in front of an audience of over 200 practitioners from across the city. This opportunity helps raise awareness of corporate parenting responsibilities and some of the issues affecting care experienced young people with regard to education.

Six Keen4Work (programme described below) participants took part in the consultations for the Integrated Children's Services plan. The plan also includes information on Corporate Parenting and the Champions Board action plan.

A.C.E. members have helped lead on consultations with children in residential services to gain their views on the use of young people's logs. The feedback from this has helped inform the review and subsequent changes to the policy.

A.C.E. members have also helped train members of the Children's Panel through the Robert Gordon University and Who Cares? Scotland. A.C.E. members have also had the opportunity to feed into a Scottish Children's Reporter Administration (SCRA) young person's board in Inverness regarding the Children's Hearing Service.

Young people have been involved in interviewing staff for residential services and have helped inform the decision of who was appointed to the positions. Members of the A.C.E. group have attended and delivered a workshop at a Celebration Residential event that was attended by most of Aberdeen's residential staff.

An A.C.E. stall was included amongst over 50 exhibitors at Aberdeen's Learning Festival held in February 2017. Two Children's Rights Development Assistants and the Development Officer ran the stall and were available to talk with practitioners and answer any questions. The Children's Commissioner for Scotland was also a visitor to the A.C.E. stall and was keen to talk to the two Children's Rights Development Assistants about A.C.E. and the Champions Board work in Aberdeen.

For Care Day in February 2017 some of the A.C.E. group attended a breakfast, arranged by Who Cares? Scotland, with the Minister for Childcare and Early Years. The young people got the opportunity to talk to the Minister about some of their experiences, issues facing young people in Aberdeen and what the future plans were to effect change in Aberdeen. This event received press coverage and aided raising awareness of the issues facing care experienced young people locally and nationally.

Information packs have been developed by the Development Officer to raise awareness of A.C.E., Who Cares? Scotland and what is going on in the city regarding participation. These information packs will be sent to all Aberdeen's care experienced young people within and out of the city. The aim is to provide all Aberdeen's care experienced young people with the information on the existing support, for young people to feel less isolated, especially for those out of the city; and to encourage young people to get involved.

## ABERDEEN CITY COUNCIL

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COMMITTEE	<b>Council</b>
DATE	<b>23<sup>rd</sup> August 2017</b>
REPORT TITLE	<b>Big Noise Torry Evaluation Report by Glasgow Centre for Population Health</b>
REPORT NUMBER	<b>ECS/17/039</b>
DIRECTOR	<b>Gayle Gorman</b>
REPORT AUTHOR	<b>Fiona Clark</b>

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### **1. PURPOSE OF REPORT:-**

This report provides a summary of the newly published evaluation report on the social and health impacts of Sistema Scotland's Big Noise programme in Torry by the Glasgow Centre for Population Health (GCPH).

### **2. RECOMMENDATIONS**

That the Council:

- a) Note the contents for information and assurance
- b) Endorse the conclusions determined by Glasgow Centre of Population Health on the analysis of the evaluation
- c) Agree that future Big Noise Torry progress be reported within a service update

### **3. BACKGROUND**

#### **3.1 Glasgow Centre for Population Health**

3.1.1 As detailed in the Big Noise Torry progress report to Council 25<sup>th</sup> June 2015 the Glasgow Centre for Population Health (GCPH) has been evaluating the social and health impacts of Sistema Scotland's Big Noise programme since 2013. An expansive evaluation of the Big Noise centres in Stirling and in Glasgow (including economic cost benefit was published in 2015 and is available from the GCPH website: [www.gcph.co.uk/publications](http://www.gcph.co.uk/publications)

3.1.2 GCPH secured funding from NHS Health Scotland and the People's Postcode Lottery in order to evaluate Big Noise Torry. GCPH researchers have conducted extensive fieldwork over a six month period (June to December 2016). Fieldwork has included:

- over 170 hours of structured observation of Big Noise delivery
- a creative drawing exercise (age-appropriate, validated qualitative method) with 130 children participating in Big Noise

- interviews with Big Noise musicians and volunteers
- surveys with school teachers, head teachers and deputy head teachers
- surveys with a range of Big Noise delivery partners
- development of five in-depth case studies with input from participants, parents/guardians, school teachers and Big Noise musicians.

3.1.3 Furthermore the GCPH has gathered a range of Big Noise delivery descriptive statistics including a detailed socio-demographic profile of Big Noise engagement based on administration data from Big Noise Torry linked to data from Education and Children's Services within Aberdeen City Council.

### 3.2 Key Findings

3.2.1 At this early stage of programme delivery the evaluation concludes that Big Noise Torry is a large scale, high quality social intervention which is already positively impacting on the social and emotional wellbeing of the participants taking part. These impacts on participants have also had positive cross over effects within schooling and home life.

