

Public Document Pack



To: All Members of the Council

Town House,
ABERDEEN, 4 December 2020

COUNCIL

The Members of the **COUNCIL** are requested to meet on **MONDAY, 14 DECEMBER 2020 at 10.30am**. This is a hybrid meeting, therefore some Members will be in the Council Chamber and some Members will be taking part remotely.

FRASER BELL
CHIEF OFFICER - GOVERNANCE

BUSINESS

ADMISSION OF BURGESSES

- 1.1 There are no burgesses to be admitted

DETERMINATION OF URGENT BUSINESS

- 2.1 Determination of urgent business

DETERMINATION OF EXEMPT BUSINESS

- 3.1 Members are requested to determine that any exempt business be considered with the press and public excluded

DECLARATIONS OF INTEREST

- 4.1 Members are requested to declare any interests (Pages 7 - 8)

DEPUTATIONS

- 5.1 Requests for deputation

MINUTES OF PREVIOUS MEETING(S) OF COUNCIL

- 6.1 Minute of Meeting of Aberdeen City Council of 2 March 2020 - for approval (Pages 9 - 26)
- 6.2 Minute of Meeting of Aberdeen City Council of 3 March 2020 - for approval (Pages 27 - 48)
- 6.3 Minute of Meeting of Urgent Business Committee of 30 June 2020 - for approval (Pages 49 - 68)

REFERRALS FROM COMMITTEES

- 7.1 Guldry and Mortification Funds Committee - 9 September 2020 - Guldry Funds - Review of Allowances (Pages 69 - 70)
- 7.2 City Growth and Resources Committee - 28 October 2020 - Notice of Motion by Councillor Lumsden (Pages 71 - 74)

BUSINESS PLANNER AND OTHER MINUTES

- 8.1 Council Business Planner (Pages 75 - 76)

GENERAL BUSINESS

- 9.1 Council Annual Effectiveness Report and Committee Annual Effectiveness Reports - COM/20/235 (Pages 77 - 260)
- 9.2 Family Leave for Elected Members - Updated Guidance - COM/20/234 (Pages 261 - 270)
- 9.3 Standards Commission for Scotland - Written Decision - Councillor Boulton - COM/20/238 (Pages 271 - 282)
- 9.4 Standards Commission for Scotland - Written Decision - Councillor Donnelly - COM/20/239 (Pages 283 - 296)
- 9.5 Treasury Management Strategy - Year-End and Mid-Year Review - RES/20/209 (Pages 297 - 302)
- 9.6 Armed Forces Covenant Gold Accreditation Award - COM/20/237 (Pages 303 - 310)

NOTICES OF MOTION

10.1 Councillor Boulton (Pages 311 - 312)

That Council -

- (i) notes with great Civic Pride that Aberdeen Art Gallery was a winner of Art Fund Museum of the Year 2020; and
- (ii) congratulates Christine Rew and the Aberdeen Art Gallery & Museums team in winning this highly prestigious award. The redevelopment of Aberdeen Art Gallery has been a transformational project not just for the building, but also for the city. In November last year we experienced the powerful affection with which visitors reconnected with the building and their favourite artworks - transformed, but reassuringly familiar. To see the ambition and success we wanted to achieve at the art gallery recognised by a panel of experts is the icing on the cake.

(Please see attachment for the full wording)

10.2 Councillor Delaney

Council acknowledges that people living alone have been disproportionately affected by covid restrictions which prevent them having visitors to their home other than for the limited number of permitted reasons. Council further appreciates that residents with certain disabilities or who are housebound are further impacted as they cannot meet friends and relatives outdoors. This can lead to additional social isolation which research shows can affect health and wellbeing. Accordingly, Council agrees to the following:-

That people who live alone, are housebound or living with disabilities:-

- Be kept safe from harm from coronavirus (covid-19) whilst accepting they have the same rights as everyone else and should not be disproportionately impacted upon by loneliness or isolation and the additional physical and mental health impact this brings.
- Have their rights respected and Government when introducing necessary restrictions, undertake equality impact assessments so as to avoid causing unintentional harm to vulnerable people whilst trying to keep them safe from covid-19

and furthermore to write to the First Minister and Cabinet Secretary for Health & Wellbeing in the terms outlined above requesting they consult their leading medical and scientific advisors with a view to confirming that the guidance set out in '*You can go into another household to provide care and support for a vulnerable person*' permits visits to those affected by social isolation and loneliness due to impacting on physical and mental health or otherwise considers revising this guidance in such terms. The purpose of such guidance being to support those who are elderly, disabled or living alone and identified as being at increased risk of social isolation and loneliness, to receive visitors safely.

10.3 Councillor Jackie Dunbar

That Council:

- (1) acknowledge that while Byron Square car park is currently maintained out of the ACC Housing Revenue Account it is used by the public in the area;
- (2) agree that it is an anomaly to have a car park that is freely accessible to the public but the upkeep and repairs costs come from the budget that is dedicated to the upkeep and maintenance of our housing stock; and
- (3) instruct the Chief Officer - Early Intervention and Community Empowerment, following consultation with the Chief Officer - Finance, to investigate which account the Byron Square car park should be held on, to take any necessary remedial action and to report back to the City Growth and Resources Committee on the action taken.

10.4 Councillor Laing

That Council:-

- (i) Notes that UNISON Scotland is running a campaign called Plug The Gap that is geared toward the gap in local government funding across Scotland in light of the austerity measure pre-pandemic and the additional financial burden on local authorities as a result of Covid-19.

The campaign focuses on four main themes:

1. **Securing the long-term financial stability of local government:** calling for urgent investment by Scottish Government in local government to protect jobs and pay for the future.

2. **Rewarding local government workers: for the vital services** that local government workers provide to our communities.

3. **Shaping local government for the future:** looking at how services and roles will change as a result of the pandemic

4. **Consolidation of the Living Wage:** Delivery of full consolidation of the living wage across Scotland.

- (ii) Agrees to support the Unison campaign and therefore agrees that the Chief Executive write to the President of COSLA and the Minister for local government asking both to support the Unison campaign to ensure the four aims of UNISON Scotland campaign are supported in full.

10.5 Councillor Lumsden

That Council:-

1. notes that the “woodies” play area on Broomhill Road has a number of private garages in the middle of the space and that in the past they have been subject of anti-social behaviour;
2. notes the proximity of Broomhill Primary School;
3. notes the investment of £1.9m by Aberdeen City Council in new nursery facilities at Broomhill School;
4. agrees that having a safe outdoor facility could be utilised by the school and nursery and would be a benefit to our young people; and
5. instructs the Chief Officer - Corporate Landlord to investigate the feasibility, financial considerations and process for the council to achieve vacant possession of the site and if this can be achieved enhance the woodies area for wider community use and school use and report back to the budget setting process.

10.6 Councillor Lumsden

- Council agrees that the council delivery plan which forms part of our strategic planning approach has helped to lay the foundations to counter the centralising approach of the Scottish Government towards local government, which has resulted in Aberdeen being one of the lowest funded councils over the last decade;
- Council is concerned that this ongoing situation is having a detrimental impact on its ability to provide important public services for our citizens both now and in the future;
- In order to look at alternatives to ensure Aberdeen can reach its full potential, Council instructs the Chief Executive to write to the Secretary of State for Scotland asking him if the UK government would consider dealing directly with COSLA and Aberdeen City Council in considering allocating grant funding, to ensure that Aberdeen City Council receives its fair share of funding; and
- Council notes the Scottish Government’s document “Scottish Shared Prosperity Fund” and the UK Government’s decision, announced in the Spending Review, to use its replacement for EU Structural Funds to work in partnership with local authorities and communities right across Scotland to ensure local accountability. Therefore instructs the Chief Executive to write to COSLA confirming that Aberdeen City Council supports the UK Government’s localised approach which would allow Aberdeen City Council to spend our share of future UK Shared Prosperity Funding in line with the Council Delivery Plan which supports the Local Outcome Improvement Plan.

10.7 Councillor Yuill

That this Council:

1. Notes and regrets that slavery, human trafficking and other oppressive activities occur in the UK and around the world;
2. Notes that a number of locations and street names in Aberdeen have historical links to slavery and slavery products;
3. Notes that Sugar House Lane already has an information plaque explaining the origins of the street name and its links to slavery products; and
4. Instructs the Chief Officer - City Growth to report to the City Growth and Resources Committee on the practicalities and projected costs of identifying locations and street names in Aberdeen with links to slavery and slavery products and then erecting appropriate information plaques at each location.

EXEMPT/CONFIDENTIAL BUSINESS

11.1 There are no items of exempt/confidential business at this stage

Website Address: www.aberdeencity.gov.uk

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

DECLARATIONS OF INTEREST

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.

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 2 March 2020

MINUTES OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Councillor Barney Crockett, Chairperson;
Councillor Jennifer Stewart, the Depute Provost; and

COUNCILLORS

GILLIAN AL-SAMARAI
YVONNE ALLAN
CHRISTIAN ALLARD
ALISON ALPHONSE
PHILIP BELL
MARIE BOULTON
DAVID CAMERON
JOHN COOKE
NEIL COPLAND
WILLIAM CORMIE
SARAH CROSS
STEVEN DELANEY
ALAN DONNELLY
JACQUELINE DUNBAR
LESLEY DUNBAR
SARAH DUNCAN
STEPHEN FLYNN MP
GORDON GRAHAM
ROSS GRANT
MARTIN GREIG
DELL HENRICKSON
RYAN HOUGHTON

MICHAEL HUTCHISON
CLAIRE IMRIE
FREDDIE JOHN
JENNIFER LAING
DOUGLAS LUMSDEN
SANDRA MACDONALD
NEIL MacGREGOR
AVRIL MacKENZIE
ALEXANDER McLELLAN
CIARÁN McRAE
M. TAUQEER MALIK
THOMAS MASON MSP
JESSICA MENNIE
ALEX NICOLL
AUDREY NICOLL
JAMES NOBLE
JOHN REYNOLDS
PHILIP SELLAR
GORDON TOWNSON
JOHN WHEELER
and
IAN YUILL

Councillor 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&MId=7372&Ve
r=4](https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=122&MId=7372&Ve
r=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, Monday, 2 March 2020

ANNOUNCEMENTS

1. (A) The Lord Provost advised that he had received a number of letters, from Group Leaders, amongst others, regarding invitations to civic events. The Lord Provost had reviewed the methods for such invitations, and therefore would be widening civic participation involving more burgesses and other civic organisations and invitations to Elected Members would now be issued through Group Leaders. The Lord Provost also advised that Councillor Donnelly would not be attending any civic events during time any procedures were ongoing either legally or through the Standards Commission.
- (B) The Lord Provost congratulated Councillor Flynn on being elected as the the MP for Aberdeen South in December's General Election.

ADMISSION OF BURGESSES

2. 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:-

Professor George Boyne, University Principal & Vice Chancellor, Aberdeen
Rona Grimmer, Disaster Management Consultant, Aberdeen
Susan Renee, Photographer, Aberdeen
Adrian Thomson, Business Owner (Retired), Aberdeen
Linda Anne Thomson, Personal Assistant (Retired), Aberdeen
Audrey Wood, Senior Practice Nurse, Aberdeen.

DECLARATIONS OF INTEREST

3. The following declarations of interest were intimated at this stage:
 - Councillor Mason MSP declared a general interest by virtue of his position as a Member of the Scottish Parliament for North East Scotland.
 - Councillor Yuill declared an interest in item 9.3 (Proposed Aberdeen Local Development Plan) by virtue of him being a Council appointed member of Robert Gordon's College Board of Governors but did not consider the nature of his interest required him to leave the meeting and therefore chose to remain in the meeting for consideration of the item; and
 - Councillor Jackie Dunbar declared an interest in item 10.1 (Joint Notice of Motion by Councillor Copland and Councillor Lesley Dunbar) by virtue of a family connection to Dennis Law but did not consider that the nature of her interest required her to leave the meeting and therefore chose to remain in the meeting for consideration of the item.

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 9 DECEMBER 2019

4. The Council had before it the minute of meeting of Aberdeen City Council of 9 December 2019.

The Council resolved:-

to approve the minute as a correct record.

MINUTE OF THE MEETING OF THE URGENT BUSINESS COMMITTEE OF 19 DECEMBER 2019

5. The Council had before it the minute of meeting of the Urgent Business Committee of 19 December 2019.

The Council resolved:-

- (i) to approve the minute as a correct record; and
- (ii) to instruct the Chief Officer – Governance to provide members, by way of email, with an update on the status of the actions agreed by the urgent Business Committee on 19 December 2019.

BUSINESS PLANNER

6. The Council had before it the business planner as prepared by the Chief Officer - Governance.

The Council resolved:-

- (i) to agree to remove item 15 (Policy that Specifies the Existing Granite Sett and Lock Block Streets – NOM Former Councillor Corall) on the basis that there was to be a service standard relating to setts, rather than a Policy and the proposed service standard was to be considered at item 5.2 of the Council Budget meeting on 3 March 2020; and
- (ii) to otherwise note the business planner.

TREASURY MANAGEMENT POLICY AND STRATEGY - RES/20/043

7. The Council had before it a report by the Director of Resources which outlined the Treasury Management Policy and Strategy for 2020/21 to 2022/23, for approval.

The report recommended:-

that the Council -

- (a) approve the Council's Treasury Management Policy Statement for 2020/21 to 2022/23 as detailed at Appendix 1;
- (b) approve the Council's Borrowing Strategy for 2020/21 to 2022/23 as detailed at Appendix 2;
- (c) approve the Council's Investment Strategy for 2020/21 to 2022/23 as detailed at Appendix 3; and
- (d) approve the Council's Counterparty list as detailed at Appendix 4.

The Council resolved:-

to approve the recommendations as contained in the report.

TEMPORARY LEASE AT TORRY BATTERY - RES/20/058

8. The Council had before it a report by the Director of Resources which advised of an approach by Greyhope Bay Ltd to lease ground within and adjacent to the Torry Battery.

The report recommended:-

that the Council acting in their capacity as trustee of the Lands of Torry (charity number SC021299) to:

1. approve the recommendation to grant a 5 year lease of ground in and adjacent to the Torry Battery to Greyhope Bay Ltd at a proposed peppercorn rent of £1.00 per annum; and
2. instruct the Chief Officer – Governance to conclude the appropriate legal agreements incorporating various qualifications as necessary to protect the Council's and Trust's interests.

The Council resolved:-

- (i) to approve the recommendation as contained in the report; and
- (ii) to instruct the Chief Officer – Corporate Landlord to advise members, by way of email, of the discussions held in respect of the proposal with the University of Aberdeen.

PROPOSED ABERDEEN LOCAL DEVELOPMENT PLAN - PLA/20/032

9. The Council had before it a report by the Chief Officer – Strategic Place Planning which presented the Proposed Aberdeen Local Development Plan (the Proposed Plan) and Delivery Programme for approval.

The report recommended:-

that the Council –

- (a) approve the Aberdeen Local Development Plan – Proposed Plan and Delivery Programme;
- (b) instruct the Chief Officer of Strategic Place Planning to publish the Proposed Plan for a 12 week period for representations;
- (c) instruct the Chief Officer of Strategic Place Planning to publish the Delivery Programme, and other technical documents which support the Proposed Plan;
- (d) instruct the Chief Officer of Strategic Place Planning to complete the Environmental Report including Habitats Regulations Appraisal and Strategic Environmental Assessment in consultation with Scottish Natural Heritage, and publish and consult on both of them alongside the Proposed Plan;
- (e) instruct the Chief Officer Strategic Place Planning to work with NHS Grampian public health to ensure that the Health in All policy approach was implemented in Aberdeen Planning Guidance and delivered through the development management process;
- (f) instruct the Chief Officer Strategic Place Planning to work with relevant stakeholders to prepare a Child Friendly version of the Plan when adopted; and
- (g) instruct the Chief Officer Strategic Place Planning to correct any drafting errors as might be necessary.

Councillor Boulton moved, seconded by Councillor Jennifer Stewart, the Depute Provost:-

That the Council –

- (i) approves the Aberdeen Local Development Plan and Delivery Programme subject to the following changes as per the appended maps which can be viewed [here](#):
 - a) Remove Berryhill from OP2 Cloverhill and Berryhill and reduce the allocation to 550 houses;
 - b) Rezone Berryhill from Residential to Business and Industry and identify as OP45 Berryhill (for Business and Industrial uses);
 - c) Remove OP114 Milltimber South (60 houses) and re-zone from Mixed Use to Green Belt and Green Space Network;
 - d) Identify B09/16 Craigton as opportunity site OP54 for 10 houses and rezone from Green Belt and Green Space Network to Residential;
 - e) Identify B13/08 Royal Devenick Park as opportunity site OP46 for 150 houses and rezone from Green Belt and Green Space Network to Residential;
 - f) Identify B09/48 Tillyoch as opportunity site OP53 for 250 houses and rezone from Green Belt and Green Space Network to Residential, but retain Green Space Network on the woodland in the south east of the site and rezone a remaining area of Green Belt to the south of the site to Residential; and
 - g) Amend the HMO overprovision policy from a 15% to 12% threshold;
- (ii) instructs the Chief Officer – Strategic Place Planning to make any further consequential changes to the Proposed Plan, Action Programme and other supporting documents as necessary to reflect the above;
- (iii) notes that urgent action, supported by large scale investment such as an Energy Transition Zone, was required if Aberdeen was to meet UK and Scottish government net zero targets by 2045;
- (iv) agrees the proposed Energy Transition Zone was developed as Scotland's Energy Transition Zone and that failure to include this in the Local Development Plan could mean Aberdeen failing to maximise the offshore renewables opportunities the city had as a result of the Aberdeen Harbour Expansion, and losing jobs and status as the Energy Capital of Europe; agrees that the oil and gas industry had a key role to play as part of a sustainable secure and inclusive energy transition and by including the new Energy Transition Zone in the Local Development Plan, the Council, working with industry, would ensure it was supporting diversification and 53% of Scotland's energy jobs (including renewables), or over 35,000 direct jobs, in the city and region and therefore Aberdeen continues to be a lead energy city in a sustainable net zero emission economy;
- (v) supports the comments of the Scottish Minister for Energy Paul Wheelhouse who said "Initiatives like the Energy Transition Zone could play a pivotal role in making that transition possible, by exploring how to develop renewable technologies related to technologies such as offshore wind, carbon capture utilisation and storage and development of hydrogen and derivatives of hydrogen in our energy system as well as increased investment in energy efficiency";
- (vi) notes an Energy Transition Zone was supported by Opportunity North East, Scotland's Minister for Energy Paul Wheelhouse, Aberdeen Harbour Board, Oil and Gas UK, The Oil and Gas Authority, The Oil and Gas Technology Centre, Offshore Renewable Energy Catapult, Scottish Enterprise, Robert Gordon University, University of Aberdeen, and Aberdeen and Grampian Chamber of Commerce;

- (vii) subject to the approval of the revised Committee Terms of Reference by Council later on today's agenda (item 9.4 refers), notes that in line with the Planning (Scotland) Act 2019 (Commencement No. 3) Regulations 2019, the two planning applications (181224 – Inchgarth Road and 191771 – Cloverhill) which had been subject to a predetermination hearing would be considered by the Planning Development Management Committee; and
- (viii) approves recommendations (b) to (g) as detailed above.

Councillor Boulton in moving her motion provided a rationale for the proposals as detailed above.

Councillor Alex Nicoll moved as an amendment, seconded by Councillor Allard:-

That this Council –

- (1) approves the Aberdeen Local Development Plan and Delivery Programme subject to the following changes:
 - a) Remove Berryhill from OP2 Cloverhill and Berryhill and reduce the allocation to 650 houses;
 - b) Rezone as necessary Berryhill from Residential to Business and Industry and identify as OP45 Berryhill (for Business and Industrial uses);
 - c) Remove OP114 Milltimber South (60 houses) and re-zone from Mixed Use to Green Belt and Green Space Network;
 - d) Identify B09/16 Craigton as opportunity site OP54 for 10 houses and rezone from Green Belt and Green Space Network to Residential;
 - e) Identify B09/48 Tillyoch as opportunity site OP53 for 250 houses and rezone from Green Belt and Green Space Network to Residential, but retain Green Space Network on the woodland in the south east of the site and rezone a remaining area of Green Belt to the south of the site to Residential;
 - f) Amend the HMO overprovision policy from a 15% to 12% threshold;
 - g) the deletion of OP56 St Fitticks Park – Energy Transition Zone and retain as Green Belt and Green Space Network as its inclusion would be detrimental to the Landscape setting of the city and the Open Space Provision within the Local Development Plan; and
 - h) the deletion of OP61 Doonies – Energy Transition Zone and retain as Green Belt and Green Space Network as its inclusion would be detrimental to the Landscape setting of the city and the Open Space Provision within the Local Development Plan;
- (2) instructs the Chief Officer – Strategic Place Planning to make any further consequential changes to the Proposed Plan, Action Programme and other supporting documents as necessary to reflect the above;
- (3) notes that urgent action, supported by large scale investment such as an Energy Transition Zone, was required if Aberdeen was to meet UK and Scottish government net zero targets by 2045;
- (4) supports the comments of the Scottish Minister for Energy Paul Wheelhouse who said “Initiatives like the Energy Transition Zone could play a pivotal role in making that transition possible, by exploring how to develop renewable technologies related to technologies such as offshore wind, carbon capture utilisation and storage and development of hydrogen and derivatives of hydrogen in our energy system as well as increased investment in energy efficiency”;
- (5) notes an Energy Transition Zone was supported by Opportunity North East, Scotland's Minister for Energy Paul Wheelhouse, Aberdeen Harbour Board, Oil and Gas UK, The Oil and Gas Authority, The Oil and Gas Technology Centre, Offshore Renewable Energy Catapult, Scottish Enterprise, Robert Gordon

University, University of Aberdeen, and Aberdeen and Grampian Chamber of Commerce;

- (6) subject to the approval of the revised Committee Terms of Reference by Council later on today's agenda (item 9.4 refers), notes that in line with the Planning (Scotland) Act 2019 (Commencement No.3) Regulations 2019, the two planning applications(181224 – Inchgarth Road and 191771 – Cloverhill) which had been subject to a predetermination hearing would be considered by the Planning Development Management Committee; and
- (7) approves recommendations (b) to (g) as detailed above.

Councillor Nicoll in moving his amendment provided a rationale for the proposals as detailed above.

Councillor Greig moved as a further amendment, seconded by Councillor Delaney:-

That Council -

- (1) approves the Aberdeen Local Development Plan and Delivery Programme subject to the following change:
 - (a) the deletion of OP42 Hotel and equestrian centre at Hazlehead to reduce traffic impacts and protect the amenity of Hazlehead Park and its users;
 - (b) remove OP114 Milntimber South (60 houses) and rezone from Mixed Use to Green Belt and Green Space Network;
 - (c) identify B13/.08 Royal Devenick Park as opportunity site OP46 for 60 houses and rezone from Green Belt and Green Space Network to Residential; and
 - (d) amend the HMO overprovision policy from a 15% to 12% threshold;
- (2) instructs the Chief Officer – Strategic Place Planning to make any further consequential changes to the Proposed Plan, Action Programme and other supporting documents as necessary to reflect the above.
- (3) notes that urgent action, supported by large scale investment such as an Energy Transition Zone, was required if Aberdeen was to meet UK and Scottish government net zero targets by 2045.
- (4) agrees the proposed Energy Transition Zone was developed as Scotland's Energy Transition Zone and that failure to include this in the Local Development Plan could mean Aberdeen failing to maximise the offshore renewables opportunities the city had as a result of the Aberdeen Harbour Expansion, and losing jobs and status as the Energy Capital of Europe;
- (5) agrees that the oil and gas industry had a key role to play as part of a sustainable secure and inclusive energy transition and by including the new Energy Transition Zone in the Local Development Plan, the Council, working with industry, would ensure it was supporting diversification and 53% of Scotland's energy jobs (including renewables), or over 35,000 direct jobs, in the city and region and therefore Aberdeen continues to be a lead energy city in a sustainable net zero emission economy;
- (6) supports the comments of the Scottish Minister for Energy Paul Wheelhouse who said "Initiatives like the Energy Transition Zone could play a pivotal role in making that transition possible, by exploring how to develop renewable technologies related to technologies such as offshore wind, carbon capture utilisation and storage and development of hydrogen and derivatives of hydrogen in our energy system as well as increased investment in energy efficiency";
- (7) notes an Energy Transition Zone was supported by Opportunity North East, Scotland's Minister for Energy Paul Wheelhouse, Aberdeen Harbour Board, Oil and Gas UK, The Oil and Gas Authority, The Oil and Gas Technology Centre, Offshore Renewable Energy Catapult, Scottish Enterprise, Robert Gordon

- University, University of Aberdeen, and Aberdeen and Grampian Chamber of Commerce; and
- (8) subject to the approval of the revised Committee Terms of Reference by Council later on today's agenda (item 9.4 refers), notes that in line with the Planning (Scotland) Act 2019 (Commencement No.3) Regulations 2019, the two planning applications (181224 – Inchgarth Road and 191771 – Cloverhill) which had been subject to a predetermination hearing would be considered by the Planning Development Management Committee; and
- (9) approves recommendations (b) to (g) as detailed above.

Councillor Greig in moving his amendment provided a rationale for the proposals as detailed above.

On a division, there voted:-

For the amendment by Councillor Nicoll (19) - Councillors Al-Samarai, Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Jackie Dunbar, Flynn, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Alex Nicoll, Audrey Nicoll, Noble and Townson.

For the amendment by Councillor Greig (3) - Councillors Delaney, Greig and Yuill.

Declined to vote (23) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Cross, Donnelly, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Imrie, John, Laing, Lumsden, Macdonald, MacKenzie, Malik, Mason MSP, Reynolds, Wheeler and Sellar .

The Council then divided between the motion by Councillor Boulton and the amendment by Councillor Alex Nicoll.

For the motion by Councillor Boulton (23) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Cross, Donnelly, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Imrie, John, Laing, Lumsden, Macdonald, MacKenzie, Malik, Mason MSP, Reynolds, Wheeler and Sellar .

For the amendment by Councillor Alex Nicoll (22) - Councillors Al-Samarai, Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Alex Nicoll, Audrey Nicoll, Noble, Townson and Yuill.

The Council resolved:-

- (i) to adopt the motion by Councillor Boulton; and
- (ii) instruct the Chief Officer – Strategic Place Planning to advise Members, by way of email, (1) whether a record of traditional gypsy traveller halting sites was held by the Council; (2) whether there was any representation made by the gypsy traveller community; and (3) the number of representation made in relation to OP56 St Fitticks Park and OP61 Doonies – Energy Transition Zone.

In accordance with Standing Order 31.7, Councillors Al-Samarai, Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Alex Nicoll, Audrey Nicoll, Noble, Townson and Yuill intimated their dissent at the foregoing decision.

DECLARATION OF INTEREST

Further to a question from Councillor Allard during the course of discussion of the following item, Councillor Reynolds declared an interest by virtue of his position as a Council appointed member on the North Sea Commission and Vice Chair of that body. Councillor Reynolds did not consider that the nature of his interest required him to leave the meeting.

SCHEME OF GOVERNANCE REVIEW - GOV/20/035

10. The Council had before it a report by the Chief Officer – Strategic Place Planning which presented the Proposed Aberdeen Local Development Plan (the Proposed Plan) and Delivery Programme for approval.

The report recommended:-

that the Council –

- (a) approves Appendix A, the introduction to the Scheme of Governance, with effect from 1 April 2020;
- (b) approves Appendix B, the revised Committee Terms of Reference, with effect from 1 April 2020;
- (c) approves Appendix C, Powers Delegated to Officers, with effect from 1 April 2020, subject to recommendation (d) below;
- (d) instructs the Chief Officer - Strategic Place Planning to seek approval from the Scottish Ministers to amend the Planning Scheme of Delegation under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) - which relates to “Local Developments”;
- (e) approves Appendix D, the revised Standing Orders for Council, Committee and Sub Committee Meetings, with effect from 1 April 2020;
- (f) approves Appendix E, the revised Financial Regulations, with effect from 1 April 2020;
- (g) approves Appendix F, the revised Procurement Regulations, with effect from 1 April 2020;
- (h) approves Appendix G, the revised Member Officer Relations Protocol, with effect from 1 April 2020;
- (i) authorises the Chief Officer - Governance, following consultation with the Business Manager, to amend the Scheme of Governance as necessary to take account of the decisions at the Council Budget meeting on 3 March 2020;
- (j) approves the membership number for each committee as proposed at paragraph 5.2; and sets a composition for each committee and appoints members on the basis that names of members shall be provided to the Chief Officer - Governance after this meeting and that the Chief Officer - Governance be authorised to finalise membership of committees where required;
- (k) appoints a Convener and Vice Convener to the committees listed in paragraph 5.2, as appropriate;
- (l) makes appointments to the following positions:-
 - i. Lord Provost;
 - ii. Depute Provost;

- iii. Leader or Co-Leaders of the Council;
 - iv. Depute Leader of Council (if applicable);
 - v. Business Manager; and
 - vi. Depute Business Manager;
- (m) approves the remuneration of the Lord Provost and one post of Council Leader and the allocation, and amount in each case, of senior councillor allowances, on the basis of the guidance contained in paragraphs 7.2 to 7.3 of the report;
 - (n) notes that the membership number and composition of the sub committees detailed in Appendix H would be determined by the respective committees;
 - (o) approves the membership number for each working group as detailed in Appendix I; sets a composition for each and appoints members on the basis that names can be provided to the Chief Officer - Governance after the meeting and that he be authorised to finalise membership where required;
 - (p) agrees to disband the working groups contained at Appendix J;
 - (q) appoints 9 members to the Appointment Panel and agrees the composition of the Panel and appoints members on the basis that names can be provided to the Chief Officer - Governance after the meeting and that he be authorised to finalise membership where required;
 - (r) sets a composition for each of the joint committees/partnerships as detailed at Appendix K, and appoints members and substitutes (where applicable) on the basis that names can be provided to the Chief Officer - Governance after the meeting and that he be authorised to finalise membership where required;
 - (s) considers the appointment of members to the various outside bodies listed in Appendix L to the report; sets a composition for each and appoints members on the basis that names can be provided to the Chief Officer - Governance after the meeting and that he be authorised to finalise membership where required;
 - (t) instructs the Chief Officer - Governance to carry out a further review of outside bodies ahead of the local government elections in elections in 2022 and thereafter report back to Full Council with any proposals as required; and
 - (u) notes the resignation of Councillor Donnelly from the Licensing Board and elects a member to fill the vacancy on the Licensing Board.

Councillor Lumsden moved, seconded by Councillor Boulton:-

That the Council –

- (i) notes Aberdeen City Council had been named as a finalist in the annual LGC Awards with Aberdeen being the only Scottish authority to have been shortlisted; and agrees that this recognition by the LGC Awards judging panel was a reward for the efforts of the thousands of Aberdeen City Council staff who were at the heart of everything we do and therefor;
- (ii) approves recommendations (a) to (d), (f), (i), (n), (p) and (u) as detailed above;
- (iii) approves the revised Standing Orders for Council, Committee and Sub Committee Meetings as contained [here](#) with immediate effect;
- (iv) approves the revised Procurement Regulations as contained [here](#) with effect from 1 April 2020;
- (v) approves the revised Member Officer Relations Protocol, with effect from 1 April 2020 subject to the deletion of 4.1.3D;
- (vi) approves the membership number and composition of each committee as detailed in the table below; and appoints members on the basis that names of members would be provided to the Chief Officer - Governance after this meeting and that the Chief Officer - Governance be authorised to finalise membership of committees where required;

Committee	Conservative	Aberdeen Labour	Independent Alliance	SNP	Liberal Democrats	Independent	Total
Audit, Risk and Scrutiny	2	2	1	3	1	0	9
Capital Programme	2	2	1	3	1	0	9
City Growth and Resources	2	2	1	3	1	0	9
Education Operational Delivery	3	3	1	5	1	0	13
Licensing	2	2	1	3	1	0	9
Operational Delivery	3	3	1	5	1	0	13
Pensions	2	2	1	3	1	0	9
Planning Development Management	1	2	2	3	1	0	9
Public Protection	2	2	1	3	1	0	9
Staff Governance	1	3	1	3	1	0	9
Strategic Commissioning	3	2	0	3	1	0	9
Urgent Business	2	2	1	3	1	0	9
Total	25	27	12	40	12	0	116

- (vii) approves the status quo (as detailed in the following table) in terms of:
- appointments to Convener and Vice Convener to the committees listed in paragraph 5.2 with the exception that Councillor Alex Nicoll be appointed as Convener of the Audit, Risk and Scrutiny Committee;
 - the positions detailed at paragraph 6.1 of the report; and
 - the remuneration of the Lord Provost and one post of Council Leader and the allocation, and amount in each case, of senior councillor allowances, on the basis of the guidance contained in paragraphs 7.2 to 7.3 of the report;

Post	Appointee	Remuneration on basis of 1 April 2020
Lord Provost	Councillor Crockett	£31,247
Council Leader and	Councillor Laing	£41,662

Post	Appointee	Remuneration on basis of 1 April 2020
Convener of Strategic Commissioning		
Depute Provost	Councillor Jennifer Stewart	-
Vice Convener, Strategic Commissioning	Councillor John	£23,435
Convener, Operational Delivery	Councillor Wheeler	£31,247
Vice Convener, Operational Delivery and Regeneration spokesperson	Councillor Graham	£23,435
Vice Convener, Operational Delivery and Environmental spokesperson	Councillor Bell	£23,435
Convener, City Growth and Resources	Councillor Lumsden	£31,247
Vice Convener, City Growth and Resources	Councillor Grant	£23,435
Convener, Education Operational Delivery	Councillor Wheeler	-
Vice Convener, Education Operational Delivery	Councillor Malik	£23,435
Convener, Capital Programme and Culture Spokesperson	Councillor Boulton	£31,247
Vice Convener, Capital Programme	Councillor Lumsden	-
NHS/Social Care Integration Joint Board and Social Care Spokesperson	Councillor Duncan	£23,435
Convener, Public Protection	Councillor Jennifer Stewart	£31,247
Vice Convener, Public Protection	Councillor Lesley Dunbar	£23,435
Convener, Staff Governance	Councillor Allan	£31,247
Vice Convener, Staff Governance	Councillor Houghton	-
Mental Health Spokesperson	Councillor Imrie	-
Convener, Planning Development Management	Councillor Boulton	-

Post	Appointee	Remuneration on basis of 1 April 2020
Vice Convener, Planning Development Management	Councillor Jennifer Stewart	-
Convener, Licensing Committee, Economic development spokesperson	Councillor Reynolds	£31,247
Vice Convener, Licensing Committee	Councillor Malik	-
Convener, Appeals Committee	Councillor Allan	-
Convener, Audit, Risk and Scrutiny	Councillor Alex Nicoll	£31,247
Vice Convener, Audit, Risk and Scrutiny	Councillor Yuill	£23,435
Convener, Urgent Business Committee	Councillor Laing	-
Vice Convener, Urgent Business Committee	Councillor Lumsden	-
Convener, Pensions Committee	Councillor Malik	-
Vice Convener, Pensions Committee	Councillor Reynolds	-
Convener, Aberdeen City Region Deal	Councillor Laing	-
Convener, Licensing Board	Councillor Boulton	-
Business Manager	Councillor Houghton	£31,247
Housing and Transport Spokesperson	Councillor Macdonald	-
Depute Business Manager	Councillor Malik	-
Senior Councillor Totals	17¹	£437,456²
Maximum allowed	19	£466, 455²

(viii) approves the membership number and composition for each working group as detailed [here](#); and appoints members on the basis that names could be provided to the Chief Officer - Governance after the meeting and that he be authorised to finalise membership where required;

(ix) appoints 9 members to the Appointment Panel and agrees the composition (of 2 Aberdeen Labour, 2 Conservative, 1 Independent Alliance, 1 Liberal Democrat

¹ Lord Provost not included as separate provision exists for the Lord Provost as Civic Head in terms of the Regulations

² Lord Provost and Council Leader not included as separate provision exists for these roles in terms of the Regulations

- and 3 SNP) for the Panel and appoints members on the basis that names could be provided to the Chief Officer - Governance after the meeting and that he be authorised to finalise membership where required;
- (x) approves the composition for each of the joint committees/partnerships as detailed [here](#), and appoints members and substitutes (where applicable) on the basis that names could be provided to the Chief Officer - Governance after the meeting and that he be authorised to finalise membership where required;
 - (xi) approves the appointment of members and compositions in respect of the various outside bodies listed [here](#) and appoints members on the basis that names could be provided to the Chief Officer - Governance after the meeting and that he be authorised to finalise membership where required;
 - (xii) agrees to withdraw from the East of Scotland European Consortium;
 - (xiii) notes the resignation of Councillor Donnelly from the Licensing Board and elects Councillor Sellar to fill the vacancy on the Licensing Board; and
 - (xiv) agrees to formally establish the Members' Services Working Group with 5 members with the remit of discussing, and identifying solutions, for any operational issues that impact members and a composition of 1 Aberdeen Labour, 1 Conservative, 1 Independent Alliance, 1 Liberal Democrat and 1 SNP.

Councillor Alex Nicoll moved as an amendment, seconded by Councillor Yuill:-

That this Council –

- (1) approves recommendations (a), (c), (d), (g) (n) (p) and (u) as contained in the report;
- (2) approves Appendix B, the revised Committee Terms of Reference, with effect from 1 April 2020, subject to:
 - 1. the disbanding of the Capital Programme Committee with the remit transferring to the City Growth and Resources Committee; and
 - 2. the Chief Officer – Governance further reviewing the remit of the Strategic Commissioning Committee as part of the next annual review of the Scheme of Governance due to be reported to Council in March 2021 and in doing so to identify proposals for the remit to transfer to other committees and therefore enabling the committee to be removed rationalising the committee structure;
- (3) agrees to formally establish the Members' Services Working Group with 5 members with the remit of discussing, and identifying solutions, for any operational issues that impact members and a composition of 1 Aberdeen Labour, 1 Conservative, 1 Independent Alliance, 1 Liberal Democrat and 1 SNP;
- (4) approves the revised Standing Orders for Council, Committee and Sub Committee Meetings, with effect from 1 April 2020, subject to the following amendments:
 - 1. SO12.5 "Prior to a Notice of Motion appearing on an agenda, the Chief Officer – Governance will determine competency";
 - 2. SO12.7 "If the Chief Officer – Governance rules the motion incompetent, it will not appear on the agenda for the meeting";
 - 3. SO13.5 "A report author must consult the local Members of a ward where the report contains proposals which, if implemented, would have an impact on that particular ward which is significantly greater than any general impact on the city as a whole" and deletion of "Significant Local Impact" from the glossary;
 - 4. SO14.1 "Every request for a deputation must be in writing and received by the Clerk at least two working days before the meeting to which it relates. Any documentation that a deputation may wish to circulate to the Committee must be submitted along with the deputation request. Should such documentation not be submitted with the request, it will be for the Committee to determine if the document is circulated";

5. SO14.11 “Competency in respect of Standing Orders 14.3, 14.5 and 14.10 will be determined by the Chief Officer – Governance”;
 6. SO16.3 “In respect of the following, the Committee will determine, subject to relevant statutory procedures and the Councillors’ Code of Conduct, whether it will hear representations from Members:
 - 16.3.1 quasi-judicial matters;
 - 16.3.2 individual housing allocation decisions; or
 - 16.3.3 reviews to be undertaken by the Community Asset Transfer Review Sub Committee;
 7. Proposed SO29.9 “Any relevant officer will have the opportunity to address the meeting on the competency, relevancy or implications of any motion or amendment”;
 8. Proposed SO29.12 “The Convener, following consultation with the Chief Officer – Governance, will determine whether a motion or amendment is competent and relevant”;
 9. Proposed SO29.13 “A motion or amendment moved but not seconded, or which has been ruled by the Convener, following consultation with the Chief Officer – Governance, to be incompetent will not be put to the vote but will be recorded in the minute”;
 10. Proposed SO29.16 “A Member can make minor alterations to their motion or amendment, with the consent of the Committee”;
 11. Removal of proposed SO29.1 and SO29.2 and the retention of the current SO28.1;
 12. Proposed SO34.1 “Immediately following a vote at Committee or Sub Committee, one third of the membership of the Committee or Sub Committee may refer the matter to the Council, Committee or Sub Committee for a decision”;
- (5) approves the revised Financial Regulations, with effect from 1 April 2020, subject to the following amendment:
1. 5.11.1, paragraph 2 “Insignificant gifts are classified as gifts having a monetary value of £50 or less”;
- (6) approves the revised Member Officer Relations Protocol, with effect from 1 April 2020, subject to the following amendments:
1. remove 4.1.2E; and
 2. amend 4.1.3D to read “we will ensure that representatives of all political groups and independent members are invited to attend when we organise civic or official events, unless otherwise agreed by the Lord Provost and the relevant Director”;
- (7) authorises the Chief Officer – Governance to amend the Scheme of Governance as necessary to take account of the decisions at the Council budget meeting on 3 March 2020;
- (8) approves the membership numbers as proposed in the report, with the exception of the Capital Programme Committee, with compositions on the following basis:
- for a committee of 9, 4 members of the current administration and 5 members of the current opposition; and
 - for a committee of 13, 6 members of the current administration and 7 members of the current opposition,
- with the following total numbers of places for the current administration and current opposition;

		Number of Committee Places
(9)	d e	Current Administration 48
	e	Current Opposition 59
	e	Total 107

- delegates authority to the Chief Officer – Governance, following consultation with the current administration and opposition, to finalise the committee places allocation per political group and independent member in compliance with current Standing Order 46.9, and appoints members on the basis that names of members shall be provided to the Chief Officer – Governance after this meeting and that he be authorised to finalise membership of committees where required;
- (10) recognises that the minority administration as a collective had more councillors than the SNP or Liberal Democrats and invites the minority administration to put forward proposals for appointments and remuneration for all positions detailed in paragraph 5.2 and 6.1 of the report with the exception of the Convener and Vice Convener of the Audit, Risk and Scrutiny Committee who would be Councillors Alex Nicoll and Yuill respectively and the following posts which would be deleted:
- Convener and Vice Convener of the Capital Programme Committee;
 - One of the Vice Conveners of the Operational Delivery Committee; and
 - Business Manager and Depute Business Manager;
- (11) delegates authority to the Chief Officer – Governance to amend the Scheme of Governance to reflect the removal of the Business Manager and Depute Business Manager positions;
- (12) approves the membership number and composition for each working group as detailed in Appendix A to the amendment; and appoints members on the basis that names can be provided to the Chief Officer - Governance after the meeting and that he be authorised to finalise membership where required;
- (13) agrees to withdraw from the East of Scotland European Consortium;
- (14) appoints 9 members to the Appointment Panel and agrees the composition of 4 administration and 5 opposition (4 SNP and 1 Liberal Democrat) for the Panel and appoints members on the basis that names can be provided to the Chief Officer - Governance after the meeting and that he be authorised to finalise membership where required;
- (15) approves the composition for each of the joint committees/partnerships as detailed at Appendix B to the amendment, and appoints members and substitutes (where applicable) on the basis that names can be provided to the Chief Officer - Governance after the meeting and that he be authorised to finalise membership where required;
- (16) approves the appointment of members and compositions in respect of the various outside bodies listed in Appendix C to the amendment and appoints members on the basis that names can be provided to the Chief Officer - Governance after the meeting and that he be authorised to finalise membership where required; and
- (17) notes the resignation of Councillor Donnelly from the Licensing Board and elects Councillor Al-Samarai to fill the vacancy on the Licensing Board.

On a division, there voted:-

For the motion by Councillor Lumsden (23) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Cross, Donnelly, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Imrie, John, Laing, Lumsden, Macdonald, MacKenzie, Malik, Mason MSP, Reynolds, Sellar and Wheeler .

For the amendment by Councillor Alex Nicoll (22) - Councillors Al-Samarai, Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Alex Nicoll, Audrey Nicoll, Noble, Townson and Yuill.

The Council resolved:-

to adopt the motion by Councillor Lumsden.

In accordance with Standing Order 31.7, Councillors Al-Samarai, Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Delaney, Jackie Dunbar, Flynn, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Alex Nicoll, Audrey Nicoll, Noble, Townson and Yuill intimated their dissent at the foregoing decision.

JOINT NOTICE OF MOTION BY COUNCILLOR COPLAND AND COUNCILLOR LESLEY DUNBAR

11. The Council had before it the following notice of motion by Councillors Copland and Lesley Dunbar:-

That Council -

1. notes that Denis Law was born in Aberdeen on 24th February 1940 and was awarded the Freedom of the City of Aberdeen in 2017;
2. notes that Denis Law was the only Scottish Footballer to have won the prestigious FIFA Ballon d'Or award;
3. recognises the outstanding contribution made by the Denis Law Legacy Trust supporting and empowering young people to be confident, capable independent and responsible citizens within their own communities through sport the arts and culture and also recognises the work done by the Trust and thanks to Denis Law himself in being able to attract the Johan Cruyff Foundation to work collaboratively with the council in providing Cruyff Courts in the city - further proof of the standing Denis Law is held in throughout the world;
4. notes that the Denis Law legacy Trust have outlined a Printfield 10 Project (A copy of proposed Printfield 10 Project is attached) which if implemented would celebrate, and recognise, Mr Law's roots and contribution to the city for years to come; and
5. welcomes the Printfield Community Forum working in partnership with the Denis Law Legacy Trust to promote Denis Law's childhood roots at Printfield and instructs the Chief Officer – City Growth to discuss with the Denis Law Legacy Trust the proposed Printfield 10 Project to include public art work and report back, if applicable to the City Growth and Resources Committee for its consideration.

The Council resolved:-

to approve the notice of motion.

NOTICE OF MOTION COUNCILLOR MACDONALD

12. The Council had before it the following notice of motion by Councillor Macdonald:-

That Council -

1. believes everyone should have a safe, secure and affordable home;
2. supports the aims of the Shelter Scotland Charter for Change housing rights campaign "Are you with us?" to demonstrate our support for laws to be strengthened to ensure there is a right to safe, secure and affordable homes for all;
3. instructs the Chief Executive to write to Shelter Scotland expressing the Council's support for the campaign's aims; and
4. instructs the Chief Executive to write to the Scottish Government expressing the Council's support for the campaign's aims and seeking the Scottish Government's support in delivering them by providing sufficient resources to meet current and new legislation.