3.2.2 Big Noise Torry has the potential to significantly enhance participants' lives, prospects, health and wellbeing through a variety of pathways in the long term. GCPH are particularly struck by how well embedded Big Noise is within the Torry community and the programme's commitment to promoting sustained and equitable engagement across a diverse pupil population.

3.2.3 GCPH acknowledge the success of Big Noise Torry is an endorsement of a range of local partners who contribute to the delivery of Big Noise. In particular the schools involved in Big Noise delivery, namely Walker Road and Tullos primary schools and Torry Academy secondary school receive specific recognition for their commitment, flexibility and innovation in working with Big Noise towards delivering a high quality programme.

3.2.4 The positive work undertaken by Big Noise, the schools involved and wider delivery partners, should be considered as fulfilling vital social elements as part of a wider regeneration investment in Torry which has already contributed towards improvements in the area; comparing 2012 Scottish Index of Multiple Deprivation data for Torry to that of 2016. That said, many challenges remain in Torry, Big Noise and delivery partners have an important role to play in addressing current low educational attainment and high levels of youth anti-social behaviour in the area.

### 3.3 Big Noise Torry Delivery

3.3.1 **Table 1** below summarises some key Big Noise Torry delivery information. 'In-school' provision refers to the weekly delivery of Big Noise provision within the school curriculum for primary one and two children at Walker Road and Tullos primary schools. 'After-school' provision refers to opt-in Big Noise orchestral provision after school hours.

3.3.2 In-school provision involves group based singing, instruments and musicianship. The after-school provision includes orchestra and musicianship sessions, and sessions with the children split into sectionals according to their instrument. The current orchestra uses string instruments only, giving children the option of violin, viola, cello and double bass.

The nursery classes receive 30 minutes of in-school tuition a week, with primary one and two children taking part in two 45-minute sessions per week. During after-school

provision the children are invited to participate in three sessions per week, each session lasting an hour and a half.

**Table 1: Overview of Big Noise Torry**

<b>Big Noise Torry Overview Summary</b>	
	<ul style="list-style-type: none"> <li>- Big Noise Torry was established in 2015.</li> <li>- Presently there are 522 children engaged with Big Noise Torry on a weekly basis.</li> <li>- Participants start from three years old, up to nine years old.</li> <li>- Approximately 157 children participate in nursery Big Noise activities.</li> <li>- Approximately 235 children participate in 'in-school' provision.</li> <li>- Approximately 130 children participate in 'after-school' provision.</li> <li>- Of these, around 90 children attend summer, Easter and October 'school holiday' provision in 2016.</li> <li>- Big Noise Torry programme costs were £325k in the 2015/16 financial year.</li> <li>- Aberdeen City Council provides £243k (75%) of the total programme funding.</li> <li>- The remaining £82k coming from Creative Scotland, private trusts, foundations and donors.</li> </ul>

3.3.3 The implementation of Big Noise Torry is underpinned by Sistema Scotland's seven delivery principles as reported by the GCPH in 2015. These include, among others, the longevity and intensity of the programme, promoting strong relationships between Big Noise staff and pupils and a commitment to ensuring the programme is accessible and inclusive.

3.3.4 The delivery of Big Noise Torry is also based upon a strong connection with the community and local residents having good awareness and understanding of the programme. Ultimately this community connection is undertaken in order to promote participant engagement in the programme. Community engagement and awareness raising is undertaken on an ongoing daily basis through Big Noise representation on a range of local community groups as well as musical performances outside the schools at the end of the school day. Furthermore the staging of regular mini-concerts and high profile larger concerts in Torry raises wider community awareness of Big Noise.

3.3.5 Delivery partners and schools describe having a good working relationship with Big Noise. A strength identified across the feedback was the commitment and willingness between Big Noise and the partners to work together to achieve progress. The partners feel that there is a strong mutual dedication to the outcomes Big Noise strives for, both in the schools with the children, and in the greater community, and this commitment strengthens the working relationship.

### 3.4 Sociodemographic profile

3.4.1 Table 2 below summarises the sociodemographic profile of pupils eligible for Big Noise Torry after-school programme; those that currently engage and; pupils that have not engaged (columns three to five). The same sociodemographic information is provided for all Scottish school pupils and all school pupils in Aberdeen City

(columns one and two) to contextualise the Torry information. Column five summarises the key observations emerging from analysis of each data row.