The Council resolved:-

to approve the notice of motion.

- COUNCILLOR BARNEY CROCKETT, Lord Provost.

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 3 March 2020

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Lord Provost Barney Crockett, Chairperson;
Depute Provost Jennifer Stewart; and

COUNCILLORS

GILLIAN AL-SAMARAI
YVONNE ALLAN
CHRISTIAN ALLARD
ALISON ALPHONSE
PHILIP BELL
MARIE BOULTON
DAVID CAMERON
JOHN COOKE
NEIL COPLAND
WILLIAM CORMIE
SARAH CROSS
STEVEN DELANEY
ALAN DONNELLY
JACQUELINE DUNBAR
LESLEY DUNBAR
SARAH DUNCAN
STEPHEN FLYNN MP
GORDON GRAHAM
ROSS GRANT
MARTIN GREIG
DELL HENRICKSON
RYAN HOUGHTON

MICHAEL HUTCHISON
CLAIRE IMRIE
FREDDIE JOHN
JENNIFER LAING
DOUGLAS LUMSDEN
SANDRA MACDONALD
NEIL MacGREGOR
AVRIL MacKENZIE
ALEXANDER McLELLAN
CIARÁN McRAE
M. TAUQEER MALIK
THOMAS MASON MSP
JESSICA MENNIE
ALEX NICOLL
AUDREY NICOLL
JAMES NOBLE
JOHN REYNOLDS
PHILIP SELLAR
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 [here](#).

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, Tuesday, 3 March 2020

DECLARATIONS OF INTEREST

1. Councillor Mason MSP declared a general interest as a Member of the Scottish Parliament for North East Scotland.

COUNCIL DELIVERY PLAN 2020/21 - COM/20/052

2. The Council had before it a report by the Chief Executive which presented the Council Delivery Plan for 2020/21.

The report recommended:-

that the Council -

- (a) note the content of the Council Delivery Plan 2020/21; and
- (b) instruct the Chief Executive to realign any of the delivery commitments and performance reporting set out in the Plan that may be required, as a result of any potential Council budget decisions, to meet Council's instructions.

The Council resolved:-

to approve the recommendations.

At this juncture, it was agreed that the reports on the General Fund Revenue Budget and Capital Programme and the Common Good Budget be considered together as the next item of business.

GENERAL FUND REVENUE BUDGET AND CAPITAL PROGRAMME 2020/2021 - RES/20/065 - AND COMMON GOOD BUDGET 2020/21 - RES/20/61

3. (A) The Council had before it a report by the Director of Resources which provided details of both the revenue budget for 2020/21 and capital programme for the period 2020/21 to 2024/25 in order that approved budgets and Council Tax value could be set for the year commencing 1 April 2020.

The report recommended:-

that the Council -

Balance Sheet

- (a) note the projected balance sheet position including the reserves as at 31 March 2020, shown at Appendix 1;
- (b) approve the General Fund Capital Programme as at Appendix 2;
- (c) consider the capital projects described in Appendix 3 which were not currently included in the General Fund Capital Programme, and instruct the Director of Resources on any action to be taken;
- (d) approve the Prudential Indicators as attached at Appendix 4;
- (e) instruct the Director of Resources, in consultation with the Convener of the City Growth and Resources Committee, to prepare and submit appropriate bid(s) to

Council Meeting, 3 March 2020

- the Heat Networks Early Adopters Challenge Fund, announced as part of the Local Government Financial Settlement, and if successful then to finalise relevant terms and conditions to then deliver the projects;
- (f) instruct the Director of Resources to arrange for a partnership agreement to be put in place, and agree terms for the Council, in relation to the mortuary project, including funding mechanism; and
 - (g) approve the recommended use of reserves and Reserves Policy for 2020/21 as detailed in Appendix 5.

Medium-Term Financial Projections

- (h) note the forecast medium-term financial projection for the period ending 31 March 2024 as shown in paragraph 3.22; and
- (i) instruct the Chief Officer - Finance to report to the City Growth and Resources Committee no later than December 2020, on options to balance the budgets for financial years 2021/22 and 2022/23, including new discretionary tax raising powers available to the Council.

Revenue Budget

- (j) note that the conditions outlined by the Scottish Government within the Local Government Finance Settlement for 2020/21 were met by the proposals set out in the report;
- (k) approve the redesign of Council services to address demand, in line with the commissioning led approach described in the report, and set at least a balanced budget for financial year 2020/21, having taken into account the following:-
 - (1) the budget model as contained in paragraph 3.22 that identified a funding shortfall of £37.9m for 2020/21;
 - (2) the impact of service redesign on services and fees and charges described in Appendix 6;
 - (3) the Reserves Policy, that set out the Council should maintain uncommitted General Fund balances of £12m;
 - (4) the Prudential Indicators and impact of the General Fund Capital Programme on revenue expenditure;
 - (5) the savings options and cost of implementation put forward in Appendix 7 and Fees and Charges proposals in Appendix 8;
 - (6) the revenue items referred to the budget process, as shown in Appendix 9; and
 - (7) due consideration of the equalities impact assessments and screening results provided in the background papers;
- (l) approve the Commissioning Intentions and Service Standards as described in Appendices 10 and 11 respectively, subject to any amendments approved as per 2.3.2 above;
- (m) instruct the Chief Officer - Customer Experience to insert the service standards into the system for service requests and complaints;
- (n) instruct the Head of Commercial and Procurement to incorporate community benefit clauses into new contracts let during 2020/21 that increase the contribution of the Council to the Local Outcome Improvement Plan (LOIP) outcomes, and submit a year-end report to the Strategic Commissioning Committee;

Council Meeting, 3 March 2020

- (o) approve the level of funding for the Aberdeen City Community Health and Social Care Integration Joint Board (IJB) in 2020/21 to meet the conditions of the Scottish Government Financial Settlement, described in paragraphs 3.69 and 3.74 to 3.78, and note that it would be for the IJB itself to determine how it would balance its budget;
- (p) approve the fees and charges for the Aberdeen City Community Health and Social Care Partnership IJB, as shown in Appendix 8;
- (q) approve the level of funding for the Council's other group entities and ALEO, in 2020/21 with reference to paragraph 3.69; and
- (r) instruct the Chief Officer - Finance to recover the full costs associated with being the Administering Authority of the North East Scotland Pension Fund from the Pension Fund.

Taxation

- (s) approve a Band D equivalent Council Tax rate, with effect from 1 April 2020;
- (t) impose and levy Council Tax assessments for the period 1 April 2020 to 31 March 2021 on all chargeable dwellings in Aberdeen City to be paid by the persons liable therefor under the Local Government Finance Act 1992, as amended by the Local Government etc. (Scotland) Act 1994;
- (u) note that the Council would implement revisions to National Non-Domestic Rates as defined by the Scottish Government within the relevant Finance Circulars, with effect from 1 April 2020; and
- (v) impose and levy Non-Domestic Rates assessments for the period 1 April 2020 to 31 March 2021 on all occupiers in Aberdeen City to be paid by those liable.

Organisational Structure

- (w) note the final organisational structure shown in Appendix 12 including the alignment of Business Intelligence & Performance Management (BI&PM) to Customer, and of Governance, Strategic Place Planning and City Growth to Commissioning, within the approved functional structure;
- (x) approve the amendment to the Chief Education Officer role from a 3rd tier to a 2nd tier Chief Officer role; and
- (y) note that appointment panels would be convened to fill vacant posts at tiers 1 and 2.

(B) The Council had before it a report by the Director of Resources which provided details of the draft Common Good budget for 2020/21, to enable the Council to approve a final budget that would take effect on 1 April 2020.

The report recommended:-

that the Council -

- (a) approve the Common Good budget for 2020/21 as detailed in Appendix 1 to the report;
- (b) consider and decide on each of the new requests for funding detailed in Appendix 3 to the report, taking account of the affordable funding available for 2020/21; and

Council Meeting, 3 March 2020

- (c) instruct the Chief Officer - Finance to undertake a review of the investment options for the Common Good cash balances, with a report being presented to the City Growth and Resources Committee no later than December 2020.

Councillor Lumsden moved, seconded by Councillor Laing:-
That the Council -

- (1) note the significant reduction in capital funding announced by the Scottish Government;
- (2) note the increase in borrowing by the Scottish Government reducing resources available to the public sector;

Net Zero Transition

- (3) note that the Council was developing a new prioritised Strategic Infrastructure Plan and developing a Net Zero Transition Plan that could be used to support the business case for any future bids to anticipated investment funding from the UK Government and the Scottish Government;
- (4) instruct the Head of Commercial and Procurement to introduce a climate friendly weighting for contracts the Council procures and report back to the Strategic Commissioning Committee on the outcomes achieved annually;
- (5) instruct the Chief Operating Officer to provide the City Growth and Resources Committee, by July 2020, with options on how Carbon Budgeting for Aberdeen City Council could be introduced to support the organisation's climate transition plans;
- (6) instruct the Chief Officer - Operations and Protective Services to replace all fleet vehicles with alternative powered vehicles (where such vehicles were available in the open market) as part of the rolling programme and within the allocated budget for that programme;
- (7) instruct the Chief Officer - Operations and Protective Services to report back to the Operational Delivery Committee on 21 May 2020 with the Tree and Woodland Strategic Implementation Plan which would be incorporated into the Open Space Strategy to increase tree coverage within the city;
- (8) instruct the Chief Officer - Governance to report to the Licensing Committee on 1 September 2020 with proposals to consult with the taxi and private hire trade on options for transitioning to alternative powered vehicles;
- (9) note that the Council would take delivery of 15 hydrogen fuelled buses during 2020/21;
- (10) note that the Council would take delivery of a hydrogen fuelled refuse vehicle, the first within the UK;
- (11) note the Council's commitment to invest approximately £100million towards achieving Net Zero emission targets;

Local Outcome Improvement Plan

People Outcomes

- (12) reaffirm the Administration's commitment to no compulsory redundancies;
- (13) instruct the Chief Officer - Integrated Children's and Family Services, following consultation with the Chief Officer - Finance, to introduce a

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- supported rent scheme for care experienced young people who were attending further education and report back to the Operational Delivery Committee on 21 May 2020 with details of the scheme;
- (14) instruct the Chief Officer - People and Organisational Development to report to the Staff Governance Committee on 9 June 2020 with a guaranteed interview scheme for any care experienced young person seeking to gain employment with this Council;
 - (15) instruct the Head of Commercial and Procurement, following consultation with the Chief Officer - Aberdeen City Health and Social Care Partnership, to report back to the Strategic Commissioning Committee on 11 June 2020 on future operational delivery models for Bon Accord Care and Sport Aberdeen;
 - (16) instruct the Chief Officer - Finance to give notice to the Board of Directors of NYOP Education (Aberdeen) Limited to disburse £250,000 to Sport Aberdeen and the balance of funds available, approximately £110,000, to Voluntary Services Aberdeen, both being nominated charities of NYOP;
 - (17) instruct the Head of Commercial and Procurement to notify Sport Aberdeen that their funding was contingent to them providing their staff with the same pay award as Council staff, as per SJC negotiated pay awards;
 - (18) instruct the Chief Officer - Customer Experience to alter the Customer Contact Centre (excluding Emergency Services which would continue to operate 24 hours a day), Customer Service Centre, Marischal College Corporate Reception and Customer Access Points opening times to 09.00 until 17.00 hours Monday to Friday;
 - (19) instruct the Chief Operating Officer to work with schools to ensure that there was a tree for every school within Union Terrace Gardens;

Economy Outcomes

- (20) instruct the Chief Executive to report back to the City Growth and Resources Committee on 18 June 2020 with a Corporate Business Charter;
- (21) instruct the Chief Officer - City Growth to provide a report on the Transient Visitor Levy to the City Growth and Resources Committee on 28 October 2020 on engagement and options;
- (22) instruct the Chief Officer - City Growth to work with relevant stakeholders and partners to develop and embed an Energy Transition Zone Training and Jobs Plan that ensured local people were able to access employment opportunities from any development that occurred;
- (23) instruct the Chief Officer - City Growth to work with Skills Development Scotland, North East of Scotland College and Opportunity North East on development of energy transition apprenticeships that target local people in the immediate areas around Aberdeen Harbour South;
- (24) instruct the Chief Officer - City Growth to include the Torry Locality Planning Manager, Lochside Academy Head Teacher (or their representative) and an employability officer in the relevant Energy Transition Zone project workstream so that access by local young people to new training and jobs was a central element of development of a Zone, and that the Training and Jobs Plan was delivered;

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- (25) instruct the Chief Officer - City Growth to evaluate the Energy Transition Zone Training and Jobs Plan and report back to the City Growth and Resources Committee on 28 October 2020 on the extent to which local people were accessing training or job opportunities that were generated if any development occurred;

Place Outcomes

- (26) instruct the Chief Officer - City Growth to look at options for the operation of the hydrogen fuelled buses beyond the life of the Aberdeen Hydrogen Bus demonstration project, including potential use in other cities in the UK and the Scottish Cities Alliance as the Council upgraded its fleet;
- (27) instruct the Chief Officer - Corporate Landlord to take forward the proposals for investment works at Riverbank School to accommodate the relocation of St. Peter's School once Riverbank School relocated, to the City Growth and Resources Committee on 28 October 2020 with an indicative programme;
- (28) instruct the Chief Officer - Corporate Landlord to take forward proposals for a campus model for future school provision to the Education Operational Delivery Committee on 26 November 2020;
- (29) instruct the Chief Officer - Corporate Landlord to take forward proposals for the future anticipated school roll increase at Bucksburn Academy to the Education Operational Delivery Committee on 26 November 2020;

Balance Sheet

- (30) note the project balance sheet position including the reserves as at 31 March 2020, shown at Appendix 1 of the report;
- (31) approve the General Fund Capital Programme at Appendix 1, circulated separately and available [here](#);
- (32) approve the Prudential Indicators at Appendix 2, circulated separately and available [here](#);
- (33) instruct the Director of Resources, following consultation with the Convener of City Growth and Resources Committee and the Head of Commercial and Procurement, to prepare and submit appropriate bid(s) to the Heat Networks Early Adopters Challenge Fund, announced as part of the Local Government Financial Settlement, and if successful then to finalise, following consultation with the Head of Commercial and Procurement, relevant terms and conditions to then deliver the projects;
- (34) instruct the Director of Resources, following consultation with the Head of Commercial and Procurement, to arrange for a partnership agreement in relation to the mortuary project to be put in place, including the funding mechanism, and thereafter report back to the City Growth and Resources Committee with a draft partnership agreement for approval along with the full business case;
- (35) approve the recommended use of reserves and Reserves Policy for 2020/21 as detailed in Appendix 5 of the report;

Medium-Term Financial Projections

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- (36) note the forecast medium-term financial projection for the period ending 31 March 2024 as shown in paragraph 3.22 of the report;
- (37) instruct the Chief Officer - Finance to report to the City Growth and Resources Committee, no later than December 2020, on options to balance the budgets for financial years 2021/22 and 2022/23, including new discretionary tax raising powers available to the Council;

Revenue Budget

- (38) note that the conditions outlined by the Scottish Government within the Local Government Finance Settlement for 2020/21 were met by the proposals set out in the report;
- (39) having had due regard to protected characteristics and how the authority could reduce inequalities of outcome caused by socio-economic disadvantage in terms of the Equality Act 2010, approve the use of various savings options to set at least a balanced budget for financial year 2020/21 as detailed in Appendix 3 and the schedule of fees and charges in Appendix 5, circulated separately and available [here](#);
- (40) approve the Commissioning Intentions and Service Standards as described in Appendices 10 and 11 respectively of the report;
- (41) instruct the Head of Commercial and Procurement to incorporate community benefit clauses into new contracts let during 2020/21 that increased the contribution of the Council to the Local Outcome Improvement Plan (LOIP) outcomes, and submit a year-end report to the Strategic Commissioning Committee;
- (42) approve the level of funding for the Aberdeen City Health and Social Care Partnership Integration Joint Board (IJB) in 2020/21, as set out in Appendix 4 circulated separately, which exceeded the conditions included in the Council's financial settlement and provided the IJB with £3.531 million (100%) of additional funding it would receive in 2020/21, and to note that would be for the IJB itself to determine how it would balance its budget;
- (43) approve the fees and charges for the Aberdeen City Health and Social Care Partnership IJB as shown in Appendix 5, circulated separately and available [here](#);
- (44) approve the level of funding for the Council's other group entities and ALEO in 2020/21, as set out in Appendix 4, circulated separately and available [here](#);
- (45) instruct the Chief Officer - Finance to recover the full costs associated with being the Administering Authority of the North East Scotland Pension Fund from the Pension Fund;

Taxation

- (46) approve a Band D equivalent Council Tax rate, with effect from 1 April 2020 of £1,377.30 excluding water charges - an increase of £1.02 per week;
- (47) impose and levy Council Tax assessments for the period 1 April 2020 to 31 March 2021 on all chargeable dwellings in Aberdeen City to be paid by

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- the persons liable therefor under the Local Government Finance Act 1992, as amended by the Local Government etc. (Scotland) Act 1994;
- (48) instruct the Chief Officer - Finance with immediate effect to extend Council Tax relief for young adults aged 16-26 who were previously looked after in a kinship arrangement and were still living in that arrangement at age 16 but did not qualify for relief as Care Leavers;
 - (49) note that the Council would implement revisions to National Non-Domestic Rates as defined by the Scottish Government within the relevant Finance Circulars, with effect from 1 April 2020;
 - (50) impose and levy Non-Domestic Rates assessments for the period 1 April 2020 to 31 March 2021 on all occupiers in Aberdeen City to be paid by those liable;

Organisational Structure

- (51) note the final organisational structure shown in Appendix 12 of the report, including the alignment of Business Intelligence & Performance Management (BI&PM) to Customer, and of Governance, Strategic Place Planning and City Growth to Commissioning, within the approved functional structure;
- (52) approve the amendment to the Chief Education Officer role from a third tier to a second tier Chief Officer role;
- (53) note that Appointment Panels would be convened to fill vacant posts at tiers 1 and 2.

Common Good

- (54) approve the Common Good budget for 2020/21 as detailed in Appendix - Common Good, circulated separately and available [here](#);
- (55) instruct the Chief Officer - Finance to undertake a review of the investment options for the Common Good cash balances and to report back to the City Growth and Resources Committee no later than December 2020;
- (56) instruct the Chief Officer - Integrated Children's and Family Services to organise a Mental Health Awareness Event for the citizens of Aberdeen with the provision of £3,150 and the use of Council facilities; and
- (57) instruct the Chief Officer - City Growth, following consultation with the Head of Commercial and Procurement, and in conjunction with Aberdeen Inspired to support the continued development of the Nuart Project with £125,000 per annum for the financial years 2021/22 to 2023/24.

Councillor Alex Nicoll moved as an amendment, seconded by Councillor McLellan:-
That the Council -

Balance Sheet

- (1) note the projected balance sheet position including the reserves as at 31 March 2020, shown at Appendix 1 of the Council report;
- (2) approve the General Fund Capital Programme as at Appendix 1 circulated separately and available [here](#);

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- (3) approve the Prudential Indicators as at Appendix 2 circulated separately and available [here](#);
- (4) instruct the Director of Resources, in consultation with the Convener of the City Growth and Resources Committee, to prepare and submit appropriate bid(s) to the Heat Networks Early Adopters Challenge Fund, announced as part of the Local Government Financial Settlement, and if successful then to finalise, in consultation with the Head of Commercial and Procurement, relevant terms and conditions to then deliver the projects;
- (5) instruct the Director of Resources, following consultation with the Head of Commercial and Procurement, to arrange for a partnership agreement in relation to the mortuary project to be put in place, including the funding mechanism, and thereafter report back to the City Growth and Resources Committee with a draft partnership agreement for approval along with the Full business case; and
- (6) approve the recommended use of reserves and Reserves Policy for 2020/21 as detailed in Appendix 5 of the Council report.

Medium-Term Financial Projections

- (7) note the forecast medium-term financial projection for the period ending 31 March 2024 as shown in paragraph 3.22 of the Council report; and
- (8) instruct the Chief Officer - Finance to report to the City Growth and Resources Committee, no later than December 2020, on options to balance the budgets for financial years 2021/22 and 2022/23, including new discretionary tax raising powers available to the Council.

Revenue Budget

- (9) note that the conditions outlined by the Scottish Government within the Local Government Finance Settlement for 2020/21 were met by the proposals set out in the report;
- (10) having had due regard to protected characteristics and how the authority can reduce inequalities of outcome caused by socio-economic disadvantage in terms of the Equality Act 2010, approve the use of various savings options to set at least a balanced budget for financial year 2020/21 as detailed in Appendix 3, and the schedule of fees and charges in Appendix 5 circulated separately and available [here](#);
- (11) approve the Commissioning Intentions and Service Standards as described in Appendices 10 and 11 respectively of the Council report;
- (12) instruct the Head of Commercial and Procurement to incorporate community benefit clauses into new contracts let during 2020/21 that increase the contribution of the Council to the Local Outcome Improvement Plan (LOIP) outcomes, and submit a year-end report to Strategic Commissioning Committee;
- (13) approve the level of funding for the Aberdeen City Community Health & Social Care Integration Joint Board (IJB) in 2020/21, as set out in Appendix 4 circulated separately, and to note that it would be for the IJB itself to determine how it would balance its budget;

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- (14) approve the fees and charges for the Aberdeen City Community Health & Social Care Partnership IJB, as shown in Appendix 5 circulated separately and available [here](#);
- (15) approve the level of funding for the Council's other group entities and ALEO, in 2020/21, as set out in Appendix 4 circulated separately and available [here](#);
- (16) instruct the Chief Officer - Finance to recover the full costs associated with being the Administering Authority of the North East Scotland Pension Fund from the Pension Fund;
- (17) instruct the Chief Officer - Operations and Protective Services to submit a report to the Operational Delivery Committee by February 2021 on options for simplifying the system of charging for parking permits with the aim of permits remaining cost neutral, options to include, but not limited to the introduction of a broader city centre inner zone and a single outer zone parking system with on and off street parking charges being aligned to such zoning systems;
- (18) instruct the Chief Officer - Operations and Protective Services to introduce a £20, first year only 6-month garden waste charge, for new households that want garden waste collection to begin between 1st March and 31st August, thereafter a full year charge would apply from 1st September;
- (19) instruct the Chief Officer - Operations and Protective Services to apply an exemption from garden waste bin collection charges in sheltered housing complexes with gardens, up to a maximum of two brown bins, to allow residents to help maintain garden area without charge;
- (20) instruct the Chief Officer - Finance to report to the City Growth and Resources Committee by July 2020 on the options to switch from hard copy newspapers purchased by the Council to alternative sources, such as on-line corporate subscriptions;
- (21) instruct the Chief Officer - Early Intervention and Community Empowerment to secure the efficiency savings in parking administration and enforcement proposed in Appendix 7 of the Council report, and to increase City Warden provision in the City with an investment of £199,000;
- (22) instruct the Chief Officer - Finance to update the Council Travel Policies to only permit international travel if it was fully funded by external sources, noting that as well as financial benefits this would improve the Council's carbon footprint;
- (23) instruct the Chief Officer - People & Organisation to issue contracts to new start employees, from outside the Council, on the basis of a 35 hour working week;
- (24) instruct the Chief Officer - Finance to give notice to the Directors of NYOP Education (Aberdeen) Limited to make payment of £360,000 to Sport Aberdeen, a nominated charity of NYOP;
- (25) instruct the Chief Officer - Early Intervention and Community Empowerment to distribute increased grant funding, included in the budget, to leased community centres in 2020/21;
- (26) instruct the Head of Commercial & Procurement to submit a report to the Strategic Commissioning Committee on the options to achieve benefit from bringing Bon Accord Care / Support Services back into the Council, taking account of the options, costs and risks of doing so;

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- (27) instruct the Chief Officer - Operations and Protective Services to prepare an outline business case, and submit this to the Operational Delivery Committee by July 2020, for the development of the Grove Nursery in collaboration with the community and social enterprises, such that the Council makes a one-off contribution of up to £100,000 to pump-prime the initiative;
- (28) instruct the Chief Officer - Customer Experience to alter the Customer Contact Centre (excluding Emergency Services which would continue 24 hours a day), Customer Service Centre, Marischal College Corporate Reception and Customer Access Points opening times to 09.00 until 17.00 hours Monday to Friday;
- (29) note that there would be:
- no reduction in public toilet provision
 - no reduction in asset spend within parks
 - no increase in fees and charges for bereavement services
 - no reduction in luminescence for street lamps
 - no reduction in ASBIT service
 - no removal of free breakfast services
 - no removal of free fruit in schools
 - no removal of free milk in schools
 - no removal of free bread in schools
 - no removal of school catering quality assurance
 - no reduction in school cleaning
 - no reduction in staff hours for Janitors
 - no reduction in contracted hours for Grounds Team
 - no reduction in school crossing patrollers
 - no reduction in funding to Sport Aberdeen
 - no reduction in funding to Aberdeen Sport Village
 - no reduction in funding to APA
 - no reduction in funding to Visit Aberdeen/shire
 - no reduction in libraries
 - no reduction in library resources
 - no reduction in non statutory school transport
 - no reduction in supported services to 14,15a and 40 buses
 - no reduction in bus infrastructure upgrades and cleaning and maintenance of park and ride facilities
 - no free parking for elected members

Taxation

- (30) approve a Band D equivalent Council Tax rate, with effect from 1 April 2020 of £1,364.06, excluding water charges;
- (31) impose and levy Council Tax assessments for the period 1 April 2020 to 31 March 2021 on all chargeable dwellings in Aberdeen City to be paid by the persons liable therefor under the Local Government Finance Act 1992, as amended by the Local Government etc. (Scotland) Act 1994;
- (32) note that the Council would implement revisions to National Non-Domestic Rates as defined by the Scottish Government within the relevant Finance Circulars, with effect from 1 April 2020; and

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- (33) impose and levy Non-Domestic Rates assessments for the period 1 April 2020 to 31 March 2021 on all occupiers in Aberdeen City to be paid by those liable.

Organisational Structure

- (34) note the revised organisational structure shown in Appendix 12 of the Council report and instruct the Chief Executive to amend the functional structure to reflect a 3 Director model with the deletion of the Director of Commissioning post;
- (35) agree to delete the vacant Chief Officer - Digital and Technology post;
- (36) delegate authority to the Chief Executive to amend the functional structure and reorganise the remaining Chief Officer roles and reporting structure, as appropriate; and
- (37) approve the amendment to the Chief Education Officer role from a 3rd tier to a 2nd tier Chief Officer role.

Common Good

- (38) approve the Common Good budget for 2020/21 as detailed in Appendix 1 existing projects and services to the report, with the exception of the amendments detailed in Appendix 1 circulated separately and available [here](#);
- (39) approve the new requests for funding as detailed in Appendix 1 circulated separately and available [here](#);
- (40) approve recommendation (c) in the report; and
- (41) instruct the Chief Officer - Finance to submit a report to the City Growth and Resources Committee no later than December 2020 following a review of financial commitments against the Common Good and prepare a business plan.

Councillor Yuill moved as a further amendment, seconded by Councillor Delaney:-
That the Council -

Balance Sheet

- (1) note the projected balance sheet position including the reserves as at 31 March 2020, shown at Appendix 1 of the Council report;
- (2) approve the General Fund Capital Programme as at Appendix 1 circulated separately and available [here](#);
- (3) approve the Prudential Indicators as at Appendix 2 circulated separately and available [here](#);
- (4) instruct the Director of Resources, in consultation with the Convener of the City Growth and Resources Committee, to prepare and submit appropriate bid(s) to the Heat Networks Early Adopters Challenge Fund, announced as part of the Local Government Financial Settlement, and if successful then to finalise, in consultation with the Head of Commercial and Procurement, relevant terms and conditions to then deliver the projects;

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- (5) instruct the Director of Resources, following consultation with the Head of Commercial and Procurement, to arrange for a partnership agreement in relation to the mortuary project to be put in place, including the funding mechanism, and thereafter report back to the City Growth and Resources Committee with a draft partnership agreement for approval along with the full business case; and
- (6) approve the recommended use of reserves and Reserves Policy for 2020/21 as detailed in Appendix 5 of the Council report.

Medium-Term Financial Projections

- (7) note the forecast medium-term financial projection for the period ending 31 March 2024 as shown in paragraph 3.22 of the Council report; and
- (8) instruct the Chief Officer - Finance to report to the City Growth and Resources Committee, no later than December 2020, on options to balance the budgets for financial years 2021/22 and 2022/23, including new discretionary tax raising powers available to the Council.

Revenue Budget

- (9) note that the conditions outlined by the Scottish Government within the Local Government Finance Settlement for 2020/21 were met by the proposals set out in the report;
- (10) having had due regard to protected characteristics and how the authority can reduce inequalities of outcome caused by socio-economic disadvantage in terms of the Equality Act 2010, approve the use of various savings options to set at least a balanced budget for financial year 2020/21 as detailed in Appendix 3, and the schedule of fees and charges in Appendix 5, circulated separately and available [here](#);
- (11) approve the Commissioning Intentions and Service Standards as described in Appendices 10 and 11 respectively of the Council report;
- (12) instruct the Head of Commercial and Procurement to incorporate community benefit clauses into new contracts let during 2020/21 that increase the contribution of the Council to the Local Outcome Improvement Plan (LOIP) outcomes, and submit a year-end report to Strategic Commissioning Committee;
- (13) approve the level of funding for the Aberdeen City Community Health & Social Care Integration Joint Board (IJB) in 2020/21, as set out in Appendix 4 circulated separately, and to note that it would be for the IJB itself to determine how it would balance its budget;
- (14) approve the fees and charges for the Aberdeen City Community Health & Social Care Partnership IJB, as shown in Appendix 5 circulated separately and available [here](#);
- (15) approve the level of funding for the Council's other group entities and ALEO, in 2020/21, as set out in Appendix 4 circulated separately and available [here](#); and
- (16) instruct the Chief Officer - Finance to recover the full costs associated with being the Administering Authority of the North East Scotland Pension Fund from the Pension Fund.

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Taxation

- (17) approve a Band D equivalent Council Tax rate, with effect from 1 April 2020 of £1,373.86 excluding water charges;
- (18) impose and levy Council Tax assessments for the period 1 April 2020 to 31 March 2021 on all chargeable dwellings in Aberdeen City to be paid by the persons liable therefor under the Local Government Finance Act 1992, as amended by the Local Government etc. (Scotland) Act 1994;
- (19) note that the Council would implement revisions to National Non-Domestic Rates as defined by the Scottish Government within the relevant Finance Circulars, with effect from 1 April 2020; and
- (20) impose and levy Non-Domestic Rates assessments for the period 1 April 2020 to 31 March 2021 on all occupiers in Aberdeen City to be paid by those liable.

Organisational Structure

- (21) note the final organisational structure shown in Appendix 12 of the Council report and instruct the Chief Executive to amend the functional structure to reflect a three Director model, deleting the Director of Commissioning post, realigning the Head of Commercial and Procurement to the Director of Resources and the Chief Officer - Governance, the Chief Officer - Strategic Place Planning, and the Chief Officer - City Growth to the Chief Executive;
- (22) approve the amendment to the Chief Education Officer role from a 3rd tier to a 2nd tier Chief Officer role; and
- (23) note that Appointment Panels would be convened to fill the vacant post at tier 2.

Instructions to Council Officers

- (24) instruct the Chief Officer - Finance to give notice to the Directors of NYOP Education (Aberdeen) Limited to make payment of £360,000 to Sport Aberdeen, a nominated charity of NYOP;
- (25) instruct the Chief Officer - Customer Experience to alter the Customer Contact Centre (excluding Emergency Services which would continue 24 hours a day), Customer Service Centre, Marischal College Corporate Reception and Customer Access Points opening times to 09.00 until 17.00 hours Monday to Friday;
- (26) instruct the Chief Officer - Corporate Landlord to report to the May meeting of the Education Operational Delivery Committee on the School Estate Strategy and options for its progression and further instructs that this report should cover:
 - a. The refurbishment of Riverbank School to accommodate St. Peter's School
 - b. The extension of Bucksburn Academy
 - c. The construction of the second primary school and academy at Countesswells which would be partially funded by developers' contributions;

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- (27) instruct the Chief Education Officer to report to the next meeting of the Education Operational Delivery Committee on how best the £1 million Education Fund could be utilised to support education in nursery, primary, secondary and special schools in Aberdeen;
- (28) instruct the Chief Officer - Corporate Landlord to develop the business case for an extension to Inchgarth Community Centre, and allocating an investment of £2.5 million in the Capital Programme;
- (29) instruct the Chief Officer - Corporate Landlord to report to a future meeting of the City Growth and Resources Committee on the feasibility and costs of installing ground source heat pumps into areas of open ground owned by the Council (such as playing fields and parks), selling the energy generated and so creating both an environmental benefit and a financial return for the Council;
- (30) instruct the Chief Officer - Operations and Protective Services to report to the next meeting of the City Growth and Resources Committee on how best the additional £1 million of capital investment in road, pavement and street lighting resurfacing, replacement and repair could best be utilised;
- (31) instruct the Chief Officer - Operations and Protective Services to report to a future meeting of the City Growth and Resources Committee on how the soft landscaping along the routes of the former trunk roads in Aberdeen could be enhanced to create feature areas, with particular emphasis on rose planting, to provide a sustainable improvement to the visual amenity of those routes and what the capital and revenue implications of this would be;
- (32) instruct the Chief Officer - Operations and Protective Services to report to the City Growth and Resources Committee on how open areas, formerly maintained as close mown grass, could be best be managed to sustainably enhance biodiversity, what impact that would have on the revenue budget in future and how the Sustainable Grounds Maintenance Fund of £500,000 could best be utilised to support this transition;
- (33) note that the Chief Officer - Operations and Protective Services' budget had been increased by £100,000 to support the street tree maintenance and replacement;
- (34) note that the initial "A Tree for Every Citizen" project was cost neutral for the Council and instruct the Chief Officer - Operations and Protective Services to report to the City Growth and Resources Committee on the feasibility of an "Another Tree for Every Citizen" project, potential sources of funding to support that and the revenue and capital implication for the Council, if any;
- (35) instruct the Chief Officer - Operations and Protective Services to report to the appropriate committees on how the Council's vehicle fleet could be decarbonised by 2030 and the capital and revenue implications of that; and
- (36) instruct the Chief Officer - City Growth to increase the funding to Visit Aberdeenshire to £310,000 in 2020/21, an increase of almost 20% year on year.

Additional Items

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- (37) to accept parts (3) to (11); (12) but to change Administration's to Council's; (14); (20); (21); and (26) of the motion; and
- (38) to accept part (20) of Councillor Alex Nicoll's amendment.

Common Good Budget

- (39) to approve the Common Good budget for 2020/21 as detailed in Appendix 1 existing projects and services to the report, with the exception of the amendments detailed in Appendix 1 circulated separately and available [here](#);
- (40) approve the new requests for funding as detailed in Appendix 1 circulated separately and available [here](#); and
- (41) approve recommendation (c) contained within the Council report.

During the course of summing up, Councillor Alex Nicoll intimated that he was willing to accept the following parts of the motion within his amendment:- (3) to (11); (12) but to change Administration's to SNP Group's; (13) to (15); (17); (19); (20); (22) to (27); (29); (33); (34); (48); (56) and (57).

There being a motion and two amendments, the Council first divided between the amendment by Councillor Alex Nicoll and the amendment by Councillor Yuill.

On a division, there voted:-

For the amendment by Councillor Alex Nicoll (19) - Councillors Al-Samarai, Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Jackie Dunbar, Flynn MP, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Alex Nicoll, Audrey Nicoll, Noble and Townson.

For the amendment by Councillor Yuill (7) - Councillors Bell, Delaney, Greig, MacKenzie, Mason MSP, Sellar and Yuill.

Declined to vote (19) - Lord Provost; Depute Provost; and Councillors Allan, Boulton, Cross, Donnelly, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Imrie, John, Laing, Lumsden, Macdonald, Malik, Reynolds and Wheeler.

The Council then divided between the motion and the amendment by Councillor Alex Nicoll.

On a division, there voted:-

For the motion (23) - Lord Provost; Depute Provost; and Councillors Allan, Bell, Boulton, Cross, Donnelly, Lesley Dunbar, Duncan, Graham, Grant, Houghton, Imrie, John, Laing, Lumsden, Macdonald, MacKenzie, Malik, Mason MSP, Reynolds, Sellar and Wheeler.

For the amendment by Councillor Alex Nicoll (19) - Councillors Al-Samarai, Allard, Alphonse, Cameron, Cooke, Copland, Cormie, Jackie Dunbar, Flynn MP, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Alex Nicoll, Audrey Nicoll, Noble and Townson.

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Declined to vote (3) - Councillors Delaney, Greig and Yuill.

The Council resolved:-

to adopt the motion.

ANNOUNCEMENT

4. The Lord Provost advised that the Council had just been notified that it had been successful in attaining CIPFA's accreditation in governance excellence. Councillor Lumsden highlighted that this was a significant achievement and thanked all staff for their input.

The Council resolved:-

to note the update and congratulate the staff involved.

HOUSING REVENUE ACCOUNT BUDGET 2020/2021 - RES/20/060

5. The Council had before it a report by the Director of Resources which provided information to enable the Council to approve a revenue and capital budget for 2020/21, including setting of the rents and other charges on the Housing Revenue Account for the financial year.

The report recommended:-

that the Council -

- (a) approve the budget as attached in Appendix 1, pages 5 to 6, of the report;
- (b) approve the setting of the weekly unrebated rents for municipal houses taking account of proposals outlined for a fixed rent policy, as detailed in Appendix 1, pages 5 to 6 of the report, to take effect from Monday 4 May 2020;
- (c) approve the level of revenue contribution to the Housing Capital budget for 2020/21 as well as note the provisional contribution for the subsequent four financial years as detailed in Appendix 1, pages 19 to 20;
- (d) approve the proposal to maintain the working balances at 10% to meet future contingencies as detailed in Appendix 1, pages 5 to 6;
- (e) approve the level of miscellaneous rents and service charges, including Heat with Rent as detailed in Appendix 1, pages 12 to 13, to take effect from Monday 4 May 2020;
- (f) approve, based on the rental increase of 3% the Base Capital Programme for the financial year 2020/21 Appendix 1, pages 22 to 24;
- (g) note the indicative level of the Base Capital Programme for the financial years 2021/22 to 2024/25 Appendix 1, pages 22 to 24;
- (h) approve as estimated expenditure in terms of Procurement Regulation 4.1.1, in order for work to commence on the Ongoing Capital Programme, the sums shown against each heading of the Housing Capital Expenditure budget for the financial year 2020/21 set out in Appendix 1, pages 22 to 24, without the need for separate Committee approval of each;
- (i) delegate authority to the Director of Resources, following consultation with the Chief Officer - Capital, Head of Commercial and Procurement and Conveners of

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- the Capital Programme Committee and the City Growth and Resources Committee, to approve business cases related to the expenditure approved in terms of recommendation (h) and to undertake or instruct appropriate procedures in accordance with the ACC Procurement Regulations to procure the works referred to in those business cases within the budgets allocated in Appendix 1, pages 22 to 24, for the capital programme for the financial year 2020/21 and to authorise the award of contracts relating thereto;
- (j) approve the transfer of land at market value to the HRA, to deliver Council housing (subject to undertaking all necessary consultations) in respect of the following sites:
- 2.10.1 Greenferns and Greenferns Landward
2.10.2 Former Kaimhill Outdoor Centre; and
- (k) delegate authority to the Director of Resources, following consultation with the Chief Officer - Finance, Chief Officer - Capital, Head of Commercial and Procurement and the Conveners of the Capital Programme Committee and the City Growth and Resources Committee, to approve business cases and expenditure, undertake all necessary procurement exercises to procure the works referred to in those business cases in accordance with the ACC Procurement Regulations and authorise entering into contracts and development agreements related thereto, for Council housing at the following sites subject to them falling within the financial model for the HRA:
- 2.11.1 Greenferns and Greenferns Landward
2.11.2 Former Kaimhill Outdoor Centre

The Council resolved:-**Net Zero Transition**

- (i) to approve expenditure of £198,000 on cavity wall and loft insulation to help reduce heat loss;
- (ii) to approve expenditure of £7.634million on heating systems replacement, installing combined Heat and Power where feasible;
- (iii) to approve expenditure of £1.276million on the creation of Combined Heat and Power Plants;
- (iv) to approve expenditure of £420,000 on energy efficient measures in extra care housing;
- (v) to approve expenditure of £1.2million on solid wall insulation to help reduce heat loss;
- (vi) to approve expenditure of £500,000 on refurbishment of properties and environmental improvements;
- (vii) to approve expenditure of £200,000 (over 2 years) to undertake an options appraisal for retrofitting alternative heating provision;

New Council House Programme

- (viii) to approve expenditure of £1.5million for the refurbishment of the properties purchased at 206 Union Street to provide an additional 28 units;
- (ix) to note expenditure of £13.495million on new housing units at Summerhill for 2020/21;

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- (x) to note expenditure of £9.363million on new housing units at Wellheads for 2020/21;
- (xi) to note that the Council had to date received 15 expressions of interest since advertising Phase 2 of the New Council House Build Programme with the expectation that these would meet the Gold Standard;
- (xii) to approve the transfer of land at market value to the Housing Revenue Account (HRA), to deliver Council housing (subject to undertaking all necessary consultations) in respect of the following sites:
 - Greenferns and Greenferns Landward
 - Former Kaimhill Outdoor Centre;
- (xiii) to delegate authority to the Director of Resources, following consultation with the Chief Officer - Finance, Chief Officer - Capital, Head of Commercial and Procurement and the Conveners of the Capital Programme Committee and the City Growth and Resources Committee, to approve business cases and expenditure, undertake all necessary procurement exercises to procure the works referred to in those business cases in accordance with the ACC Procurement Regulations and authorise entering into contracts and development agreements related thereto, for Council housing at the following sites subject to them falling within the financial model for HRA:
 - Greenferns and Greenferns Landward
 - Former Kaimhill Outdoor Centre;

Operational Matters

- (xiv) to instruct the Chief Officer - Early Intervention and Community Empowerment to review the Council Housing Allocation Policy and report back to the Operational Delivery Committee;

HRA

- (xv) to approve the budget as circulated separately - HRA Appendix 1 - and available [here](#);
- (xvi) to approve the setting of the weekly unrebated rents for municipal houses taking account of the proposals outlined for a fixed rent policy, at 4% per annum for 4 years, as detailed in Appendix 1 of the report, to take effect from Monday 4 May 2020;
- (xvii) to approve the level of revenue contribution to the Housing Capital budget for 2020/21 and note the provisional contribution for the subsequent four financial years as detailed in HRA Appendix 1, circulated separately;
- (xviii) to approve the proposal to maintain the working balances at 10% to meet future contingencies as detailed in Appendix 1 of the report;
- (xix) to approve the level of miscellaneous rents and service charges as detailed in HRA Appendix 2 circulated separately and available [here](#), to take effect from Monday 4 May 2020;
- (xx) to approve the Base Capital Programme for the financial year 2020/21 and the indicative programme for 2021/22 to 2024/25 as detailed in Appendix 1 of the report;
- (xxi) to approve as estimated expenditure in terms of Procurement Regulation 4.1.1, in order for work to commence on the ongoing Capital Programme, the sums shown against each heading of the Housing Capital Expenditure budget for the

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- financial year 2020/21 set out in Appendix 1 of the report, without the need for separate committee approval of each; and
- (xxii) to delegate authority to the Director of Resources, following consultation with the Chief Officer - Capital, Head of Commercial and Procurement and the Conveners of the Capital Programme Committee and the City Growth and Resources Committee, to approve business cases related to the expenditure approved in terms of resolution (xxi) above, and to undertake or instruct appropriate procedures in accordance with the ACC Procurement Regulations to procure the works referred to in those business cases within the budgets allocated in Appendix 1 of the report for the Capital Programme for the financial year 2020/21 and to authorise the award of contracts relating thereto.

COUNCILLOR FLYNN MP - VALEDICTORY

6. On the occasion of his last Council meeting, Councillor Flynn MP thanked all of the people who had elected him to Aberdeen City Council, the community groups within his ward who worked so hard, and Council officers, who he felt did a remarkable job in often very difficult circumstances, displaying a level of commitment to the city that was second to none.

Councillor Flynn MP thanked all elected members for their work and wished them well in their future endeavours in making Aberdeen the best place it could be.

The Lord Provost thanked Councillor Flynn MP for his kind words and wished him well for the future.

- **BARNEY CROCKETT, Lord Provost**

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URGENT BUSINESS COMMITTEE

ABERDEEN, 30 June 2020. Minute of Meeting of the URGENT BUSINESS COMMITTEE. Present:- Councillor Laing, Convener; Councillor Lumsden, Vice Convener (for all articles with the exception of article 6); and Councillors Bell (as substitute for Councillor Lumsden for article 6), Boulton (for all articles with the exception of articles 6 and 17), Cooke (as substitute for Councillor Alex Nicoll for article 6), Delaney (as substitute for Councillor Yuill for article 6), Malik (as substitute for Councillor Boulton for articles 6 and 7), Alex Nicoll (for all articles with the exception of article 6) and Yuill (for all articles with the exception of article 6).

The agenda associated with this minute can be found [here](#).

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.

DETERMINATION OF URGENT BUSINESS

1. In terms of Section 1.3 of the Committee Remit and in accordance with Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Committee was informed that it had to determine (1) that the items on the agenda were of an urgent nature; and (2) that the Committee required to consider the items and take decisions thereon.

The Committee resolved:

to agree that the items of business listed on the agenda were of an urgent nature and required to be considered this day to enable the Committee to consider the matters at the earliest available opportunity and take decisions thereon.

DETERMINATION OF EXEMPT BUSINESS

2. The Committee was requested to determine that the items of business below, which had been identified as containing exempt information as described in Schedule 7A to the Local Government (Scotland) Act 1973, be considered in private.

- Workplans and Business Cases - Exempt appendices (Item 8.1)

The Committee resolved:-

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of item 8.1 so as to avoid disclosure of exempt information of the class described in paragraph 8 of Schedule 7A of the Act.