- 3.4.2 Assessing the equality, inclusion and fairness of access to the after-school element of Big Noise delivery is important because; first, other Big Noise provision is embedded within the school day and after-school provision is offered on an opt-in basis. In addition after-school provision is the most intensive part of Big Noise where the strongest outcomes are likely to be achieved, it is important that access is promoted equally and especially amongst pupil groups with greatest need.
- 3.4.3 At the time of the report some 128 pupils were actively engaged in the after-school programme from an eligible population of 213. This represents a 60% after-school engagement rate which is markedly higher than that in Raploch (49%) and Govanhill (31%) as reported by GCPH in 2015.
- 3.4.4 **Table 2** (below) also makes clear that socioeconomically disadvantaged pupils; pupils of non-white backgrounds; pupils where English is the second language within their households; and, pupils currently 'looked after' by local authority are all well represented within Big Noise after-school provision.

**Table 2: Profiling Big Noise Torry engagement: Equality, Inclusion and Fairness**

		1. All Scottish pupils	2. Aberdeen City Pupils	3. Pupils eligible for Big Noise After-school	4. Pupils attending Big Noise After-school	5. Non attenders	6. Observations
Pupil numbers		679,840	13,723	213	128	85	Currently 128 of 213 (60%) eligible pupils are accessing the after-school programme
Gender <sup>i</sup>	Male	346,203	7,021	104	47	57	The after-school take up rate among eligible male pupils (45%) is markedly lower than that of female pupils (74%)
	Female	333,637	6,702	109	81	28	
Pupils living in most deprived SIMD deciles <sup>ii</sup>		11.0%	12.5%	47.4%	55.5%	35.3%	Pupils from SIMD deciles 1 and 2 are well represented in after-school provision
Pupils of non 'White: Scottish' or 'White: British' <sup>i</sup>		13%	32.7%	39.4%	41.4%	36.5%	Pupils of non-white backgrounds are well represented within BN after-school provision.
Pupils where English is second language spoken in household <sup>i</sup>		5%	22.2%	33.3%	33.6%	32.9%	Pupils where English is not their first language are well represented within after-school provision.

<b>Pupils currently 'looked after' by local authority <sup>i</sup></b>	2%	0.9%	1.4%	1.6%	1.1%	'looked after' children are well represented within after-school provision
<b>Pupils with additional support needs <sup>i</sup></b>	22%	19.7%	29.6%	14.6%	51.7%	The rate of pupils with ASN engaged in after-school provision is 14.6%; approximately half the rate in the eligible population (29.6%)
<b>Average school attendance <sup>iii</sup></b>	93.7%	94.8%	92.7%	94.3%	90.7%	Pupils engaged in after-school have a higher attendance rate (94.3%) than both the eligible population and non-attenders.
<b>School absences which are unauthorised <sup>iii</sup></b>	2%	1.6%	1.7%	1.4%	1.9%	Pupils engaged in after-school have lower unauthorised absences (1.4%) compared to the eligible population (1.7%) and the non-attenders (1.9%)

<sup>i</sup> Pupil Census 2016 data used for pupil numbers.

<sup>ii</sup> Percentage of pupils in Decile 1 and 2 based on SIMD2016 linked to Pupil Census Data.

<sup>iii</sup> Based on Attendance, Absence and Exclusions 2015/16 data set. Primary 3 and 4 pupil information is based on their attendance/absence when they were in primary 2 and 3 respectively.

3.4.5 The school attendance rate for Big Noise Torry after-school participants is 1.6% higher than the total eligible population and a 3.6% higher attendance rate compared to those who do not attend. Furthermore the rate of un-authorised school absence is lower among Big Noise Torry after-school participants.

3.4.6 The rate of after-school participants with Additional Support Needs (ASN) is approximately half (49.3%) the rate seen in the eligible population. While this is markedly lower than that seen in Big Noise Raploch (90%) and Big Noise Govanhill (97.5%) Big Noise Torry is acutely aware of this issue and is delivering specialist sessions with ASN pupils to promote and enhance access to after-school provision.

3.4.7 There is a 29% higher after-school engagement rate for female pupils (81 from 109; 74%) compared to males (47 from 104; 45%). This increased after-school engagement among eligible female pupils compared to males was also evident in Big Noise Raploch in 2015.

### 3.5 Early assessment of impact

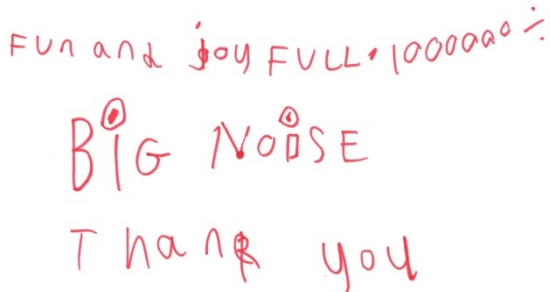

3.5.1 Big Noise Torry has been operational for one full school academic year; and the programme works with young children, from the age range of three to nine years of age. Whilst this limits the range of impacts that are observable at this stage compared to Big Noise Raploch for example, which has been running for a decade, GCPH are confident in the reliability of their findings.

- 3.5.2 All the evidence gathered concludes that Big Noise Torry is a high quality social intervention which is already positively impacting on the lives of participants. To gain an overview of the programme of works please view the short Big Noise Torry video by clicking on the hyperlink: [BIG NOISE CUT 09 - YouTube](#):
- 3.5.6 In the drawing exercise with 130 Big Noise participants 100% of the pictures drawn by in-school participants, and 100% of the pictures drawn by after-school participants contained positive images and narrative. Similarly when responding to 'How does Big Noise make you feel?' 100% of both in-school and after-school participant drawings contained a positive image and narrative again in reference to happiness, enjoyment, fulfilment and pride.
- 3.5.7 Analysing the pictures and narrative in more detail, GCPH interprets that teamwork, sense-of-belonging, pride, confidence and aspiration are also strong themes emerging from the pupils participating in Big Noise. Impacts of Big Noise on participants identified by teachers, close delivery partners and parents and guardians include increasing confidence, enhanced team working, improved listening and oral skills, greater understanding of boundaries and rules, improved concentration and communication.



*"It's nice seeing something give her confidence. Confidence with other people but for herself as well. She knows she has a talent and that's really good for her. She's not just in front of the telly all the time now"*

(Parent of Big Noise participant)

**Figure 1: Samples from Big Noise participants' creative drawing exercise**

	
<p>'How do you feel at Big Noise?' – The '1000000%' is in response to additional discussion concerning how important Big Noise is to the participant.</p>	<p>'How do you feel at Big Noise?' – '[it] makes me feel happy!!!'</p>



	
<p>'How do you feel at Big Noise?' – 'Big noise makes me happy!'</p>	<p>'What do you like best about Big Noise?' – 'I like playing my cello'</p>

3.5.8 Teachers in particular described how pupils attending Big Noise demonstrated increased responsibility, motivation, self-awareness, leadership and initiative compared to those who do not.

3.5.9 Some teachers described how they felt Big Noise had enhanced English language, reading and writing skills among pupils where English was the second language in their household.

*"I have thoroughly enjoyed watching concerts and lessons and the enjoyment, sense of pride and achievement which is seen through this is something which fills me with great joy."*

(Depute Head Teacher)

### 3.6 Conclusion

3.6.1 At this early stage of programme delivery the report concludes that Big Noise Torry is a large scale, high quality social intervention which is already positively impacting on the social and emotional wellbeing of the participants taking part.

3.6.2 Big Noise Torry is being implemented in line with Sistema Scotland's delivery principles including longevity, intensity, inclusivity and a focus on strong relationships between Big Noise staff and participants.

3.6.3 The programme has very close ties to the community and has strong evidence concerning its accessibility and inclusivity within what is a diverse community; that said, we recommend that the approaches to engagement of male pupils should be reviewed. The characteristics of Big Noise Torry delivery which enable the programme to engage with demographic groups which have been traditionally underserved by some mainstream provision may represent important learning for other services in Aberdeen City.

3.6.4 The impacts Big Noise Torry is having are convincing from the perspectives of participants, parents, guardians, teachers and delivery partners. For this young pupil group in Torry the themes of happiness, enjoyment, pride, aspiration and increasing confidence are consistent with those observed in Big Noise Raploch and Govanhill for this age range.

- 3.6.5 These early impacts observed in Torry underpin a range of outcomes within the 'theories of change' or 'impact pathways' developed by the GCPH in 2015. For example if engagement with Big Noise is sustained, medium-term outcomes observed in teenage participants in Raploch include, among others, aspiration for higher education, positive peer groups and diversion from drug and alcohol use.
- 3.6.6 Drawing on wider research evidence the GCPH has theorised how such medium-term outcomes can potentially translate into better employment prospects, reduced criminality and enhanced health and wellbeing in later life.

*"From the evidence gathered to date we are confident that the delivery characteristics of Big Noise Torry and the impacts observed fit well within the theories of change identified by the GCPH in 2015. Therefore we also conclude that Big Noise Torry has the potential to significantly enhance participants' lives, prospects, health and wellbeing through a variety of pathways in the long term. The scale and types of impact will depend on an individual's own experiences and needs. Consistent and long-term engagement with the programme is likely to encourage better outcomes."*

#### **Report Details:**

Evaluating Sistema Scotland – Big Noise Torry: initial findings report. Chris Harkins, Katie Moore, Glasgow Centre for Population Health (GCPH) June 2017

## **4. FINANCIAL IMPLICATIONS**

The Council's contribution to Big Noise Torry Funding in 2016/17 was £333,859.