AGENDA RUNNING ORDER

3. The Convener intimated that it was her intention to take the four Notices of Motion on the agenda (items 6.1 to 6.4) as the final items of business prior to consideration of

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the exempt item on the agenda. She also indicated that items 7.2 and 7.3 would be taken together on the agenda.

The Committee resolved:-

to note the decision of the Convener.

DECLARATIONS OF INTEREST

4. Councillor Yuill declared an interest in item 7.5 (Spaces for People) on the agenda by virtue of his role as a Governor of Robert Gordon's College which was one of the properties which would be impacted by the measures, but did not consider that the nature of his interest required him to leave the meeting.

MINUTE OF PREVIOUS MEETING

5. The Committee had before it the minute of its previous meeting of 6 May 2020.

The Committee resolved:-

to approve the minute as a correct record.

NESPF UNAUDITED ANNUAL REPORT AND ACCOUNTS 2019/20 - RES/20/093

6. The Committee had before it a report by the Director of Resources which presented the unaudited Annual Report and Accounts for the North East Scotland Pension Fund and the Aberdeen City Council Transport Fund for consideration.

The report recommended:-

that Committee review and consider the unaudited Annual Report and Accounts for the North East Scotland Pension Fund and the Aberdeen City Council Pension Fund.

Councillor Malik, seconded by Councillor Bell, moved:-

That the Committee agree the unaudited Annual Report and Accounts for the North East Scotland Pension Fund and the Aberdeen City Council Transport Fund, noting:

The COVID-19 crisis and the public health response to control the virus has already had an enormous economic impact on global economies.

In 2020 we have so far seen significant volatility and uncertainty in markets around the world in relation to the COVID-19 pandemic. Agrees this potentially has far-reaching consequences in terms of funding and risk, and these will be considered as part of the 2020 valuation process, including considering what changes (if any) should be made to contributions.

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For the best part of year 2019/20 investment returns were actually very strong and the Fund continued to re-balance and fold in investment gains made. However, towards the end of the period the unforeseeable impact of the COVID-19 pandemic struck and investment performance turned significantly, ending negatively across most asset classes.

The objective of the investment strategy is to deliver long term returns which are greater than the growth in expenditure to be paid out in pensions. The investment strategy is monitored on an ongoing basis by the Pensions Committee and Pension Board, focusing on long term investment with consideration given to short term tactical considerations if appropriate.

Councillor Cooke, seconded by Councillor Delaney, moved as an amendment:-

That the Committee:-

- (i) review and consider the unaudited Annual Report and Accounts for the North East Scotland Pension Fund and the Aberdeen City Council Transport Fund; and
- (ii) agree that in developing training programmes, the Fund should take account of the need to minimise travel and accommodation costs, the need to reduce our carbon footprint, and the need to support the local economy.

On a division, there voted:- for the motion (3) – the Convener; and Councillors Bell and Malik; for the amendment (2) – Councillors Cooke and Delaney.

The Committee resolved:-

- (i) to thank officials for all their hard work in bringing forward the pension fund accounts and annual report;
- (ii) to note that the Chief Officer – Finance would amend the figures on page 58 of the report in respect of the Local Authority Pension Fund Forum (LAPFF);
- (iii) to note that the Chief Officer – Finance could circulate figures on the current funding position once they were audited, and that the audited accounts would be presented to the Pensions Committee in September as scheduled; and
- (iv) to adopt the motion.

EXTERNAL AUDIT ANNUAL AUDIT REPORT

7. In accordance with the decision taken at article 3, this item was considered jointly with the Audited Annual Accounts (item 7.3).

AUDITED ANNUAL ACCOUNTS 2019/20 - RES/20/097

8. The Committee had before it (a) the annual report for the audit by the External Auditor for the year ending 31 March 2020 and (b) a report by the Director of Resources which provided an overview of the Council's 2019/20 audited Annual Accounts. The report also provided the audited Annual Accounts for those registered charities where

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the Council was the sole trustee and was subject to statutory requirements for separate accounts and audit opinions.

The Committee heard from Mr Michael Wilkie, External Audit, and the Chief Officer – Finance.

The report recommended:-

that the Committee –

- (a) approve the Council's audited Annual Accounts for the financial year 2019/20 as presented, subject to the final amendments being agreed with external auditors as highlighted in their report, following consultation with the Chief Executive and five political group leaders; and
- (b) approve the audited Annual Accounts 2019/20, as stated at paragraph 2.1, for those registered charities where the Council is the sole trustee and nominate a trustee to sign the accounts.

The Committee resolved:-

- (i) to thank the Chief Officer – Finance, the External Auditor and their teams for their efforts in ensuring the annual accounts were brought before Committee for consideration;
- (ii) having considered the External Auditors draft 2019/20 Annual Audit Report, to approve the Council's audited Annual Accounts for the financial year 2019/20 as presented, subject to any final amendments being agreed between the Chief Officer – Finance and the External Auditors, following consultation with the Chief Executive and the five political group leaders; and
- (iii) to approve the audited Annual Accounts 2019/20, as stated at paragraph 2.1, for those registered charities where the Council was the sole trustee and to nominate Councillor Douglas Lumsden to sign the accounts.

FINANCIAL RESILIENCE RECOVERY PLAN - RES/20/101

9. With reference to article 5 of the minute of its previous meeting, the Committee had before it a report by the Director of Resources which provided a proposed recovery plan to the current financial challenges the Council faced in maintaining a balanced budget position for the financial year 2020/21 and the actions required to achieve that position.

The report recommended:-

that Committee –

- (a) note the updated financial position contained within the report;
- (b) note the requirement of the Council to make arrangements for the proper administration of its financial affairs, including the maintenance of a balanced budget;
- (c) agree that using uncommitted usable General Fund reserves is not an appropriate solution to the immediate costs highlighted in the report, and that the Council must maintain its uncommitted reserves to meet future costs that are unknown, the likes

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- of which have been highlighted by the World Health Organisations, detailed in Appendix 9;
- (d) agree that Capital Receipts receivable continue to be set aside to fund Voluntary Severance / Early Retirement costs in line with the permissions granted by Scottish Government that end on 31 March 2021;
 - (e) agree that the initial estimate for the impact of the Covid-19 pandemic on the Council's capital financing requirement offers no opportunity to borrow for revenue purposes, even where permission has been granted by the Scottish Government;
 - (f) agree, in light of the removal of the statutory obligation to deliver 1,140 hours of early learning and childcare from August 2020, the Council takes steps to offset Covid-19 related costs to the value of £8m to support children and families by using the flexibility in the ELC Expansion specific grant funding;
 - (g) having regard to the equality and human rights impact assessments, incorporating the Fairer Scotland Duty, as set out in background papers, approve the revised commissioning intentions and service standards as described in Appendix 6, the related proposals at Appendix 7 and the revision to fees and charges set out in Appendix 8, to address the financial outturn position for 2020/21 and maintain a balanced budget, as summarised in paragraph 3.53;
 - (h) agree to the balance (£6.6m) of uncommitted ELC Expansion specific grant being held as a contingency against further Covid-19 related costs the Council is financially exposed to during the remainder of the financial year, and that the use of this contingency is delegated to the Chief Officer – Finance, following consultation with the Chief Executive and Convener of City Growth and Resources Committee;
 - (i) agree that in the event of future costs exceeding £6.6m and no further funding being receivable by the Council to cover those costs then instruct the Chief Officer – Finance to report the situation to the City Growth & Resources Committee or an Urgent Business Committee if required;
 - (j) note the current position of the IJB and instructs the Chief Officer - Finance to report the details of the IJB recovery plan to the City Growth & Resources Committee on 28 October 2020;
 - (k) note the financial risk at Section 6 and acknowledges that the decision on 20 March 2020 to defer and limit collection and recovery action by the Council for Council debts cannot continue indefinitely, and agrees to recommence collection and recovery processes for all debts, with effect from 1 July 2020, and to continue to consider situations of hardship on a case by case basis;
 - (l) agree, in light of the financial situations presented by the Covid-19 pandemic described in the report, that in line with terms and conditions, the Council will not make any refunds for services altered as a result of its response to the pandemic;
 - (m) note the initial financial impact assessment on the General Fund Capital Programme for financial years 2020/21 to 2024/25, as set out in paragraph 3.115 and agrees to receive the reprofiled capital programmes as part of the Quarter 2 financial reporting;
 - (n) agree that the next scheduled report on financial performance will be the Quarter 2 report to City Growth & Resources Committee on 28 October 2020, with an earlier meeting of the Committee being requested by the Chief Officer – Finance, to present an interim report, if the circumstances require it;

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- (o) note the forecast outturn for the 2020/21 Housing Revenue Account as set out in Appendix 10; and
- (p) note the forecast outturn for the 2020/21 Common Good as set out in Appendix 11.

The Convener moved, seconded by Councillor Boulton:-

That the Committee:-

- (i) approve recommendations (a) to (n) as set out above;
- (ii) note the initial forecast outturn for the 2020/21 Housing Revenue Account as set out in Appendix 10;
- (iii) note the initial forecast outturn for the 2020/21 Common Good as set out in Appendix 11;
- (iv) note that each local authority has been asked to administer a number of “grants” on behalf of the Scottish Government. Agrees the UK government has passported funds to the Scottish Government who have in turn provided the funding to support the actual payments to businesses and newly self-employed individuals, noting with disappointment however, no additional funding has been provided to cover the cost of administering them. Noting there has, however, been a cost to the Council as a range of staff have been diverted from their normal roles to support the payment processes;
- (v) agree statistics from SPICe have revealed that, since 2013-2014, the SNP Scottish Government has cut the local government revenue budget at more than twice the rate that the Scottish Government’s own budget was cut in real terms;
- (vi) note that research from the BBC shared data unit, that Covid-19 has left Aberdeen City Council as the second most disadvantaged Council in Scotland with a financial shortfall equivalent to £359 per resident;
- (vii) agree to remove the Director of Commissioning post from this year’s budget only, thus saving £79,000 whilst remaining committed to the Target Operating Model and maintaining the existing interim arrangements for the remainder of the year;
- (viii) agree that through the surplus noted at paragraph 3.53 of the report and the saving achieved from (vii) above, £141,000 is set aside to support implementation of the actions within the Socio-Economic Rescue Plan; and
- (ix) agree in light of recommendation (j) above there is a requirement for substantial extra investment by the Scottish Government in social care as a matter of urgency. Notes Bon Accord Care’s successes are being undermined by lack of Scottish Government grant and calls upon the Scottish Government to properly finance social care in order that Council can invest in their workforce whilst targeting levels of current unmet need; and agrees this recommendation be referred to the Integration Joint Board for them to consider further action.

Councillor Yuill moved as an amendment, seconded by Councillor Alex Nicoll:-

That the Committee:-

- (i) thank Council staff, key workers and others for the work they have been doing during the pandemic;

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- (ii) recognise that responding to the pandemic has and will put significant additional financial pressure on the Council;
- (iii) believe that in these exceptional circumstances the cost to the Council of the pandemic response should be fully funded by government;
- (iv) welcome the action being taken by the Finance Secretary in seeking permission from the UK Government to borrow up to £500 million to help meet the costs of the pandemic response;
- (v) agree to contact the Scottish Government seeking the funding necessary to meet the financial shortfall of £9.536 million in 2020/21 identified in this report;
- (vi) believe that, in this instance, decisions of the scale sought in the recommendations in this report should be made by the full Council and not an Urgent Business Committee comprising only five members; and
- (vii) therefore agree to remit this report to a special meeting of the Council to be held no later than 14th July 2020.

On a division, there voted:- for the motion (3) – the Convener; the Vice Convener; and Councillor Boulton; for the amendment (2) – Councillors Alex Nicoll and Yuill.

The Committee resolved:-

- (i) to thank all staff for their efforts as a result of COVID-19, and for the work undertaken to present the options before Committee for consideration; and
- (ii) to adopt the motion.

SPACES FOR PEOPLE - COM/20/095

10. With reference to article 5 of the minute of its previous meeting, the Committee had before it a report by the Chief Officer – Strategic Place Planning which provided an update on the outcome of a bid to the ‘Spaces for People’ Fund.

The report recommended:-

that Committee –

- (a) note that, in relation to the Financial Resilience report RES/20/091 and as requested at the Urgent Business Committee on 6 May 2020, 100% funding was successfully secured through the Council’s bid to the ‘Spaces for People’ fund;
- (b) note the progress to date in delivering the Council’s proposed Spaces for People programme;
- (c) agree that the Chief Officer Strategic Place Planning update Members through Members briefings on the continued progress of delivery, review, adjustment, monitoring and public feedback; and
- (d) note that, in relation to the Socio-Economic Rescue Plan 2020/21 report COM/20/098 on this agenda, delivery of this programme is a priority action that supports the Plan.

The Committee resolved:-

- (i) to thank the Chief Officer – Strategic Place Planning and her team, and colleagues from NHS Grampian for the work undertaken to date;

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- (ii) to approve the recommendations contained in the report;
- (iii) to note that these are temporary, flexible active travel infrastructure measures to better enable people and businesses to comply with physical distancing requirements during the Covid-19 public health emergency, and to encourage people back into the city centre and neighbourhood shopping districts by providing a safe environment for all;
- (iv) to note the uncertainty of how long physical distancing will remain a key part of life as lockdown restrictions are eased and that this will be determined by NHS and Scottish Government guidance;
- (v) to note that a week-long consultation has been launched on the Beach Active Travel Corridor to allow members of the public to help shape plans for that area; and
- (vi) to note the high level cost estimate of developing, implementing and maintaining the temporary measures (excluding schools and public buildings) and instruct the Chief Officer - Strategic Place Planning, following consultation with the Chief Officer - Corporate Landlord, Chief Officer – Finance and the Chief Education Officer, to submit a bid or bids, as appropriate, to the Spaces for People fund to cover costs associated with maintaining existing measures over a longer period of time, adding further required measures to allow safe access to public building and facilities (particularly when schools return), and removing measures as and when they are no longer required.

SOCIO-ECONOMIC RESCUE PLAN 2020/2021 - COM/20/098

11. With reference to article 5 of the minute of its previous meeting, the Committee had before it a report by the Chief Officer – City Growth which set out a proposal for a Socio-Economic Rescue Plan 2020/21, and Implementation Group and associated governance arrangements in response to the impact of Covid-19. The report also set out a proposal for taking forward the delivery of an Aberdeen City Council Business Charter.

The report recommended:-

that Committee –

- (a) approve the Socio-Economic Rescue Plan 2020/21 in Appendix 2 and as summarised in the report, including an Aberdeen City Council Business Charter;
- (b) agree that a short life Socio-Economic Rescue Plan – Implementation Group should be established with the proposed membership and remit as set out at sections 6.6 and 6.7 and that this sits within the existing Community Planning Aberdeen structure and instructs the Chief Officer City Growth to (i) invite organisations (as listed in Table 2) to participate in the Group; and (ii) make appointments to the Group;
- (c) instruct the Chief Officer City Growth to update the CPA Board on 1 July 2020 on the agreed approach;
- (d) agree that the Chief Officer City Growth would report back to the Community Planning Aberdeen Board and the Council's City Growth & Resources Committee with regular updates on the progress of the Socio-Economic Action Plan, via the Implementation Group, if approved;

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- (e) instruct the Chief Officer City Growth, following consultation with the Chief Officer Customer Experience, to take all actions necessary in order to implement the ACC Business Charter working with the relevant Council services and business network representatives; instructs the relevant Chief Officers to monitor performance in delivering the charter; and report back to the Council's City Growth & Resources Committee; and
- (f) note the level of the response and support by the community to the crisis and instructs the Chief Officer Early Intervention and Community Empowerment to explore how the present level of volunteering that has been experienced can be sustained across the city.

The Committee resolved:-

- (i) to approve the recommendations contained in the report;
- (ii) within the rescue plan, to instruct the Chief Executive, following consultation with the Chief Officer - City Growth to procure using our inhouse team video content that promotes the city's assets, including investments by Aberdeen City Council, that will be the foundation from which future recovery, the Net Zero Vision and new investment will be secured; and agrees to promote the video extensively, within Aberdeen on social media platforms using existing budgets and Invest Aberdeen resources. The promotional video will be shown at the next City Growth and Resources Committee;
- (iii) to instruct the Chief Officer – Early Intervention and Community Empowerment to investigate the feasibility of the Council working in partnership with businesses, existing Co-ops, Co-operative UK and social enterprise, and local citizens to set up or enable citizens, communities' entrepreneurs, social enterprise and others to set up Community Benefit Societies and Co-operatives within Aberdeen; and report back to the appropriate Committee;
- (iv) to agree to redistribute the £75,000 from the Co-op development fund to bring forward the initiative set out in paragraph 8 above and instruct the Chief Officer – Early Intervention and Community Empowerment to report to the City Growth and Resources Committee within 2 cycles and thereafter for the report to be forwarded to the Community Planning Partnership; and
- (v) to agree the proposed inclusive economic growth approach, outlined in the Socio-Economic Rescue Plan.

NET ZERO VISION AND INFRASTRUCTURE PLAN GOVERNANCE - COM/20/099

12. With reference to article 9 of the minute of its previous meeting, the Committee had before it a report by the Chief Officer – City Growth which presented the proposed governance model for the delivery of Aberdeen's climate change ambitions as articulated through the Net Zero Vision for Aberdeen, and the Strategic Infrastructure Plan – Energy Transition.

The report recommended:-

that Committee –

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- (a) approve the Terms of Reference and proposed membership for the Net Zero Vision Leadership Board as outlined in the report and instruct the Chief Officer City Growth to continue the approach to proposed members;
- (b) approve the Terms of Reference and proposed membership for the supporting Delivery Unit and instruct the Chief Officer City Growth to continue the approach to proposed members; and
- (c) note that updates on progress would be provided by the Chief Officer City Growth to the City Growth and Resources Committee and also as part of the Council's existing statutory annual Climate Change Report.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) to agree the dates for the first meeting of the Leadership Board and the supporting Delivery Unit be convened as soon as possible and by the end of September 2020.

COVID-19 GOVERNANCE ARRANGEMENTS UPDATE - COM/20/094

13. With reference to article 5 of the minute of its meeting of 30 March 2020, the Committee had before it a report by the Chief Officer – Governance which provided an update on the governance arrangements put in place to facilitate decision-making during the Covid-19 pandemic.

The report recommended:-

that Committee –

- (a) note that the governance arrangements put in place were positively contributing to the Council's response to the Covid-19 pandemic;
- (b) note the Scottish Government's advice for the easing of restrictions as contained within its Covid-19 Framework for Decision Making;
- (c) note that at the meeting of the Urgent Business Committee on 20 March 2020, the Committee agreed to review the retention or otherwise of the temporary Standing Order providing for remote participation and whether Full Council, committee, sub-committee and working group meetings should proceed from 24 August 2020;
- (d) approve the proposed diary of meetings for the remainder of 2020 and 2021 (Appendix 1 to the report);
- (e) determine whether or not to continue with the current membership of the Urgent Business Committee;
- (f) determine whether or not to maintain the Standing Order providing for remote participation;
- (g) approve the amendments to the Aberdeen City Region Deal Joint Committee Standing Orders as set out in paragraph 5.2 of the report; and
- (h) appoint one elected member as the Council's representative on KIMO with immediate effect.

The Convener moved, seconded by the Vice Convener:-

That the Committee -

URGENT BUSINESS COMMITTEE

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- (i) note that the governance arrangements put in place were positively contributing to the Council's response to the Covid-19 pandemic;
- (ii) note the Scottish Government's advice for the easing of restrictions as contained within its Covid-19 Framework for Decision Making;
- (iii) agree that Full Council, Committee, Sub Committee and Working group meetings should commence with the approval of the diary at (vii) below;
- (iv) agree that Pre-application Forums should restart with immediate effect and that the Chief Officer – Governance arrange such meetings following consultation with the Chief Officer Strategic Place Planning and the Convener of Planning Development Management Committee;
- (v) agree that all Committee, Sub Committee and Working Group meetings should be held in the Council Chamber with effect from week commencing 10 August 2020, and where access cannot be provided to the public and media, that meetings be webcast, where possible within the confines of the current webcasting contract, and to delegate authority to the Chief Officer - Governance, following consultation with Conveners, to move meetings back to committee rooms when government guidance allows;
- (vi) note section 4.12 of the report and agrees to cancel the meeting of Full Council scheduled for 24 August 2020;
- (vii) subject to part (vi) above, approves the proposed diary of meetings for the remainder of 2020 and 2021 (Appendix 1);
- (viii) agree the membership of the Urgent Business Committee to be 9 in line with the Council's agreed position on 20th March pre Covid 19 restrictions and the previous composition;
- (ix) agree to delete Standing Order 16;
- (x) approve the amendments to the Aberdeen City Region Deal Joint Committee Standing Orders as set out in paragraph 5.2 of the report; and
- (xi) appoint Councillor Wheeler as the Council's representative on KIMO with immediate effect.

Councillor Alex Nicoll moved as an amendment, seconded by Councillor Yuill:-

That the Committee:-

- (i) note the Scottish Government's advice for the easing of restrictions as contained within its Covid-19 Framework for Decision Making;
- (ii) note that at the meeting of the Urgent Business Committee on 20 March 2020, the Committee agreed to review the retention or otherwise of the temporary Standing Order providing for remote participation and whether Full Council, committee, sub-committee and working group meetings should proceed from 24 August 2020;
- (iii) approve the proposed diary of meetings for the remainder of 2020 and 2021 contained in Appendix 1, and that the Full Council meeting on 24 August 2020 go ahead as scheduled;
- (iv) determine with effect from 1st July 2020 membership of the Urgent Business Committee shall revert to nine members as previously agreed representing each political group in the Council;
- (v) agree to maintain the Standing Order providing for remote participation;

URGENT BUSINESS COMMITTEE

30 June 2020

- (vi) approve the amendments to the Aberdeen City Region Deal Joint Committee Standing Orders as set out in paragraph 5.2 of the report; and
- (vii) appoint one elected member as the Council's representative on KIMO with immediate effect.

On a division, there voted:- for the motion (3) – the Convener; the Vice Convener; and Councillor Boulton; for the amendment (2) - Councillors Alex Nicoll and Yuill.

The Committee resolved:-

to adopt the motion.

WORKPLANS AND BUSINESS CASES - COM/20/096

14. The Committee had before it a report by the Chief Operating Officer which presented procurement workplans where expenditure was included for the Resources Function for review and sought approval of the total estimated expenditure for the proposed contracts as contained in the Procurement Business Cases at item 8.1 of the agenda.

The list of procurement business cases was as follows:-

Reference	Cluster	Business Case
RES032	Corporate Landlord	Emergency Generator Maintenance and Repairs
RES035	Corporate Landlord	Bird Hazard Management (TECA)
RES036	Corporate Landlord	Cyclical Maintenance – Public Buildings

The report recommended:-

that Committee –

- (a) review the workplans as detailed in the Appendices;
- (b) approve the procurement business cases, including the total estimated expenditure for the proposed contracts; and
- (c) approve the direct awards of contract where there are special circumstances outlined in each of the respective procurement business cases which justify not issuing a tender or calling off from a framework agreement.

The Committee resolved:-

to approve the recommendations.

NOTICE OF MOTION BY COUNCILLOR ALEX NICOLL

15. The Committee had before it the following Notice of Motion by Councillor Alex Nicoll:-

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“That the Committee

1. notes that at the COSLA group leaders meeting of 15 May 2020, Councillor Lumsden moved a motion calling on the group leaders to reject the funding formula being proposed for the distribution of the £155M Barnett Formula Consequentials to local government arising from the Covid-19 pandemic on Council budgets and to consider instead distributing the monies on a pro rata basis in line with the predicted costs to Councils of the Covid-19 pandemic reported to COSLA on 24th April 2020;
2. notes that reports in the media suggest this motion failed to attract support and was defeated by 31 votes to 1;
3. notes that the costs of managing the effects of the Covid-19 pandemic and the related loss of revenue to individual Councils vary considerably across the country;
4. instructs the Chief Officer - Finance to write to his colleagues responsible for finance in each of the other 31 local authorities in Scotland, together with the leaders or co leaders of each local authority outlining the disproportionate effect the use of the GAE formula has had on individual local authorities and requesting they consider supporting any future grant from the UK Government or Scottish Government to mitigate the effects of Covid-19 on Council budgets be distributed in a manner which takes full cognisance of the existing payments which have been made and the need in future to make any payments to the disproportionately affected Councils such as will allow them to be reimbursed for the total financial impact of the Covid-19 pandemic on an equitable basis, in line with the costs Councils have identified to COSLA; and
5. instructs the Chief Officer - Finance to report back at the earliest opportunity to the appropriate committee with details of any progress.”

Councillor Alex Nicoll, seconded by Councillor Yuill, moved that the Committee approve the Notice of Motion.

The Vice Convener, seconded by Councillor Boulton, moved as an amendment:-

That the Committee:-

1. notes that at the COSLA group leaders meeting of 15 May 2020, Councillor Lumsden moved a motion calling on the group leaders to reject the funding formula being proposed for the distribution of the £155M Barnett Formula Consequentials to local government arising from the Covid-19 pandemic on Council budgets and to consider instead distributing the monies on a pro rata basis in line with the predicted costs to Councils of the Covid-19 pandemic reported to COSLA on 24th April 2020;
2. agrees the minutes from COSLA show Councillor Lumsden’s motion was defeated by 30 votes to 1 with 1 no vote;
3. agrees that the costs of managing the effects of the Covid-19 pandemic and the related loss of revenue to individual Councils vary considerably across the country;
4. agrees it is for elected members to lead and for officials to carry out instructions from those leaders, therefore, acknowledges it would be inappropriate to write to

URGENT BUSINESS COMMITTEE

30 June 2020

the Chief Officer – Finance’s colleagues responsible for finance in each of the 31 Local Authorities in Scotland, therefore instructs the Director of Resources to write to the 31 leaders or co leaders of each local authority outlining the disproportionate effect the use of the GAE formula has had on individual local authorities and requesting they consider supporting any future grant from the Scottish Government to mitigate the effects of Covid-19 on Council budgets be distributed in a manner which takes full cognisance of the existing payments which have been made and the need in future to make any payments to the disproportionately affected Councils such as will allow them to be reimbursed for the total financial impact of the Covid-19 pandemic on an equitable basis, in line with the costs Councils have identified to COSLA;

5. instructs the Director of Resources to write to the Local Government and Housing Minister Kevin Stewart MSP asking the Scottish Government to support his SNP colleague Councillor Nicoll and the Administration to ensure any future grant from the Scottish Government to mitigate the effects of Covid-19 on Council budgets be distributed in a manner which takes full cognisance of the existing payments which have been made and the need in future to make any payments to the disproportionately affected Councils such as will allow them to be reimbursed for the total financial impact of the Covid-19 pandemic on an equitable basis;
6. agrees on the basis of 4 above that the Group Leaders send the attached letter (set out below) to the Depute First Minister and Cabinet Secretary for Education and Skills to ensure that Aberdeen City Council gets its fair share of the £100m of funding over two years to help children return to school and recover any lost ground; and
7. instructs the Chief Officer - Finance to report back to the City Growth and Resources Committee, 28 October 2020, with details of any progress on 4 and 5 above, as part of the Q2 financial performance report.

Dear Mr. Swinney,

Funding request from Aberdeen City Council following your announcement to fund Councils with £100m over the next two years following Covid-19

At the Urgent Business Committee on the 30th June the 5 Group Leaders at Aberdeen City Council, debated a motion from Councillor Alex Nicoll, SNP Group Leader.

The main basis for the motion was to ensure that Aberdeen City Council is not further disadvantaged by COSLA when it comes to receiving additional Covid-19 funding. The debated motion included, amongst other things, an instruction to the Chief Officer - Finance to write to the Leaders of the other 31 local authorities in Scotland outlining the disproportionate effect the use of the GAE formula has had on individual local authorities. He was further instructed to include a request that they consider supporting the proposal that any future grant funding received from the Scottish Government to mitigate the effects of Covid-19 on council budgets should be distributed in a manner which takes full cognisance of the previous payments made and the actual costs which councils have incurred and identified to COSLA.

URGENT BUSINESS COMMITTEE

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The Committee further instructed the Director of Resources, to write to the Local Government and Housing Minister, Kevin Stewart MSP, asking the Scottish Government to support their SNP colleague, Councillor Nicoll, and the Administration in their quest to ensure that any future grant funding allocated by the Scottish Government to mitigate the effects of Covid-19 on council budgets is distributed in a fair manner which takes full cognisance of the previous payments made and the actual costs each council has incurred as a result of the Covid-19 crisis.

It was further agreed that the Group Leaders would send a letter to the Depute First Minister and Cabinet Secretary for Education and Skills, to try and ensure Aberdeen City Council gets its fair share of the £100m of funding which will be distributed to councils over the next two years to help children return to school and recover any lost ground. We feel it is necessary to contact you as we believe that, to date, the distribution method used to allocate Covid-19 funding to councils has seriously disadvantaged Aberdeen City Council, despite us being one of the worst affected councils in Scotland. Indeed, despite identifying Covid-19 costs totalling £22m in April the amount we were allocated by COSLA from the £155m Barnett Consequentials provided to combat this shortfall was a lamentable £5.448m.

Given the significant challenges we continue to face the Group Leaders are resolute in our determination to do all in our power to receive our fair share of the £100m education funding. Therefore we request that you either direct COSLA to distribute the proposed £100m on a fair and equitable basis using a formula that takes account of actual costs being incurred by individual councils, rather than on GAE plus SINA which clearly disadvantages councils such as Aberdeen, or you negotiate directly with individual councils to ensure the funding is distributed in a fair and equitable manner.

We trust you will respond positively to our request and we await hearing from you.

Yours

On a division, there voted:- for the motion (2) – Councillors Alex Nicoll and Yuill; for the amendment (3) – the Convener; the Vice Convener; and Councillor Boulton.

The Committee resolved:-
to adopt the amendment.

NOTICE OF MOTION BY COUNCILLOR ALEX NICOLL

16. The Committee had before it the following Notice of Motion by Councillor Alex Nicoll:-

That the Committee:-

1. notes with concern the announcement by Aberdeen Harbour Board that the contractor for the Aberdeen South Harbour development, Dragados UK, has withdrawn from the contract with effect from 15th June 2020;

URGENT BUSINESS COMMITTEE

30 June 2020

2. notes the significant challenges Aberdeen Harbour Board are facing as a result of Ferry, Cruise and Energy Sector Operators reducing activity in response to COVID-19 and the wider impact of reduced oil and gas prices;
3. notes Aberdeen Harbour Board's concerns the impact of these challenges may have on the future delivery of the harbour expansion project;
4. notes the strategic importance of the Aberdeen South Harbour development; and
5. instructs the Chief Officer City Growth to bring a report to the next meeting of either the Urgent Business Committee or City Growth and Resources Committee, whichever is sitting first, detailing the progress Aberdeen Harbour Board have made in securing a new contractor, the impact on the completion date and the wider impact of any delay in delivery of economic growth to the wider local economy.

Councillor Alex Nicoll moved, seconded by Councillor Yuill:-

That the Committee approve the Notice of Motion.

The Convener, moved as an amendment, seconded by the Vice Convener:-

That the Committee:-

1. notes Aberdeen Harbour Board are a separate entity from Aberdeen City Council with its own Board of Directors who have autonomous powers to make decisions for Aberdeen Harbour Board without the need to consult Aberdeen City Council;
2. notes the announcement by Aberdeen Harbour Board that the contractor for the Aberdeen South Harbour development, Dragados UK, has withdrawn from the contract with effect from 15th June 2020;
3. notes the COVID-19 crisis and the public health response to control the virus has already had a detrimental economic impact on Aberdeen and global economies;
4. notes Aberdeen Harbour Board has written to the Scottish Government to ask for the opportunity to explore how business support measures might be applied to reduce the impact COVID-19 will have on the future of the Aberdeen South Harbour expansion project;
5. notes Aberdeen Harbour Board's concern, regarding the impact these challenges may have on the future delivery of the Aberdeen harbour expansion project and the impact this will have on the Scottish economy given the Aberdeen Harbour Extension is estimated to deliver approximately £1billion GVA for the Scottish Economy by 2035;
6. notes the strategic importance of the Aberdeen South Harbour development as the project is recognised as a cornerstone to the development of Aberdeen as the Energy Transition capital of Europe;
7. agrees the proposed Energy Transition Zone promotes and bolsters the Scottish Government's four-step economic plan – response, reset, restart and recover for the Scottish economy post-crisis and the pathway to achieving it, which includes support for near-term growth and employment as part of the pathway;
8. notes the Scottish Government's response to the letter sent by the Chief Executive following the last Urgent Business Committee meeting which stated, amongst other things, that the £62m Scottish Government investment clearly compliments

URGENT BUSINESS COMMITTEE

30 June 2020

- and support the positive ambitions laid out in the Net Zero Vision and corresponding Strategic Infrastructure Plan focussed on Energy Transition;
9. notes the Scottish Government welcomes the effort made by the Administration Budget in March 2020 to take carefully planned and deliberate action to contribute to the Scottish Governments net zero targets;
 10. notes the Co-Leaders of the Council and Officials have set up a conference call with the UK government to discuss the Council's Net Zero Vision and corresponding Strategic Infrastructure Plan focussed on Energy Transition; and
 11. instructs the Chief Executive to forward the letter set out below to the Scottish Government asking them to explore direct financial support measures for Aberdeen Harbour Board given the difficulties described above, and thereafter upon reply from the Scottish Government to bring a report to the City Growth and Resources Committee, detailing the progress Aberdeen Harbour Board have made in securing funding from the Scottish Government, securing a new contractor, the impact on the completion date and the wider impact of any delay in delivery of economic growth to the wider UK and local economy.

Dear

At the Urgent Business Committee on the 30th June leaders from Aberdeen City Council debated a motion from Councillor Alex Nicoll the SNP group Leader at Aberdeen City Council. I enclose a copy of the amendment which was agreed at Committee.

While Aberdeen Harbour Board is a completely separate entity from Aberdeen City Council, Councillors have been approached by the Harbour Board following the announcement that the contractor for the Aberdeen South Harbour development, Dragados UK, has withdrawn from the contract with effect from 15th June 2020. The Committee were aware that Aberdeen Harbour Board has written to the Scottish Government to ask for the opportunity to explore how business support measures might be applied to reduce the impact COVID-19 will have on the future of the Aberdeen South Harbour expansion project.

The Committee noted the COVID-19 crisis and the public health response to control the virus has already had a detrimental economic impact on Aberdeen and global economies.

The Committee were concerned the impact these challenges may have on the future delivery of the Aberdeen harbour expansion project and the impact this will have on the Scottish economy given the Aberdeen Harbour Extension is estimated to delivery approximately £1billion GVA for the Scottish Economy by 2035.

Councillors noted the Scottish Government's announcement with regard to the £62m to help achieve with our ambitious net zero targets as well as for the proposed Energy Transition Zone.

URGENT BUSINESS COMMITTEE

30 June 2020

The Council endorses the Scottish Government's four-step economic plan – response, reset, restart and recover for the Scottish economy post-crisis and the pathway to achieving it, which includes support for near-term growth and employment as part of the pathway. The Committee agreed that if the Scottish Government are serious about achieving this four-step economic plan then direct financial support measures must be considered by the Scottish Government to ensure the Aberdeen Harbour extension project delivers economic growth and jobs for Aberdeen Scotland and the United Kingdom.

We trust you will consider the approach you have had from Aberdeen Harbour Board and from ourselves and consider making the necessary financial arrangements to secure the viability of this worthwhile project.

cc Aberdeen Harbour Board

On a division, there voted:- for the motion (2) – Councillors Alex Nicoll and Yuill; for the amendment (3) – the Convener; the Vice Convener; and Councillor Boulton.

The Committee resolved:-

- (i) to thank Aberdeen Harbour Board for continuing to keep Aberdeen City Council and local Members informed on the project; and
- (ii) to adopt the amendment.

NOTICE OF MOTION BY COUNCILLOR MALIK

17. The Committee had before it the following Notice of Motion by Councillor Malik.

That the Committee:-

1. notes the Black Lives Matter protests across the United Kingdom following the death of George Floyd in the United States of America;
2. notes the tragic case of Sheku Bayoh who died whilst being arrested by Police Scotland;
3. notes activists in Aberdeen played their part in the Black Lives Matter campaign with a special poster protest across the city and by holding a non-violent Black Lives Matter protest march in the city centre on Saturday 13th June;
4. agrees to work with the organisers of the Black Lives Matter poster protest and other race equality organisations in the city to mount an exhibition on the antislavery abolition movement in Aberdeen when public health restrictions are lifted;
5. agrees Aberdeen City Council understands there is also a problem with racial inequality and prejudice within Scotland and the wider UK;
6. agrees Black Lives Matter and instructs the Chief Executive to write to the Ambassador of the United States to the Court of St James condemning the use of force by Police Officers on George Floyd which resulted in his unfortunate death; and

URGENT BUSINESS COMMITTEE

30 June 2020

7. agrees Black Lives Matter and instructs the Chief Executive to write to the Cabinet Secretary for Justice at the Scottish Government, providing a copy of this motion and requests details of any proposed legislation the Scottish Government intend to introduce as a result of the BLM movement.

The Committee resolved:-

to approve the Notice of Motion.

NOTICE OF MOTION BY COUNCILLORS LAING, LUMSDEN AND BOULTON

18. The Committee had before it a joint Notice of Motion by Councillors Laing, Lumsden and Boulton as follows:-

That the Committee:-

1. agrees Aberdeen City Council recognises all involved in protecting the public during the coronavirus pandemic as public service champions, whether they are NHS and emergency services staff working directly with patients; cleaners, caterers, carers and teachers keeping our hospitals, care homes and schools going; council staff providing crucial support to our communities in this crisis; and all those who have contributed so much to delivering vital public and support services during Covid-19 and on behalf of the City of Aberdeen we extend our unequivocal gratitude and thanks; and
2. instructs the Chief Executive to form a working group consisting of the Lord Provost, Depute Provost, the President of the Aberdeen Trade Union Council, along with The Seven Incorporated Trades of Aberdeen and The Burgesses of Guild of the City and Royal Burgh of Aberdeen to bring forward a suitable costed event to show Aberdeen City Council's gratitude to everybody involved in providing vital public and support services during Covid-19.

The Committee resolved:-

to approve the Notice of Motion.

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

WORKPLANS AND BUSINESS CASES - COM/20/096 - EXEMPT APPENDICES

19. The Committee had before it exempt appendices relating to the Workplans and Business Cases Revenue report on the agenda (article 14 of this minute refers).

The Committee resolved:-

to note the exempt appendices.

- **COUNCILLOR JENNIFER LAING, Convener**

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GUILDRY AND MORTIFICATION FUNDS COMMITTEE

9 SEPTEMBER 2020

GUILDRY FUNDS – REVIEW OF ALLOWANCES

2. The Committee had before it a paper by the Chief Officer - Finance which (a) provided information concerning (1) the amount of allowances paid from the Guildry fund to Burgesses of Guild, widows and widowers of Burgesses and children of Burgesses from 2007 to 2019; and (2) the number of people receiving allowances for the same period; and (b) proposed that the allowances be increased by either 3.9% or 5% rounded up to the nearest £1.

The Committee resolved:

to recommend to Council that the following increases (5%) in annual allowances be approved backdated from 1 May 2020:-

Guildry Fund Allowance	Present Allowance	Proposed Allowance
Burgesses	£2,335	£2,452
Widows / Widowers of Burgesses	£2,335	£2,452
Children of Burgesses	£2,165	£2,273

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CITY GROWTH AND RESOURCES COMMITTEE 28 OCTOBER 2020

UK LOCAL AUTHORITY OF THE YEAR 2020 AWARD - NOTICE OF MOTION BY THE CONVENER

5. The Committee had before it a Notice of Motion in the following terms by the Convener, which was seconded by the Vice Convener:-

- (1) to note with pride that Aberdeen City Council, has been named as the United Kingdom's Local Authority of the Year 2020 at the MJ Achievement Awards, an outstanding achievement given we were the only Scottish local authority shortlisted and we beat off competition from 6 other local authorities;
- (2) to note the Local Authority of the Year category recognised success across the organisation, including strong performance in major services, innovation, good synergy between the executive and political functions, and sound financial stewardship;
- (3) to note this UK award is a first for Aberdeen City Council since its creation in 1996, under the Local Government etc. Act 1994 and reflects the hard work of the Council since 2012 onwards;
- (4) to note the finalists were selected based on evidence of having delivered meaningful and positive change to the communities they serve;
- (5) to note the judges said the council had "an impressive story to tell in terms of its changing economic context and the bold steps it is taking to deliver an unprecedented transformation of the city through a pioneering capital programme and significant investments in the social and cultural future of its communities.";
- (6) to note the judges described the Council as bold, brave, impressive and ambitious, commending them on the collaboration between officers and politicians who have worked together and created partnerships, focusing with a clarity of purpose for the sake of the city as a whole;
- (7) to agree that this award is dedicated to all council employees, citizens and businesses in Aberdeen as well as the council's public, private and voluntary sector partners including the trade unions;
- (8) to agree that this award could not have been achieved without the endeavours of our hardworking council staff, both past and present, and the political foresight of the Administration who have adopted a programme of investing in the people and the place in order to secure Aberdeen's long-term future prosperity; and
- (9) to agree that an email or letter, if no email is available, be sent from the Co-Leaders of the council to every council employee; recognised trade unions; and the council's public and private sector partners, thanking them for the part they have played in helping Aberdeen City Council secure the Local Authority of the Year 2020 award; and
- (10) to agree that this motion be referred to the Full Council meeting in December to afford all elected members the opportunity to comment and reflect on this success and the fact that Aberdeen City Council is also the only Scottish finalist in the running for the Council of the Year Award at the LGC National Awards.

Councillor McRae, seconded by Councillor Cameron, moved as an amendment:-

- (1) to note with pride that Aberdeen City Council, has been named as the United Kingdom's Local Authority of the Year 2020 at the MJ Achievement Awards, an outstanding achievement given we were the only Scottish local authority shortlisted and we beat off competition from 6 other local authorities;
- (2) to note the Local Authority of the Year category recognised success across the organisation, including strong performance in major services, innovation, good synergy between the executive and political functions, and sound financial stewardship;
- (3) to note the finalists were selected based on evidence of having delivered meaningful and positive change to the communities they serve;
- (4) to note the judges said the council had "an impressive story to tell in terms of its changing economic context and the bold steps it is taking to deliver an unprecedented transformation of the city through a pioneering capital programme and significant investments in the social and cultural future of its communities.";
- (5) to note the judges described the Council as bold, brave, impressive and ambitious, commending them on the collaboration between officers and politicians who have worked together and created partnerships, focusing with a clarity of purpose for the sake of the city as a whole;
- (6) to agree that this award is dedicated to all council employees, citizens and businesses in Aberdeen as well as the council's public, private and voluntary sector partners including the trade unions;
- (7) to agree that this award could not have been achieved without the endeavours of our hardworking council staff, both past and present, and the political foresight of the Administration who have adopted a programme of investing in the people and the place in order to secure Aberdeen's long-term future prosperity;
- (8) to agree that this motion be referred to the Full Council meeting in December to afford all elected members the opportunity to comment and reflect on this success and the fact that Aberdeen City Council is also the only Scottish finalist in the running for the Council of the Year Award at the LGC National Awards;
- (9) to agree that an email or letter, if no email is available, be sent from the Chief Executive Officer of the council to every council employee; recognised trade unions; and the council's public and private sector partners, thanking them for the part they have played in helping Aberdeen City Council secure the Local Authority of the Year 2020 award;
- (10) to note that Councillor Jenny Laing and Councillor Bill Cormie have been shortlisted for awards at the Local Government Information Unit (LGIU) Scotland Councillor Awards, which is due to take place on the 24 November;
- (11) to congratulate Councillor Laing on being shortlisted for Leader of the Year; and
- (12) to congratulate Councillor Cormie for being shortlisted in recognition of his community work as an Urban Community Champion.

On a division, there voted:- for the motion (5) – the Convener, the Vice-Convener and Councillors Boulton, Laing and Wheeler; for the amendment (4) – Councillors Cameron, McLellan, McRae and Yuill.

The Committee resolved:-

- (i) to adopt the motion;

- (ii) to note that Councillor Jenny Laing and Councillor Bill Cormie have been shortlisted for awards at the Local Government Information Unit (LGIU) Scotland Councillor Awards, which is due to take place on the 24 November;
- (iii) to congratulate Councillor Laing on being shortlisted for Leader of the Year; and
- (iv) to congratulate Councillor Cormie for being shortlisted in recognition of his community work as an Urban Community Champion.

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	A	B	C	D	E	F	G	H	I
1	COUNCIL BUSINESS PLANNER The Business Planner details the reports which have been instructed by the Council as well as reports which the Functions expect to be submitting for the calendar year.								
2	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Director	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
3	14 December 2020								
4	Council Annual Effectiveness Report and Committee Annual Effectiveness Reports	To present the annual effectiveness report for Council, as well as the annual effectiveness reports of the various committees, which have been considered by those committees.		Martyn Orchard	Governance	Commissioning	14		
5	Fairer Aberdeen Fund Annual Report 2019/20	To provide members with the Fairer Aberdeen Fund Annual Report for 2019/20.		Susan Thoms	Early Intervention and Community Empowerment	Customer	Council decision	D	The officer responsible for the report has been undertaking additional duties, particularly setting up and distributing funding through the Lord Provost's Trust and the Food Fund. It is therefore proposed that the report be submitted to the Council meeting on 3 March 2021.
6	Standards Commission for Scotland - Written Decision - Councillor Boulton	To present the written decision by the Standards Commission for Scotland following a hearing held on 22 October 2020.		Fraser Bell	Governance	Commissioning	15		
7	Standards Commission for Scotland - Written Decision - Councillor Donnelly	To present the written decision by the Standards Commission for Scotland following a hearing held on 20 November 2020.		Fraser Bell	Governance	Commissioning	15		
8	Family Leave for Elected Members - Updated Guidance	To seek adoption of COSLA's updated "Family Leave Guidance for Councils" which is intended to support Elected Members during periods of maternity, paternity, shared parental and adoption leave.		Mark Masson	Governance	Commissioning	Intro 6		
9	Armed Forces Covenant Gold Accreditation Award	To advise Council on the successful application for Gold status for the Armed Forces Covenant.		Derek McGowan	Early Intervention and Community Empowerment	Customer	21		
10	Treasury Management Strategy - Year End and Mid-Year Reviews	To update the Council on Treasury Management activities undertaken to date during the financial year 2020/21.		Neil Stewart	Finance	Resources	5 and 6		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Director	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
11	2 March 2021 (Budget)								
12	Council Delivery Plan 2021/22	To present the Council Delivery Plan for 2021/22.		Angela Scott	Chief Executive	Chief Executive	2		
13	General Fund Revenue Budget and Capital Programme 2021/22	To provide information on both the revenue budget for 2021/22 and capital programme for the period 2021/22 to 2025/26 in order that approved budgets and Council Tax value can be set by the Council for the year commencing 1 April 2021.		Jonathan Belford	Finance	Resources	1 and 2		
14	Housing Revenue Account 2021/22	To provide elected members with information to enable the Council to approve a revenue and capital budget for 2021/22, including the setting of the rents and other charges on the Housing Revenue Account (HRA) for the financial year.		Helen Sherrit	Finance	Resources	2		
15	Common Good Budget 2021/22	To provide Council with details of the draft Common Good budget for 2021/22, to enable the Council to approve a final budget that will take effect on 1 April 2021.		Helen Sherrit	Finance	Resources	2		
16	3rd March 2021								
17	Review of Scheme of Governance	To report with proposals following a further review of the Scheme of Governance		Fraser Bell	Governance	Commissioning	17		
18	Council Energy and Climate Plan	To set a plan to reduce emissions and to protect and build resistance to climate change across Council assets and operations		Alison Leslie	Strategic Place Planning	Chief Operating Officer	21		
19	21st June 2021								
20	Council Annual Effectiveness Report and Committee Annual Effectiveness Reports	To present the annual effectiveness report for Council, as well as the annual effectiveness reports of the various committees, which have been considered by those committees.		Martyn Orchard	Governance	Commissioning	14		
21	Council/Committee Diary 2022	To present the Council/Committee Diary for 2022 for approval.		Martyn Orchard	Governance	Commissioning	18		
22	23rd August 2021								
23									
24	13th December 2021								
25	Review of Outside Bodies	Council 02/03/20 - to instruct the Chief Officer - Governance to carry out a further review of outside bodies ahead of the local government elections in elections in 2022 and thereafter report back to Full Council with any proposals as required		Fraser Bell	Governance	Commissioning	21		

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	14 December 2020
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Council Annual Effectiveness Report and Committee Annual Effectiveness Reports
REPORT NUMBER	COM/20/235
CHIEF OFFICER	Fraser Bell
REPORT AUTHOR	Martyn Orchard
TERMS OF REFERENCE	14

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to present the annual effectiveness report for Council to enable Members to provide comment on the data contained within, as well as the annual effectiveness reports of the various Committees, which have been considered by those Committees.

2. RECOMMENDATIONS

That Council:-

- 2.1 provide comments and observations on the data contained within the Council annual effectiveness report as contained at Appendix A; and
- 2.2 note the annual effectiveness reports of the various Committees as contained at Appendices B to L.

3. BACKGROUND

Annual Reports on Terms of Reference

- 3.1 The annual committee effectiveness reports were introduced in 2018/19 following a recommendation from the Chartered Institute of Public Finance and Accountancy (CIPFA) as part of the Council's work towards securing CIPFA's accreditation in governance excellence. The Terms of Reference set out that each Committee will review its own effectiveness against its Terms of Reference through the mechanism of the annual report.
- 3.2 The annual effectiveness reports were mentioned by CIPFA in their report which awarded the Mark of Excellence in Governance accreditation to

Aberdeen City Council. CIPFA highlighted the implementation of the annual effectiveness reports as a matter of good practice in governance and were encouraged that, during consideration of the reports at Committee and Council, Members had made suggestions for improvements to the reports in future years.

- 3.3 As well as the CIPFA Accreditation, Committee Services won SOLAR Administration Team of the Year 2020 in March 2020 in recognition of the introduction of the annual committee effectiveness reports and the process which allows Committees to examine how they can improve the way they do business, while providing assurance that they are undertaking their role effectively.
- 3.4 Data from the annual effectiveness reports was used to inform the review of the Scheme of Governance, ensuring that Committee Terms of Reference were correctly aligned, and identifying any areas of the Terms of Reference which had not been used throughout the year in order that they could be reviewed and revised if necessary. The information from the effectiveness reports will also be used to feed into the Annual Governance Statement.
- 3.5 The reports provide a mechanism for each Committee to annually review its effectiveness, including data on attendance, any late reports, referrals to Council and the number of times officer recommendations were amended, and to ensure that it is following its Terms of Reference.
- 3.6 Similarly, recording the sections of the Local Outcome Improvement Plan (LOIP) which apply to each report allows Members to be aware of the direct impact of any proposals before them on the LOIP, and gives a general overview at the end of each year of the number of reports which have had an impact on the LOIP outcomes. Officers also actively review the data to ensure that it aligns to the Council's operating model and decisions taken by the Council throughout the year. This part of the annual report will be expanded for the next year of reporting to incorporate the changes to the outcomes section of the committee report template. That section now asks report authors to consider the implications of their report for the Council Delivery Plan, which incorporates the LOIP outcomes.
- 3.7 While the above is one section of the annual effectiveness report template which officers aim to amend for future reporting, any comments from Members on additional areas of data that should be considered would be welcomed to ensure that Members are presented with meaningful data.
- 3.8 The annual report for 2019/20 is therefore appended for the Council's consideration. Also appended are the annual reports for the various Committees which have been considered by the respective Committees.
- 3.9 Section 13 of the Council Annual Effectiveness Report provides combined data for all Committees.
- 3.10 The annual effectiveness reports have been noted at all Committee meetings where they have been considered, however Members have scrutinised the data

and asked questions, with a more specific breakdown of one of the indicators requested at the Education Operational Delivery Committee, i.e. in relation to the number of reports where the Committee had amended officer recommendations, how many of those had been agreed unanimously and how many following a division. Furthermore, the Strategic Commissioning Committee noted that officers would consider the comments provided by Members in respect of the content when reviewing the format for the next report, including comments in respect of including the number of exempt appendices to public reports and the Committee's Terms of Reference.

4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial consequences from the recommendations of this report.

5. LEGAL IMPLICATIONS

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

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	N/A		
Compliance	Failure to submit this report would mean that the Council would not be complying with its instruction that all committees and Council receive such a report each year.	L	Council is given the opportunity to consider the report and provide feedback on any amendments Members would wish to see in the content so that this can be taken on board for next year's Scheme of Governance review.
Operational	N/A		
Financial	N/A		
Reputational	N/A		
Environment / Climate	N/A		

7. OUTCOMES

There are no links to the Council Delivery Plan, however the Committee effectiveness annual reports link to the Scheme of Governance, by ensuring that each Committee is fulfilling its Terms of Reference.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Full impact assessment not required
Data Protection Impact Assessment	Not required

9. BACKGROUND PAPERS

None.

10. APPENDICES

- A Council Annual Effectiveness Report 2019/20
- B Strategic Commissioning Committee Annual Effectiveness Report 2019/20
- C Licensing Committee Annual Effectiveness Report 2019/20
- D Education Operational Delivery Committee Annual Effectiveness Report 2019/20
- E Capital Programme Committee Annual Effectiveness Report 2019/20
- F Planning Development Management Committee Annual Effectiveness Report 2019/20
- G Pensions Committee Annual Effectiveness Report 2019/20
- H Staff Governance Committee Annual Effectiveness Report 2019/20
- I Public Protection Committee Annual Effectiveness Report 2019/20
- J Audit, Risk and Scrutiny Committee Annual Effectiveness Report 2019/20
- K City Growth and Resources Committee Annual Effectiveness Report 2019/20
- L Operational Delivery Committee Annual Effectiveness Report 2019/20

11. REPORT AUTHOR CONTACT DETAILS

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APPENDIX A

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Council Annual Effectiveness Report 2019/20



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1. INTRODUCTION

- 1.1 I am pleased to present the second annual effectiveness report for Full Council. As Members will be aware, as part of their interim assessment of the Council's governance arrangements in 2016, CIPFA recommended that committees review the extent to which they had operated within their Terms of Reference, through an annual report. This year, the Council was the first in Scotland to be awarded the CIPFA Mark of Excellence in Governance, and the annual effectiveness report was again highlighted by CIPFA as one of the examples of good governance implemented by the Council. The annual effectiveness report also informs the annual review of the Council's Scheme of Governance and enables officers and members to identify if any changes are required or desirable, for example to the Council and Committee Terms of Reference. The effectiveness report also contributes to the Council's Annual Governance Statement which forms part of the Council's Annual Accounts which are presented to the Audit, Risk and Scrutiny Committee.
- 1.2 The annual report is a good mechanism for the Council to support the organisation's improvement journey by demonstrating the ways in which the Council, as the decision making body, supports the principle of the Target Operating Model and contributes to the Local Outcome Improvement Plan, whilst also providing the opportunity to reflect on the business of the Council during 2019/20 and to look to the focus for 2020/21.
- 1.3 Throughout 2019/20, the Council made a number of significant decisions, many of which were taken at the budget meeting, where the Council set balanced budgets despite extremely challenging financial circumstances. It is pleasing to see the progress that has been made in relation to the Scheme of Governance as well as approval of the Aberdeen Local Development Plan. As the Council's Armed Forces Champion, I was very pleased to see progress being made in terms of the Armed Forces accreditation process.
- 1.4 On a personal level, I was saddened by the passing of sitting Councillor Sandy Stuart in July 2019. Sandy had served his ward and the Council extremely well since first being elected in 2012 and I am sure I speak on behalf of all Members when I say he is greatly missed. Former Councillors Brett Hunt, Catriona Mackenzie and Stephen Flynn all stood down during 2019/20 and we thanked them for their service and wished them well in their future endeavours. As a result of the various by-elections we welcomed Councillors Sarah Cross, Jessica Mennie, and Audrey Nicoll and we also welcome newly elected Councillor Miranda Radley.
- 1.5 This annual report has been submitted to Council six months later than originally planned as a result of the impact of the COVID-19 pandemic. Nevertheless, it is pleasing that the committee structure is back up and running and I would like to pay tribute to all staff across the organisation who have been involved in the Council's response to the pandemic.

It has been a very challenging time but together we are stronger and there have been so many examples of people going above and beyond the call of duty both within the organisation and across Aberdeen. As Lord Provost and 'Aberdeen's first citizen', I am extremely proud of the city.



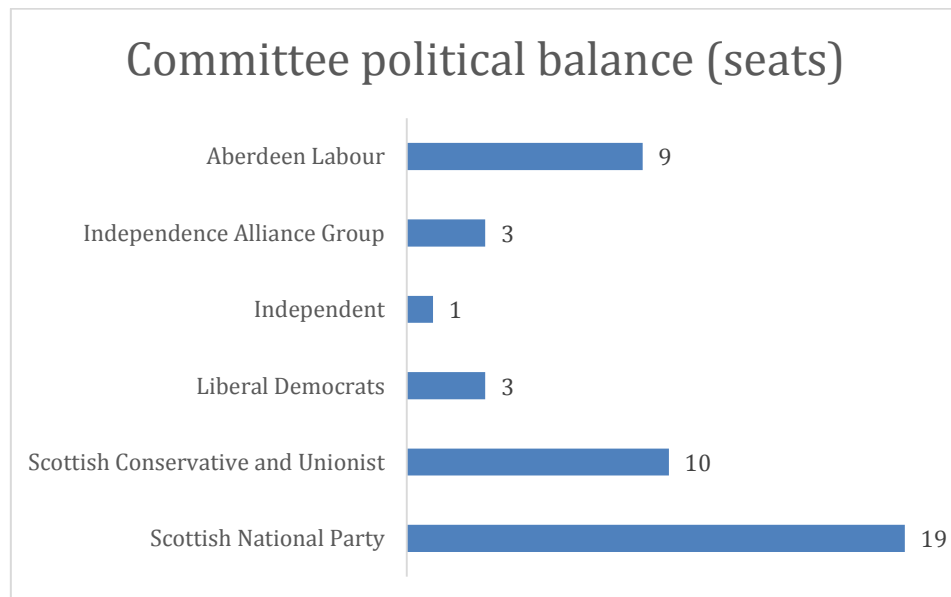
Councillor Barney Crockett
Lord Provost

2. THE ROLE OF THE COUNCIL

- 2.1 The Council is the overall decision making body of the organisation. It is responsible for agreeing the Council's budget and setting Council Tax. Council delegates the discharge of its functions to various committees and joint committees, as well as officers under the terms of the Local Government (Scotland) Act 1973. However, any delegation to a committee or an officer does not prevent the Council from determining the matter or exercising the power so delegated.
- 2.2 The Terms of Reference for Council, as approved by Council in March 2019, are appended to the report.

3. MEMBERSHIP OF THE COUNCIL DURING 2019/2020

- 3.1 The Council has 45 Elected Members and the composition is presented below.



4. MEMBERSHIP CHANGES

- 4.1 There were several membership changes during 2019/20. Former Councillor Sandy Stuart sadly passed away in July 2019 and former Councillor Brett Hunt resigned his position, both were Councillors for the Bridge of Don ward. At the subsequent by-election on 3 October 2019, Councillors Sarah Cross and Jessica Mennie were elected.
- 4.2 Former Councillor Catriona Mackenzie resigned in August 2019. At the subsequent by-election on 21 November 2019, Councillor Audrey Nicoll was elected to the Torry/Ferryhill ward.

- 4.3 Former Councillor Stephen Flynn MP resigned following the Council meeting on 3 March 2020. Although the by-election on 5 November 2020 was outwith the reporting period, it is noted that Councillor Miranda Radley was elected to the Kincorth/Nigg/Cove ward.

5. MEMBER ATTENDANCE

Member	Total Anticipated Attendances	Total Attendances
Councillor Barney Crockett, Lord Provost	5	5
Councillor Jennifer Stewart, Depute Provost	5	5
Councillor Al-Samarai	5	5
Councillor Allan	5	5
Councillor Allard	5	5
Councillor Alphonse	5	5
Councillor Bell	5	5
Councillor Boulton	5	5
Councillor Cameron	5	5
Councillor Cooke	5	5
Councillor Copland	5	5
Councillor Cormie	5	5
Councillor Cross	3	3
Councillor Delaney	5	5
Councillor Donnelly	5	5
Councillor Jackie Dunbar	5	5
Councillor Lesley Dunbar	5	5
Councillor Duncan	5	5
Councillor Flynn	5	5
Councillor Graham	5	5
Councillor Grant	5	5
Councillor Greig	5	5
Councillor Henrickson	5	5
Councillor Houghton	5	5
Councillor Hunt	1	0
Councillor Hutchison	5	5
Councillor Imrie	5	5
Councillor John	5	5
Councillor Laing	5	5
Councillor Lumsden	5	5
Councillor Macdonald	5	5
Councillor MacGregor	5	5
Councillor Avril MacKenzie	5	5
Councillor Catriona Mackenzie	1	1

Member	Total Anticipated Attendances	Total Attendances
Councillor McLellan	5	5
Councillor McRae	5	5
Councillor Malik	5	5
Councillor Mason	5	5
Councillor Mennie	3	3
Councillor Alex Nicoll	5	5
Councillor Audrey Nicoll	3	3
Councillor Noble	5	5
Councillor Reynolds	5	5
Councillor Sellar	5	5
Councillor Sandy Stuart	1	0
Councillor Townson	5	5
Councillor Wheeler	5	5
Councillor Yuill	5	5

6. MEETING CONTENT

6.1 During the 2019/20 reporting period (29 April 2019 to 30 April 2020), the Council had 5 meetings and considered a total of 21 reports.

6.2 Terms of Reference

Of the 21 reports received the following table details how the reports aligned to the Terms of Reference for Council. Some reports did not fall within specific Terms of Reference and were reported to Council in terms of statute, or in terms of Standing Order 48.7 - Council can determine any matter which would otherwise fall to be determined by a committee or sub committee.

Terms of Reference	Count of Terms of Reference
1	1
2	5
5	3
7	4
8	1
10	1
13	2

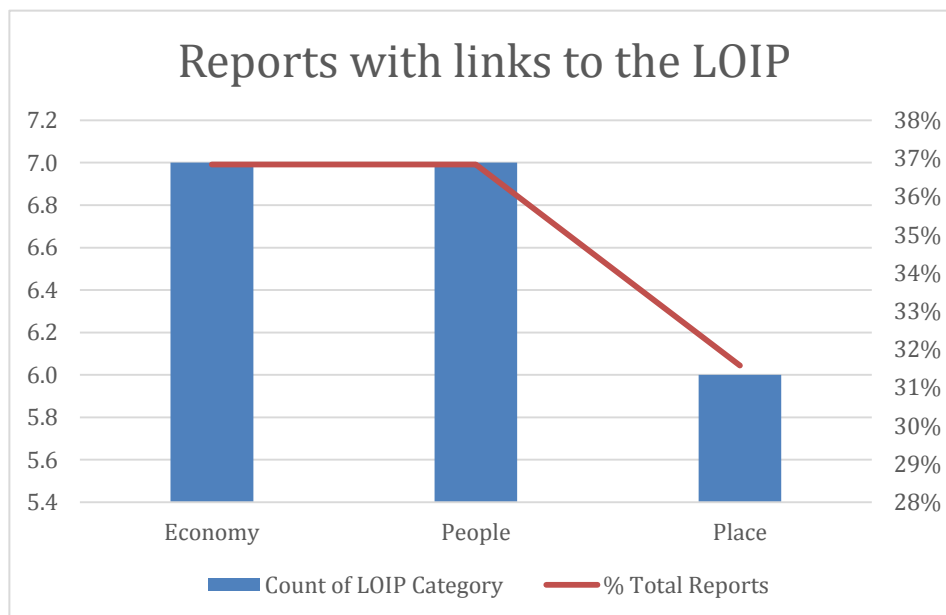
6.3 During the course of 2019/20 the Council received reports under seven of the fifteen sections of the Terms of Reference, with the highest number of reports relating to the setting of a balanced budget, including the setting of fees and charges.

6.4 Of the eight sections of the Terms of Reference where there were no reports, the Council has little or no control in relation to three of them (4, 6, and 11), i.e. they either rely on consent issued by Scottish Ministers, the submission of a planning application which requires a pre determination hearing, or reports being received by the Standards Commission for Scotland. In relation to the remaining five sections (3, 9, 12, 14 and 15), no reports were required - for example no Appointment Panels or Working Groups required to be established, however those Terms of Reference need to remain in place as reports will undoubtedly fall under those Terms of Reference in the future.

6.5 Generally, there has been a reduction in the number of reports being considered by Full Council compared to previous years. This can be partly attributed to committees considering business which may have otherwise been considered at Full Council. Historically, Full Council has been viewed as a catch all destination for decision making, and the place for reports to be submitted if they missed the committee they should have been reported to. The empowerment of committees through the Scheme of Governance together with better forward planning of reports has contributed to a more focused agenda at meetings of Full Council.

6.6 Local Outcome Improvement Plan

The following table details of the 21 reports how many had a link to the themes of the Local Outcome Improvement Plan.



6.7 Reports and Council Decisions

The following table details the outcome of the Council's consideration of the 21 reports presented to it throughout the year.

	Total	% Total Reports
Confidential	0	0%
Exempt	0	0%
Number of reports where the Council amended officer recommendations	7	33%
Number and percentage of reports approved unanimously	14	67%
Number of reports or service updates requested by members during the consideration of another report to provide additional assurance and not in forward planner	3	14%
Number of decisions delayed for further information	0	0%
Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life	0	0%
Number of late reports received (i.e. reports not available for inspection by members of the public at least three clear days before a meeting)	0	0%

6.8 Notices of Motion, Suspension of Standing Orders, Interface with the Public

Number of notices of motion	10
Number of times Standing Orders were suspended and the specific Standing Orders suspended	0
Number of deputations or other indicators of interface with the public, i.e. engagement and social media.	0
Number of petitions considered	0
Number of Meetings held by the Convener with other Conveners, relevant parties, to discuss joint working and key issues being raised at other Committee meetings	Regular meetings held with Co-Leaders

7. TRAINING REQUIREMENTS

- 7.1 Training sessions specific to the various committees have taken place and details of these are contained within their annual reports.
- 7.2 More generally, training sessions for all elected members on topics such as the Local Outcome Improvement Plan, data protection law, guidance on appointments to outside bodies and ALEOs, equalities, and the Councillors' Code of Conduct have been delivered throughout 2019/20.
- 7.3 Induction training covering a wide variety of topics was also delivered to the new elected members, Councillors Cross, Mennie and Audrey Nicoll, upon their election in October and November 2019.

8. CODE OF CONDUCT - DECLARATIONS OF INTEREST

- 8.1 21 declarations of interest were made by Councillors during the reporting period. Information in respect of declarations of interest is measured to evidence awareness of the requirements to adhere to the Councillors' Code of Conduct and the responsibility to ensure fair decision-making.

9. CIVIC ENGAGEMENT

- 9.1 Civic leadership and engagement is at the heart of the Target Operating Model approved by the Council in August 2017. The values and principles of civic leadership and engagement are being driven through the Council's transformation programme.
- 9.2 There have been a number of good examples of civic engagement in the course of business submitted to Council in 2019/20, for example in relation to the Aberdeen Local Development Plan and the review of polling districts and polling places.
- 9.3 Further civic engagement activities are set out in each committee's individual annual effectiveness report.

10. OFFICER SUPPORT TO COUNCIL

Officer	Total Anticipated Attendances	Total Attendances	Substitute Attendances
Chief Executive	5	5	
Chief Operating Officer	5	5	
Director of Customer Services	5	5	
Director of Resources	5	5	
Chief Officer - Aberdeen Health and Social Care Partnership	5	5	
Chief Officer - Finance	5	4	

Officer	Total Anticipated Attendances	Total Attendances	Substitute Attendances
Chief Officer - Governance	5	4	1
Chief Officer - Integrated Children's & Family Services	5	5	

11. EXECUTIVE LEAD'S COMMENTS

- 11.1 In March 2018, the Council approved its first Scheme of Governance. This was a significant step for the Council and in keeping with the journey to attaining the CIPFA Mark of Excellence. The Scheme of Governance was updated in 2019 and 2020, and officers will report back to Full Council in 2021 following another annual review. The practice of annually reviewing the Scheme of Governance, together with data from the annual effectiveness reports, will help members and officers to identify improvements to the Council's decision making structures and help ensure that those arrangements remain effective.
- 11.2 On 3 March 2020, the Council approved its annual budget and noted the associated Council Delivery Plan. The delivery of the budget is monitored through the City Growth and Resources Committee whilst service performance is monitored against key categories by the relevant committees.
- 11.3 It is noted that 33% of reports with Council officer recommendations were amended, compared to the average for committees of 5%. However, some of these reports where recommendations were amended, were submitted to the Budget meeting and this is generally normal practice, with such reports rarely being unanimously approved.
- 11.4 No late reports were submitted to Full Council and no decisions on reports required to be delayed which evidences that business was appropriately managed and scheduled.
- 11.5 Finally, it is pleasing to note that Full Council has operated in a transparent manner, with no reports marked as exempt as a result of containing information relating to the financial or business affairs of a third party. It is acknowledged that on occasion reports need to be considered in private in terms of Schedule 7A of the Local Government (Scotland) Act 1973, however it is reassuring that the number of instances where decisions have been taken in private has been minimised.

12. NEXT YEAR'S FOCUS

- 12.1 In March 2021, the Council will be asked to consider proposals following the annual review of the Scheme of Governance. Specific to Council, the Terms of Reference will be reviewed in line with the business submitted to Council and officers will reflect on whether any areas require refinement moving forward to ensure the efficient operation of the Council.
- 12.2 During the course of 2020/21, officers will progress the transformation programme to allow the Council to set a budget in a manner that strategically allocates resources against the Local Outcome Improvement Plan and associated strategies as envisaged by the Target Operating Model. The

outcome focused approach will be set out in the budget report and associated delivery plan due to come before Full Council in early 2021.

13. COMBINED COMMITTEE DATA

Total number of reports for Committees during the reporting period	318	
	Total	Percentage
Number of confidential reports	3	1%
Number of exempt reports	26	8%
Number of reports where the Committee amended officer recommendations	17	5%
Number and percentage of reports approved unanimously	283	89%
Number of reports or service updates requested by Members during consideration of another report to provide additional assurance and not in forward planner	25	8%
Number of reports delayed for further information	0	
Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life	0	
Number of late reports received by the Committee	4	1%
Number of referrals to Council, or other Committees, in terms of Standing Order 33.1	0	
Number of notices of motion	1	
Number of times Standing Orders were suspended	1 - SO 14.1	
Number of deputations or other indicators of interface with the public, i.e. engagement and social media	8	
Number of petitions considered	1	

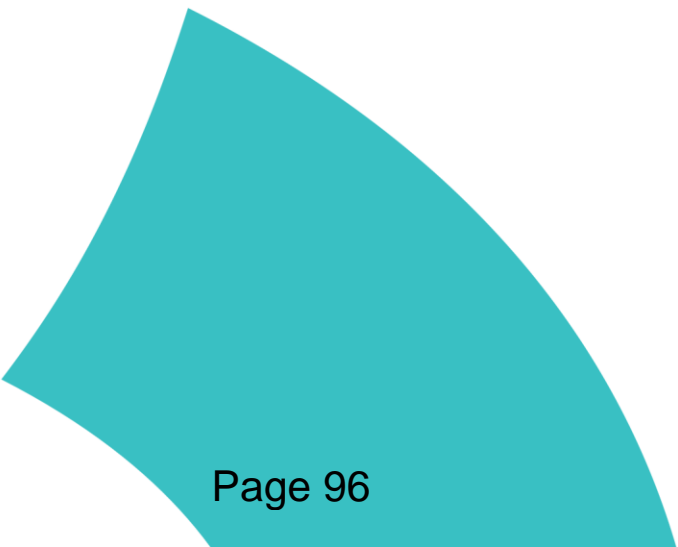
**Council Terms of Reference
Approved by Council on 4 March 2019**

ABERDEEN CITY COUNCIL

The Council itself reserves the following functions:

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

Executive Lead: Chief Executive



APPENDIX B

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Strategic Commissioning Committee

Annual Effectiveness Report



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1. INTRODUCTION

I am pleased to present the second annual effectiveness report for the Strategic Commissioning Committee. As Members will be aware, as part of their interim assessment of the Council's governance arrangements in 2016, CIPFA recommended that Committees review the extent to which they had operated within their Terms of Reference, through an annual report. This had been an aspiration for some time, representing good practice in governance terms. This year, the Council was the first in Scotland to be awarded the CIPFA Mark of Excellence in Governance, and the annual effectiveness report was highlighted by CIPFA as one example of the Council's good governance. The annual effectiveness report also informs the annual review of the Council's Scheme of Governance and enables officers to identify if any changes are required, for example, to the Committee Terms of Reference.

As part of the 2020 review, changes were made to the Strategic Commissioning Committee Terms of Reference to provide greater clarity and those will be monitored throughout the year and taken into consideration during next year's review and the preparation of the third annual committee effectiveness report.

The annual report is a good mechanism for the Committee to support the Council's improvement journey by demonstrating the ways that the Committee contributes to the Council Delivery Plan and Local Outcome Improvement Plan outcomes whilst also providing the opportunity to reflect on the business of the Committee over the past year and to look to the Committee's focus for the year ahead.



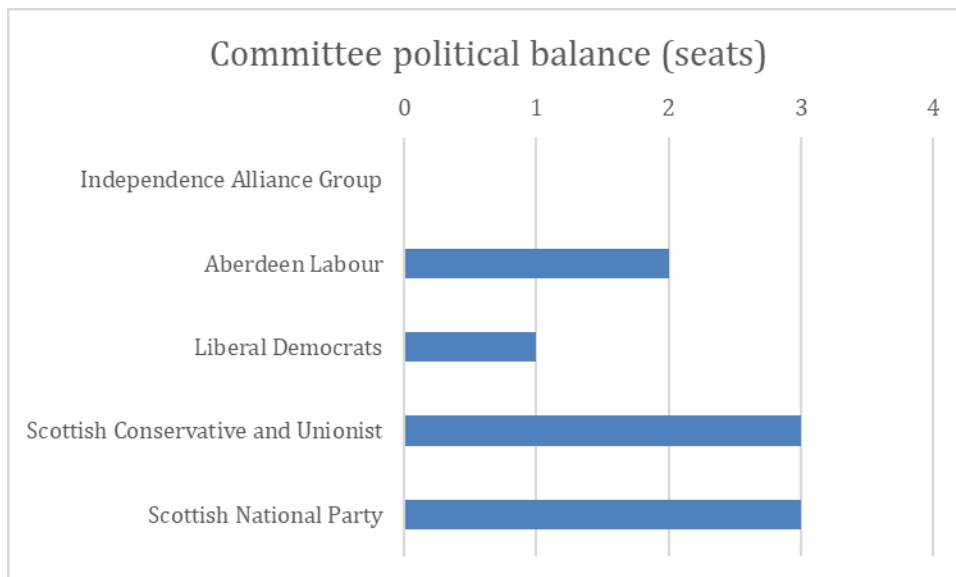
Councillor Jennifer Laing
Convener, Strategic Commissioning Committee

2. THE ROLE OF THE COMMITTEE

- 2.1 The Committee has a key role to support the Council’s change from budget led service provision to outcome focused delivery. It reviews the needs of citizens and approves commissioning activity to meet those needs and the outcomes specified in the Local Outcome Improvement Plan. The Committee also performs a monitoring role to help ensure that the needs and outcomes identified are being achieved. The Committee also approves commissioning activity by the Council, in accordance with the commissioning cycle.
- 2.2 The Terms of Reference for the Committee as approved by Council in March 2019 are appended to the report.

3. MEMBERSHIP OF THE COMMITTEE DURING 2019/2020

- 3.1 The Strategic Commissioning Committee has 9 Elected Members, and the committee composition is presented below.



4. MEMBERSHIP CHANGES

- 4.1 Councillors Cameron and Jackie Dunbar were members of the Committee for the May and August 2019 meetings and were replaced by Councillors Hutchison and Alex Nicoll from the August 2019 meeting; Councillor Donnelly was a member of the Committee for the May, August and November 2019 meetings and was replaced by Councillor Lumsden from the January 2020 meeting; Councillors Copland and Audrey Nicoll joined the Committee from January 2020, replacing Councillors Hutchison and Flynn.

5. MEMBER ATTENDANCE

Member	Total Anticipated Attendances	Total Attendances	Substituted
David Cameron	2	2	
Neil Copland	1	1	
Alan Donnelly	3	1	2
Jackie Dunbar	2	2	
Sarah Duncan	4	4	
Stephen Flynn	3	3	
Michael Hutchison	1	0	1
Freddie John	4	3	1
Jenny Laing	4	3	1
Douglas Lumsden	1	1	
Alex Nicoll	2	1	1
Audrey Nicoll	1	1	
John Wheeler	4	2	2
Ian Yuill	4	3	1

6. MEETING CONTENT

6.1 During the 2019/2020 reporting period (29 April 2019 to 30 April 2020), the Committee had 4 meetings and considered a total of 16 reports. The April 2020 meeting of the Committee was cancelled as a result of the COVID-19 pandemic and the decision of Urgent Business Committee to cancel meetings of the Strategic Commissioning Committee until August 2020 with any business critical reports being considered by the Urgent Business Committee.

6.2 Terms of Reference

Of the 16 reports received, the following table details how the reports aligned to the Terms of Reference for the Committee (2019 Terms of Reference are appended to this report for information).

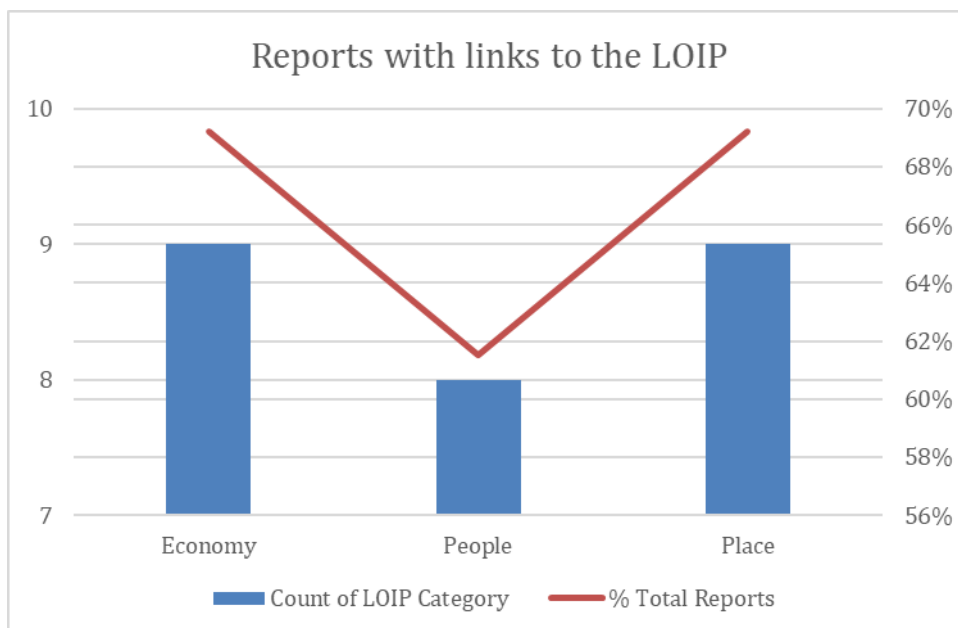
Terms of Reference	Count of Terms of Reference
General Delegations To Committees 7.4	1
General Delegations To Committees 7.5	1
General Delegations To Committees 7.6	1
Purpose of Committee 1	1
Purpose of Committee 2	3
Purpose of Committee 5	3
Purpose of Committee 6	2
Remit of Committee 2.2	1
Remit of Committee 2.3	1
Remit of Committee 4.2	1
Remit of Committee 4.3	2
Remit of Committee 4.4	1

Remit of Committee 4.5	4
Remit of Committee 5.5	2

- 6.3 During the course of 2019/2020 the Strategic Commissioning Committee received reports under the majority of its Terms of Reference which would indicate that the Committee has discharged its role throughout the course of the reporting period.
- 6.4 Most of the reports considered related to the approval of commissioning activity, the annual review of ALEOs and the identification of potential efficiencies and improvements in quality and outcomes, including across partner organisations and public services.
- 6.5 The majority of the sections of the Committee’s Terms of Reference were discharged throughout the course of the reporting period. This would indicate that the Committee has discharged its role as determined by Council.
- 6.6 There were no reports under TOR 2.1 as the Committee was not due to receive the Population Needs Assessment in the reporting period; 3.1 as the Committee considered the refresh of the LOIP in January 2019 which was outwith the reporting period; 3.2 as the approval of service standards and service specifications was undertaken at the Urgent Business Committee; and 5.2 as the Committee approved the Performance Management Framework at its meeting in March 2019 which was also outwith the reporting period.

6.7 Local Outcome Improvement Plan

The following table details of the 16 reports how many had a link to the themes of the Local Outcome Improvement Plan.



6.8 Reports and Committee Decisions

The following table details the outcome of the Committee's consideration of the 16 reports presented to it throughout the year.

	Total	% Total Reports
Confidential reports	0	0%
Exempt reports Note that although appendices were exempt, the reports themselves were public reports	0	0%
Number of reports where the Committee amended officer recommendations	0	0%
Number and percentage of reports approved unanimously	15	94%
Number of reports or service updates requested by members during the consideration of another report to provide additional assurance and not in forward planner	1	6%
Number of decisions delayed for further information	0	0%
Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life	0	0%
Number of late reports received by the Committee (i.e. reports not available for inspection by members of the public at least three clear days before a meeting)	0	0%
Number of referrals to Council, or other Committees by one third of the membership in terms of Standing Orders	0	0%

6.9 Notices of Motion, Suspension of Standing Orders, Interface with the Public

Number of notices of motion	0
Number of times Standing Orders were suspended and the specific Standing Orders suspended	0
Standing order number (ref)	N/A
Number of deputations or other indicators of interface with the public, i.e. engagement and social media.	0
Number of petitions considered	0

Number of Members attending meetings of the committee as observers	5
Number of Meetings held by the Convener with other Conveners, relevant parties, to discuss joint working and key issues being raised at other Committee meetings	Weekly meetings held

7. TRAINING REQUIREMENTS

- 7.1 When the Committee was established in 2018, Members were provided with an overview of the function of the Committee and the key aspects of the commissioning approach, as well as a session on the use of data and evidence focusing on the role of Elected Members throughout the stages of a commissioning cycle. As the Committee is now established and in its second year of operation, such training was not required this year. This will be kept under review and if any training is identified, this will be arranged.

8. CODE OF CONDUCT – DECLARATIONS OF INTEREST

- 8.1 5 declarations of interest were made by Councillors during the reporting period. Information in respect of declarations of interest is measured to evidence awareness of the requirements to adhere to the Councillors' Code of Conduct and the responsibility to ensure fair decision-making.

9. CIVIC ENGAGEMENT

- 9.1 The Committee received and approved a report in August 2019 on the Strategic Commissioning approach which set out the intent to understand the flow of demand through the perspective of the service user, customer or patient and therefore how services are being used and provided. The report emphasised the need to engage customers in commissioning activity and this is taken forward, as appropriate, in the business cases which are taken before the Strategic Commissioning Committee for consideration.
- 9.2 The Committee is also due to receive a report on collaboration on community involvement programmes provided by businesses, however a planned event was unfortunately delayed due in part to COVID-19. However as part of the annual Procurement performance report considered by Committee, Members were made aware of the work being undertaken via Community Planning Aberdeen to strengthen its relationship with the business community across the City in recognition of the vital role private organisations can play in improving outcomes for the people, places and economy of Aberdeen.
- 9.3 The Committee will also receive the Locality Plans Annual Reports at the November meeting, which will outline all the progress that has been made in pursuing local priorities, reflecting the range of activities being taken forward in collaboration with the Community Planning Aberdeen Outcome Improvement Groups, as well as local actions and initiatives.

10. OFFICER SUPPORT TO THE COMMITTEE

Officer	Total Anticipated Attendances	Total Attendances
Chief Officer – Digital & Technology	1	1
Head of Commercial and Procurement	4	4
Chief Officer – Early Intervention and Community Empowerment	1	1
Chief Officer – Customer Experience	1	1
Chief Officer – Finance (or representative)	4	4
Chief Officer – Data and Insights	4	4
Chief Officer – City Growth	1	1
Team Leader Legal - Commercial and Procurement	4	4

11. EXECUTIVE LEAD'S COMMENTS

11.1 The second year of the Strategic Commissioning Committee, and of the Commissioning function, built significantly on the foundations laid in 2017/18. Of most fundamental significance has been the Committee's agreement of a joint commissioning approach, applied by both the Council and Aberdeen City Integration Joint Board. In agreeing this joint approach, the Committee gave full consideration to the progress made in embedding each aspect of the commissioning cycle and set out clear next steps in sequencing the adoption of the proposed joint commissioning approach.

11.2 As part of the those next steps, the Committee has agreed:-

- a revised Performance Management Framework, as well as individual annual performance reports relating to the Council's ALEOs and Procurement function;
- a revised Strategy Framework for the Council, including the commissioning and decommissioning of various strategies.

11.3 The Committee has considered business on each of the key elements of the commissioning cycle and would appear to be working effectively, noting that no decisions required to be delayed and the vast majority of business was approved/noted unanimously. Business has largely been able to be considered in public and, where this was not possible, there has been clear justification.

12. NEXT YEAR'S FOCUS

12.1 Areas of focus from the Business Planner - The main areas of focus for next year outwith the regular committee business will be the continuing development of the Council's commissioning cycle. Steps 1 & 2 in the commissioning cycle focus on the consideration of the Population Needs Assessment and agreement of the LOIP. In the light of strategic planning activity agreed by the Council in response to the Covid-19 crises the LOIP will be refreshed in Summer 2021, however, preparatory analysis, including the Population Needs Assessment and reviews of how both the Community Planning Partnership and the Council activity have progressed its implementation will be considered by the Committee. The Council's future planned contribution to the LOIP will also be reported

to the Committee.

- 12.2** The Committee will give consideration to how community benefit clauses positively impact new contracts let during 2020/21 to increase the contribution of the Council to LOIP outcomes and climate friendly weighting for contracts.
- 12.3** Commissioning workplans will be presented to the Committee giving a full and timely overview of the contracts and procurements which will be a focus for specific businesses cases throughout the year. We will build on the outcome based approach to performance management, including annual reviews of performance in respect of the LOIP, the Council Delivery Plan, Locality Plans and the Council's ALEOs. We will also strengthen the performance in delivering outcomes through the business cases presented to the Committee.
- 12.4** Budget Decisions - The Council at its budget meeting in March 2020 instructed the Head of Commercial and Procurement to incorporate community benefit clauses into new contracts let during 2020/21 that increase the contribution of the Council to the Local Outcome Improvement Plan outcomes, and submit a year-end report to SCC. The Council further instructed the Head of Commercial and Procurement to introduce a climate friendly weighting for contracts the Council procures and report back to the Strategic Commissioning Committee on the outcomes achieved annually.
- 12.5** Policy Priorities - As with budget decisions, where business cases relate to agreed policy priorities this will be explicitly stated for members' attention. Council in March 2020 approved new Terms of Reference and a further review will be reported to Council in March 2021. Throughout the next reporting year, we will review the Terms of Reference in line with the business submitted to the Committee and reflect on whether any areas require refinement moving forward to ensure the efficient operation of the Committee.

Appendix 1

Previous Strategic Commissioning Committee Terms of Reference Approved by Council on 4 March 2019

PURPOSE OF COMMITTEE

1. To approve all external commissioning activity by the Council outwith the annual budget meeting, including the approval of service specifications, service standards, grants and associated conditions, performance frameworks, outcomes and intentions. This includes where the Council commissions from its Arm's Length External Organisations (ALEOs).
2. To approve all internal commissioning activity of Council outwith the annual budget meeting, including the approval of service specifications, service standards, performance frameworks and outcomes and intentions.
3. When approving commissioning activity:
 - i. to promote investment in the prevention, early intervention and reduction in the demand for services; and
 - ii. to identify potential efficiencies and improvements in quality and outcomes, including across the public sector.
4. To approve the Council's strategic approach to joint and integrated commissioning across the public and private sectors to ensure that the needs of customers and citizens are met.
5. To identify potential efficiencies and improvements in quality and outcomes, including across partner organisations and public services.
6. To promote the strategic allocation of resources to outcomes through commissioning activity.

REMIT OF COMMITTEE

1. Engaging with Customers and Citizens
 - 1.1 Following consultation with appropriate forums:
 - i. to consider the experience of customers; and
 - ii. to take such action to ensure that services to be commissioned are co-designed to meet customers' needs.
2. Analysis
 - 2.1 to consider a Population Needs Assessment every two years to understand the needs which public bodies must address;
 - 2.2 to consider an in-depth analysis of key groups, priorities and challenges across public services to identify and action potential efficiencies and improvements to help ensure that the needs of customers and citizens are met and commissioning intentions are delivered; and
 - 2.3 to consider sufficiency and market analyses to understand existing and potential provider strengths and weaknesses, and identify and take action in respect of any opportunities for improvement or change in providers.
3. Planning
 - 3.1 to consider the refresh of and recommend any necessary changes to the Local Outcome Improvement Plan (LOIP); and
 - 3.2 to approve service specifications and service standards, reflecting the Council's commissioning intentions/outcomes, the LOIP, the views of customers and citizens, and the best evidence of effective interventions to ensure a preventative focus on demand reduction.

4. Doing

- 4.1 to take such action to ensure that appropriate supply management and capacity building (market facilitation) is in place to ensure a good mix of resilient service providers, that offer customers an element of choice in how their needs are met;
- 4.2 to review annual workplans and approve business cases to be submitted by Directors and Chief Officers in accordance with Procurement Regulations, for procurement with an estimated expenditure of £50,000 or more (supplies / services) or £250,000 or more (works) except for procurement relating to the Capital Programme;
- 4.3 to approve commissioning activity, including approval of commissioning intentions/ outcomes which aligns to and supports the delivery of the outcomes contained in the LOIP, and other relevant Strategic Plans;
- 4.4 to approve the establishment of ALEOs or determine that services should remain in house;
- 4.5 to undertake an annual review of ALEOs; and
- 4.6 to decommission services that do not meet the Council's commissioning intentions and outcomes.

5. Reviewing

- 5.1 to consider annual reports on the LOIP and Locality Partnership Plans;
- 5.2 to approve a Performance Management Framework reflecting the Council's commissioning intentions/outcomes, the LOIP, the views of customers and citizens, and the best evidence of effective interventions;
- 5.3 to review information, in line with the Council's Performance Management Framework, in order to monitor the impact of services and the extent to which they have achieved the purpose and outcomes intended;
- 5.4 to consider an analysis of any changes in legislative requirements, policy and population needs, and to:
 - i. review the overall impact of services to identify and implement revisions needed to commissioning intentions/outcomes; and/or
 - ii. to identify and facilitate opportunities to work differently to improve outcomes;and
- 5.5 to monitor service delivery against expected outcomes and plans.

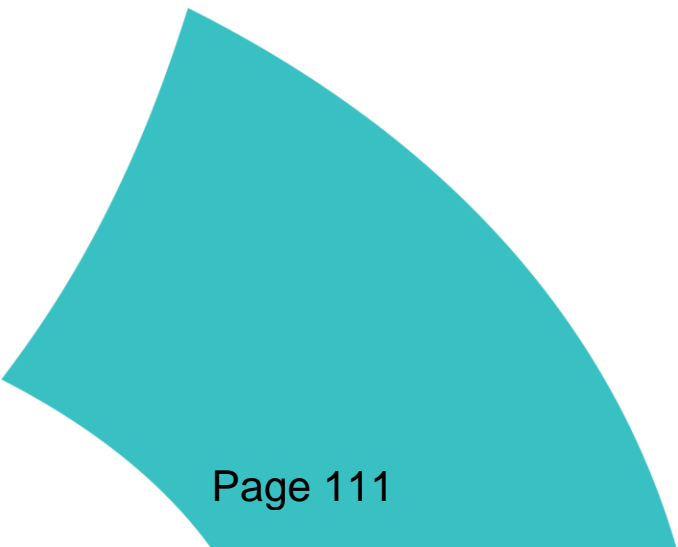
JOINT WORKING WITH OTHER COUNCIL COMMITTEES

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

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

JOINT WORKING WITH NON COUNCIL BODIES

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



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APPENDIX C

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Licensing Committee Annual Effectiveness Report 2019/2020



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1. INTRODUCTION

- 1.1 I am pleased to present the second annual effectiveness report for the Licensing Committee. This annual report is a good mechanism for the Committee to reflect on the business of the Committee over the past year and to look to the Committee's focus for the year ahead and represents good practice in terms of governance.
- 1.2 In terms of the business over the last year, the Committee has worked collectively to ensure that its decision-making process was open and transparent, and all parties treated fairly and equally. It was also encouraging to see the responses to the public consultations as a result of greater use of all media channels.
- 1.3 The Committee has also been proactive in reviewing Policy and seeking assurance that it was operating in accordance with legislation and best practice and I am confident that this will continue into the year ahead.