Funding has also been secured specifically towards the work of Big Noise Torry from:

Aberdeen Harbour Board	£15,000 per year for 5 years
Creative Scotland	£20,000*
Scottish Government	£42,000**

\*From a three year award    \*\* From a four year award

In addition, other funding contributions amounting to £6,000 tbc have been received.

## **5. LEGAL IMPLICATIONS**

There are no direct legal implications arising from the recommendations of this report.

## **6. MANAGEMENT OF RISK**

Governance arrangements are in place for Big Noise Torry as outlined within the report to Council on the 24<sup>th</sup> of June 2017. The Big Noise Torry Strategic Group monitor and review progress, and manage risk on an ongoing basis.

### **Financial**

The Council's contribution to Big Noise Torry Funding in 2016/17 was within budget at £333,859 Aberdeen Harbour Board has provided funding for the first five years of

the project and in addition Sistema have secured funding from Creative Scotland and the Scottish Government.

### **Employee**

Lack of resource within the council to support the Big Noise Torry strategic group and team. This is currently included within the Culture team role and responsibilities.

### **Customer/citizen**

The potential risk of lack of engagement in the project from the local community and partners however this has actually been identified as one of the strengths by GCPH. However an improvement in communication has been highlighted as a one area for development and Sistema and the team at Big Noise Torry are working on this.

### **Environmental**

There is a potential risk of being unable to find accommodation for Big Noise once the current Torry Academy building is demolished before the new school and community hub is built.

### **Technological**

None identified

### **Legal**

None identified

### **Reputational**

The report is likely to have a positive impact on the reputation of the Council. Governance arrangements are in place for Big Noise Torry as outlined within the BNT progress report to Council on the 24<sup>th</sup> of June 2015. The Big Noise Torry Strategic Group monitor and review progress, and manage risk on an ongoing basis.

## **7. IMPACT SECTION**

This section demonstrates how the proposals within this report impact on the strategic themes of Aberdeen City Council and Community Planning Aberdeen, as set out in the [Aberdeen City Local Outcome Improvement Plan 2016-26](#) and the [Aberdeen City Council Strategic Business Plan](#).

### **Economy**

The Council aims to support improvement in the local economy to ensure a high quality of life for all people in Aberdeen. You should advise how your proposal will impact on the local economy. For example, the proposals may improve the Council's use of resources through modernising, innovating and transforming our services. Or it may have a more direct impact in terms of business, tourism, and/or infrastructure.

### **People**

Evaluation of the Big Noise Torry programme by GCPH at this early stage after one full year of the programme has identified significant impacts on the young participants.

“At this stage, all the evidence gathered can only conclude that Big Noise Torry is a high quality social intervention which is already positively impacting on the lives of participants”.

Analysing the pictures and narrative in more detail, our interpretation is that teamwork, sense-of-belonging, pride, confidence and aspiration are also strong themes emerging from the pupils participating in Big Noise. Impacts of Big Noise on participants identified by teachers, close delivery partners and parents and guardians include increasing confidence, enhanced team working, improved listening and oral skills, greater understanding of boundaries and rules, improved concentration and communication.

## **Place**

The programme has very close ties to the community and has strong evidence concerning its accessibility and inclusivity within what is a diverse community;

From the evidence gathered to date GCPH are confident that the delivery characteristics of Big Noise Torry and the impacts observed fit well within the theories of change identified by them in 2015. They also conclude that Big Noise Torry has the potential to significantly enhance participants' lives, prospects, health and wellbeing through a variety of pathways in the long term. The scale and types of impact will depend on an individual's own experiences and needs. Consistent and long-term engagement with the programme is likely to encourage better outcomes.

## **8. BACKGROUND PAPERS**

Report published by Glasgow Centre of Public Health on the evaluation of the impact of Big Noise Torry (*title and publication date tbc*)

Report to Council, 24th June 2015, Big Noise Torry progress report, ECS/15/034

Report to Council, 14th May 2014, Big Noise Torry Business Plan and Partnership Agreement, OCE/14/027

Report to Council, 18th December 2013, Sistema Scotland and Aberdeen, OCE/12/043

Report to the Education, Culture and Sport Committee, 8th March 2013, Sistema Scotland and Aberdeen, ECS/13/012

Report to the Education, Culture and Sport Committee, 2nd June 2011, “Big Noise”: Sistema Scotland ECS/11/034

Report to the Education, Culture and Sport Committee, 8th October 2009, Strategic Music Partnership potential links with Sistema Scotland, ECS/09/31