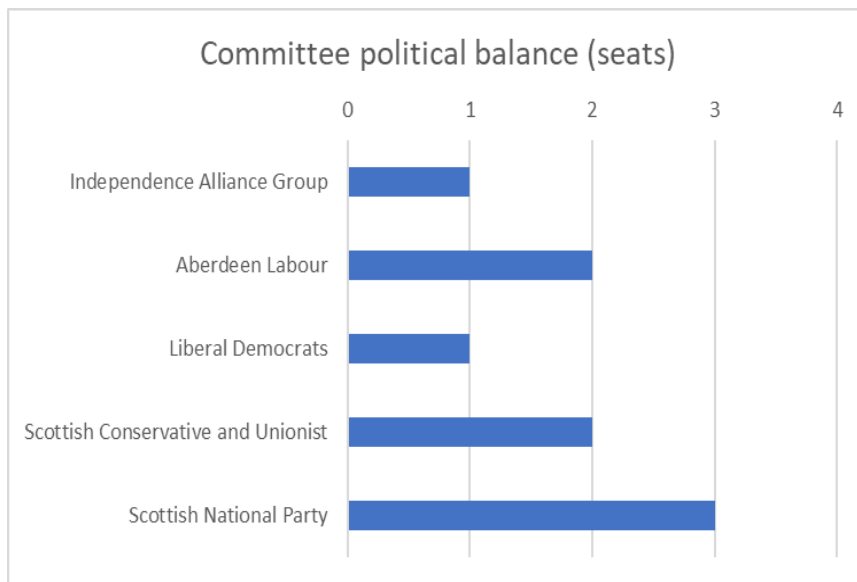
Councillor John Reynolds
Convener, Licensing Committee

2. THE ROLE OF THE COMMITTEE

- 2.1 The role of the Committee is to deal with the functions of the Council in relation to all licensing matters under the Civic Government (Scotland) Act 1982 and all other Acts (not falling specifically within the remit of the Licensing Board or any other Committee) covering personal or other licences, certificates and permits.
- 2.2 Although Council approved new Terms of Reference for the Committee in March 2020, this reporting period relates to the previous Terms of Reference which are appended to the report.

3. MEMBERSHIP OF THE COMMITTEE DURING 2019/2020

- 3.1 The Licensing Committee has nine Elected Members and the composition is outlined below.



4. MEMBERSHIP CHANGES

- 4.1 During the reporting period there was one change in membership with Councillor Mennie replacing Councillor Hutchison prior to the October 2019 meeting.

5. MEMBER ATTENDANCE

Member	Total Anticipated Attendances	Total Attendances	Nominated Substitutes
John Reynolds (C)	5	5	
M. Tauqeer Malik (VC)	5	4	Sandra Macdonald
Yvonne Allan	5	5	
Philip Bell	5	2	Alan Donnelly & John Wheeler
Steve Delaney	5	4	Martin Greig
Dell Henrickson	5	5	
Michael Hutchison	2	1	David Cameron
Jessica Mennie	3	2	Ciaran McRae
Philip Sellar	5	5	
Gordon Townson	5	5	

6. MEETING CONTENT

6.1 During the 2019/2020 reporting period (29 April 2019 to 30 April 2020), the Committee had 5 meetings and considered a total of 5 reports.

6.2 Terms of Reference

Of the 5 reports received the following table details how the reports aligned to the Terms of Reference for the Committee.

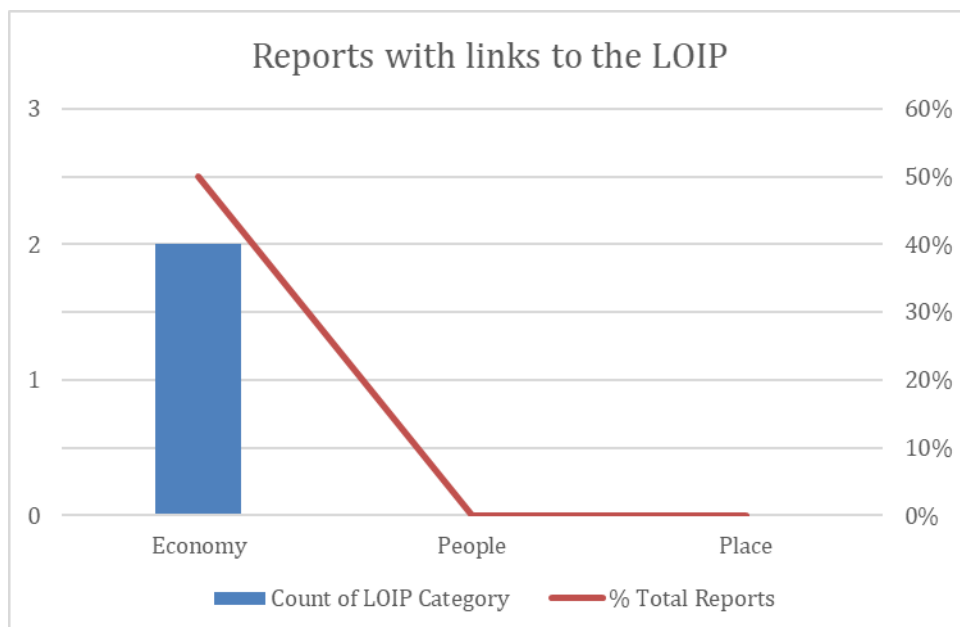
Terms of Reference	Count of Terms of Reference
Powers of Committee 3	3
Powers of Committee 7	2

6.3. During the course of 2019/2020, the Licensing Committee received reports under two of its Terms of Reference, these related to either Powers of Committee 3 (to consider all other matters relating to licensing including the setting of taxi fares and the designation of taxi stances); and Powers of Committee 7 (review and approve policies relating to the Committee's function).

6.4 The majority of the other remits of the Committee's Terms of Reference were reported to the Committee by means of licensing applications, of which there were 41 considered during the reporting period. This would indicate that the Committee has discharged its role throughout the course of the reporting period.

6.5 Local Outcome Improvement Plan

The following table details how the reports had a link to the themes of the Local Outcome Improvement Plan.



6.6 Reports and Committee Decisions

The following table details the outcome of the Committee’s consideration of the five reports presented to it throughout the year.

	Total	% Total Reports
Confidential	0	0%
Exempt	0	0%
Number of reports where the Committee has amended officer recommendations	0	0%
Number and percentage of reports approved unanimously	4	80%
Number of reports or service updates requested by members during the consideration of another report to provide additional assurance and not in forward planner	0	0%
Service update requested	0	0%
Number of decisions delayed for further information	0	0%

Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life	0	0%
Number of late reports received by the Committee (i.e. reports not available for inspection by members of the public at least three clear days before a meeting)	0	0%
Number of referrals to Council, or other Committees in terms of Standing Order 33.1	0	0%

6.7 Notices of Motion, Suspension of Standing Orders, Interface with the Public

Number of notices of motion	0
Number of times Standing Orders were suspended and the specific Standing Orders suspended	0
Standing order number (ref)	-
Number of deputations or other indicators of interface with the public, i.e. engagement and social media.	1
Number of petitions considered	0
Number of Members attending meetings of the Committee as observers	0
Number of Meetings held by the Convener with other Conveners, relevant parties, to discuss joint working and key issues being raised at other Committee meetings	As and when required

7. TRAINING REQUIREMENTS

- 7.1** Training on the role of the Licensing Committee was provided for all elected members following the Local Government Election in May 2017. A further training session was provided in March 2018.
- 7.2** Training for elected members on licensing matters was undertaken in June 2019. Training was also provided to Councillor Mennie on 17 October 2019, prior to her first meeting as a member of the Committee.
- 7.3** The requirement for any further training will be monitored throughout 2020/21 and developed if requested by Members.

8. CODE OF CONDUCT – DECLARATIONS OF INTEREST

- 8.1 There were 3 declarations of interest in total during the reporting period and it was made by the same Member in respect of 3 applications on the same agenda. We measure this information to evidence awareness of the requirements to adhere to the Councillors’ Code of Conduct and the responsibility to ensure fair decision making.

9. CIVIC ENGAGEMENT

- 9.1 The Committee’s focus throughout the reporting period has largely been on compliance with the licensing legislation. A number of public consultations have been undertaken by the Committee in order to engage with the wider public to inform the development and approval of policy, in particular regarding the proposed licensing regime for Sexual Entertainment Venues. In doing so, there has been greater use of all available media channels to increase participation and ensure a wider audience and range of responses.
- 9.2 The Committee also liaises directly with representatives of the taxi and private hire car vehicle trade by way of the Council’s Taxi and Private Hire Car Consultation Group throughout the year to discuss matters of interest to the trade. Representatives from Police Scotland, the Disability Equity Partnership and Trades Unions also participate in these discussions. Any recommendations from the Consultation Group were considered by the Committee.
- 9.3 The Committee has also engaged with statutory partners such as Police Scotland, Scottish Fire and Rescue Service, Roads Authority, Environmental Health and Building Standards to ensure all public safety matters are being brought to the Committee’s attention.

10. OFFICER SUPPORT TO THE COMMITTEE

Officer	Total Anticipated Attendances	Total Attendances	Substitute Attendances
Private Sector Housing Manager	5	5	
Legal – Licensing Solicitor	5	5	

11. EXECUTIVE LEAD’S COMMENTS

- 11.1 The Committee would appear to be working effectively noting that:-
- No decisions on committee reports required to be delayed;
 - The two main terms of reference were engaged;
 - The vast majority of business was approved/noted unanimously;
 - All applications were considered by the Committee in accordance with the statutory requirements; and
 - All committee reports were able to be considered in public.
- 11.2 No late reports were submitted to the Committee showing evidence that Committee business was being appropriately managed and scheduled.

- 11.3** The reporting mechanisms of the various licensing applications to the Committee were reviewed by officers during the reporting period and to ensure the presentation of consistent information and decision making by the Committee, a single standard reporting template has been introduced.
- 11.4** Throughout the next reporting period we will continue to review the Committee’s business against the new Terms of Reference and any changes proposed will be considered as part of the annual review of the Council’s Scheme of Governance.

12. NEXT YEAR’S FOCUS

- 12.1** The Committee will continue to discharge functions by licensing legislation with any changes to existing legislation, or new legislation being reported to the Committee in a timely manner. Policies will also be kept under review and consulted upon, where applicable, to ensure they remain fit for purpose; comply with legislation and align to the Council’s strategies (including the refreshed Local Outcome Improvement Plan).
- 12.2** In considering the review of policies when required by legislative changes as well as matters arising from the business planner the Committee will continue to consider how those decisions can integrate with and support the Council’s Policy Statement. This will include ensuring the taxi and private hire trade play an important part in the local transport strategy and are well placed to contribute to the accessibility of all parts of the city to visitors and residents alike, and that all licensable activity is carried out in a manner designed to safeguard public safety.
- 12.3** In terms of legislation, licensing income must be generally equivalent to licensing expenditure. The Committee is responsible for the setting of taxi fares and a report on the review of the existing taxi fare formula, including surcharges, was submitted for the Committee’s consideration early in 2020.
- 12.4** Following review, the Council on 2 March 2020 approved new Terms of Reference, upon which the Terms of Reference for the Annual Report for 2020/21 will be based. Throughout the next reporting year, we will review the Terms of Reference in line with the business submitted to the Committee and reflect on whether any areas require refinement moving forward to ensure the efficient operation of the Committee.
- 12.5** Annual refresher training covering all areas of the Committee’s Terms of Reference will be provided.
- 12.6** The introduction of a new licensing regime for Sexual Entertainment Venues will require the Committee to formulate a Policy Statement and keep it under review to ensure venues are operating in line with the licensing objectives.

Licensing Committee Terms of Reference - Approved by Council on 4 March 2019

LICENSING COMMITTEE

PURPOSE OF COMMITTEE

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

Licences under Civic Government (Scotland) Act 1982

Mandatory Licences

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

Discretionary Licences

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

Miscellaneous Licences under other Legislation

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

POWERS OF COMMITTEE

The Committee will:

1. consider applications for the grant, renewal, revocation, variation or suspension of any licence as appropriate;
2. consider applications and reviews for Houses in Multiple Occupation under the Housing (Scotland) Act 2006 (the responsibility for all other matters relating to the licensing of Houses in Multiple Occupation resting with the Operational Delivery Committee);

3. consider all other matters relating to licensing including the setting of taxi fares and the designation of taxi stances;
4. approve and monitor the Council's functions under the Safety of Sports Grounds Act 1975;
5. consider landlord registration applications under the Antisocial Behaviour Etc (Scotland) Act 2004;
6. consider film classifications under the Cinemas Act 1985;
7. review and approve policies relating to its function;
8. consider theatre licences under the Theatres Act 1968; and
9. consider which of the optional licences they will invoke and which categories of activity within those licence categories shall be licenced under the Civic Government (Scotland) Act 1982.

JOINT WORKING WITH OTHER COMMITTEES

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

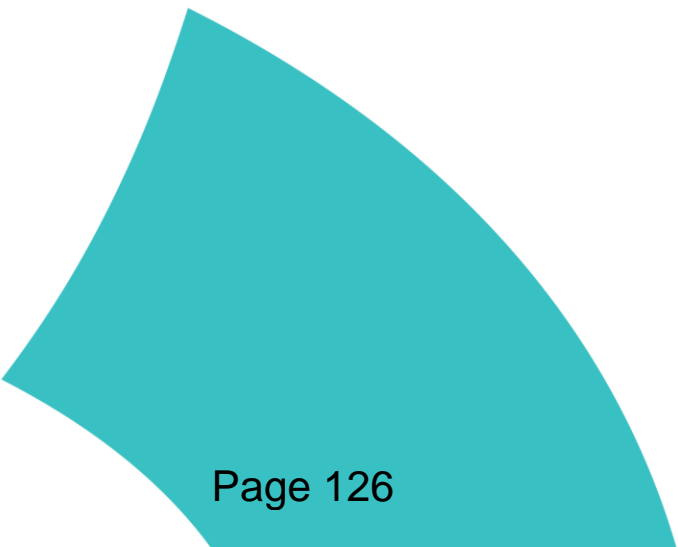
LICENSING SUB COMMITTEE

Members of the Sub Committee will be members of the Licensing Committee.

The Sub Committee will:

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

Executive Lead: Chief Officer – Governance



APPENDIX D

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Education Operational Delivery Committee Annual Effectiveness Report



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1. INTRODUCTION

- 1.1 I am pleased to present the second annual effectiveness report for the Education Operational Delivery Committee. As Members will be aware, as part of their interim assessment of the Council's governance arrangements in 2016, CIPFA recommended that Committees review the extent to which they had operated within their Terms of Reference, through an annual report. This had been an aspiration for some time, representing good practice in governance terms. I am delighted that this year, the Council was the first in Scotland to be awarded the CIPFA Mark of Excellence in Governance, and that the annual effectiveness report was highlighted by CIPFA as an example of good governance. The annual effectiveness report also informs the annual review of the Council's Scheme of Governance and enables officers to identify if any changes are required, for example, to the Committee Terms of Reference.
- 1.2 As part of the 2020 review, changes were made to the Education Operational Delivery Committee Terms of Reference to provide greater clarity and those will be monitored throughout the year and taken into consideration during next year's review and the preparation of the third annual committee effectiveness report.
- 1.3 The annual report is a good mechanism for the Committee to support the Council's improvement journey by demonstrating the ways that the Committee contributes to the Council Delivery Plan and Local Outcome Improvement Plan, whilst also providing the opportunity to reflect on the business of the Committee over the past year and to look to the Committee's focus for the year ahead.
- 1.4 Throughout the year, the Committee has worked collectively to approve and monitor the in-house delivery of educational services, scrutinise performance and make improvements to those services. In addition, the Committee has helped to ensure improvement to the Council's public performance recording data, in line with outcomes and intentions set.
- 1.5 Officers have supported the Committee's external members through hosting briefing sessions which enable external members to ask officers questions about any aspect of education along with seeking clarity on reports within the committee business planner. This approach has strengthened the role of external members and encouraged scrutiny through questioning at Committee.



Councillor John Wheeler

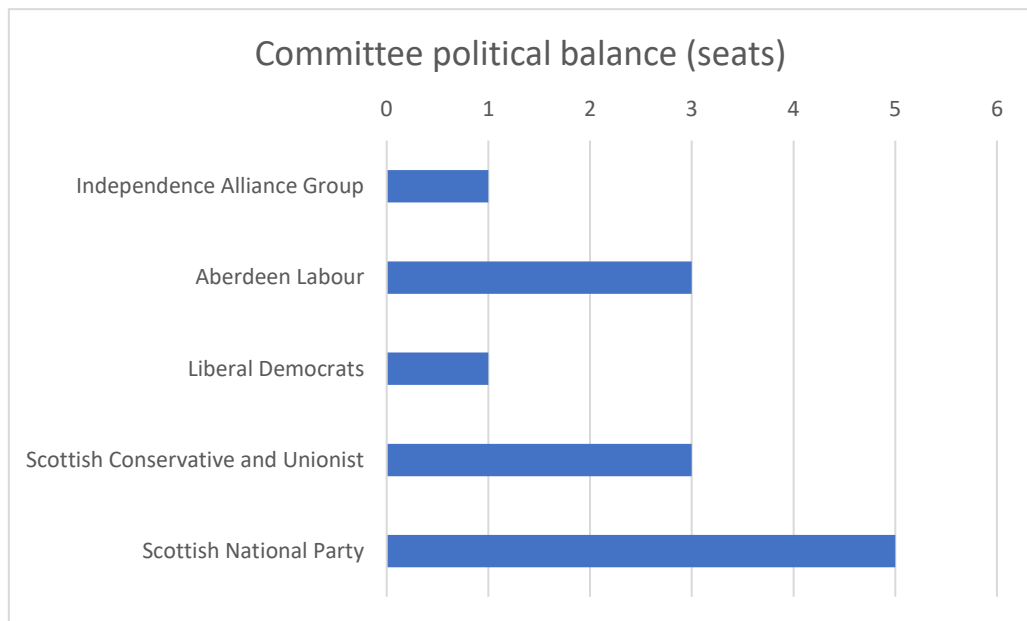
Convener, Education Operational Delivery Committee

2. THE ROLE OF THE COMMITTEE

- 2.1 The role of the Committee is to approve and monitor the in-house delivery of educational services, scrutinise performance and make improvements to those services.
- 2.2 Although Council approved new Terms of Reference for the Committee in March 2020, this reporting period relates to the previous Terms of Reference which are appended to the report.

3. MEMBERSHIP OF THE COMMITTEE DURING 2019/2020

- 3.1 The Education Operational Delivery Committee has 13 Elected Members and 7 External Members – three religious representatives, two teacher representatives and two parent representatives. The composition is presented below.



4. MEMBERSHIP CHANGES

- 4.1 Councillors Bell, Cameron, Mennie and MacGregor all joined the Committee during the reporting period. Reverend Shuna Dicks became the new Church of Scotland representative, and Tracey Blackie and Rick Sansom took up their places as the two new parent representatives, following nomination by the Aberdeen City Parent Forum.

5. MEMBER ATTENDANCE

Member	Total Anticipated Attendances	Total Attendances	Substituted
Councillor Alphonse	5	3	2
Councillor Bell	2	2	
Mrs Tracey Blackie	2	1	n/a
Mrs Stephanie Brock	5	5	
Mrs Louise Bruce	3	2	
Councillor Cameron	4	4	
Councillor Cooke	3	2	1
Reverend Shuna Dicks	4	2	n/a
Councillor Donnelly	3	3	
Councillor Lesley Dunbar	5	3	2
Councillor Greig	5	5	
Councillor Hutchison	5	5	
Councillor Imrie	5	3	2
Councillor Macdonald	5	5	
Councillor MacGregor	3	3	
Councillor Catriona Mackenzie	1	1	
Councillor Malik	5	4	1
Councillor Mennie	2	2	
Mr John Murray	5	5	
Councillor Alex Nicoll	2	2	
Mr Colm O'Riordan	1	1	
Mr Mike Paul	0	0	n/a
Mr Anthony Rafferty	2	1	n/a
Mr Rick Sansom	2	2	
Miss Pamela Scott	5	4	1
Councillor Stewart	5	4	1
Councillor Wheeler	5	5	

6. MEETING CONTENT

6.1 During the 2019/2020 reporting period (29 April 2019 to 30 April 2020), the Committee had 5 meetings and considered a total of 24 reports.

6.2 Terms of Reference

Of the 24 reports received the following table details how the reports aligned to the Terms of Reference for the Committee.

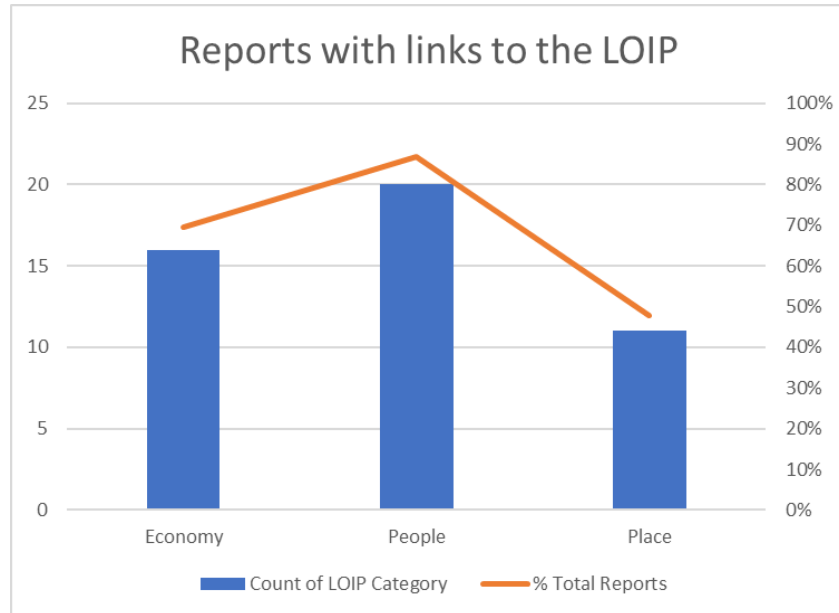
Terms of Reference	Count of Terms of Reference
General Delegations To Committees 7.1	1
General Delegations To Committees 7.4	1
General Delegations To Committees 7.5	1
Purpose of Committee 1	9
Purpose of Committee 3	1
Remit of Committee 1	9
Remit of Committee 2	4
Remit of Committee 3	1
Remit of Committee 4	0
Remit of Committee 5	9
Remit of Committee 6	3
Remit of Committee 7	0

6.3 During the course of 2019/2020 the Education Operational Delivery Committee received reports under each of the Terms of Reference, bar Remits 4 (provide evidence to the Strategic Commissioning Committee, as requested, on the contribution of in house services to outcomes) and 7 (Note proposed peer reviews and inspections by the Local Area Network for the cycle). This would indicate that the Committee has discharged its role throughout the course of the reporting period.

6.4 The majority of reports have fallen under Purpose 1 (To approve and monitor the in house delivery of educational services, scrutinise performance and make improvements to those services), Remit 1 (hold the organisation to account for the in house delivery of all educational services) and Remit 5 (approve improvements to operational delivery where officers do not have the power to do so), which is to be expected for a committee whose role is to approve and monitor the in-house delivery of educational services, scrutinise performance and make improvements to those services. As a number of reports fell under Purpose 1, rather than the Remit section, that suggested that the Terms of Reference should be reviewed, as it seemed as though report authors might have been struggling to find a relevant part of the remit to use and had therefore resorted to the more general Purpose section in many cases. As a result, clarified and expanded Terms of Reference for the Education Operational Delivery Committee were proposed and these were approved by Council in March 2020. This should assist officers in identifying how their proposals link to the remit of the Committee and the wider Council Delivery Plan.

6.5 Local Outcome Improvement Plan

The following table details of the 24 reports how many had a link to the themes of the Local Outcome Improvement Plan.



6.6 Reports and Committee Decisions

The following table details the outcome of the Committee's consideration of the 24 reports presented to it throughout the year.

Terms of reference	Total	% Total Reports
Confidential	0	0%
Exempt	0	0%
Number of reports where the Committee has amended officer recommendations	2	8%
Number and percentage of reports approved unanimously	23	96%
Number of reports or service updates requested by members during the consideration of another report to provide additional assurance and not in forward planner	2	8%
Number of decisions delayed for further information	0	0%
Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life	0	0%
Number of late reports received by the Committee (i.e. reports not available for inspection by members of the public at least three clear days before a meeting)	0	0%
Number of referrals to Council, or other Committees in terms of previous Standing Order 33.1	0	0%

6.7 Notices of Motion, Suspension of Standing Orders, Interface with the Public

Number of notices of motion	0
Number of times Standing Orders were suspended and the specific Standing Orders suspended	0
Standing order number (ref)	N/A
Number of deputations	1
Number of petitions considered	0
Number of Members attending meetings of the committee as observers	11
Number of Meetings held by the Convener with other Conveners, relevant parties, to discuss joint working and key issues being raised at other Committee meetings	Weekly meetings with Chief Operating Officer and Director of Customer Services Weekly meetings with Conveners of Strategic Commissioning Committee and City Growth and Resources Committees Monthly meetings with Chief Officer – Integrated Children’s and Family Services and Chief Officer - Education Monthly meetings with all relevant Chief Officers

7. TRAINING REQUIREMENTS

- 7.1 Throughout the course of 2019-2020 there have been briefing sessions for Members on performance data and school inspections (local ward Members).
- 7.2 External Members are also provided with separate briefing sessions with officers prior to each Committee to allow them the opportunity to discuss the upcoming agenda. They were also offered the opportunity to attend a session on the performance data presented to Committee.
- 7.3 Further development opportunities will be developed for 2020-2021 based on Committee business, officer proposals and Member feedback.

8. CODE OF CONDUCT – DECLARATIONS OF INTEREST

- 8.1 No declarations of interest were made by Councillors during the reporting period. Two declarations were made by two of the External Members during the reporting period. Information in respect of declarations of interest is measured to evidence awareness of the requirements to adhere to the Councillors’ Code of Conduct and the responsibility to ensure fair decision-making.

9. CIVIC ENGAGEMENT

- 9.1 During the course of the year there has been statutory consultation with the public in respect of proposals to make changes to the Bucksburn Academy and Oldmachar Academy school catchment zones, so that the new housing development at Grandhome was included entirely within the Oldmachar Academy catchment zone. Further statutory consultation in respect of proposals to establish a new primary school at Countesswells; and to relocate Milltimber School and St Peter's RC School was also undertaken, and the results considered by Committee in September 2019.
- 9.2 There was further public consultation on the proposals to bring the summer holiday period forward by a week in future years. As a result of that consultation, Committee agreed to maintain the current holiday pattern for the next five years with no change to the timing of the summer school holiday.
- 9.3 The Committee received a report following a consultation undertaken with staff to determine the effectiveness of current approaches in meeting the needs of those with Additional Support Needs. That report made recommendations on how to further strengthen the system as the Council worked towards an empowered system, and the Committee will receive a follow up report on this later in the year.
- 9.4 As part of the ongoing work to become a Child Friendly City, the Committee has approved the establishment of a representative city-wide pupil forum that will meet regularly and support identification and setting of strategic priorities of the service, discuss a range of relevant issues and influence the recommendations being brought before the Education Operational Delivery Committee.
- 9.5 The External Members appointed to the Committee also ensure that there is representation on the Committee for parents, teachers and religious organisations, which ensures that those sections of the community have an avenue into the decision-making process.

10. OFFICER SUPPORT TO THE COMMITTEE

Officer	Total Anticipated Attendances	Total Attendances	Substitute Attendances
Chief Operating Officer	5	5	
Director of Customer Services	5	5	
Chief Officer - Integrated Children's & Family Services	5	4	1
Chief Education Officer	5	5	
Team Leader - Governance	5	5	

11. EXECUTIVE LEAD'S COMMENTS

- 11.1** In last year's report, I had commented that a number of motions and amendments were submitted on the day of the committee and in some instances very shortly before the start time of committee. In 2019/20, officers worked with Elected Members ahead of the meeting to assist them with the preparation of any motions and amendments, and for those which arose at the meeting, also sought short adjournments to enable robust consideration by officers of such motions and amendments. This helped to further enhance the decision-making process for Elected Members by ensuring they were able to make fully informed decisions.
- 11.2** The Committee has operated well throughout the year. It can be seen from the statistics in the annual report that all business was able to be considered in public, which assists in maintaining transparency in the democratic process.
- 11.3** Following feedback from officers and Members throughout the last year, the Council recently approved new Terms of Reference for the Committee which will help to provide greater clarity in relation to the role of EODC and these will be monitored throughout the year in preparation for next year's review.
- 11.4** This year, officers added a standing item to the EODC agenda for inspection reporting, and the Committee now receives regular reports on Education Scotland and Care Inspectorate inspection reporting to allow Members to have oversight of this area.

12. NEXT YEAR'S FOCUS

- 12.1** In March 2020, Council approved new Terms of Reference and a further review will be reported to Council in March 2021. Throughout the next reporting year, we will review the Terms of Reference in line with the business submitted to the Committee and reflect on whether any areas require refinement moving forward to ensure the efficient operation of the Committee.
- 12.2** The main areas of business for the Committee over the next year will be the consideration of a revised exclusion policy; and the Council Budget instructions in respect of a campus model for school provision; and the review of the Bucksburn Academy school roll. The Committee will also consider the School Estate plan. Officers need to revisit the future planning of the estate, given that schools are now operating in a significantly different context than prior to the COVID-19 pandemic and subsequent lockdown and the school estate plan needs to reflect this new context. The Committee will also receive a further update on the work being undertaken in relation to Supporting Children's Learning in an Empowered System.

**Previous Education Operational Delivery Committee Terms of Reference
Approved by Council on 4 March 2019**

PURPOSE OF COMMITTEE

1. To approve and monitor the in house delivery of educational services, scrutinise performance and make improvements to those services.
2. To ensure improvement to the Council's Public Performance Recording data, in line with outcomes and intentions set, for educational services.

REMIT OF COMMITTEE

The Committee will, for internal educational services:-

1. hold the organisation to account for the in house delivery of all educational services;
2. approve and monitor the in house delivery of educational services and take action to ensure that such performance is in line with the outcomes set by Council and the Strategic Commissioning Committee;
3. improve results for Public Performance Recording, where this is in line with the Council's own improvement goals, by scrutinising Key Performance Indicators through rigorous performance management arrangements and ensuring that such performance:-
 - 3.1 is done in a manner which places the customer first and ensures the expected contribution to outcomes;
 - 3.2 improves the Council's position in national tables; and
 - 3.3 adheres to financial targets.
4. provide evidence to the Strategic Commissioning Committee, as requested, on the contribution of in house services to outcomes;
5. approve improvements to operational delivery where officers do not have the power to do so;
6. explore and approve options for transforming the service delivery model; and
7. note proposed peer reviews and inspections by the Local Area Network for the cycle.

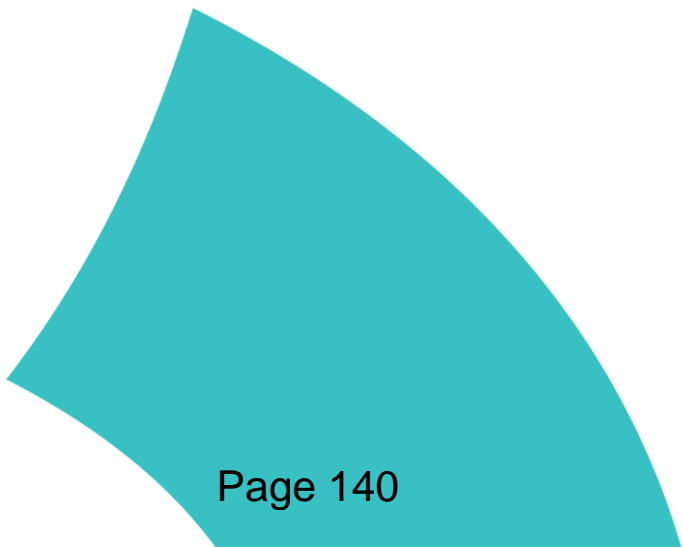
JOINT WORKING WITH OTHER COMMITTEES

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

1. the Strategic Commissioning Committee, the City Growth and Resources Committee and the Education Operational Delivery Committee will cooperate to ensure that the internally commissioned services have clear service specifications, identifying contributions to the LOIP outcomes and that sufficient funding is available to deliver the service specification.

JOINT WORKING WITH NON COUNCIL BODIES

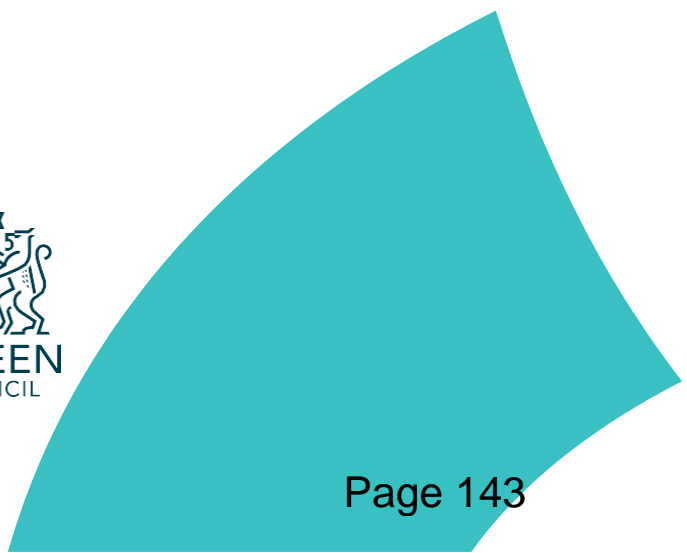
Officers work closely with Internal Auditors, a service contracted from Aberdeenshire Council, and with external providers of assurance such as External Audit, Audit Scotland and external examining bodies. In addition, officers will work with local representative bodies such as the Disability Equity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



APPENDIX E

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Capital Programme Committee Annual Effectiveness Report 2019/2020



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1. INTRODUCTION

- 1.1 I am pleased to present the second annual effectiveness report for the Capital Programme Committee. As members will be aware, as part of their interim assessment of the Council's governance arrangements in 2016, CIPFA recommended that committees review the extent to which they have operated within their Terms of Reference, through an annual report. This has been an aspiration for some time, representing good practice in governance terms and evidencing the Council's progress towards achieving CIPFA accreditation and I'm glad to see the second report for the Capital Programme Committee presented.
- 1.2 This second annual report is a good mechanism for the Committee to support the Council's improvement journey by demonstrating the ways that the Committee supports the principles of the Target Operating Model; contributes to the Local Outcome Improvement Plan, whilst also providing the opportunity to reflect on the business of the Committee over the past year and to look to the Committee's focus for the year ahead.
- 1.3 The Capital Plan is key to the delivery of the strategic development and vision of the City. The Capital Programme demonstrates Aberdeen's desire to create a City that provides quality social housing fit for 21st Century living, road improvements to move traffic more effectively through the City and an Educational provision to inspire our future generations of learners. A belief and ambition for our City by ACC sees a continued investment in the Capital Plan in order not only to deliver the Plan but to attract essential Private Sector investment. The Capital Committee needs to ensure an ongoing overview of the Capital Programme particularly given the uncertainty of the impact Covid -19 will have on costs and timelines.



Councillor Marie Boulton
Convener, Capital Programme Committee

2. THE ROLE OF THE COMMITTEE

- 2.1 The role of the Committee is to monitor the projects within the Capital Programme.
- 2.2 The Terms of Reference for the Capital Programme Committee are appended to this report.

3. MEMBERSHIP OF THE COMMITTEE DURING 2019/2020

- 3.1 The Capital Programme Committee has 9 Elected Members.

Party	Committee political balance (seats)
Independence Alliance Group	1
Aberdeen Labour	2
Liberal Democrats	1
Scottish Conservative and Unionist	2
Scottish National Party	3

4. MEMBERSHIP CHANGES

- 4.1 Councillor Avril McKenzie replaced Councillor Phillip Sellar.
- 4.2 Councillor Stephen Flynn replaced Councillor Jackie Dunbar.
- 4.3 Councillor Audrey Nicoll replaced Councillor Stephen Flynn.

5. MEMBER ATTENDANCE

Member	Total Anticipated Attendances	Total Attendances	Nominated Substitute
Alex Nicoll	5	5	
Alexander McLellan	5	5	
Audrey Nicoll	1	1	
Avril MacKenzie	3	3	
Douglas Lumsden	5	5	
Gordon Graham	5	5	
Ian Yuill	5	4	Martin Greig
Jackie Dunbar	1	0	Stephen Flynn
Jenny Laing	5	2	M. Tauqeer Malik
Marie Boulton	5	5	
Philip Sellar	2	0	Alan Donnelly
Stephen Flynn	2	2	

6. MEETING CONTENT

6.1 During the 2019/2020 reporting period (29 April 2019 to 30 April 2020), the Committee had five meetings and considered a total of 35 reports.

6.2 Terms of Reference

Of the 35 reports received the following table details how the reports aligned to the Terms of Reference for the Committee.

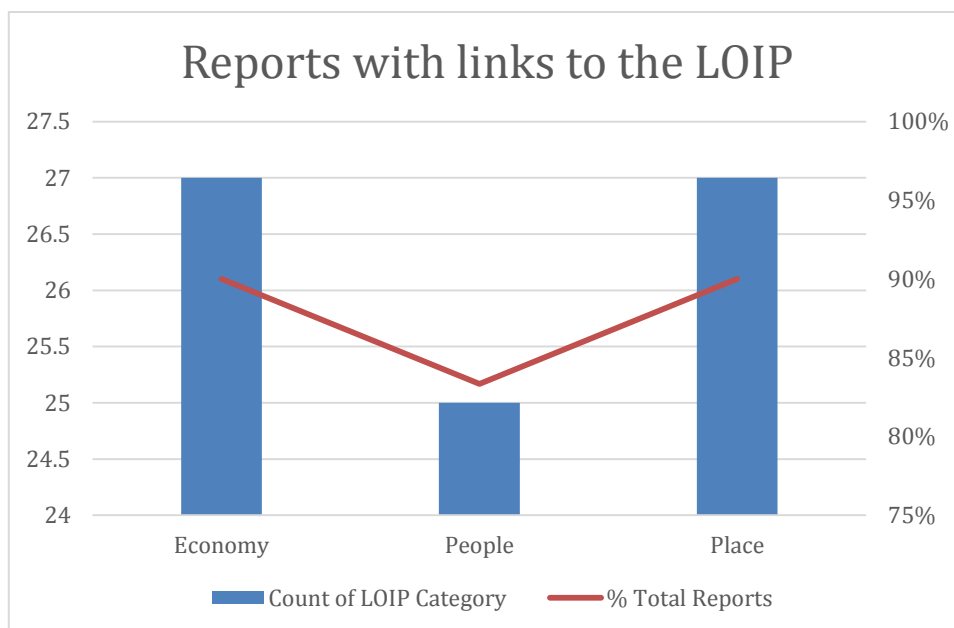
Terms of Reference	Count of Terms of Reference
Remit of Committee 1.1	32
Remit of Committee 1.2	1
General Delegations To Committees 7.4	1
General Delegations To Committees 7.5	1

6.3 The majority of the reports considered related to Remit 1.1 – scrutinise the progress and delivery of capital projects against the approved business cases for supporting new capital investments onto the Capital Programme.

6.4 There has been one report under remit 1.2 this is mainly because nothing was completed within the period requiring a post project evaluation or post occupancy evaluation reports and no reports under remit 1.3 as members did not request any reports on specific projects during the reporting period.

6.5 Local Outcome Improvement Plan

The following table details of the 35 reports how many had a link to the themes of the Local Outcome Improvement Plan.



6.6 Reports and Committee Decisions

The following table details the outcome of the Committee's consideration of the 35 reports presented to it throughout the year.

Terms of reference	Total	% Total Reports
Confidential	0	0%
Exempt	0	0%
Number of reports where the Committee has amended officer recommendations	0	0%
Number and percentage of reports approved unanimously	35	100%
Number of reports or service updates requested by members during the consideration of another report to provide additional assurance and not in forward planner	0	0%
Service update requested	0	0%
Number of decisions delayed for further information	0	0%
Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life	0	0%
Number of late reports received by the Committee (i.e. reports not available for inspection by members of the public at least three clear days before a meeting)	0	0%
Number of referrals to Council, or other Committees in terms of Standing Order 33.1	0	0%

6.7 Notices of Motion, Suspension of Standing Orders, Interface with the Public

Number of notices of motion	0
Number of times Standing Orders were suspended and the specific Standing Orders suspended	0
Standing order number (ref)	-
Number of deputations or other indicators of interface with the public, i.e. engagement and social media.	0
Number of petitions considered	0
Number of Members attending meetings of the committee as observers	7

Number of Meetings held by the Convener with other Conveners, relevant parties, to discuss joint working and key issues being raised at other Committee meetings	Meeting every four weeks with Chief Officer of Capital, Chief Officer Corporate Landlord and Director of Resources. Weekly meetings with Conveners of Strategic Commissioning Committee and City Growth and Resources Committee.
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7. TRAINING REQUIREMENTS

- 7.1 Committee members do not require specific training because there has no significant legislative changes which would warrant further specific training for this committee in recognition of its role and remit
- 7.2 It is the intention that if a change in circumstances should dictate that further training would be beneficial a report will be prepared by the Chief Officer – Capital, outlining the reasoning with recommendations.
- 7.3 Committee Members will then be able to decide if further training should be arranged.

8. CODE OF CONDUCT – DECLARATIONS OF INTEREST

- 8.1 Three declarations of interest were made by Councillor’s during the reporting period. Information in respect of declarations of interest is measured to evidence awareness of the requirements to adhere to the Councillor’s Code of Conduct and the responsibility to ensure fair decision-making.

9. CIVIC ENGAGEMENT

- 9.1 During the course of the year there has been civic engagement in the form of meetings held with community councils/community groups and specific key bodies such as the Aberdeen Disability Equity Partnership.
- 9.2 These meetings are invariably project driven and are used to consult, gather and share information. The meetings also inform the local communities of key stages in the planned delivery of individual projects, which may impact on a project’s local environment.
- 9.3 Looking forward to financial year 2020/2021 it is the intention to continue with this level of commitment to ensure transparency of the various stages of project delivery throughout the committee year.
- 9.4 From a capital project perspective, key civic engagements will be reported throughout the committee cycle to keep Members informed.

10. OFFICER SUPPORT TO THE COMMITTEE

Officer	Total Anticipated Attendances	Total Attendances	Substitute Attendances
Director of Resources	5	4	
Chief Officer - Corporate Landlord	5	5	
Chief Officer - Capital	5	5	
Chief Officer - Finance	5	4	Scott Paterson
Deirdre Nicolson – Legal Adviser	2	2	
Sharon Wares – Legal Adviser	3	3	
Chief Officer - City Growth	1	1	

- 10.1** The Chief Officer – Capital maintains a close collaboration with other Chief Officers to maintain an awareness of any key issues arising through other committees of the Council which could have an impact on the delivery of the Capital Programme.

11. EXECUTIVE LEAD'S COMMENTS

- 11.1** One of the Council's transformation projects is to deliver the CIPFA Mark of Excellence in Good Governance. As part of this project, CIPFA recommended that each committee should annually review its effectiveness, including its information reporting needs. This would help ensure that each committee is following its terms of reference, is operating effectively and to identify any training needs or improvements to the Council's decision-making structures.

- 11.2** The committee would appear to be working effectively noting that:

- Throughout the year there has been more than a doubling of the number of reports submitted to the committee, compared to the previous year;
- No decisions required to be delayed; There were no exempt reports presented to the Committee, however there were elements of specific which had to be exempt This was due to the commercial nature of the referenced capital projects, where the disclosure of some commercial information could impact on the Council's duty to secure best value; All sections of the terms of reference were engaged apart from Term of Reference 1.3; and
- All business was approved/noted unanimously.

- 11.3** Looking forward to the next financial year (2020/2021) it is intended to continue with the current reporting protocol. This entails submitting regular key project reports on a regular basis, throughout a project's full project life cycle process. This will ensure greater

transparency across the remit of the Committee. It also increased understanding of any interdependencies across the wider capital project portfolio.

- 11.4 In addition, project reports presented to the Capital Programme Committee have provided greater clarity and transparency to the challenges faced in meeting key milestones with earlier warning of any financial pressures on any given project. This is especially significant leading on from the impact of the Covid-19 pandemic across the delivery of the full Capital Programme
- 11.5 Within the locality of specific projects, opportunities are being taken when they allow the development and stimulate the interest of local school children. Similar steps are being taken with local community groups in the form of developing career and skills opportunities.
- 11.6 It is important that project post-evaluation reports are prepared to review whether desired outcomes have been achieved but also to inform lessons learned for any similar future projects.

12. NEXT YEAR'S FOCUS

- 12.1 Council on 2 March 2020 approved new Terms of Reference and a further review will be reported to Council in March 2021. Throughout the next reporting year, we will review the Terms of Reference in line with the business submitted to the Committee and reflect on whether any areas require refinement moving forward to ensure the efficient operation of the Committee.
- 12.2 From a governance perspective the Capital Programme Committee will focus on monitoring the progress and delivery of key projects which are aligned to the Local Outcome Improvement Plan (LOIP) and the Local Development Plan (LDP) and any new strategies/plans.
- 12.3 Throughout next year the Council faces difficult budget decisions and it will be critical to the successful delivery of desired outcomes that project delivery is scrutinised and challenged. The progress of projects through their project life cycle will be reported on a regular basis to ensure milestones are being achieved as expected, and project expenditure is within approved budgets.
- 12.4 In recognition of the above a regular review will be carried out across the Capital Programme to ensure project development and project delivery is aligned to both policy and political priorities.

Appendix 1

Capital Programme Committee Terms of Reference Approved by Council on 4 March 2019

PURPOSE OF COMMITTEE

1. To monitor the development and delivery of the Council's capital programme, including:

1.1 those projects flowing from the City Centre Masterplan, the Aberdeen City Region Deal, the Common Good and General Fund Capital Programme and the Housing Revenue Account; and

1.2 those interventions that contribute to the overall place outcomes for the City as a result of investment in infrastructure.

2. To approve and monitor major infrastructure planning in the City.

REMIT OF COMMITTEE

1. The Committee in relation to the capital programme will:-

1.1 scrutinise the progress and delivery of capital projects against the approved business cases for supporting new capital investments onto the Capital Programme;

1.2 review progress in the delivery of the benefits of the Capital Programme, including through the receipt and scrutiny of Post Project Evaluations (PPE's) and Post Occupancy Evaluations (POE's); and

1.3 request a report to allow for the detailed consideration of any project which is of particular concern or interest.

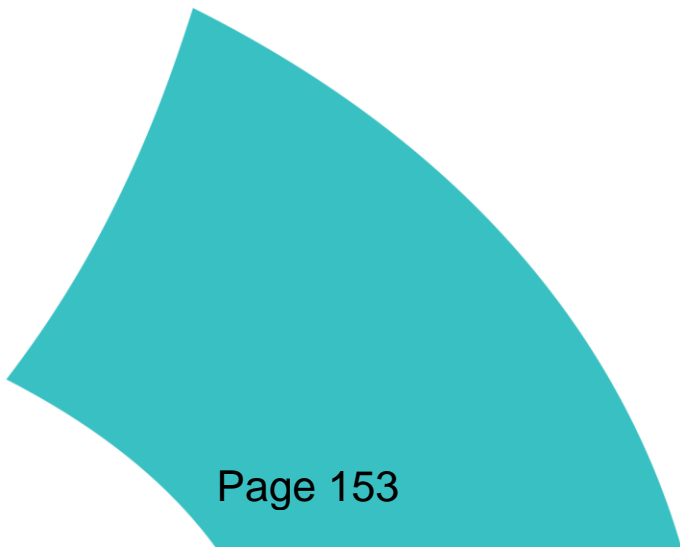
2. The Committee will oversee and approve the preparation of the Local Development Plan, subject to final approval thereon being given by Council.

JOINT WORKING WITH OTHER COMMITTEES

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

1. the Capital Programme Committee and City Growth and Resources Committee will cooperate strategically to promote city growth and place planning and to ensure that resources are allocated to support outcomes.

2. a key relationship will be required with the Planning Development Management Committee in respect of the preparation of the Local Development Plan.



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APPENDIX F

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Planning Development Management Committee Annual Effectiveness Report



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1. INTRODUCTION

- 1.1 I am pleased to present the second annual effectiveness report for the Planning Development Management Committee. As Members will be aware, as part of their interim assessment of the Council's governance arrangements in 2016, CIPFA recommended that Committees review the extent to which they had operated within their Terms of Reference, through an annual report. This had been an aspiration for some time, representing good practice in governance terms. I am delighted that this year, the Council was the first in Scotland to be awarded the CIPFA Mark of Excellence in Governance, and that the annual effectiveness report was highlighted by CIPFA as an example of good governance. The annual effectiveness report also informs the annual review of the Council's Scheme of Governance and enables officers to identify if any changes are required, for example, to the Committee Terms of Reference.
- 1.2 As part of the 2020 review, minimal changes were made to the Planning Development Management Committee Terms of Reference to provide greater clarity and those will be monitored throughout the year and taken into consideration during next year's review and the preparation of the third annual committee effectiveness report.
- 1.3 The annual report is a good mechanism for the Committee to support the Council's improvement journey by demonstrating the ways that the Committee contributes to the Council Delivery Plan and Local Outcome Improvement Plan, whilst also providing the opportunity to reflect on the business of the Committee over the past year and to look to the Committee's focus for the year ahead.
- 1.4 Throughout the year, the Committee has worked to determine all applications for consent or permission except those local applications which fall to be determined by an appointed officer under the adopted Scheme of Delegation or for which a Pre Determination Hearing has been held; visited application sites where agreed; authorised the taking of enforcement action; made Orders and issued notices; approved the development briefs and masterplans; developed and adopted non-statutory development management guidance; conducted Pre Determination Hearings in pursuance of the provisions contained within 38A of the Town and Country Planning (Scotland) Act 1997 and reviewed and approved policies and supplementary guidance relating to its function.



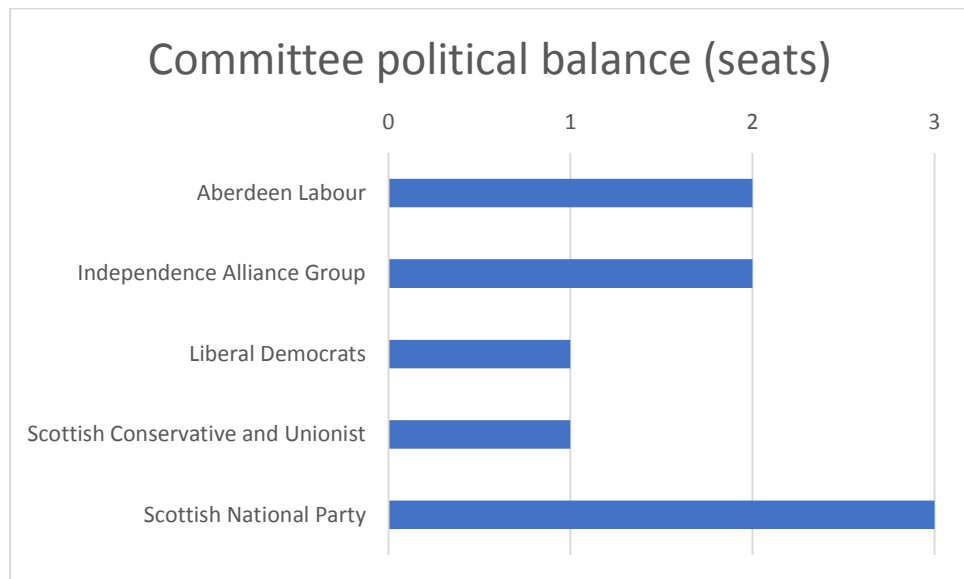
Councillor Marie Boulton
Convener, Planning Development Management Committee

2. THE ROLE OF THE COMMITTEE

- 2.1 The role of the Committee is to ensure the effective undertaking of the Development Management and Building Standards duties of the Council.

3. MEMBERSHIP OF THE COMMITTEE DURING 2019/2020

- 3.1 The Planning Development Management Committee has 9 Elected Members.



4. MEMBERSHIP CHANGES

- 4.1 During the reporting period, the membership of the Committee has remained the same.

5. MEMBER ATTENDANCE

Member	Total Anticipated Attendances	Total Attendances	Nominated Substitute
Bill Cormie	9	8	Dell Henrickson
Jennifer Stewart	9	7	Alan Donnelly
John Cooke	9	8	Dell Henrickson
M. Tauqeer Malik	9	7	Sandra Macdonald
Marie Boulton	9	9	
Martin Greig	9	7	Steve Delaney & Ian Yuill
Avril MacKenzie	9	9	

Neil Copland	9	9	
Yvonne Allan	9	7	Ryan Houghton

6. MEETING CONTENT

6.1 During the 2019/2020 reporting period (30 May 2019 to 19 March 2020), the Committee had 9 meetings and considered a total of 10 non-application reports. There were also 33 specific applications considered. 28 of these applications were approved/refused in line with the officer recommendation and 5 went against the officer recommendation. There were also 5 applications determined after a site visit.

6.2 Terms of Reference

Of the 10 reports received the following table details how the reports aligned to the Terms of Reference for the Committee.

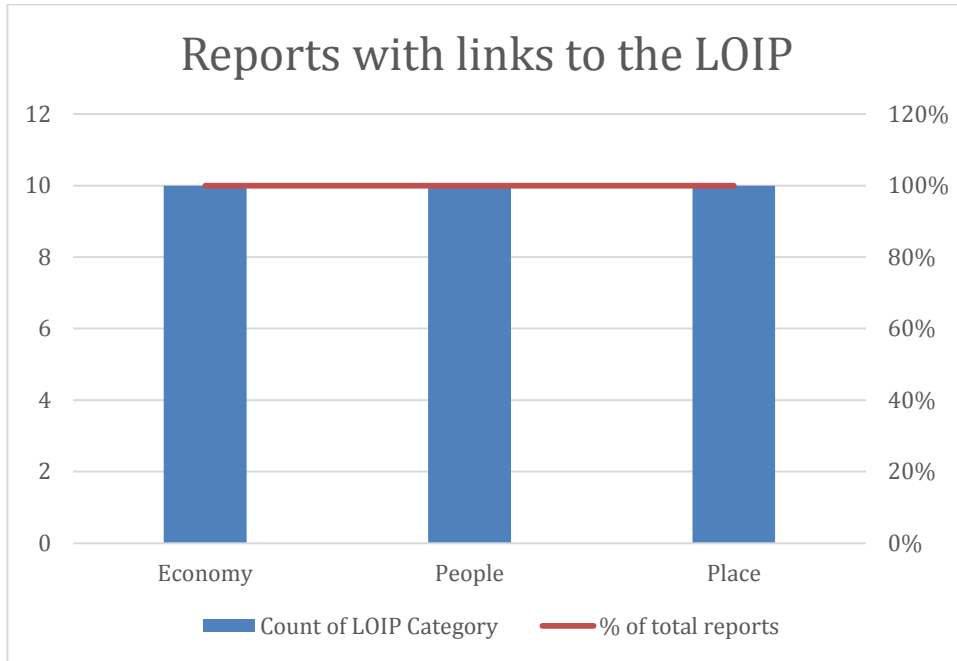
Terms of Reference	Count of Terms of Reference
General Delegations To Committees 7.5	1
Remit of Committee 3	4
Remit of Committee 5	2
Remit of Committee 6	3

6.3 During the course of 2019/2020 the Planning Development Management Committee received reports under Term of Reference 3, 5 and 6 but no reports under Terms of Reference 4 (make Orders and issue Notice) This would indicate that the Committee has discharged its role throughout the course of the reporting period. As stated above there were 33 applications considered and these cover Terms of Reference 1 and 2.

6.4 Most of the reports considered related to Term of Reference 3 (Authorise Enforcement Action).

6.5 Local Outcome Improvement Plan

The following table provides details on the 10 reports and how many had a link to the themes of the Local Outcome Improvement Plan.



6.6 Reports and Committee Decisions

The following table details the outcome of the Committee's consideration of the 10 reports presented to it throughout the year.

	Total	% Total Reports
Confidential	0	0%
Exempt	0	0%
Number of reports where the Committee has amended officer recommendations	0	0%
Number and percentage of reports approved unanimously	10	100%
Number of reports or service updates requested by members during the consideration of another report to provide additional assurance and not in forward planner	0	0%
Service update requested	0	0%
Number of decisions delayed for further information	0	0%
Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life	0	0%
Number of late reports received by the Committee (i.e. reports not available for inspection by members of the public at least three clear days before a meeting)	0	0%

Number of referrals to Council, or other Committees in terms of Standing Order 33.1	0	0%
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6.7 Notices of Motion, Suspension of Standing Orders, Interface with the Public

Number of notices of motion	0
Number of times Standing Orders were suspended and the specific Standing Orders suspended	0
Standing order number (ref)	-N/A
Number of deputations or other indicators of interface with the public, i.e. engagement and social media.	N/A
Number of petitions considered	N/A
Number of Meetings held by the Convener with other Conveners, relevant parties, to discuss joint working and key issues being raised at other Committee meetings	Fortnightly meeting with Chief Officer Strategic Place Planning, fortnightly meeting with Development Management Manager and Policy and Strategy Manager. Weekly meetings with Conveners of Strategic Commissioning Committee and City Growth and Resources Committee.

7. TRAINING REQUIREMENTS

- 7.1 In January 2020, comprehensive Elected Member training in planning decision making (with special attention to the implications of the new Planning (Scotland) Act 2019) was carried out for all members of the Planning Development Management Committee and other interested Members. A separate Members session was also held on the adoption of infrastructure – led by the Roads Development Management Team with input from the Applications Team.

8. CODE OF CONDUCT – DECLARATIONS OF INTEREST

- 8.1 Four declarations of interest were made by Councillors during the reporting period. Information in respect of declarations of interest is measured to evidence awareness of the requirements to adhere to the Councillors’ Code of Conduct and the responsibility to ensure fair decision-making.

9. CIVIC ENGAGEMENT

- 9.1 No civic engagement was undertaken specifically around the activity of the Planning Development Management Committee.

10. OFFICER SUPPORT TO THE COMMITTEE

Officer	Total Anticipated Attendances	Total Attendances	Substitute Attendances
Chief Officer - Strategic Place Planning	9	5	Development Management Manager
Legal	9	9	
Development Management Manager	9	9	

11. EXECUTIVE LEAD’S COMMENTS

- 11.1 In early 2019 the Council initiated an annual review of the Corporate Scheme of Governance including the Scheme of Delegation. Officers in Strategic Place Planning took this opportunity to introduce changes that would be required as a result of the Planning (Scotland) Act 2019. A report to the Council’s City Growth and Resources Committee set out the changes that were introduced by the new Act, and asked for Member approval on a number of discretionary powers.
- 11.2 One of the key elements of this review included amending the Scheme of Governance to allow the Planning Development Management Committee (rather than Full Council) to determine development proposals considered to be significant departures from development plan strategy. This was approved at Full Council in March 2020 and came into effect immediately.
- 11.3 With the onset of the COVID-19 pandemic in the last few months of the Planning Performance Framework (PPF) reporting year, the entire applications team has moved rapidly and effectively to full home working. Planning Development Management Committee and Local Review Body

meetings have been successfully held electronically and broadcast online, as will be reported on further in next year's PPF report. Neighbour notification, newspaper advertising and display of site notices have all continued during lockdown.

12. NEXT YEAR'S FOCUS

- 12.1 The effectiveness of the Committee will continue to be reviewed over the year and planning training will continue to be part of the scheduled elected member development programme.

Appendix 1

Committee Terms of Reference Approved by Council on 4 March 2019

PURPOSE OF COMMITTEE

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

REMIT OF COMMITTEE

The Committee will:

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

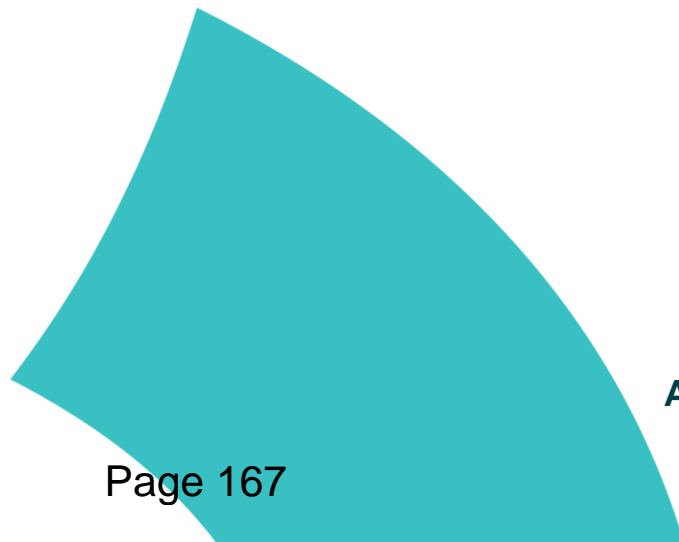
JOINT WORKING WITH OTHER COMMITTEES

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

JOINT WORKING WITH NON COUNCIL BODIES

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

Executive Lead: Chief Officer – Strategic Place Planning



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APPENDIX G

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Pensions Committee Annual Effectiveness Report



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1. INTRODUCTION

- 1.1 I am pleased to present the second annual effectiveness report for the Pensions Committee. As Members will be aware, as part of their interim assessment of the Council's governance arrangements in 2016, CIPFA recommended that Committees review the extent to which they had operated within their Terms of Reference, through an annual report. This had been an aspiration for some time, representing good practice in governance terms. I am delighted that this year, the Council was the first in Scotland to be awarded the CIPFA Mark of Excellence in Governance, and that the annual effectiveness report was highlighted by CIPFA as an example of good governance. The annual effectiveness report also informs the annual review of the Council's Scheme of Governance and enables officers to identify if any changes are required, for example, to the Committee Terms of Reference.
- 1.2 As part of the 2020 review, minor changes were made to the Pensions Committee Terms of Reference to provide greater clarity and those will be monitored throughout the year and taken into consideration during next year's review and the preparation of the third annual committee effectiveness report.
- 1.3 The annual report is a good mechanism for the Committee to support the Council's improvement journey whilst also providing the opportunity to reflect on the business of the Committee over the past year and to look to the Committee's focus for the year ahead.
- 1.4 Throughout the year, the Committee has worked collectively alongside the Pension Board to ensure the governance arrangements for the Pension Fund are robust and continue to deliver a responsible and compliant scheme.



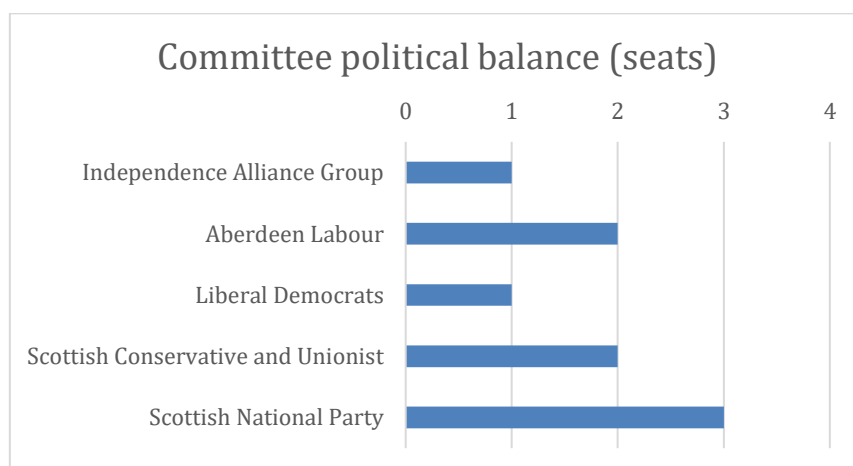
Councillor M. Tauqeer Malik
Convener, Pensions Committee

2. THE ROLE OF THE COMMITTEE

- 2.1 The role of the Committee is to discharge all functions and responsibilities in respect of the Council's role as administering authority for the North East Scotland Pension Funds (NESPF). This includes managing the investment of the NESPF in accordance with the Local Government Pension Scheme (Management and Investment of Funds) (Scotland) Regulations 2010 and other relevant legislation.
- 2.2 The previous Terms of Reference for the Committee as approved by Council in March 2019 are appended to the report.

3. MEMBERSHIP OF THE COMMITTEE DURING 2019/2020

- 3.1 The Pensions Committee has 9 Elected Members and the composition is presented below.



4. MEMBERSHIP CHANGES

- 4.1 Councillors Flynn, Henrickson and Wheeler all joined the Committee during the reporting period. Councillor Flynn then resigned from the Committee during the year following his election as an MP.

5. MEMBER ATTENDANCE

Member	Total Anticipated Attendances	Total Attendances
Councillor Bell	4	4
Councillor Cooke	4	4
Councillor Crockett	4	4
Councillor Delaney	4	4
Councillor Donnelly	3	2
Councillor Flynn	3	2

Councillor Henrickson	1	1
Councillor MacGregor	4	3
Councillor Malik	4	3
Councillor Reynolds	4	3
Councillor Wheeler	1	1

6. MEETING CONTENT

6.1 During the 2019/2020 reporting period (29 April 2019 to 30 April 2020), the Committee had 4 meetings and considered a total of 29 reports.

6.2 Terms of Reference

Of the 29 reports received the following table details how the reports aligned to the Terms of Reference for the Committee.

Terms of Reference	Count of Terms of Reference
Purpose of Committee 1.1	5
Purpose of Committee 1.2	3
Purpose of Committee 1.3	3
Purpose of Committee 1.4	1
Remit of Committee 1.1	4
Remit of Committee 1.2	2
Remit of Committee 1.3	3
Remit of Committee 2.1	3
Remit of Committee 2.2	5
Remit of Committee 3.1	4
Remit of Committee 4.1	9
Remit of Committee 4.2	3
Remit of Committee 5.1	8
Remit of Committee 5.2	1

6.3 During the course of 2019/2020 all sections of the Committee's Terms of Reference were discharged throughout the course of the reporting period. This would indicate that the Committee has discharged its role as determined by Council. As a result, only minor changes were made to the Terms of Reference as part of the March 2020 Scheme of Governance review.

6.4 Most of the reports considered related to Purpose 4.1 – Compliance with Local Government Pension Scheme (Scotland) Regulations and Purpose 5.1 – Monitoring the performance of Fund Managers, which is to be expected given the role of the Committee in relation to the NESPF.

6.5 Local Outcome Improvement Plan

None of the 29 reports had a link to the themes of the Local Outcome Improvement Plan. Due to the nature of the Pensions Committee remit, reports to the Committee link instead to the design principles of the Target Operating Model, such as Governance and are before Members for assurance and monitoring purposes.

6.6 Reports and Committee Decisions

The following table details the outcome of the Committee's consideration of the 29 reports presented to it throughout the year.

	Total	% Total Reports
Confidential	0	0%
Exempt	9	31%
Number of reports where the Committee has amended officer recommendations	0	0%
Number and percentage of reports approved unanimously	29	100%
Number of reports or service updates requested by members during the consideration of another report to provide additional assurance and not in forward planner	0	0%
Service update requested	0	0%
Number of decisions delayed for further information	0	0%
Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life	0	0%
Number of late reports received by the Committee (i.e. reports not available for inspection by members of the public at least three clear days before a meeting)	2	7%
Number of referrals to Council, or other Committees in terms of Standing Order 33.1	0	0%

6.7 Notices of Motion, Suspension of Standing Orders, Interface with the Public

Number of notices of motion	0
Number of times Standing Orders were suspended and the specific Standing Orders suspended	0
Standing order number (ref)	-
Number of deputations or other indicators of interface with the public, i.e. engagement and social media.	0
Number of petitions considered	0
Number of Members attending meetings of the committee as observers	1
Number of Meetings held by the Convener with other Conveners, relevant parties, to discuss joint working and key issues being raised at other Committee meetings	There is less scope for the Pensions Committee to link with other Committees, however the Convener meets with Chief Officers on a monthly basis in respect of any key issues at other Committee meetings.

7. TRAINING REQUIREMENTS

7.1 The NESPF training plan is subject to regular review and an annual training report is presented to the Pensions Committee. A revised Training Policy was approved by the Pensions Committee in June 2019, to incorporate changes requested by internal audit around minimum training requirements.

7.2 The NESPF is committed to supporting members to achieve the level of knowledge and understanding they require by providing the appropriate level of training and assistance; training is provided in line with the NESPF Training Policy and covers the following areas:

- Scheme Governance
- Investment Strategy
- Support Services
- Scheme Documentation

7.3 Members were asked to carry out a personal assessment in late 2019 to assess their overall knowledge and understanding levels based on CIPFA's current Code of Practice and supporting framework. The results of the responses have been evaluated and will be used to direct future training.

7.4 Training Content

The first event of the year was the NESPF Finance Forum on 24 April 2019 (outwith the reporting period) in Aberdeen. There were a number of presentations and panels on the day covering:

- Investment Overview
- Introduction to Environmental Social Governance (ESG): Strategy &

Implementation in Real Estate

- Fund Review
- Brexit and Regulatory Insights
- Actuarial Considerations for 2020

Training on 3 September took place at COSLA's office in Edinburgh and covered the following:

- Valuations/Cost Cap/Section 13
- ESG
- Structure Review
- Annual Report and Accounts
- Pensions Admin
- Cost Transparency
- Investments

Training on 13 September took place in Aberdeen following the Pensions Committee/Board meeting on the same day and covered actuarial valuation calculations and liability assessment.

An LGC Seminar was held on 24 and 25 October in Edinburgh. Topical areas covered during the 2 days of training included:

- Update on the SPLGS structural review consultation
- The infrastructure and housing challenge
- ESG
- How aligned is your scheme's approach to climate change, to your council's policy
- What is keeping the investment managers awake at night?
- Investment Strategy and the challenge of being an overfunded fund
- Investing in renewable energy: the opportunities and pitfalls
- Early reflections on the LGPS and looking to the future

Extended training was held from 7 to 10 January 2020 in the Aberdeen Standard offices down in London covering various topics from the fund managers.

Day 1 sessions covered:

Aberdeen Standard	Property and residential
Hermes	Investment
Aviva	Investment
Invesco	DGF

Day 2 sessions covered:

Blackrock	DGF
	Equities
Baillie Gifford	Global Equities
SSGA	Passive equities and bonds
	Dynamic Strategic Hedge

Day 3 sessions covered:

Insight	Buy and maintain credit
Russell	Multi-asset credit
Aberdeen Standard	Private equity
HarbourVest	Private equity
Unigestion	Private equity

Day 4 sessions covered:

Aberdeen Standard	ESG landscape
HSBC	ESG data quality
Hermes	Engagement
NESPF	ESG Policy

Finally, at the June 2019 meeting the Pensions Committee and Pension Board agreed to undertake the online E-Learning Public Service Toolkit produced by the Pensions Regulator and provide evidence of completion to the Pension Fund's governance manager.

8. CODE OF CONDUCT – DECLARATIONS OF INTEREST

- 8.1 No declarations of interest were made by Councillors during the reporting period. Information in respect of declarations of interest is measured to evidence awareness of the requirements to adhere to the Councillors' Code of Conduct and the responsibility to ensure fair decision-making.

9. OFFICER SUPPORT TO THE COMMITTEE

Officer	Total Anticipated Attendances	Total Attendances	Substitute Attendances
Chief Officer - Finance	4	3	1
Pensions Manager	4	4	
Investment Manager	4	4	

10. EXECUTIVE LEAD'S COMMENTS

- 10.1 In March 2020, Council approved new Terms of Reference and a further review will be undertaken in March 2021. Although very minor tweaks were made to the Pensions Committee Terms of Reference, we will review them over the next year in line with the business submitted to the Committee and reflect on whether any areas require refinement moving forward to ensure the efficient operation of the Committee.
- 10.2 Generally, the Committee considers the same reports at each point in the year in line with its role to monitor the administration of the NESPF. A major piece of work each year is the presentation and approval of the NESPF Annual Report and Accounts, a task made more onerous this year due to the impact of COVID-19. The draft accounts were however presented on time

to the Urgent Business Committee in June 2020 and the final accounts are on track to be presented in September as usual.

- 10.3** Following Committee approval in November 2018 and a thorough procurement process, the new NESPF website has been delivered with updated branding including a new logo and brand guidelines to ensure a consistent and memorable look and feel to all Fund communication materials.
- 10.4** Another major area of work this year has been the merger of the Aberdeen City Council Transport Fund with the Strathclyde No. 3 Fund which was successfully completed in 2019. The move, at the request of First Group was a substantial project that involved close working partnerships to ensure a smooth transition of financial assets and data from Strathclyde to the NESPF, whilst ensuring No. 3 Fund members were fully informed and engaged throughout the process.
- 10.5** The NESPF has continued to make use of technological improvements and systems to push administration and communications online. For the first time, all annual benefit statements for active and deferred members were issued via the self-service portal, My Pension. A record number of retirement cases and system updates were processed this year, with the Funds' data quality improvement plan maintaining the high quality and accuracy of data.

11. NEXT YEAR'S FOCUS

11.1 The following areas will be looked at by the Committee & Board in the next 12 months (subject to review):

- Training Plan
- Risk Management & Risk Register
- Pension Fund Annual Report
- Annual review of scheme policy documents
- Compliance Review
- Internal/External Audit Plan and updates
- Conflicts of Interest declarations
- Breaches of Law
- Pension Service Business Plan

11.2 Work for the NESPF in 2020/21 includes the usual delivery of essential services in addition to a number of already planned projects, such as the triennial valuation; the move to a new office; and the completion of a buy-in process for the Aberdeen City Council Transport Fund.

**Previous Pensions Committee Terms of Reference
Approved by Council on 4 March 2019**

PURPOSE OF COMMITTEE

1. To discharge all the functions and responsibilities relating to the Council's role as administering authority for the North East Scotland Pension Funds (NESPF) including:-
 - 1.1 approving and monitoring the administration of the Local Government Pension Scheme (LGPS) in accordance with the LGPS (Scotland) Regulations 2018 and other relevant legislation;
 - 1.2 managing the investment of the NESPF in accordance with the LGPS (Management and Investment of Funds) (Scotland) Regulations 2010 and other legislation;
 - 1.3 receiving regular training to enable the Committee members to make effective decisions under the LGPS Regulations and other relevant legislation and to make decisions in compliance with the Pensions Regulator's Code of Practice; and
 - 1.4 working alongside the Fund's Local Pension Board, considering any pension compliance matters raised.

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

REMIT OF COMMITTEE

1. Risk Management

The Committee will:

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

2. Internal and External Audit

The Committee will:

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

3. Annual Report and Accounts

The Committee will:

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

4. Legal Obligations

The Committee will ensure:

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

5. Scrutiny

The Committee will:

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

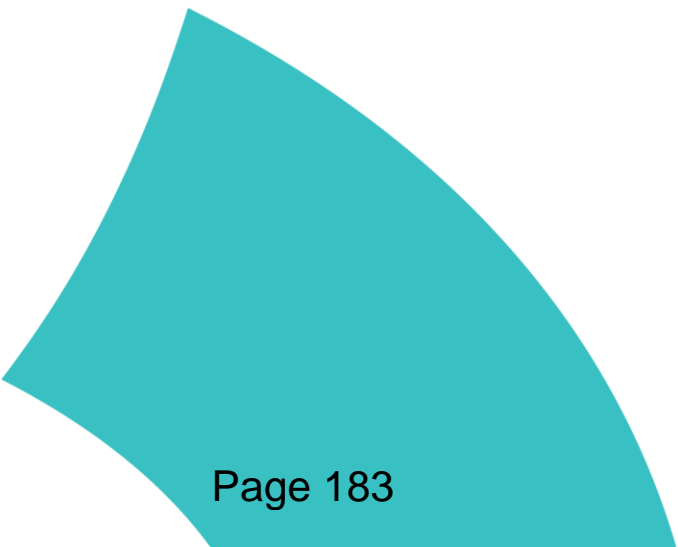
JOINT WORKING WITH OTHER COUNCIL COMMITTEES

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

JOINT WORKING WITH NON COUNCIL BODIES

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

Executive Lead: Chief Officer - Finance



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APPENDIX H

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Staff Governance Committee Annual Effectiveness Report



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1. INTRODUCTION

- 1.1 I am pleased to present the second annual effectiveness report for the Staff Governance Committee. As Members will be aware, as part of their interim assessment of the Council's governance arrangements in 2016, CIPFA recommended that Committees review the extent to which they had operated within their Terms of Reference, through an annual report. This year, the Council was the first in Scotland to be awarded the CIPFA Mark of Excellence in Governance, and the annual effectiveness report was again highlighted by CIPFA as one of the examples of good governance implemented by the Council. The annual effectiveness report also informs the annual review of the Council's Scheme of Governance and enables officers to identify if any changes are required, for example, to the Committee Terms of Reference.
- 1.2 As part of the 2020 review, changes were made to the Staff Governance Committee Terms of Reference to provide greater clarity and those will be monitored throughout the year and taken into consideration during next year's review and the preparation of the third annual committee effectiveness report.
- 1.3 The annual report is a good mechanism for the Committee to support the Council's improvement journey by demonstrating the ways that the business of the Committee contributes to the Local Outcome Improvement Plan. It provides Members with the opportunity to reflect on the business over the past year and to look to the Committee's focus for the year ahead.
- 1.4 As we are all aware this has been a very difficult time for all. The Committee as such has not been meeting since the original lockdown which was put in place for the COVID-19 virus. However this has meant that it has been a very busy time for both staff and the trade unions. They have been working well together to keep each other informed and up to date with the actions the Council has been taking to see us through the situation we find ourselves. I give my sincere thanks to all who have been working so hard to keep our staff and citizens safe at this very trying time.



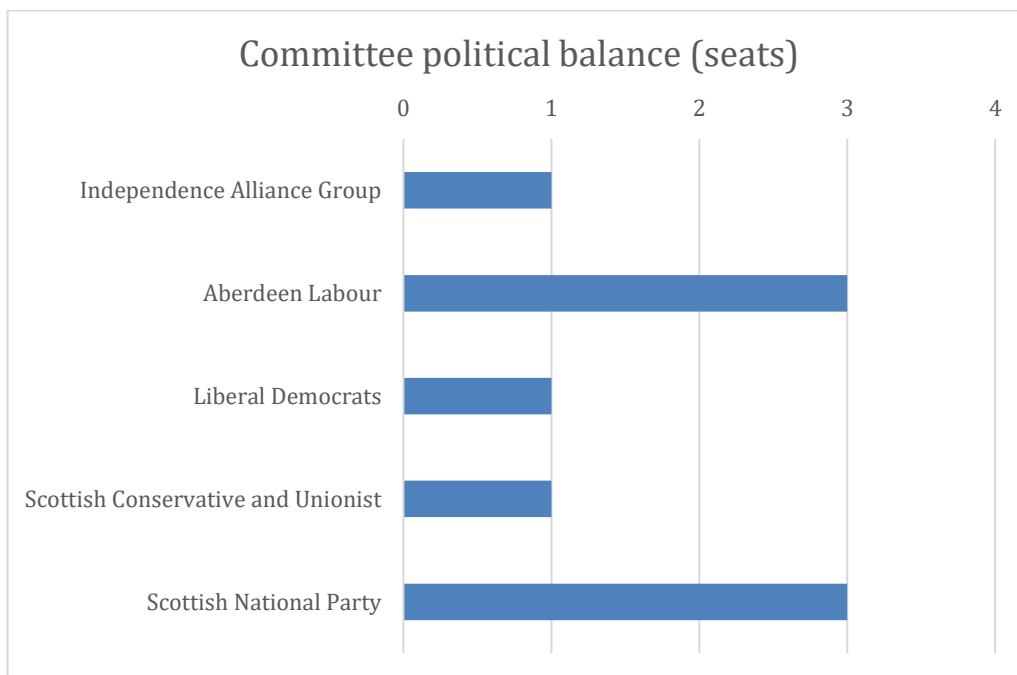
Councillor Yvonne Allan
Convener, Staff Governance Committee

2. THE ROLE OF THE COMMITTEE

- 2.1 The Staff Governance Committee was established to incorporate the roles of the Joint Consultative Committee, the Corporate Health and Safety Committee and the Appeals Committee. The role of the Committee is to build on the cultural aim previously established to secure equal attention on staff; to integrate all matters affecting staff within a single committee; to include local trade union representatives as advisers, with provision for substitutes, to enable joint working; to approve staff policies; and to provide a forum to develop the existing partnership between the Council and all Trade Unions to support the Council becoming an employer of choice.
- 2.2 The previous Terms of Reference for the Committee as approved by Council in March 2019 are appended to the report.

3. MEMBERSHIP OF THE COMMITTEE DURING 2019/2020

- 3.1 The Staff Governance Committee has nine members and the composition is presented below. The Committee also has Trade Union Advisers – two from each recognised Trade Union, who sit on the Committee but are not voting members.



4. MEMBERSHIP CHANGES

- 4.1 There were no changes to the Committee membership throughout the reporting period.

5. MEMBER ATTENDANCE

Member	Total Anticipated Attendances	Total Attendances	Substituted
Councillor Allan	4	4	
Councillor Cameron	4	4	
Councillor Copland	4	4	
Councillor Delaney	4	3	1
Councillor Graham	4	3	1
Councillor Houghton	4	3	1
Councillor Hutchison	4	4	
Councillor Macdonald	4	4	
Councillor Reynolds	4	2	2

6. MEETING CONTENT

6.1 During the 2019/2020 reporting period (29 April 2019 to 30 April 2020), the Committee had 4 meetings and considered a total of 16 reports. The March 2020 meeting of the Committee was cancelled as a result of the COVID-19 pandemic and the decision of Council to cancel all committee meetings until August 2020 with business critical reports being considered by the Urgent Business Committee. As a result, the amendments to the Special Leave Policy and the appointment of members to the Appeals Sub Committee reports were considered at the Urgent Business Committee.

6.2 Terms of Reference

Of the 16 reports received the following table details how the reports aligned to the Terms of Reference for the Committee.

Terms of Reference	Count of Terms of Reference
General Delegations To Committees 7.4	1
General Delegations To Committees 7.5	1
Purpose of Committee 4	3
Purpose of Committee 5	1
Purpose of Committee 8	2
Remit of Committee 1.3	1
Remit of Committee 2.1	3
Remit of Committee 3.1	2
Remit of Committee 4.1	4
Remit of Committee 4.2	4
Remit of Committee 4.3	4
Remit of Committee 4.4	2
Remit of Committee 4.5	3
Remit of Committee 4.6	1

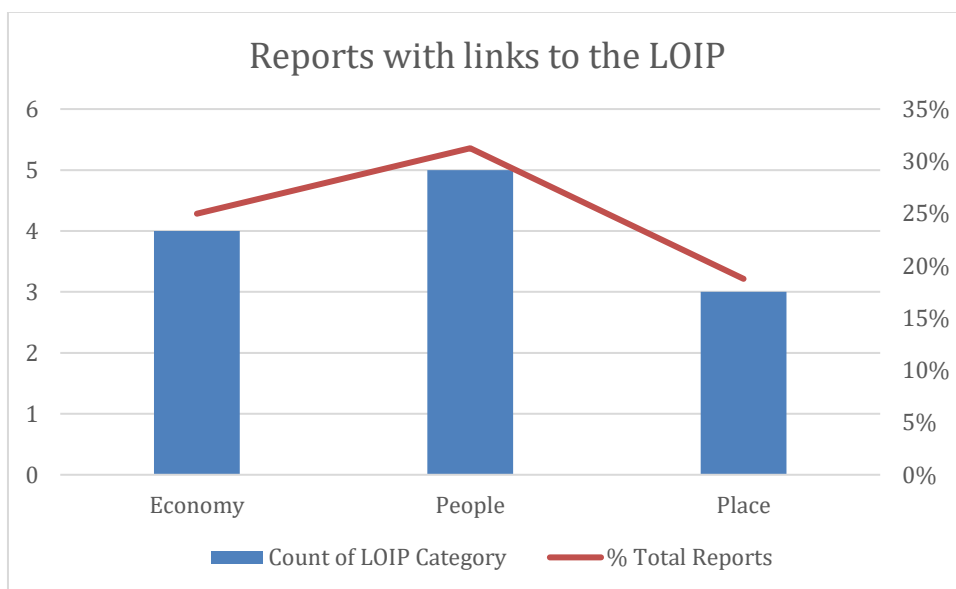
6.3 During the course of 2019/2020 the Staff Governance Committee received reports under the majority of its Terms of Reference. This would indicate that the Committee has discharged its role throughout the course of the reporting period.

6.4 There have been no reports under Remit 1.1 and 1.2 specifically (develop the partnership approach between the Council and Trade Unions / provide a forum, where appropriate, for discussion on and resolution of matters of common interest and/or concern) however the operation of this Committee enables all reports to be considered via a partnership approach and allows for the resolution of matters of common interest through debate and discussion at meetings. Therefore while those Terms of Reference have not specifically been listed on reports, most reports to the Staff Governance Committee could be said to fall into the categories.

6.5 There was also no report under Remit 6.1 as there was no requirement to review the Appeals Sub Committee Procedure during this year.

6.6 Local Outcome Improvement Plan

The following table details of the 16 reports how many had a link to the themes of the Local Outcome Improvement Plan.



6.7 Reports and Committee Decisions

The following table details the outcome of the Committee’s consideration of the 16 reports presented to it throughout the year.

	Total	% Total Reports
Confidential	0	0%
Exempt	0	0%

Number of reports where the Committee has amended officer recommendations	0	0%
Number and percentage of reports approved unanimously	16	100%
Number of reports or service updates requested by members during the consideration of another report to provide additional assurance and not in forward planner	1	6%
Service update requested	1	6%
Number of decisions delayed for further information	0	0%
Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life	0	0%
Number of late reports received by the Committee (i.e. reports not available for inspection by members of the public at least three clear days before a meeting)	0	0%
Number of referrals to Council, or other Committees in terms of Standing Order 33.1	0	0%

6.8 Notices of Motion, Suspension of Standing Orders, Interface with the Public

Number of notices of motion	0
Number of times Standing Orders were suspended and the specific Standing Orders suspended	0
Standing order number (ref)	N/A
Number of deputations or other indicators of interface with the public, i.e. engagement and social media.	0
Number of petitions considered	0
Number of Members attending meetings of the committee as observers	2
Number of Meetings held by the Convener with other Conveners, relevant parties, to discuss joint working and key issues being raised at other Committee meetings	Fortnightly meetings held

7. TRAINING REQUIREMENTS

- 7.1 No training was identified as being required in the 2019/20 reporting period. This will however be monitored throughout 2020/21 and developed if requested by Members and Trade Union Advisers.

8. CODE OF CONDUCT – DECLARATIONS OF INTEREST

- 8.1 No declarations of interest were made by Councillors during the reporting period. Information in respect of declarations of interest is measured to evidence awareness of the requirements to adhere to the Councillors' Code of Conduct and the responsibility to ensure fair decision-making.

9. CIVIC ENGAGEMENT

- 9.1 Due to the nature of the Staff Governance Committee business, there are fewer opportunities for civic engagement, however if appropriate, elements of civic engagement would be introduced.

10. OFFICER SUPPORT TO THE COMMITTEE

Officer	Total Anticipated Attendances	Total Attendances	Substitute Attendances
Director of Resources	4	3	1
Chief Officer – People and Organisational Development	4	4	
Team Leader - Governance	4	4	

11. EXECUTIVE LEAD'S COMMENTS

- 11.1 The Committee continues to work effectively and collaboratively, and I am pleased to note that all business was approved or noted unanimously. This is in line with the aim that there be consensus in relation to the Committee's business, and much effort has been undertaken to ensure that there is proper consultation with Trade Unions and consideration given to their views prior to items being discussed at the Committee.

- 11.2 Although the business of the Committee was somewhat curtailed by the cancellation of meetings due to COVID-19, prior to that Members had received reports on some important areas of Council business including the workforce development plan and capability framework; the revised Performance Review and Development scheme, Continuous Review and Development; and the new initiative in respect of the internal movement and recruitment of staff. Members considered reports on the successful efforts to improve the situation in respect of LGV Driver retention and recruitment, and continue to receive reports on policies which have been reviewed and updated to bring them into line with the Council's Guiding Principles. The Committee also receives regular reports on health and safety statistics to allow Members to discharge their role in relation to keeping under review the measures taken to ensure the health and safety at work of employees.

11.3 In order to maintain transparency and openness, particularly as the Committee business often relates to matters which may be relevant and of interest to employees, there is a focus on ensuring that the number of exempt reports is kept to a minimum and all business this year was considered in public session.

11.4 The Trade Union Advisers were again asked for feedback this year on how they felt the Committee had operated:-

EIS comments - I think the Committee has been run very effectively and chaired very efficiently by Councillor Allan. Very happy with the contribution that the Trade Unions have on the Committee as I think that it is important that they have a voice on the issues that have been raised. I think that this is fairly reflected in how the Convener chairs the Committee meetings. A very positive experience.

12. NEXT YEAR'S FOCUS

12.1 New Terms of Reference for the Staff Governance Committee were approved at Council in March 2020 as part of the annual Scheme of Governance review. There will be a further review of the Scheme in March 2021. Throughout the next reporting year, we will review the Terms of Reference in line with the business submitted to the Committee and reflect on whether any areas require further refinement moving forward to ensure the efficient operation of the Committee.

12.2 Areas of focus from the Business Planner – The Committee will continue to receive any policies which are due for update or which require to be refreshed to bring them into line with the Guiding Principles, including a future report on the revised Corporate Health & Safety Policy.

**Previous Staff Governance Committee Terms of Reference
Approved by Council on 4 March 2019**

PURPOSE OF COMMITTEE

1. To further develop the existing partnership approach between the Council and all trade unions in order to support the Council becoming an employer of choice.
2. To approve and monitor the Framework Agreement for Industrial Relations (“the FAIR agreement”).
3. To act as a consultative body between management, elected members and trade unions, and act as a forum for discussion, on matters affecting conditions of service. This will be one of the ways in which the Council meets consultation requirements.
4. To approve and monitor workforce strategies which ensure the Council has a workforce fit for the capabilities required to be a 21st century council.
5. To approve all staff policies.
6. To provide a channel of communication, co-operation and involvement between the Council and trade union representatives on all relevant health and safety matters.
7. To act as a safety committee within section 2(7) of the Health and Safety at Work etc Act 1974 and to keep under review measures taken to ensure the health and safety at work of employees.
8. To monitor the Council’s compliance with its policies and procedures and ensure that it takes such action to ensure it complies with all health and safety legislation.
9. To take the lead in establishing and promoting a positive culture, ways of working and values for the organisation and its staff which will reflect public expectation about the conduct and behaviour of public officials.

REMIT OF COMMITTEE

1. Partnership approach arrangements

The Committee will:

- 1.1 develop the partnership approach between the Council and trade unions; and
- 1.2 provide a forum, where appropriate, for discussion on and resolution of matters of common interest and/or concern, including but not restricted to:-
 - 1.2.1 conditions of service, or reorganisation/restructure affecting conditions of service (except teachers); and
 - 1.2.2 arrangements for the strategic training and welfare of all staff; and
- 1.3 consider reports by the Chief Officer – Organisational Development on matters following a request by a trade union advisor provided always that the Chief Officer – Organisational Development is satisfied that the matter is appropriate and relevant to the remit of the Committee and that it raises no question of individual employee issues.