## **9. APPENDICES (if applicable)**

None

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## ABERDEEN CITY COUNCIL

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COMMITTEE	Full Council
DATE	23 <sup>rd</sup> August 2017
REPORT TITLE	Unison Ethical Care Charter
REPORT NUMBER	HSCP/17/079
DIRECTOR	Judith Proctor, Chief Officer
REPORT AUTHOR	Claire Duncan, Lead Social Worker

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### **1. PURPOSE OF REPORT:-**

- 1.1** The purpose of this report is to provide an update on progress with the scoping and planning for the implementation of UNISON's Ethical Care Charter, which was presented to the Integration Joint Board (IJB) and endorsed in July 2016 - the recommendation to sign up to the Charter was approved at the Council meeting on 6 October 2016. .

### **2. RECOMMENDATION(S)**

That the Council note the ongoing and planned work in relation to the implementation of the Ethical Care Charter.

### **3. BACKGROUND/MAIN ISSUES**

- 3.1** In October 2012 UNISON launched its Ethical Care Charter, and invited all Public Sector Commissioners for Care at Home to sign up to the Charter.
- 3.2** UNISON conducted a survey of homecare workers in summer of 2012 and received over 400 responses. The findings led them to describe homecare staff as a committed but poorly paid and treated workforce. The findings highlighted that poor terms and conditions could contribute towards lower standards of care for people in receipt of homecare services.
- 3.3** In light of UNISON's findings, they called for Councils to commit to becoming Ethical Care Councils by commissioning homecare services which adhere to the Charter, the objective being to establish a minimum baseline for the safety, quality and dignity of care by ensuring employment conditions which (a) do not routinely short-change clients and (b) ensure the recruitment and retention of a more stable workforce through more sustainable pay, conditions and training levels.

- 3.4** Aberdeen City Council signed up to the Charter in conjunction with its primary care at home provider, Bon Accord Care, after the recommendation in October 2016 at full Council.
- 3.5** Given the role of the IJB is as a commissioning body which contracts its services through procurement led by Aberdeen City Council (ACC), it has no requirement to sign up to the Charter, but can, through its commissioning role, support implementation of its recommendations.
- 3.6** An Ethical Care Charter Working Group has now been established led by Claire Duncan, Lead Social Work Officer. The role of the group is to develop the Action Plan, scope the potential impacts of implementing the Charter and establish clear timescales for implementation of the Charter. The group consists of representation from across the Partnership including operational colleagues, providers, contracts and commissioning, finance and UNISON.
- 3.6** The Charter sets out requirements of each stage of implementation. These are set out below with (in italics) a brief description of existing arrangements within Aberdeen City:

Stage 1:

- The starting point for commissioning of visits will be client need and not minutes or tasks. Workers will have the freedom to provide appropriate care and will be given time to talk to their clients. (*Assessments are already carried out on need.*)
- The time allocated to visits will match the needs of the clients. In general, 15-minute visits will not be used as they undermine the dignity of the clients. (*Care is currently not commissioned in time slots but the way we pay for care is in 15 minute blocks. Work has been undertaken around the bandings and how we pay for care.*)
- Homecare workers will be paid for their travel time, their travel costs and other necessary expenses such as mobile phones. (*Initial scoping has determined that a large majority are already paid travel time. Ensuring the others are also paid travel time will potentially have financial implications for future, however the plan of locality based working will hopefully reduce the impact of these.*)
- Visits will be scheduled so that homecare workers are not forced to rush their time with clients or leave their clients early to get to the next one on time. (*The Partnership's commissioning intentions and model of locality based working should ensure that carers have more autonomy to provide care relevant to individual need which will in turn improve job satisfaction, recruitment, retention and quality of care.*)
- Those homecare workers who are eligible must be paid statutory sick pay. (*Initial scoping has determined that the majority of staff are already paid sick leave.*)

Stage 2:

- Clients will be allocated the same homecare worker(s) wherever possible. (*The Partnership's commissioning intentions and model of locality based working should deliver this, as it aims to improve care delivery. It is*



*hoped this will be viewed as a more attractive career option which in turn should improve the recruitment and retention of staff.)*

- Zero hour contracts will not be used in place of permanent contracts. *(Initial scoping has determined that some providers use zero hours contracts, not in place of permanent contracts, but for bank staff. Further research will be undertaken to ascertain the overall position amongst Providers. We are unsure whether we will be able to make it a condition of the contract that Providers should not use zero hours contracts as they are not illegal. Even if it were a condition, some providers may not agree or comply.)*
- Providers will have a clear and accountable procedure for following up staff concerns about their clients' wellbeing. *(This is not currently checked through contract monitoring. Investigations will be made into whether this is possible.)*
- All homecare workers will be regularly trained to the necessary standard to provide a good service at no cost to themselves and in work time. *(The current situation is varied across providers. Imposing this may have potential financial implications to the Partnership)*
- Homecare workers will be given the opportunity to regularly meet co-workers to share best practice and limit their isolation. *(Again this is not common across Providers and requires further analysis.)*

#### Stage 3:

- All homecare workers will be paid at least the Living Wage. *(Since October 2016, providers of adult social care have been funded to pay the Scottish Living Wage. Monitoring is ongoing to ensure this is happening.)*
- If Council employed homecare workers paid above this rate are outsourced it should be on the basis that the provider is required, and is funded, to maintain these pay levels throughout the contract. *(Externally commissioned Providers of Adult social care will be funded to pay at least the Scottish Living Wage. This will be a requirement of their contract and will be in place for the duration of the contract.)*
- All homecare workers will be covered by an occupational sick pay scheme to ensure that staff do not feel pressurised to work when they are ill in order to protect the welfare of their vulnerable clients. *(Initial scoping has determined that the majority of providers have an occupational sick pay scheme. We are unsure whether we will be able to make it a condition of the contract that Providers have this. Further investigations will be undertaken.)*

### **3.7 Current Care at Home Provision**

Aberdeen City Council commissions 80% of its care at home services externally, with the remaining 20% delivered through Bon Accord Care. Changes made in relation to some aspects of implementing the Charter will have a financial impact and these will be scoped as part of the work being undertaken by the Working Group. Where these have a significant impact, a decision will be required by the IJB.

### **3.8** Weekly figures in regard to homecare service commissioning are set out in Table 1 following:

**Table 1 Weekly Figures:**

	<b>All Home Care (including DPs)</b>	<b>Home Care - Commissioned</b>
<b>Clients</b>	<b>1,869</b>	<b>1,757</b>
<b>Providers</b>	<b>44</b>	<b>42</b>
<b>Hours</b>	<b>23,691.21</b>	<b>19,710.96</b>
<b>Estimated weekly Cost</b>	<b>£362,235</b>	<b>£302,803</b>

The table demonstrates both the extent of hours of care provided each week, as well as the number of providers engaged by ACC under contract or framework agreements.

- 3.9** A significant amount of work has already been undertaken which supports the delivery of the requirements in the Ethical Care Charter and how we commission care at home services in the future.
- 3.10** The allocation of a 6.4% increase in rates in October 2016 followed by a further 2.8% in April 2017 has allowed commissioned providers to pay their staff the Scottish Living Wage which is £8.45 per hour.
- 3.11** The production of the Strategic Plan sets a clear direction for the Partnership and for our commissioned providers.
- 3.12** The co-production of the Strategic Commissioning Implementation Plan and its Market Facilitation Statement allows commissioned providers to identify concerns around ethical care and help shape flexible service re-design to address these.
- 3.13** It was agreed at the last IJB meeting that a design of a revised service specification for care at home would be undertaken which would inform an interim retendering process with new contracts being established initially from 1<sup>st</sup> January 2018. A 'Care at Home' work stream has also been established to inform and influence the development of future commissioning arrangements beyond January 2020. The aspiration of the work stream is for our care at home provision to be aligned with our emergent locality model and for existing individual client group arrangements to be aligned into a single cross client group care at home framework with a more straightforward pricing structure.
- 3.14** It is therefore an ideal time to ensure that all aspects of the Ethical Care Charter are firmly embedded within our commissioning plan. It is clear that the current model of care at home provision is inefficient and one that cannot be sustained. We aim to move away from a time and task approach towards a service provision that focuses on a person centred approach meeting individual outcomes. This aligns with the ethos of the Charter.
- 3.15** Further work is required to finalise the scoping and potential impact of implementing the Ethical Care Charter commitments hence the reason the

working group has been set up. Delivery of the Charter requires collaborative working with our commissioned providers and partners, not only are they represented on the group and on the commissioning work-streams, but they will also take the lead in delivering some of the actions. There is also a requirement to assess the impact the Charter will have in Aberdeen and how this shapes a new model of home care delivery as we move into locality working.

- 3.16** The Draft Action Plan attached at Appendix A is the beginning of the identification of this work. The plan will be further developed over time as we move through stage one actions and on to the later stages. Further reports will be submitted to the IJB on the progress being made and any decisions that are required by the IJB.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1** Some elements of the Charter will undoubtedly require consideration of the existing funding conditions and will require a review of existing contracts. The significant risk is that the Health and Social Care Partnership will be asked to financially support the full extent of changes required for the Charter which would have a considerable impact on existing funding levels. In addition new increased hourly rates will mean that delivering the same volume of activity will cost more but it is also envisaged that a more coherent framework will address the significant amount of unmet care need. Further consideration will need to be given as to how minimise this risk.