2. Workforce Strategies

The Committee will:

- 2.1 determine and monitor the compliance with workforce related strategies which reflect the requirements of a 21st century Council in terms of staff and skills and attributes; and
- 2.2 approve an annual strategic training and development plan for the whole organisation.

3. Council Policies Affecting Staff

The Committee will:

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

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

4. Health, Safety & Wellbeing of Staff

The Committee will:

- 4.1 actively reinforce health, safety and wellbeing roles and responsibilities amongst staff;
- 4.2 receive appropriate levels of assurance to monitor compliance with health and safety legislation;
- 4.3 scrutinise and review health, safety and wellbeing policy, performance, trends and improvements;
- 4.4 approve and keep under review the Corporate Health and Safety Annual Audit Plan;
- 4.5 consider reports on health, safety and wellbeing from all services of the Council to help ensure that services are complying with relevant policies; and
- 4.6 monitor compliance with health and safety recommendations.

5. Establishing and Promoting Values for the Organisation

The Committee will:

- 5.1 approve and promote a Behavioural Framework for the Council.

6. Employment Appeals and Disputes

The Committee will:

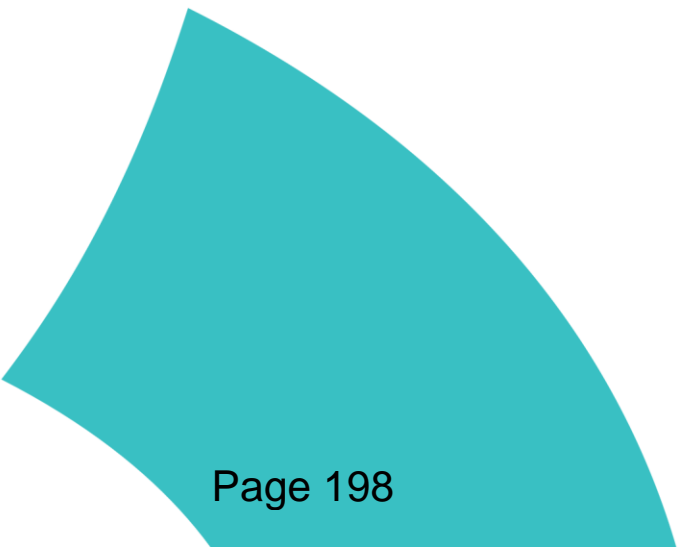
- 6.1 be responsible for approving and keeping under review the procedure for the Appeals Sub Committee.

JOINT WORKING WITH OTHER COMMITTEES OF THE COUNCIL

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together and attending other committees as observers. This will help to ensure that relevant information is shared to aid understanding of workforce performance matters. A key relationship will be required with committees in order to be assured that staff are being properly engaged and consulted with on specific transformation proposals.

JOINT WORKING WITH NON COUNCIL BODIES

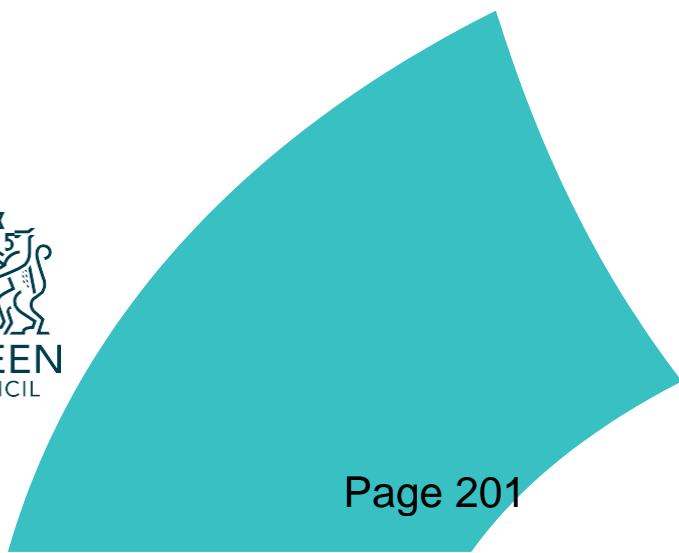
The Committee, through its lead officers, will work jointly with external bodies such as the Health and Safety Executive to ensure that Council benefits from external review and assurance.



APPENDIX I

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Public Protection Committee Annual Effectiveness Report



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9. Civic Engagement
10. Officer support to the Committee
11. Executive Lead's Comments
12. Next year's focus

1. INTRODUCTION

- 1.1 I am pleased to introduce the second annual effectiveness report for the Public Protection Committee.
- 1.2 The Public Protection Committee (PPC) performs an important and significant role in the Council's overall public protection arrangements. It continues to provide local democratic oversight to key areas including child and adult protection, environmental health and resilience. It also discharges the Council's obligations in terms of the Police and Fire Reform (Scotland) Act 2012.
- 1.3 I continue to seek to bring a collaborative approach to the business of the Public Protection Committee not just with elected members, but with the Aberdeen City Council Directors, Chief Officers, all officers and the Council's partners, including the Scottish Fire and Rescue Service and Police Scotland. I truly value our partners' contribution to the Public Protection Committee. I look forward to strengthening our relationships which are essential as the city looks to deliver the aspirations of the most recently refreshed Aberdeen Local Outcome Improvement Plan.
- 1.4 As Convenor I appreciated the support of council officers in delivering the PPC. I extend my personal thanks to the Police and Fire Service for continuing to keep us safe in these extraordinary difficult and uncertain days.
- 1.5 As Convenor I have strived with the cooperation of the committee to keep public safety at the forefront of all we deliver for the city and the safety of the residents of Aberdeen. All fulfilled colligatively.
- 1.6 We have achieved much in our delivery of council and partnership services.
- 1.7 I remain in hope and trust that we continue to fulfil our public service duty, now, in the future and in the face of this unusual norm of living with covid.

My very best and warm regards

Jennifer



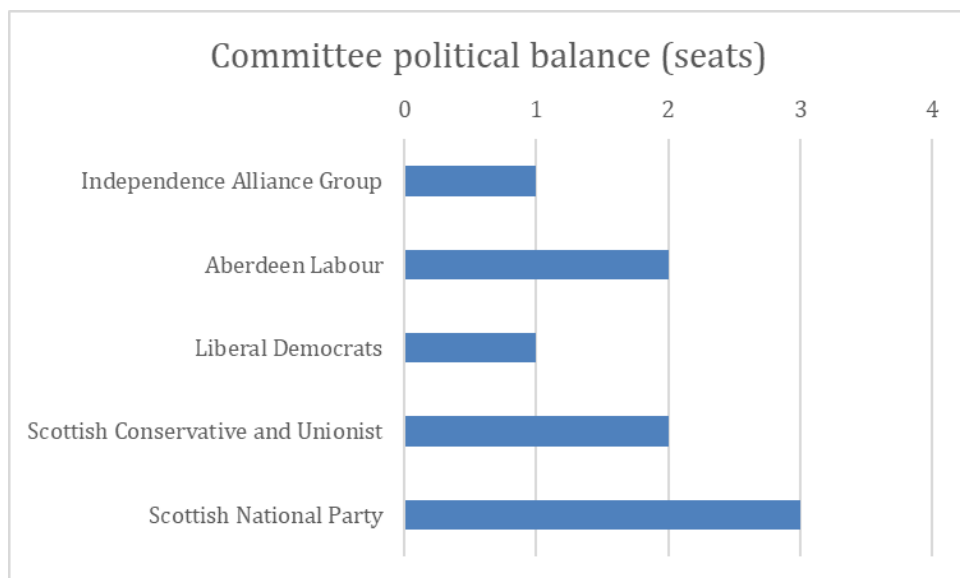
Councillor Jennifer Stewart, Convenor

2. THE ROLE OF THE COMMITTEE

- 2.1** The role of the Committee is to maintain assurance overview of the statutory regulatory duties placed on the Council in certain areas of public protection and on the Scottish Fire and Rescue Service and Police Scotland.
- 2.2** The Committee discharges this function by receiving assurance reports from the respective council services and the Scottish Fire and Rescue Service and Police Scotland.
- 2.3** In March 2020, Council modified the Committee's Terms of Reference to reinforce 'the receiving of assurance' remit. There has been no meeting of the Committee since application of the new Terms of Reference, hence all references in this report relate to the previous Terms.

3. MEMBERSHIP OF THE COMMITTEE DURING 2019/2020

- 3.1** The Public Protection Committee has nine Elected Members.



4. MEMBERSHIP CHANGES

- 4.1** In May 2019, Councillor Al-Samarai replaced Council Alphonse whilst in March 2020 Councillor Allard replaced Councillor Cameron.
- 4.2** The Committee acknowledges the participation of Councillors Alphonse and Cameron and looks forward to working with Councillors Al-Samarai and Allard.

5. MEMBER ATTENDANCE

Member	Total Anticipated Attendances	Total Attendances	Nominated Substitute
David Cameron	5	5	
Alison Alphonse	1	0	Sandy Stuart
Gill Al-Samarai	4	3	Alex Nicoll
Gordon Townson	5	5	
Jennifer Stewart	5	5	
John Wheeler	5	5	
Lesley Dunbar	5	5	
Martin Greig	5	4	Steve Delaney
Ryan Houghton	5	5	
Sarah Duncan	5	4	Ross Grant

6. MEETING CONTENT

6.1 During the 2019/2020 reporting period (29 April 2019 to 30 April 2020), the Committee had 5 meetings and considered a total of 29 reports.

6.2 Terms of Reference

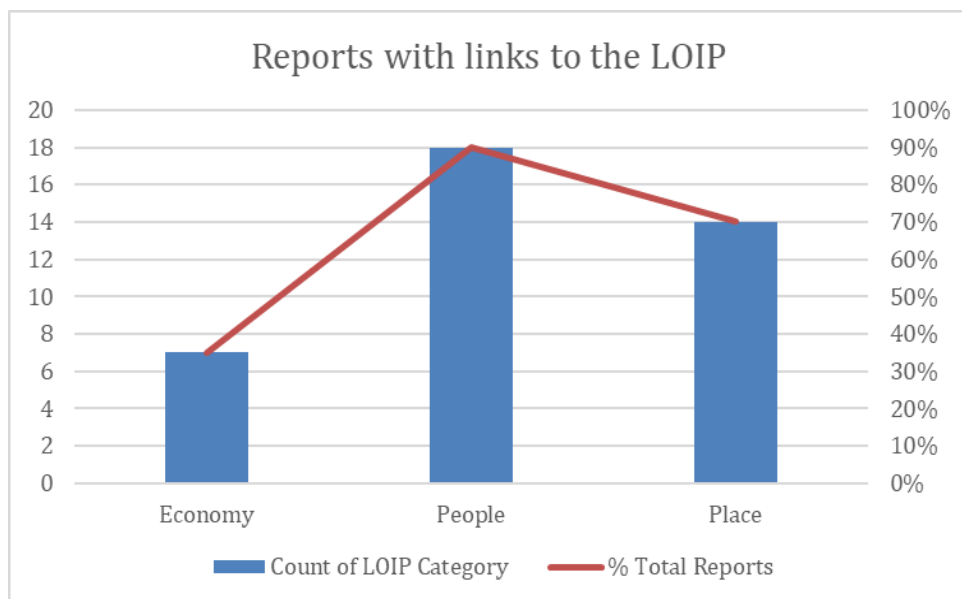
Of the 29 reports received the following table details how the reports aligned to the Terms of Reference for the Committee.

Terms of Reference	Count of Terms of Reference
Purpose of Committee 1.1	1
Purpose of Committee 1.2	2
Purpose of Committee 1.3	1
Remit of Committee 1.1.1	2
Remit of Committee 1.1.2	1
Remit of Committee 1.2	2
Remit of Committee 1.3	1
Remit of Committee 1.5	1
Remit of Committee 2.1	1
Remit of Committee 3.3	1
Remit of Committee 4.1	1
Remit of Committee 4.2	1
Remit of Committee 4.3	1
Remit of Committee 5.1	1
Remit of Committee 5.6	2
Remit of Committee 5.7	1

- 6.3 During the course of 2019/2020 the Public Protection Committee received reports under 17 of its Terms of Reference. This would indicate that the Committee has discharged its role throughout the course of the reporting period and received a broad range of assurance and explanation.
- 6.4 Most of the reports considered related to provision of assurance or service delivery which enhanced the Committee's understanding of methods used to achieve assurance and effectiveness.
- 6.5 The majority of the 31 sections of the Committee's Terms of Reference were discharged throughout the course of the reporting period. This would indicate that the Committee has discharged its role as determined by Council.
- 6.6 There have been no areas where reports were not received.
- 6.7 The majority of reports have fallen under Child and Adult Protection.

6.8 Local Outcome Improvement Plan

The following table details how the reports had a link to the themes of the Local Outcome Improvement Plan. A report may cover cross over themes.



6.9 Reports and Committee Decisions

The following table details the outcome of the Committee's consideration of the 29 reports presented to it throughout the year.

	Total	% Total Reports
Confidential	0	0%
Exempt	0	0%
Number of reports where the Committee has amended officer recommendations	10	50%
Number and percentage of reports approved unanimously	29	100%
Number of reports or service updates requested by members during the consideration of another report to provide additional assurance and not in forward planner	6	30%
Service update requested	3	15%
Number of decisions delayed for further information	0	0%
Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life	0	0%
Number of late reports received by the Committee (i.e. reports not available for inspection by members of the public at least three clear days before a meeting)	0	0%
Number of referrals to Council, or other Committees in terms of Standing Order 33.1	0	0%

6.10 Notices of Motion, Suspension of Standing Orders, Interface with the Public

Number of notices of motion	0
Number of times Standing Orders were suspended and the specific Standing Orders suspended	0
Standing order number (ref)	-
Number of deputations or other indicators of interface with the public, i.e. engagement and social media.	0
Number of petitions considered	0
Number of Members attending meetings of the committee as observers	0
Number of Meetings held by the Convener with other Conveners, relevant parties, to discuss joint working and key issues being raised at other Committee meetings	0

7. TRAINING REQUIREMENTS

7.1 No Public Protection Committee specific training was required however other relevant training available to members of the committee during the year included training on the Councillors' Code of Conduct, Effective Decision Making, and 'paper-light' meetings. These training opportunities were designed help members carry out their roles at committee meetings.

8. CODE OF CONDUCT – DECLARATIONS OF INTEREST

8.1 No declaration of interest was made by a Councillor during the reporting period. Information in respect of declarations of interest is measured to evidence awareness of the requirements to adhere to the Councillors' Code of Conduct and the responsibility to ensure fair decision-making.

9. CIVIC ENGAGEMENT

9.1 No civic engagement was undertaken specifically around the activity of the Public Protection Committee.

10. OFFICER SUPPORT TO THE COMMITTEE

Officer	Total Anticipated Attendances	Total Attendances	Substitute Attendances
Chief Officer - Governance	4	4	
Team Leader - Governance	1	1	
Chief Officer - Integrated Children's & Family Services	5	4	1
Chief Education Officer	1	1	

11. EXECUTIVE LEAD'S COMMENTS

- 1.1** As part of the Council's aspiration to deliver the CIPFA Governance Mark of Excellence, the Council introduced a system of annual reports for each committee. The first reports were published for the 2018/2019 term and help to provide assurance to Full Council and relevant third parties on the effectiveness of the Council's political governance arrangements. The system of annual reporting also helps to inform the Council's Annual Governance Statement (which forms part of the Council's Annual Accounts) and annual reviews of the Council's Scheme of Governance.
- 1.2** During 2019/2020, the Council achieved the CIPFA Governance Mark of Excellence. It was the first authority in Scotland to achieve this award. External Audit commented that the Council exhibits strong and effective governance. It noted that members robustly challenged and scrutinised management with a clear focus on governance and the communities and citizens members represent.
- 1.3** It should be noted that whilst 50% of reports submitted to the Committee had modifications to the recommendations, these were to additionally record Member's appreciation of the successful delivery of the topic, or to reinforce assurance.

12 NEXT YEAR'S FOCUS

- 12.1** In March 2020, Council approved new Terms of Reference and a further review will be reported to Council in March 2021. Throughout the next reporting year, we will review the Terms of Reference in line with the business submitted to the Committee and reflect on whether any areas require refinement moving forward to ensure the efficient operation of the Committee.
- 12.2** The impact of the Covid-19 pandemic has had an impact on the Council's governance arrangements and control environment. This includes delays to planned audit activity and inspections due to be carried out by regulatory bodies over services that this committee oversees. To manage the impact on the control environment, arrangements were put in place to ensure that the Council was able to effectively manage the new risks to the organisation brought about by the pandemic as well as pre-existing risks. The re-introduction of the Public Protection committee meetings from October will also help to facilitate scrutiny of those service areas which report to the committee.
- 12.3** The pandemic has significantly affected the committee's business planner. During the course of 2020/21, meetings of the Public Protection Committee were cancelled in order to prioritise the response to the pandemic. During the remainder of 2020/21, the committee's business planner will be reset to reflect the impact of Covid-19. This will include new reporting on the impact of the pandemic on those service areas covered by the remit of this committee, including civil contingencies and environmental health. This will provide the committee with an opportunity to receive updates on the Council's response to the pandemic to protect the public of Aberdeen and to monitor the impact of actions taken.

Public Protection Committee Terms of Reference Approved by Council on March 2020

PURPOSE OF COMMITTEE

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

- Child Protection;
- Adult Protection;
- Consumer Protection and Environmental Health;
- Civil Contingency responsibilities for local resilience and prevention; and
- Building control.

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

REMIT OF COMMITTEE

1. Child and Adult Protection

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

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

The Committee will also:

- 1.4 receive assurance on the outcome of Council's duty to deliver an effective justice service as determined by statutory inspections;
- 1.5 receive assurance on the Council's compliance with statutory duties in respect of child poverty; and
- 1.6 consider the Chief Social Work Officer's Annual Report

2. Local Resilience

The Committee will:

- 2.1 monitor compliance with the Council's duties relating to resilience and local emergencies; this includes reviewing staffing arrangements and systems for incident management
- 2.2 monitor compliance with the Council's duties relating to the provision of a city mortuary, and its adequacy for supporting the needs of mass fatalities;
- 2.3 receive assurance that services are maintaining and reviewing Business Continuity Plans in accordance with the priorities allocated to them;
- 2.4 receive relevant local, regional and national lessons learnt reports and recommendations in respect of emergency planning matters and monitor their implementation; and
- 2.5 monitor the Council's response to the National CONTEST strategy and associated plans relating to Counter Terrorism.

3. Protective Services

The Committee will:

- 3.1 receive assurance in respect of the Council's performance in relation to Trading Standards, Environmental Health (including the Public Mortuary) and Scientific Services;
- 3.2 receive external inspection and audit reports relating to the above services listed at 3.1; and
- 3.3 receive a summary of findings from statutory sampling and analysis work carried out by or on behalf of the Environmental Health and Trading Standards services to ensure compliance with required standards.

4. Building Control

The Committee will consider reports on:

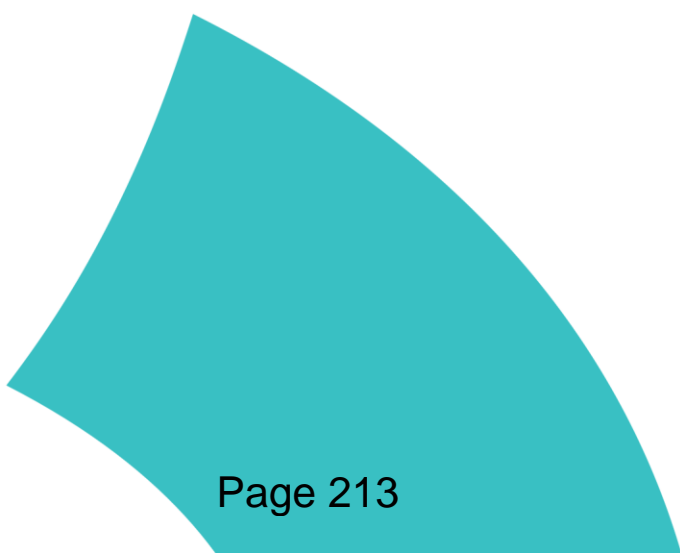
- 4.1 major incidents and fatal accident inquiries and any resulting impact and responsibilities placed on the Council;

- 4.2 activity by Building Standards in relation to public safety and dangerous buildings; and
 - 4.3 activity by Building Standards in relation to public safety for unauthorised building work and the unauthorised occupation of buildings.
5. Police and Fire and Rescue Service

In respect of the Council's responsibilities under the Fire (Scotland) Act 2005 and the Police and Fire Reform (Scotland) Act 2012 in relation to the Scottish Police Authority, the Police Service of Scotland and the Scottish Fire and Rescue Service, the Committee will:

- 5.1 contribute to and comment on the Strategic Police Plan and the Scottish Fire and Rescue Service Strategic Plan when consulted by the relevant national authority;
- 5.2 respond to consultation by the Chief Constable on the designation of a local commander and by the Scottish Fire and Rescue Service on the designation of a local senior officer;
- 5.3 be involved in the setting of priorities and objectives both for the policing of Aberdeen and for the Scottish Fire and Rescue Service in the undertaking of its functions in Aberdeen;
- 5.4 specify policing measures the Council wishes the local commander to include in a Local Police Plan;
- 5.5 approve a Local Police Plan submitted by the local commander and to approve a Local Fire and Rescue Plan (including a revised plan) submitted by the Scottish Fire and Rescue Service;
- 5.6 receive reports on service provision and delivery in Aberdeen and provide feedback to the local commander and the local senior officer;
- 5.7 consider reports, statistical information and other information about the policing of Aberdeen and the undertaking of the Fire and Rescue function in Aberdeen provided in response to the Council's reasonable requests;
- 5.8 agree, with the local commander, modifications to an approved Local Police Plan at any time; and
- 5.9 liaise with the local commander and local senior officer with regard to the undertaking by them of the community planning duties of the Chief Constable and the Scottish Fire and Rescue Service.

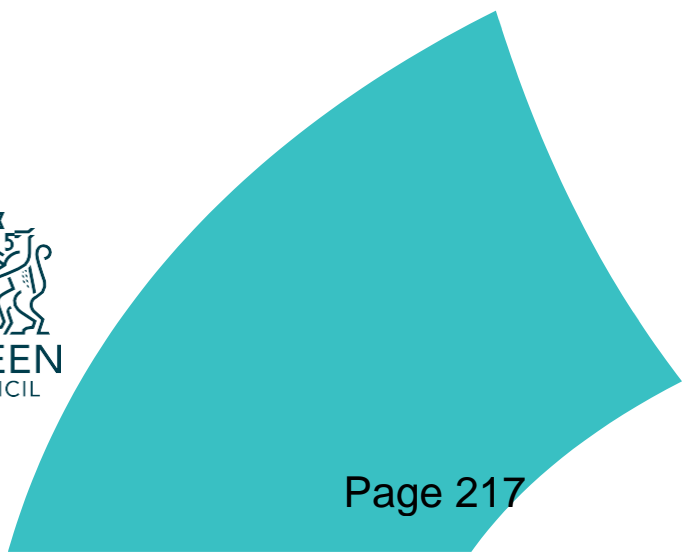
Executive Lead: Chief Officer - Governance



APPENDIX J

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Audit, Risk and Scrutiny Committee Annual Effectiveness Report, 1 April 2019 to 30 April 2020



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1 INTRODUCTION

- 1.1 I would like to thank members of the committee and staff who have helped to support the committee. I believe the committee has continued to take a constructive and collegiate approach to the way it conducts the business and look forward to building on that through the course of 2020-2021.
- 1.2 I would also like to take this opportunity to thank former Chief Internal Auditor David Hughes and former Convener Stephen Flynn for their service to the committee.



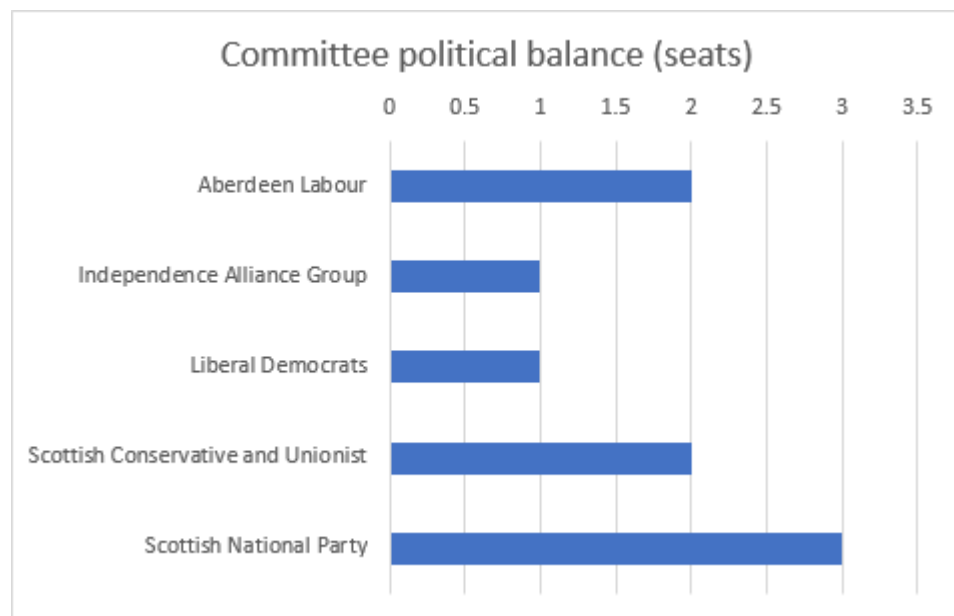
Councillor Ian Yuill
Vice Convener, Audit, Risk and Scrutiny Committee

2 THE ROLE OF THE COMMITTEE

- 2.1 The role of the Audit, Risk and Scrutiny Committee is to provide assurance to the Council that it has in place robust arrangements in place for good governance, maintaining an effective control environment and financial and performance reporting. It monitors compliance with these arrangements through, for example, the receipt of reports from internal and external auditors. It completes the process by ensuring that recommendations flowing from internal and external audits are implemented where appropriate.
- 2.2 The Terms of Reference for the Committee as approved by Council on 4 March 2019 that applied to the committee's business during 2019/2020 are appended to the report.

3 MEMBERSHIP OF THE COMMITTEE DURING 2019/2020

- 3.1 **The Audit, Risk and Scrutiny Committee has 9 Elected Members.**



4 MEMBERSHIP CHANGES

- 4.1 Councillor Flynn was the Convener of the Committee until he was appointed as an MP for Aberdeen South in December 2019.
- 4.2 Councillor Allard was replaced on the Committee by Councillor Jackie Dunbar in June 2019.
- 4.3 Councillor Townson was replaced by Councillor Mennie in December 2019.
- 4.4 Councillor Flynn was replaced by Councillor Alex Nicoll in February 2020.

5 MEMBER ATTENDANCE

Member	Total Anticipated Attendances	Total Attendances	Nominated Substitute
Stephen Flynn	4	4	
Ian Yuill	5	5	
Christian Allard	1	1	
Jackie Dunbar	4	3	Neil Copland
Sarah Duncan	5	4	Yvonne Allan
Gordon Graham	5	3	Yvonne Allan, Alan Donnelly
Douglas Lumsden	5	4	Philip Bell
Avril MacKenzie	5	4	Ryan Houghton
Jessica Mennie	2	2	
John Reynolds	5	2	John Wheeler (2), Ryan Houghton
Gordon Townson	3	3	
Alex Nicoll	1	1	

6 MEETING CONTENT

6.1 During the 2019/2020 reporting period (29 April 2019 to 30 April 2020), the Committee had 5 meetings and considered a total of 58 reports.

6.2 Terms of Reference

Of the 58 reports received the following table details how the reports aligned to the Terms of Reference for the Committee.

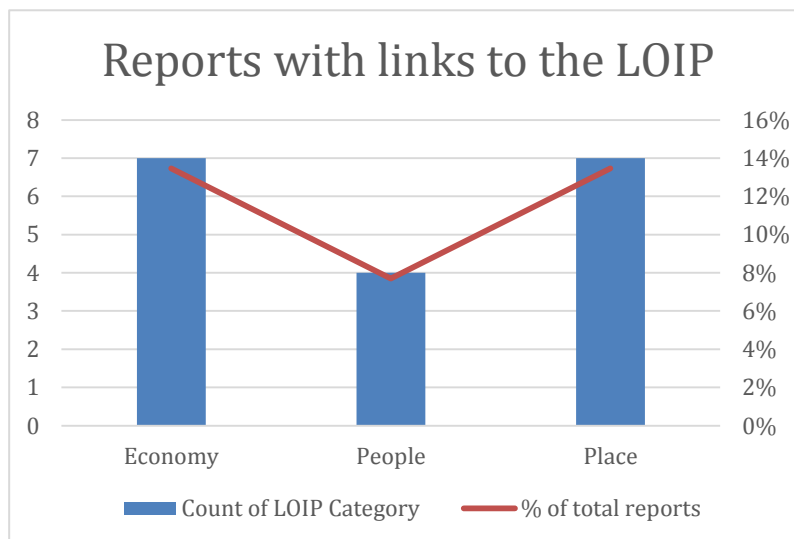
Terms of Reference	Count of Terms of Reference
General Delegations to Committees 7.5	1
Purpose of Committee 1.1	1
Purpose of Committee 1.2	1
Remit of Committee 1.1	2
Remit of Committee 1.2	2
Remit of Committee 1.3	3
Remit of Committee 1.4	1
Remit of Committee 1.5	1
Remit of Committee 2.1	1
Remit of Committee 2.2	25
Remit of Committee 2.3	8
Remit of Committee 2.4	7
Remit of Committee 3.1	3
Remit of Committee 3.3	1

Remit of Committee 4.1	2
Remit of Committee 4.2	1
Remit of Committee 5.2	5
Remit of Committee 6.4	1
Remit of Committee 6.9	4

- 6.3 Most of the reports considered related to remit 2.2, consider reports issued by the Internal Auditor.
- 6.4 The majority of the sections of the Committee’s Terms of Reference were discharged throughout the course of the reporting period. This would indicate that the Committee has discharged its role as determined by Council.
- 6.5 In relation to Terms of Reference 3.2, 3.4, 6.5 and 6.7 whilst these weren't explicitly listed in the reports, the subject matter related to them but it was felt that the specific Term of Reference used on the reports was the most appropriate.
- 6.6 There have been no reports under remits 5.1, 6.1,6.2, 6.3, 6.6 and 6,8 as there was no cause to report on these.

6.7 Local Outcome Improvement Plan (LOIP)

The following table details of the 58 reports how many had a link to the themes of the Local Outcome Improvement Plan.



6.8 Reports and Committee Decisions

The following table details the outcome of the Committee’s consideration of the 58 reports presented to it throughout the year.

Terms of Reference	Total	% Total Reports
Confidential	1	2%
Exempt	1	2%

Number of reports where the Committee has amended officer recommendations	0	0%
Number and percentage of reports approved unanimously	58	100%
Number of reports or service updates requested by members during the consideration of another report to provide additional assurance and not in forward planner	1	2%
Service update requested	0	0%
Number of decisions delayed for further information	0	0%
Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life	0	0%
Number of late reports received by the Committee (i.e. reports not available for inspection by members of the public at least three clear days before a meeting)	0	0%
Number of referrals to Council, or other Committees in terms of Standing Order 33.1	0	0%

6.9 Notices of Motion, Suspension of Standing Orders, Interface with the Public

Number of notices of motion	0
Number of times Standing Orders were suspended and the specific Standing Orders suspended	0
Standing order number (ref)	0
Number of deputations or other indicators of interface with the public, i.e. engagement and social media.	0
Number of petitions considered	0
Number of Members attending meetings of the committee as observers	12
Number of Meetings held by the Convener with other Conveners, relevant parties, to discuss joint working and key issues being raised at other Committee meetings	0

7 TRAINING REQUIREMENTS

7.1 During 2019/2020 the Audit, Risk and Scrutiny Committee received a training

session presented by the Chief Officer – Governance, Assurance Manager and the Corporate Risk Lead. The training incorporated the assurance cycle, risk management, the ‘three lines of defence’ model and questioning techniques. There was also discussion on the proposed approach to developing a risk appetite for the Council.

- 7.2 Other relevant training available to members of the committee during the year included training on the Councillors’ Code of Conduct, Effective Decision Making, ‘paper-light’ meetings. These training opportunities were designed to help members carry out their roles at committee meetings.

8 CODE OF CONDUCT – DECLARATIONS OF INTEREST

- 8.1 Three declarations of interest were made by Councillor’s during the reporting period. Information in respect of declarations of interest is measured to evidence awareness of the requirements to adhere to the Councillors’ Code of Conduct and the responsibility to ensure fair decision-making.

9 CIVIC ENGAGEMENT

- 9.1 The committee’s focus, by its very nature, has largely been on compliance with the Council’s governance framework. It’s focus is on the risks to the institution rather than focus on the risks to the place of Aberdeen. Nonetheless, it has worked in partnership with outside bodies such as the Council’s Arm’s Length External Organisations (ALEOs) through the ALEO Assurance Hub and external audit.

10 OFFICER SUPPORT TO THE COMMITTEE

Officer	Total Anticipated Attendances	Total Attendances	Substitute Attendances
Chief Officer - Governance	5	5	
Director of Resources	5	5	
Chief Internal Auditor	5	4	1
External Auditor	5	4	

11 EXECUTIVE LEAD’S COMMENTS

- 11.1 At the heart of the Council’s success is the maintenance of robust governance and an effective control environment. A key responsibility of the Audit, Risk and Scrutiny committee is to ensure that the organisation’s governance arrangements remain effective and adhered to.
- 11.2 As part of the Council’s aspiration to deliver the CIPFA Governance Mark of Excellence, the Council introduced a system of annual reports for each committee. The first reports were published for the 2018/2019 term and help to provide assurance to Full Council and relevant third parties on the effectiveness of the Council’s political governance arrangements. The system of annual reporting also helps to inform the Council’s Annual Governance Statement (which forms part of the Council’s Annual Accounts) and annual reviews of the Council’s Scheme of Governance.

- 11.3 During 2019/2020, the Council achieved the CIPFA Governance Mark of Excellence. It was the first authority in Scotland to achieve this award. External Audit commented that the Council exhibits strong and effective governance. It noted that members robustly challenged and scrutinised management with a clear focus on governance and the communities and citizens members represent.
- 11.4 The committee appears to be working well, noting that:
- no decisions required to be delayed;
 - all reports were approved unanimously; and
 - the vast majority of reports were considered in public with only two not considered in public (same position as 2018/2019).
- 11.5 The total number of recommendations made by the Council's internal audit team rose as follows:
- 2016-17: 340;
 - 2017-18: 274;
 - 2018-19: 159; and
 - 2019-20: 218.
- 11.6 The total number of outstanding recommendations increased slightly as follows:
- Feb 2018: 45
 - March 2019: 17
 - March 2020: 67
- 11.7 With an increased number of internal audit recommendations, it may have been expected that the number of outstanding recommendations would increase likewise. It is also likely that the impact of the emerging pandemic during March 2020 will have had an impact on the completion of internal audit recommendations. Nonetheless, it is important to ensure that where recommendations have been approved by management, that they are addressed on time. During the early part of 2020, the Extended Corporate Management Team began to monitor the outstanding recommendations monthly and this should facilitate further accountability.

12 NEXT YEAR'S FOCUS

- 12.1 The impact of the Covid-19 pandemic has had an impact on the Council's governance arrangements and control environment. This includes delays to planned audit activity and inspections that were due to be carried out by the relevant regulatory bodies. Arrangements were put in place to ensure that the Council was able to manage effectively new risks to the organisation brought about by the pandemic as well as pre-existing risks. The re-introduction of the Audit, Risk and Scrutiny committee meetings from October will help to facilitate the necessary scrutiny of the Council's governance arrangements and associated control environment.
- 12.2 The pandemic has significantly affected the committee's business planner. During the course of 2020/21, meetings of the Audit, Risk and Scrutiny

Committee were cancelled in order to prioritise the response to the pandemic. Reports due to go to the committee were deferred or reported to the Urgent Business Committee (UBC). The UBC, for example, considered the annual accounts and external audit's annual report. The Urgent Business Committee also agreed to make changes to the Internal Audit Plan for 2020/21 in May to reflect the significant changes to the Council's risk profile. These changes enabled Internal Audit to maintain a risk-based approach to its work.

- 12.3** During 2020/21, the committee's business planner will be reset to reflect in the impact of Covid-19. This will account for an anticipated increase in the number of internal audit reports that are delayed. It is also anticipated that there will be an increase in the number of outstanding audit recommendations. This reflects the fact that the Council's resources are being prioritised to address higher risks created by the pandemic compared to some lower risks associated with Internal Audit's recommendations. Nonetheless, the coordinated attempt will be taken by the Extended Corporate Management Team to drive accountability and performance so far as possible.

Appendix 1

Audit Risk and Scrutiny Committee Terms of Reference Approved by Council on 4 March 2019

PURPOSE OF COMMITTEE

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

REMIT OF COMMITTEE

1. **Risk Management**
The Committee will ensure the effectiveness of the Council's risk management system and will:
 - 1.1 receive an annual review of the system of risk management and an annual report on the corporate risk register and related action plans;
 - 1.2 receive reports from the ALEO Assurance Hub on the monitoring and mitigation of risks to the Council associated with its ALEOs;
 - 1.3 receive reports from providers of independent assurance;
 - 1.4 receive reports to provide assurance on the Council's information governance; and
 - 1.5 approve all relevant policies.
2. **Internal Audit**
The Committee will:
 - 2.1 contribute to and approve the Internal Audit Annual Plan;
 - 2.2 consider reports issued by Internal Audit;
 - 2.3 monitor compliance with Internal Audit recommendations; and
 - 2.4 ensure that there is an adequately resourced Internal Audit service and monitor its performance.
3. **External Audit**
The Committee will:
 - 3.1 consider reports prepared by the Council's External Auditor;
 - 3.2 monitor the Council's relationship with the External Auditor;
 - 3.3 receive reports from the Local Area Network; and
 - 3.4 monitor compliance with External Audit recommendations.
4. **Annual Reports and Accounts**
The Committee will:
 - 4.1 consider and approve the Council's Annual Report and Annual Accounts; and
 - 4.2 consider and approve the annual governance statement.
5. **Legal obligations**
The Committee will:
 - 5.1 seek assurance on the effectiveness of the whistleblowing policy; and
 - 5.2 ensure the effectiveness of the Council's compliance with its statutory obligations relating to surveillance, information governance, bribery, corruption and fraud, including the approval of all relevant policies.

6. Scrutiny

The Committee will:

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

JOINT WORKING WITH OTHER COMMITTEES

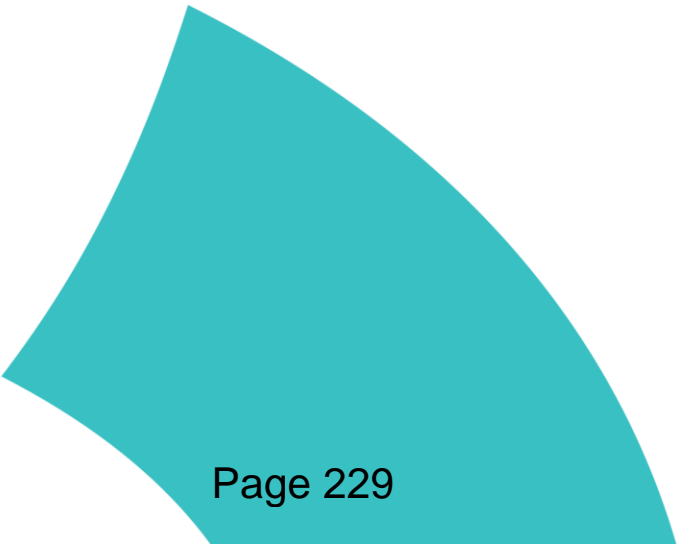
The Committee will maintain an awareness of issues of mutual interest arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Areas of mutual interest may include, but will not be restricted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

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

JOINT WORKING WITH NON COUNCIL BODIES

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

Executive Lead: Chief Officer – Governance



APPENDIX K

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City Growth and Resources Committee Annual Effectiveness Report 2019/20



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1. INTRODUCTION

- 1.1** I am pleased to present the second annual effectiveness report for the City Growth and Resources Committee. As members will be aware, as part of their interim assessment of the Council's governance arrangements in 2016, CIPFA recommended that committees review the extent to which they have operated within their Terms of Reference, through an annual report. This has been an aspiration for some time, representing good practice in governance terms and evidencing the Council's progress towards achieving CIPFA accreditation and I am glad to see the second report for the City Growth and Resources Committee presented.
- 1.2** This second annual report is a good mechanism for the Committee to support the Council's improvement journey by demonstrating the ways that the Committee supports the principles of the Target Operating Model; contributes to the Local Outcome Improvement Plan, whilst also providing the opportunity to reflect on the business of the Committee over the past year and to look to the Committee's focus for the year ahead.



Councillor Douglas Lumsden

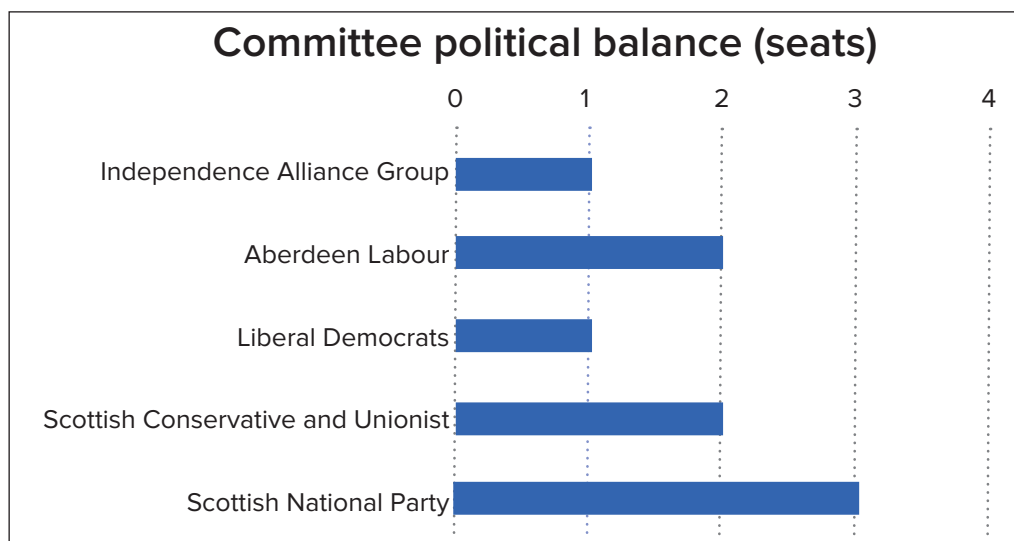
Convener, City Growth and Resources Committee.

2. THE ROLE OF THE COMMITTEE

- 2.1** The role of the Committee is to focus on the Council's management of the institution's resources and place shaping strategies for the future growth of the city. This will include for example, local transport strategies. This mirrors the focus on the annual credit rating assessment.
- 2.2** The Terms of Reference for the Committee as approved by Council are appended to the report.

3. MEMBERSHIP OF THE COMMITTEE DURING 2019/20

3.1 The City Growth and Resources Committee has nine Elected Members.



4. MEMBERSHIP CHANGES

4.1 During the reporting period Councillor Jackie Dunbar replaced Councillor Catriona Mackenzie, Councillor Wheeler replaced Councillor Donnelly and Councillor Cooke replaced Councillor Flynn as members on the Committee.

5. MEMBER ATTENDANCE

Member	Total Anticipated Attendances	Total Attendances	Nominated Substitute
Douglas Lumsden (C)	6	5	John Wheeler
Ross Grant (VC)	6	6	
Marie Boulton	6	5	Jennifer Stewart
Alan Donnelly	5	3	Avril Mackenzie & John Wheeler
Stephen Flynn	5	4	Gordon Townson
Jenny Laing	6	5	Sarah Duncan
Catriona Mackenzie	2	2	
Alex Nicoll	6	6	
Ian Yuill	6	5	Steve Delaney
John Wheeler	1	1	
Jackie Dunbar	4	2	Alexander McLellan & Gordon Townson

6. MEETING CONTENT

6.1 During the 2019/2020 reporting period (29 April 2019 to 30 April 2020), the Committee had 6 meetings (2 of which were Special meetings) and considered a total of 66 reports.

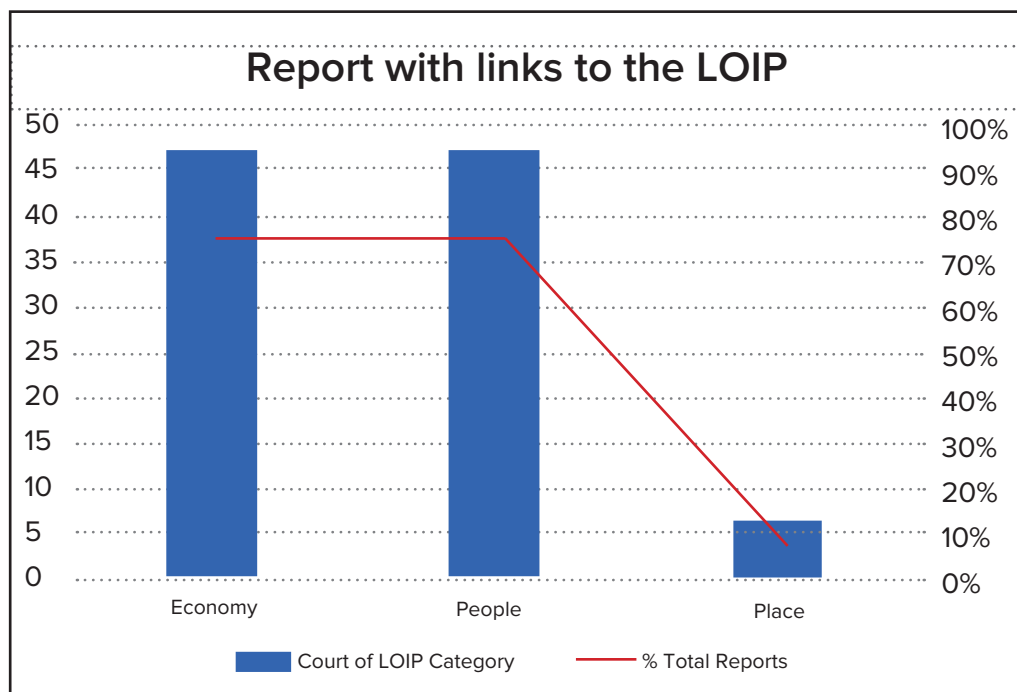
6.2 Terms of Reference

Of the 66 reports received the following table details how the reports aligned to the Terms of Reference for the Committee. It is worth noting that some reports fall under more than one Terms of Reference.