#### **5. LEGAL IMPLICATIONS**

There are no direct legal implications arising from the recommendations of this report.

#### **6. MANAGEMENT OF RISK**

Aberdeen City Council and the Health and Social Care Partnership are heavily reliant on externally commissioned services. By supporting the improvement of working conditions of care staff there is a greater chance that the market will be more sustainable and that the quality of care will be improved. Risk continues to be mitigated through the work of the Ethical Care Charter Working Group.

- Financial – as outlined in 4.1. **Low.**
- Employee – it is anticipated that implementation of the Ethical Care Charter will improve the working conditions of care staff; therefore the risk to employees is considered **low.**
- Customer / citizen – it is anticipated that the implementation of the Ethical Care Charter will lead to a greater chance of a sustainable

market and improve the quality of care, therefore the risk to the customer/citizen is considered **low**.

- Environmental – there are no direct environmental risks arising from the recommendations of this report, therefore the environmental risks are considered **low**.
- Technological – there are no direct technological implications arising from the recommendations of this report, therefore the technological risks are considered **low**.
- Legal – there are no direct legal implications arising from the recommendations of this report, therefore the legal risks are **low**.
- Reputational – it is anticipated that the implementation of the Ethical Care Charter will have a positive impact on reputation, therefore the reputational risks are considered **low**.

## **7. IMPACT SECTION**

**7.1** The impact of implementing the Ethical Care Charter was considered in the original paper submitted to Full Council in October 2016 and more scoping and analysis will be required to ascertain the full impact of implementation.

**7.2** The care at home sector however, has significant recruitment and retention challenges. Payment of the living wage to staff will help address some of this as will the retendering exercise that aims to make the market more sustainable.

### **Economy**

**7.3** There may be an impact on economy however further scoping and analysis will be required to ascertain the full impact of implementation.

### **People**

**7.4** There may be an impact on people however further scoping and analysis will be required to ascertain the full impact of implementation.

### **Place**

**7.5** There may be an impact on place however further scoping and analysis will be required to ascertain the full impact of implementation.

### **Technology**

**7.6** There may be an impact on technology however further scoping and analysis will be required to ascertain the full impact of implementation.

**8. BACKGROUND PAPERS**

- UNISON Ethical Care Charter

**9. APPENDICES (if applicable)**

- Appendix 1. Draft Action Plan

**10. REPORT AUTHOR DETAILS**

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## Draft Ethical Care Charter Action Plan

Stage 1					
	Action	Responsible	Tasks	Timescales	Update
1.1	Scope issues relating to 15 minute visits and these not being used in future	Lead Social Worker	Review all 15 minute packages with a view to these being discontinued when appropriate	To be established once numbers are obtained.	Requested CareFirst report showing volume of 15 minute slots in care management
1.2	Scope cost and impact of homecare working being paid travel, travel costs and other expenses, within financial parameters of the HSCP	CASPA rep	Work to be undertaken to scope potential cost of paying travel time/mobile phones.	31 <sup>st</sup> December 2017	Obtain comparison samples from different client groups. To be considered at next CASPA meeting in August.
1.3	Scope Homecare workers who are eligible being paid statutory sick pay	ACVO	Conduct survey to establish position re payment of statutory sick pay (where eligible)	To be determined once scale of task is identified	
1.4	Guidance on Adopting the Charter to be given to all providers for their consideration in groups with request they identify any issues re implementing Charter content.	Emma Watt Nick Price Joyce Duncan	Request provider groups/forum to identify any issues re implementing Charter and feed up to group	30 <sup>th</sup> September 2017	

## Stage 2

Action		Responsible	Tasks	Timescales	Update
2.1	Scope issue of Zero hour contracts and these not be used in place of permanent contracts	ACVO	Conduct survey to establish which providers use zero hours contracts	31 <sup>st</sup> December 2018	
2.2	Scope issue of workers are trained to necessary standard at no cost to themselves and in work time	Provider reps and contracts	Conduct survey to establish current arrangements for training and assess scope of work to meet action.	31 <sup>st</sup> December 2018	

## Stage 3

Action		Responsible	Tasks	Timescales	Update
3.1	All homecare workers to be paid the living wage	Head of Strategy and Transformation	Conduct survey to confirm funding provided is being used to pay workers the Scottish Living Wage	31 <sup>st</sup> December 2018	Initial survey undertaken in relation to Oct 2016 uplift. This to be revisited. April 2017 uplift is not being processed until contract variation is signed. Further assessment required to confirm all providers have signed, are in receipt of uplift and are paying the new rate of SLW.



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