6.3 The vast majority of reports have fallen under Purpose of Committee 2 (To approve the addition of new projects and associated budgets to the capital programme, to approve additional funding for existing projects and to approve procurement relating to the Capital Programme) and Remit 2.2 (Determine the Council's Strategies for City Growth and Place Planning Except in Relation to Major Infrastructural Planning. All Terms of Reference were used, this would indicate that the Committee has discharged its role throughout the course of the reporting period

6.4 Local Outcome Improvement Plan

The following table details of the 74 reports how many had a link to the themes of the Local Outcome Improvement Plan.



6.5 Reports and Committee Decisions

The following table details the outcome of the Committee's consideration of the 66 reports presented to it throughout the year.

Reports	Total	% Total Reports
Number which were Confidential	1	1.5%
Number which were Exempt	15	23%
Number of reports where the Committee has amended officer recommendations	3	4.5%
Number and percentage of reports approved unanimously	38	57.5%
Number of reports requested by members during the consideration of another report to provide additional assurance and not in forward planner	4	6 %
Number of Service Updates requested	3	4.5%
Number of decisions delayed for further information	0	0%
Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life	0	0%
Number of late reports received by the Committee (i.e. reports not available for inspection by members of the public at least three clear days before a meeting)	0	0%
Number of referrals to Council, or other Committees in terms of Standing Order 33.1	0	0%

6.6 Notices of Motion, Suspension of Standing Orders, Interface with the Public

Number of notices of motion	1
Number of times Standing Orders were suspended and the specific Standing Orders suspended	0
Standing order number (ref)	N/A
Number of deputations or other indicators of interface with the public, i.e. engagement and social media.	1
Number of petitions considered	0
Number of Members attending meetings of the committee as observers	18
Number of Meetings held by the Convener with other Conveners, relevant parties, to discuss joint working and key issues being raised at other Committee meetings	As and when required

7. TRAINING REQUIREMENTS

- 7.1** Although there were no specific training requirements required for the members of the Committee this year, relevant training was made available by officers and included training on the Councillors' Code of Conduct, Effective Decision Making, 'paper-light' meetings. These training opportunities were designed to help members carry out their roles at committee meetings.

8. CODE OF CONDUCT – DECLARATIONS OF INTEREST

- 8.1** Thirty declarations of interest were made by Councillors during the reporting period. Information in respect of declarations of interest is measured to evidence awareness of the requirements to adhere to the Councillors' Code of Conduct and the responsibility to ensure fair decision-making.

9. CIVIC ENGAGEMENT

- 9.1** The timing of the financial settlement for financial year 2020/21 was much later than in previous years therefore there was no opportunity to undertake a similar engagement event to the one that had been carried out in 2019.
- 9.2** Ongoing engagement with individual stakeholder organisations continued on a regular basis through representation on a range of external organisation boards.

10. OFFICER SUPPORT TO THE COMMITTEE

Officer	Total Anticipated Attendances	Total Attendances	Substitute Attendances
Chief Officer - Capital	3	2	Chief Officer - Corporate Landlord
Chief Officer - City Growth	4	4	
Chief Officer - Corporate Landlord	4	3	
Chief Officer - Finance	6	6	
Chief Officer - Governance	6	6	Legal Services Manager
Chief Officer - Strategic Place Planning	4	3	Policy and Strategy Manager
Chief Operating Officer	2	2	
Director of Customer Services	1	1	
Director of Resources	6	5	

11. EXECUTIVE LEAD'S COMMENTS

- 11.1** One of the Council's transformation projects was to deliver the CIPFA Mark of Excellence in Good Governance, and this was successfully achieved in March 2020. As part of this project, CIPFA recommended that each Committee should annually review its effectiveness, including its information reporting needs, to help ensure that each Committee was following its Terms of Reference; operating effectively; and would assist in identifying any training needs or improvements to the Council's decision-making structures.
- 11.2** This was a busy Committee with the statistics indicating, on average for the four regular meetings, sixteen reports were considered at each. Two meetings were Special meetings for specifically for the quarterly financial performance reports and in total only three reports were considered at these two meetings. The volume of reports was similar to the previous year.
- 11.3** A substantial amount, approximately 75%, of business was done in public, which assists in maintaining transparency in the democratic process. Given the nature of the Committee and specifically the financial nature of some of the subjects there was a proportion of business conducted in private. Exempt and confidential reports are only used where they meet the legal definitions set out in the Local Government (Access to Information) Act 1973 (Schedule 7A). Where appropriate reports have been split so that exempt information is considered separately from information that can be included in a public report.
- 11.4** Compliance with London Stock Exchange (LSE) reporting requirements have been maintained throughout the year, notice being given to the LSE ahead of Quarterly financial reports being published for the Committee.

- 11.5** Despite a few changes in membership of the Committee, there was a strong continuity attendance of the Committee with Members rarely being absent and knowledge built up over time can assist in the effective operation of the Committee. Nine out of eleven Members who were expected to be at the Committee missed no more than a single meeting.
- 11.6** There was a healthy interest in the Committee business from other Members, where on 18 occasions Members attended as observers, 3 per meeting on average.
- 11.7** Giving due consideration and making fully informed decisions are founded upon having access to reports in line with the approved Scheme of Governance. In pursuit of this late reports are not helpful. The Committee had no reports that were not issued in sufficient time to give 3 clear days notice prior to being considered, an improvement on the previous year.

12. NEXT YEAR'S FOCUS

- 12.1** On 3 March 2020 the Council approved a budget for financial year 2020/21. In order to effectively and efficiently monitor the progress of the budget and the forecast for the year a continued emphasis will be placed on presenting comprehensive quarterly reports one month after the quarter end. This would normally require two special meetings of the Committee to meet, end of July and October. With the changes forced by the Coronavirus pandemic the first special meeting was cancelled. Instead early reports on financial implications and budget rebalanced were considered at meetings of the Urgent Business Committee in May and June 2020.
- 12.2** The October 2020 meeting of the Committee will return to consider normal business, and this will include the quarter 2 financial performance report.
- 12.3** The Business Planner shows a focus on Strategic Place Planning, City Growth, Capital and Resources. The Committee expects to receive reports on the climate and emissions; Socio-Economic Action Plan; the condition and suitability of Council buildings/properties; the Queen Street Redevelopment Project; Strategic Housing Investment Plan; and the Affordable Housing Delivery Programme. Regular reports on performance, quarterly financial monitoring reports and an update on the Credit Rating annual review will be prepared for the Committee.
- 12.4** Council on 2 March 2020 approved new Terms of Reference and a further review will be reported to Council in March 2021. Throughout the next reporting year, we will review the Terms of Reference in line with the business submitted to the Committee and reflect on whether any areas require refinement moving forward to ensure the efficient operation of the Committee

13. TERMS OF REFERENCE

City Growth and Resources Committee Terms of Reference Approved by Council on 4 March 2019

CITY GROWTH AND RESOURCES COMMITTEE

PURPOSE OF COMMITTEE

1. To approve and monitor appropriate short, medium and long term financial strategies and
2. plans for the Council in light of available funding.
3. To approve the addition of new projects and associated budgets to the capital programme, to approve additional funding for existing projects and to approve procurement relating to the Capital Programme.
4. To review the in-year financial performance of the Council and its committees and to make appropriate recommendations where a forecast overspend is projected.
5. To oversee and take action to ensure adherence to the Council's budgetary control system.
6. To approve and monitor an appropriate strategy for the Council's estate, including plans for investment, disposal and maintenance.
7. To approve and monitor Council place based strategies to support the City's plans for future economic growth.
8. On receipt of the annual re-assessment of the Council's credit rating, to advise Council on appropriate financial strategies in

REMIT OF COMMITTEE

1. Budgets

The Committee will:

- 1.1 approve changes to the Council's resources including finance, staffing structures and property; and
- 1.2 monitor all Council budgets including the Transformation Fund, and in particular:
 - 1.2.1 scrutinise function budget monitoring reports;
 - 1.2.2 hold budget holders to account for the proper control of the budget which they are responsible;
 - 1.2.3 take such action as necessary to ensure that the Council's budget is always balanced;
 - 1.2.4 approve changes to the budget including to vire between function budgets where this is in excess of the amount delegated to officers in the Financial Regulations and Powers Delegated to Officers;
 - 1.2.5 review annual workplans and scrutinise and approve outline and full business cases for supporting new capital investments, ensuring that all appropriate consultation has been undertaken;

- 1.2.6** approve the allocation of additional funding to existing projects, both capital and revenue;
- 1.2.7** approve the addition of new projects to the Capital Programme;
- 1.2.8** approve procurement relating to the Capital Programme;
- 1.2.9** approve use of the Council's General Reserve;
- 1.2.10** approve use of the Council's Transformation Fund;
- 1.2.11** scrutinise the implementation of plans and monitor associated budgets; and
- 1.2.12** monitor the Code of Guidance on Funding External Bodies and Following the Public Pound and take such action as is required to ensure that the Council meets its duties.

2. City Growth and Place

The Committee will:

- 2.1** consider the annual report from the Economic Policy Panel set up to support the annual re-assessment of the Council's credit rating;
- 2.2** determine the Council's strategies for city growth and place planning except in relation to major infrastructural planning and the Local Development Plan; and
- 2.3** consider reports on key actions by the Council towards the delivery of the Regional Strategy and the Inward Investment Plan and take such appropriate action as it sees fit.

3. Property and Estates

The Committee will:

- 3.1** Determine, review and monitor a Portfolio Management Strategy for the Council;
- 3.2** approve an Estate and Investment Strategy;
- 3.3** hear and determine requests for review under s86(10) of the Community Empowerment (Scotland) Act 2015 against the refusal by officers to approve community asset transfers; and
- 3.4** approve the acquisition and disposal of land and property.

JOINT WORKING WITH OTHER COMMITTEES:

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

- 1.** the City Growth and Resources Committee and Strategic Commissioning Committee will cooperate to ensure that resources are allocated strategically to support outcomes.
- 2.** the City Growth and Resources Committee and the Capital Programme Committee will cooperate in promoting city growth and place planning.

JOINT WORKING WITH NON COUNCIL BODIES:

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

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

Executive Lead: Chief Officer – Finance



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APPENDIX L

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Operational Delivery Committee Annual Effectiveness Report



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1. INTRODUCTION

- 1.1 I am pleased to present the second annual effectiveness report for the Operational Delivery Committee. As Members will be aware, as part of their interim assessment of the Council's governance arrangements in 2016, CIPFA recommended that Committees review the extent to which they had operated within their Terms of Reference, through an annual report. This had been an aspiration for some time, representing good practice in governance terms. I am delighted that this year, the Council was the first in Scotland to be awarded the CIPFA Mark of Excellence in Governance, and that the annual effectiveness report was highlighted by CIPFA as an example of good governance. The annual effectiveness report also informs the annual review of the Council's Scheme of Governance and enables officers to identify if any changes are required, for example, to the Committee Terms of Reference.
- 1.2 As part of the 2020 review, changes were made to the Operational Delivery Committee Terms of Reference to provide greater clarity and those will be monitored throughout the year and taken into consideration during next year's review and the preparation of the third annual committee effectiveness report.
- 1.3 The annual report is a good mechanism for the Committee to support the Council's improvement journey by demonstrating the ways that the Committee contributes to the Council Delivery Plan and Local Outcome Improvement Plan, whilst also providing the opportunity to reflect on the business of the Committee over the past year and to look to the Committee's focus for the year ahead.
- 1.4 Throughout the year, the Committee has worked collectively to monitor the delivery of all services provided by the Customer Services Function and the Operations Function (with the exception of educational services). It also aimed to scrutinise performance and approve options within set budgets to ensure best value and delivery of the Council's agreed outcomes.



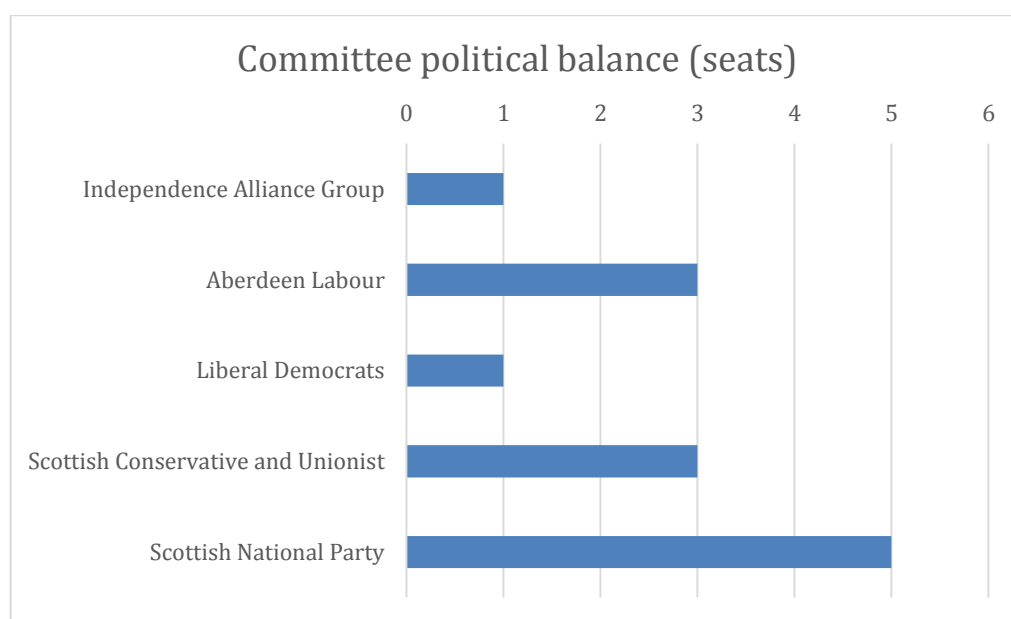
Councillor John Wheeler
Convener, Operational Delivery Committee

2. THE ROLE OF THE COMMITTEE

The role of the Committee in this reporting period was to monitor the delivery of all services provided by the Customer Services Function and the Operations Function (with the exception of education services). It will also scrutinise performance and approve options within set budgets to ensure best value and delivery of the Council's agreed outcomes.

3. MEMBERSHIP OF THE COMMITTEE DURING 2019/2020

3.1 The Operational Delivery Committee has 13 Elected Members.



4. MEMBERSHIP CHANGES

4.1 Councillor Audrey Nicoll replaced Councillor McLellan from January 2020.

5. MEMBER ATTENDANCE

Member	Total Anticipated Attendances	Total Attendances	Nominated Substitute
Alexander McLellan	3	3	
Audrey Nicoll	2	2	
Bill Cormie	5	5	
Dell Henrickson	5	5	
Douglas Lumsden	5	4	Alan Donnelly
Gordon Graham	5	5	
Gordon Townson	5	3	Alexander McLellan and Ciaran McRae

Jackie Dunbar	5	3	Stephen Flynn
Jennifer Stewart	5	4	Alan Donnelly
John Wheeler	5	5	
Lesley Dunbar	5	2	Ross Grant and Yvonne Allan
Philip Bell	5	4	Ryan Houghton
Sandra Macdonald	5	5	
Steve Delaney	5	4	Ian Yuill

6. MEETING CONTENT

6.1 During the 2019/2020 reporting period (29 April 2019 to 31 March 2020), the Committee had 5 meetings and considered a total of 30 reports.

6.2 Terms of Reference

Of the 30 reports received the following table details how the reports aligned to the Terms of Reference for the Committee.

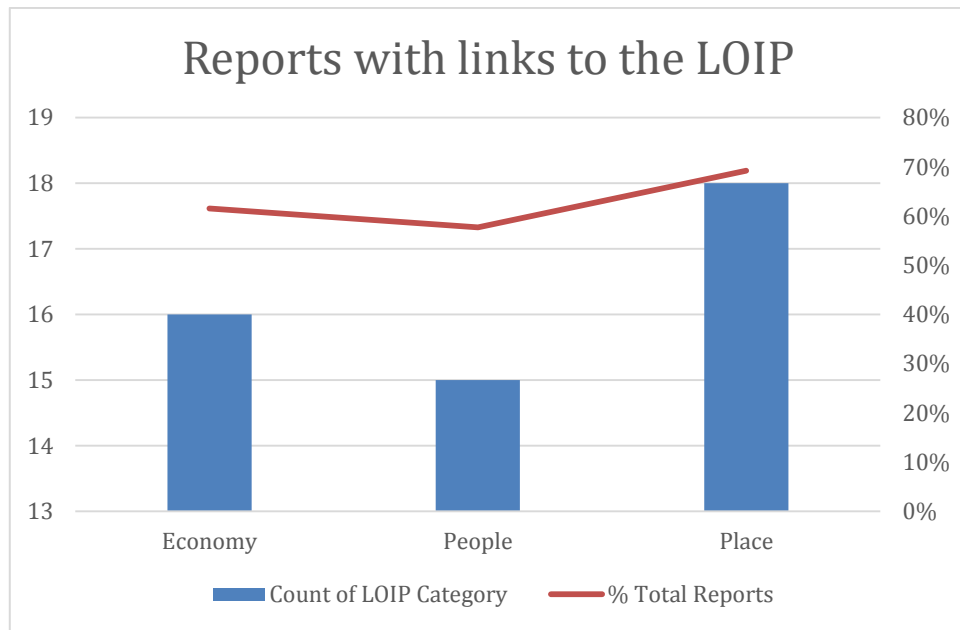
Terms of Reference	Count of Terms of Reference
General Delegations To Committees 7.1	2
General Delegations To Committees 7.4	1
General Delegations To Committees 7.5	1
Purpose of Committee 1	2
Purpose of Committee 2	1
Remit of Committee 1	9
Remit of Committee 2	4
Remit of Committee 3.1	4
Remit of Committee 3.2	1
Remit of Committee 5	12
Remit of Committee 6	2

6.3 During the course of 2019/2020 the Operational Delivery Committee received reports under each of the Terms of Reference. This would indicate that the Committee has discharged its role throughout the course of the reporting period.

6.4 Most of the reports considered related to remit 5 – approve improvements to operational delivery where officers do not have the power to do so.

6.5 Local Outcome Improvement Plan

The following table details of the 30 reports how many had a link to the themes of the Local Outcome Improvement Plan.



6.6 Reports and Committee Decisions

The following table details the outcome of the Committee's consideration of the 30 reports presented to it throughout the year.

Terms of reference	Total	% Total Reports
Confidential	1	4%
Exempt	1	4%
Number of reports where the Committee has amended officer recommendations	2	8%
Number and percentage of reports approved unanimously	26	87%
Number of reports or service updates requested by members during the consideration of another report to provide additional assurance and not in forward planner	2	8%
Service update requested	2	8%
Number of decisions delayed for further information	0	0%
Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life	0	0%
Number of late reports received by the Committee (i.e. reports not available for inspection by members of the public at least three clear days before a meeting)	2	8%
Number of referrals to Council, or other Committees in terms of Standing Order 33.1	0	0%

6.7 Notices of Motion, Suspension of Standing Orders, Interface with the Public

Number of notices of motion	0
Number of times Standing Orders were suspended and the specific Standing Orders suspended	1
Standing order number (ref)	SO14.1
Number of deputations or other indicators of interface with the public, i.e. engagement and social media.	5
Number of petitions considered	1
Number of Members attending meetings of the committee as observers	11
Number of Meetings held by the Convener with other Conveners, relevant parties, to discuss joint working and key issues being raised at other Committee meetings	<p>Weekly meetings with Director of Customer Services and Chief Operating Officer.</p> <p>Weekly meetings with Convener of Strategic Commissioning and City Growth & Resources.</p> <p>Monthly meetings with Chief Officer – Integrated Children’s and Family Services and Chief Education Officer.</p> <p>Monthly meetings with other relevant Chief Officers.</p>

7. TRAINING REQUIREMENTS

7.1 Relevant training available to members of the committee during the year included training on the Councillors’ Code of Conduct, Effective Decision Making, ‘paper-light’ meetings. These training opportunities were designed to help members carry out their roles at committee meetings.

8. CODE OF CONDUCT – DECLARATIONS OF INTEREST

8.1 Two declarations of interest were made by a Councillor during the reporting

period. Information in respect of declarations of interest is measured to evidence awareness of the requirements to adhere to the Councillors' Code of Conduct and the responsibility to ensure fair decision-making.

9. CIVIC ENGAGEMENT

- 9.1 Civic Engagement in relation to all Traffic Orders has been carried out at the various stages of the legal process with Community Councils and through public consultations. Any objections received through the process have been presented to the Committee to allow an informed decision to be made.

10. OFFICER SUPPORT TO THE COMMITTEE

Officer	Total Anticipated Attendances	Total Attendances	Substitute Attendances
Chief Operating Officer	5	5	
Director of Customer Services	5	5	
Chief Officer – Customer Services	5	5	
Chief Officer - Operations and Protective Services	5	5	
Chief Officer - Integrated Children's Services	5	5	
Chief Officer - Early Intervention and Community Empowerment	5	5	

11. EXECUTIVE LEAD'S COMMENTS

- 11.1 One of the Council's transformation projects is to deliver the CIPFA Mark of Excellence in Good Governance. As part of this project, CIPFA recommended that each Committee should annually review its effectiveness, including its information reporting needs, to help ensure that each Committee was following its Terms of Reference; operating effectively; and would assist in identifying any training needs or improvements to the Council's decision-making structures.
- 11.2 It can be seen from the statistics in the annual report that no reports were required to be delayed and the vast majority of business was approved or noted unanimously. Nearly all business was able to be considered in public, which assists in maintaining transparency in the democratic process, with only one exempt report.
- 11.3 Only minor changes were made to the Committee's Terms of Reference when they were presented to Council in March 2019.
- 11.4 Occasionally motions and amendments are submitted on the day of the committee. The Executive Lead may seek short adjournments to enable robust consideration by officers of such motions and amendments. This will help to

further enhance the decision making process for elected members by ensuring they are able to make fully informed decisions.

12. NEXT YEAR'S FOCUS

- 12.1 In March 2020, Council approved new Terms of Reference and a further review of the Terms of Reference will be reported to Council in March 2021. Throughout the next reporting year, we will review the Terms of Reference in line with the business submitted to the Committee and reflect on whether any areas require refinement moving forward to ensure the efficient operation of the Committee.
- 12.2 The Committee's Business Planner demonstrates commitment to the Council's Policy Statement which is categorised under the themes of economy, people and place. The Committee's business is related to all three themes.
- 12.3 Area of focus from the Business Planner for next year continues with a focus on traffic management and regulation, the public transport network and the road winter service plan.
- 12.4 There are several political priorities which relate to the role of the Committee; these include approaches of the Sistema spread across the city, increasing the business community's resilience awareness, identification (and bringing back into use) of vacant private properties and child protection and corporate parenting. Chief Officers fulfil the role of Project Sponsors who are supported by a Project Manager for each political priority. Throughout the year the Committee will receive relevant service updates to ensure progress is communicated.

**Operational Delivery Committee Terms of Reference
Approved by Council on 4 March 2019**

PURPOSE OF COMMITTEE

1. To approve and monitor the in house delivery of all services provided by Customer Services and Operations, scrutinise performance and make improvements to those services, including Integrated Children's Services but excluding educational services.
2. To ensure improvement to the Council's Public Performance Recording data, in line with outcomes and intentions set, excluding educational services.

REMIT OF COMMITTEE

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

1. hold the organisation to account for the in house delivery of all services provided by Customer Services and Operations;
2. approve and monitor the in house delivery of services provided by Customer Services and Operations in all areas and take action to ensure that such performance is in line with the outcomes set by Council and the Strategic Commissioning Committee;
3. improve results for Public Performance Recording, where this is in line with the Council's own improvement goals, by scrutinising Key Performance Indicators through rigorous performance management arrangements and ensuring that such performance:-
 - 3.1 is done in a manner which places the customer first and ensures the expected contribution to outcomes;
 - 3.2 improves the Council's position in national tables; and
 - 3.3 adheres to financial targets.
4. provide evidence to the Strategic Commissioning Committee, as requested, on the contribution of in house services to outcomes;
5. approve improvements to operational delivery where officers do not have the power to do so;
6. explore and approve options for transforming the service delivery model; and
7. note proposed peer reviews and inspections by the Local Area Network for the cycle.



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ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	14 December 2020
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Family Leave for Elected Members – Updated Guidance
REPORT NUMBER	COM/20/234
DIRECTOR	N/A
CHIEF OFFICER	Fraser Bell (Chief Officer – Governance)
REPORT AUTHOR	Mark Masson
TERMS OF REFERENCE	Introduction 6

1. PURPOSE OF REPORT

- 1.1 This report seeks adoption of COSLA’s updated “Family Leave Guidance for Councils” which is intended to support Elected Members during periods of maternity, paternity, shared parental and adoption leave.

2. RECOMMENDATION(S)

That Council:-

- 2.1 agrees to adopt COSLA’s updated “Family Leave Guidance for Councils”, as appended to this report.

3. BACKGROUND

- 3.1 The Council at their meeting on 9 December 2019 agreed to adopt COSLA’s (Convention of Scottish Local Authorities) “Family Leave Guidance for Councils”.
- 3.2 CoSLA has since updated the guidance due to the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2020 which amended the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007. It is proposed that Council agrees to adopt the updated Guidance which reflects this legislative change.
- 3.3 The above legislative amendment makes provision for councillors granted a period of leave of absence (for any reason) by their local authority – by disapplying such councillors from (i) the limits on the numbers of councillors who can receive remuneration as Leader, Lord Provost or Senior Councillor and (ii) the maximum total yearly amount of remuneration payable for all Senior Councillors. In effect – in cases of leave - this would permit two individuals to be paid Leader’s or Lord Provost’s remuneration, and would allow the statutory limits on the number of Senior Councillors, and the total payable to them, to be exceeded.

- 3.4 So, for example, if the Council agrees that its Leader, Lord Provost or a Senior Councillor can be absent from official duties for a period (for example, for maternity or paternity reasons), the Council can continue to remunerate the one on leave whilst also paying that type of remuneration to another councillor for acting-up - without being subject to the limits mentioned in section 3.3 above. However, it remains the case that one councillor cannot be paid more than one type of remuneration at the same time.
- 3.5 Appended is the updated COSLA Guidance showing as highlighted any additions (other than minor typographical corrections) made to the previous version. The only other change to the Guidance is the deletion of the following wording from the end of paragraph 3.1: “*where this is possible within the constraints of the Local Governance (Scotland) Act 2004 (Remuneration) and amendments thereto. Where this is not possible local arrangements should be made that best support both the Elected Member on leave and their replacement*”. This deletion is of a caveat which no longer applies, in that the legislation now permits payment of the relevant remuneration to both the member on leave and the one acting-up – without being subject to the limits mentioned in section 3.3 above.

4. FINANCIAL IMPLICATIONS

- 4.1 The 2007 Regulations provide for the grading of councillors for remuneration purposes as either the Leader of the Council, the Lord Provost, Senior Councillor or Councillor. A Senior Councillor in this Council is a councillor who holds a significant position of responsibility in the Council’s political management structure.
- 4.2 For 2020/21, the statutory salary of the Leader of this Council is £41,662. The Lord Provost is paid the statutory maximum of £31,248.
- 4.3 The maximum yearly amount payable to a Senior Councillor is 75% of that payable to the Leader. Council policy is to pay the principal Committee Conveners 75% of the total yearly amount payable to the Leader (i.e. £31,248) with the remaining Senior Councillors receiving 75% of that sum (i.e. £23,436).
- 4.4 All other councillors receive a yearly salary of £17,854.
- 4.5 The following table shows the cost to the Council in various scenarios. All assume that the maximum leave is taken and that there are no elections held during this time. All salaries have been based on the 2020/21 amounts quoted above:

Councillor acting up as	Senior Councillor	Senior Councillor with SRA or Lord Provost	Leader
	£	£	£
Maternity/Adoption Leave (6 months)	3,726	8,940	15,892
Paternity Leave (2 weeks)	287	688	1,222

Senior Councillor acting up as	Senior Councillor with SRA or Lord Provost	Leader
	£	£
Maternity/Adoption Leave (6 months)	5,215	12,166
Paternity Leave (2 weeks)	401	936

	Senior Councillor with SRA or Lord Provost acting up as Leader
	£
Maternity/Adoption Leave (6 months)	6,951
Paternity Leave (2 weeks)	535

- 4.6 Ordinarily the Council can pay Leader’s remuneration to one individual only and Lord Provost’s remuneration to one individual only. Ordinarily the Council could pay a maximum total of £466,455 to a maximum of 19 Senior Councillors. At present there are 16 Senior Councillors being paid a total of £437,472. However, to reiterate – where Members are granted a period of leave of absence - the legislative amendment mentioned above would permit two individuals to be paid Leader’s or Lord Provost’s remuneration, and would allow those limits on the number of Senior Councillors, and the total payable to them, to be exceeded.
- 4.7 By adopting the updated Guidance, the Council would be permitting such additional payments of remuneration (beyond the statutory limits which ordinarily apply) to be made in cases of Members taking maternity, paternity, shared parental or adoption leave. In adopting the previous Guidance last year, the Council was effectively only permitting additional Senior Councillor payments – and that only within the statutory limits on the number of Senior Councillors and the total payable to them.
- 4.8 Any additional financial impact on the Council, as a result of any cover (acting-up) arrangements, will need to be managed in line with existing budgets.

5. LEGAL IMPLICATIONS

- 5.1 Elected Members have no statutory right to take family leave. This updated Guidance is recommended for voluntary adoption by the Council. It does not replace the statutory basis of the Elected Member’s role and it does not confer any contractual, worker or employment status.
- 5.2 Accordingly any Elected Member on family leave will remain in the same legal position as any other Elected Member. In particular they will remain subject to the Councillor’s Code of Conduct and the following provision in section 35 of the Local Government (Scotland) Act 1973:

“if a member of a local authority fails throughout a period of six consecutive months to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority, cease to be a member of the authority”

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic	No risk	N/A	
Compliance	Non-compliance with the legislation on councillor remuneration	M	Monitoring and implementing any new legislation
Operational	No risk	N/A	
Financial	The main financial risk from adopting this updated Guidance would be the potential for increased cost pressure on budgets.	M	Ongoing monitoring of budgets to ensure all costs are known and can be met from existing budgets.
Reputational	No significant or unusual risks	N/A	
Environmental/ Climate	No risk	N/A	

7. OUTCOMES

7.1 The proposals in this report have no impact on the Council Delivery Plan.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	EHRIA required
Data Protection Impact Assessment	not required

Duty of Due Regard / Fairer Scotland Duty	not applicable
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9. BACKGROUND PAPERS

9.1 [Council Report: GOV/19/429 - 9 December 2019](#)

10. APPENDICES

10.1 COSLA's updated "Family Leave Guidance for Councils"

11. REPORT AUTHOR CONTACT DETAILS

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Family Leave Guidance for Councils

The Family Leave Guidance outlined below was endorsed by Council Leaders in September 2019 for circulation to Scottish Councils for adoption on a voluntary basis. Subsequently guidance was updated in April 2020 to reflect amendments to the Local Government (Scotland) Act 1973.

The term Special Responsibility Allowances (SRA) is used within the document to describe allowances paid to Council Leaders, Civic Head, Senior Councillors, Conveners and Vice Convener etc. where a Councillor receives a higher remuneration due to a specific role undertaken on behalf of the Council.

Introduction

This Guidance sets out some key principles which Local Authorities may wish to adopt to support Elected Members during periods of maternity, paternity, shared parental and adoption leave. **There is no legal right to family leave of any kind for people in elected public office.**

The objective of this guidance is to ensure that insofar as is possible, Elected Members can take appropriate leave at the time of birth or adoption, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

This Guidance is to be implemented on a voluntary basis and confers no contractual, nor worker / employment status. The Guidance can be amended or withdrawn at any time. Councillors continue to retain their status as office holders. The rights as set out in this Guidance extend to (1) maternity, paternity, shared parental and adoption leave and (2) pay during maternity, paternity, shared parental and adoption related leave only. Individuals who are employees or workers of the Local Authority will be entitled to any additional rights associated with family leave by virtue of their employment status and associated policies. No such additional rights, over and above what is set out in this Guidance, shall apply to Elected Members and nothing in this Guidance shall render Elected Members as employees or workers.

Improved provision for new parents will contribute towards increasing the diversity of experience, age and background of Local Authority councillors. It will also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.

1. Leave Periods

1.1 Members giving birth are entitled to up to 6 months maternity leave from 28 days before their due date.

1.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period.

1.3 Members shall be entitled to take a maximum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).

1.4 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from the Council.

1.5 Where both parents are Members leave may be shared up to a maximum of 26 weeks. Special and exceptional arrangements may be made in cases of prematurity.

1.6 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months' adoption leave from the date of placement.

1.7 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1973 to attend a meeting of the Council within a six-month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six-month period.

1.8 Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return. (It is recommended that a minimum of 28 days' notice is provided to take leave. A MatB1 form or an adoption matching certificate should be provided when applying for maternity and adoption leave respectively).

1.9 Any Member taking leave should ensure that they respond to reasonable requests for information from the Council as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

1.10 In the event of an Elected Member taking family-related leave, Councils are encouraged to consider:

- how to ensure there is minimal impact on the relevant ward by arranging, where possible, reasonable and appropriate cover to ensure the needs of constituents continue to be met; and
- providing what additional support may be required to facilitate an Elected Member's return from family related leave to ensure they feel supported and ready to return to the Council.

2. Basic Allowance

2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.

3. Special Responsibility Allowances

3.1 Members entitled to a Special Responsibility Allowance (SRA) shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.

3.2 The payment of SRA, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date when the Member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six-month period.

3.3 Should a Member appointed to replace the Member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one SRA shall apply.

3.4 Unless the Member taking leave is removed from their post whilst on leave, or unless the Party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.

4. Resigning from Office and Elections

4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

4.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.

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ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	14 December 2020
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Standards Commission for Scotland – Written Decision – Councillor Boulton
REPORT NUMBER	COM/20/238
CHIEF OFFICER	Fraser Bell
REPORT AUTHOR	Fraser Bell
TERMS OF REFERENCE	15

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to bring before Council the written decision made by the Standards Commission for Scotland following a hearing held on 22 October 2020.

2. RECOMMENDATION(S)

That Council:

- 2.1 Considers the content of the written decision; and
- 2.2 Notes the sanction imposed by the Standards Commission for Scotland

3. BACKGROUND

- 3.1 Appended to this report is a copy of the written decision of the Standards Commission for Scotland following a hearing on 22 October 2020. This hearing was convened further to a complaint alleging that Councillor Marie Boulton had contravened the Councillors' Code of Conduct by disclosing confidential information concerning the Council's budget at a public meeting of the Cults, Bieldside and Milltimber Community Council on 24 January 2019.
- 3.2 Following the hearing, the Standards Commission for Scotland censured Councillor Boulton, after determining that she had contravened the Councillors' Code of Conduct.
- 3.3 The Council is legally required to consider the findings of the Standards Commission for Scotland. The findings must be considered by a meeting of full Council.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

- 5.1 Section 18(2) of the Ethical Standards in Public Life etc. (Scotland) Act 2000 requires that the Council consider the findings of the Standards Commission for Scotland whenever the Commission makes a finding about a Member. The Council must consider the findings within 3 months of receiving them unless the Commission sets a longer period in writing.
- 5.2 Section 18(3) of that Act requires that the duty to consider the findings must be discharged by Full Council and not by a committee, sub-committee, or officer.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	None	N/A	N/A
Compliance	Failure to timeously consider the findings would be a breach of statutory duty.	L	This report ensures Council meets its obligations.
Operational	None	N/A	N/A
Financial	None	N/A	N/A
Reputational	Further breaches of the Code could happen.	L	Training programme for Members helps ensure that all Members remain aware of their responsibilities.
Environment / Climate	None.	N/A	N/A

13. OUTCOMES

- 13.1 The proposals in this report have no impact on the Council Delivery Plan.

14. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Not Required

Data Protection Impact Assessment	Not required
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15. BACKGROUND PAPERS

None

16. APPENDICES

Appendix 1: Decision of Standards Commission for Scotland

17. REPORT AUTHOR CONTACT DETAILS

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Decision of the Hearing Panel of the Standards Commission for Scotland following the Hearing held online on Thursday 22, October 2020.

Panel Members: Mr Mike McCormick, Chair of the Hearing Panel
Mrs Tricia Stewart
Mr Paul Walker

The Hearing arose in respect of a Report referred by Ms Caroline Anderson, the Commissioner for Ethical Standards in Public Life in Scotland (the ESC), further to complaint reference LA/AC/2276, concerning an alleged contravention of the Councillors' Code of Conduct (the Code) by Councillor Marie Boulton (the Respondent).

The case against the Respondent was presented by Mr Martin Campbell, Director of Investigations and Solicitor to the Ethical Standards Commissioner. The Respondent was represented by Mr Duncan Love, solicitor.

Referral

Following an investigation into a complaint received about the conduct of the Respondent, the ESC referred a report to the Standards Commission for Scotland on 8 June 2020, in accordance with section 14(2) of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (the 2000 Act), as amended.

The substance of the referral was that the Respondent had failed to comply with the provisions of the Code and, in particular, that she had contravened paragraphs 3.16 and 3.17. The relevant provisions were:

3.16 Council proceedings and printed material are generally open to the public. This should be the basis on which you normally work but there may be times when you will be required to treat discussions, documents or other information relating to or held by the Council in a confidential manner, in which case you must observe such requirements for confidentiality.

3.17 You will often receive information of a private nature which is not yet public or which perhaps would not be intended to be public. You must always respect and comply with the requirement to keep such information private, including information deemed to be confidential by statute. Legislation gives you certain rights to obtain information not otherwise available to the public and you are entitled to exercise these rights where the information is necessary to carry out Council duties. Such information is, however, for your use as a councillor and must not be disclosed or in any way used for personal or party-political advantage or in such a way as to discredit the Council. This will also apply in instances where you hold the personal view that such information should be publicly available.

Preliminary Matters

The Respondent's representative advised the Hearing Panel that he wished to lodge four documents as further productions for the Respondent. The Respondent's representative explained that these had just been discovered the previous night. During his explanation of why he wished to introduce these productions, the Respondent's representative intimated that, on reflection, he did not require one of the items as its content was available in other papers already submitted. The Respondent's representative further advised that as his position was that one of the documents demonstrated that the Council's leaders had begun a public discussion on 1 February 2019 about there being a budget deficit of between £40 million and £50 million, he was seeking an adjournment on the grounds that it was no longer in the public interest and proportionate to hold a Hearing. In pursuance of this, the Respondent's representative asked the Panel to refer the case back to the Standards Commission to review its decision, made under Section 16 of the 2000 Act, to hold a Hearing.

The ESC's representative advised that he considered it would be unfair for the Panel to allow the new documents to be admitted on the day of the Hearing. The ESC's representative explained that this was because the documents were not 'new', they had simply not been identified previously by the Respondent and her representative as being relevant. The ESC's representative argued, in any event, that the fact that the Council's leaders may have initiated a public discussion on the budget deficit on 1 February 2019 was not a material matter, given this was after the alleged disclosure of confidential information about the matter by the Respondent on 24 January 2019. The ESC's representative pointed out that it was not known if the Council leaders initiated the discussion as part of a communication strategy put in place to deal with the disclosure. This was a matter the ESC could have explored through the interviewing of witnesses, had proper notice of the proposed production been provided.

Having adjourned to consider the matters raised, the Panel refused the request to admit the further productions on the grounds that admitting them would be unfair to the ESC's representative, who had not had the opportunity to review them in advance of the Hearing. The Panel noted that the Respondent had been notified, on 10 June 2020, of the decision to hold the Hearing and had advised, at an early stage of the adjudication process and that she had secured legal representation. It was also noted that the Respondent and her solicitor had participated in an online pre-Hearing meeting on 7 August 2020 during which it was confirmed that the Respondent had received a copy of the Hearing Rules and Procedures, which include reference to the requirement for productions to be submitted no later than seven days before a Hearing. The Panel further noted that, following a request made by the Respondent at the pre-Hearing meeting, the Hearing that had been scheduled to take place on 8 September 2020 had been adjourned to give her more time to prepare and to address pressing Council related duties. The Panel was of the view that the Respondent had, therefore, been afforded sufficient time to identify and submit evidence in support of her case. The Panel was satisfied that the documents the Respondent's representative wished to submit were available and could have been lodged at an earlier stage and, as such, did not amount to 'new' information.

The Panel further refused the request to adjourn the case, so that it could be referred back to the Standards Commission to review its decision to hold a Hearing. The Panel did not consider the documents the Respondent wished to be lodged amounted to new and material information, that had emerged, that could lead the Standards Commission to determine that the reasons for holding a Hearing no longer applied. This was because the Panel was satisfied that the evidence had been available for some time and, while it could be relevant to the questions of whether and when the information the Respondent had disclosed was in the public domain, these were arguments, already supported by documentary productions, relating to the merits of the case that were in dispute. As such, the Panel was of the view that it remained in the public interest and proportionate for the arguments to be aired at a Hearing, and allow a decision on breach to be made.

Evidence Presented at the Hearing

Joint Statement of Facts

The Panel noted the terms of a joint statement of facts agreed between the ESC's and Respondent's representatives. The Hearing Panel noted, in particular, that it was not in dispute that, on 16 January 2019, the Respondent was sent papers labelled "Aberdeen City Council Preparation of Budget 2019/20 Councillor Pack" ("the budget pack"), ahead of the Council's budget meeting, which took place on 5 March 2019. Each page of this budget pack contained a header, in blue, with the text "CONFIDENTIAL". The Panel noted that the covering sheet contained text, in red, to the effect that the folder contained confidential information that "must not" be disclosed to any third party. The text further noted that disclosure of any of the contents of the folder to any third party could amount to a breach of the Councillors' Code of Conduct and the Market Abuse Regulations. The Panel further noted that under the 'staffing' section of the contents page of the budget pack there was a note, also in red, reiterating that the contents were confidential and should not be shared, disclosed or discussed with anyone outside CMT (being the Corporate Management Team).

The Panel noted that the overview section of the budget pack referred to a budget gap of £45 million, relating to rising costs and falling service income. The Panel noted, however, that the covering sheet to the folder advised councillors that further information continued to be provided and, as such, “uncertainty remains”.

The Panel noted that it was also not in dispute that the Respondent attended a public meeting of Cults, Bielside and Milltimber Community Council on 24 January 2019, in her capacity as an Aberdeen City councillor. The Panel noted that it was agreed that, amongst other matters and in response to members of the community council raising issues within the ward which required funding, the Respondent provided a verbal report on savings the Council was having to make in the following year to address a budget gap. The Panel noted that it was not in dispute that while the Respondent did not intend to disclose the figure of £45 million, she had done so under scrutiny from the Community Council members.

Submissions made by the ESC’s Representative

The ESC’s representative advised the approved minutes of the Community Council meeting record under the heading ‘Report from City Councillors’, that the Respondent had discussed the “Council’s financial position”, and had “briefed members on the budgetary challenges facing the Council”. The minutes further noted that a journalist from the *Evening Express* newspaper had been present.

The ESC’s representative advised that, following the meeting, the *Evening Express* published an article reporting on the meeting, in which the Respondent was directly quoted as having stated that the Council was “looking at having to save £45 million over the next year”. The ESC’s representative noted that, the following day, the *Press and Journal* newspaper reported that the Respondent had revealed that the Council could be facing cuts of £45 million over the following financial year.

The ESC’s representative advised that while it was accepted that the Respondent had not intended to disclose that there would be a budget deficit of £45 million, she should not have done so as the figure was unconfirmed and confidential at the time of the Community Council meeting on 24 January 2019. The ESC’s representative argued that the Respondent knew the sum was unconfirmed at the time she had disclosed it, which was evidenced by the fact that when she advised the Council’s co-leaders and its Monitoring Officer, in an email the following day, that the *Evening Express* was running a story about the Council’s budget gap, she reiterated that she had only stated at the meeting that the sum “COULD” be in the region of £45 million. The Respondent had further advised, in the email, that she had told the journalist from the *Evening Express* that the figure was still to be confirmed.

The ESC’s representative advised that the value of the budget gap, as included in the budget pack, was confidential at the time of the Community Council meeting. The ESC’s representative noted that the budget pack had clearly been marked as confidential and argued that it was evident from this, and the fact that the sum was unconfirmed that, it was not to be disclosed. The ESC’s representative noted that the Respondent’s contention was that not everything in the budget pack could be, or was, confidential and that the £45 million figure had not explicitly been labelled as such. The ESC’s representative argued, however, that it would be a disproportionate use of resources to expect Council officers to label every item in the pack. The ESC’s representative drew the Panel’s attention to the text on the cover sheet of the pack, advised that it was confidential and that disclosure of any of the contents of the folder to any third party could amount to a breach of the Councillors’ Code of Conduct and the Market Abuse Regulations.

The ESC’s representative noted that the Respondent further contended that the information about the budget gap was already in the public domain at the time she had disclosed the figure and had produced a letter from a firm of Chartered Accountants in support of this position. The ESC’s representative noted, however, that in order to calculate the budget gap, the Chartered Accountants had been obliged to examine dense financial information, from different sources that had been placed in the public domain over a substantial period of time. The ESC’s representative argued, therefore, that the fact they had to undertake such an exercise demonstrated that the sum was not readily available or accessible to the public. The ESC’s

representative noted that if the sum had already been in the public domain, it was unlikely that the Respondent's disclosure of it at the Community Council meeting would have led to the press coverage that ensued.

The ESC's representative argued that there were legitimate reasons why the Council wished to keep the information confidential until the budget meeting. This was because of the sensitivity of the information, given that the deficit could potentially lead to cuts in services, with its associated impact on residents and employees. In addition, the sum was not confirmed, and the Council had not yet fulfilled its reporting obligations in respect of the London Stock Exchange. The ESC's representative contended that disclosing the information before the budget meeting had the potential, therefore, to damage the integrity of the budget process and the standing of the Council. The ESC's representative noted that the confidentiality of the information was simply a matter of timing and that there was no question that the Council was trying to avoid media scrutiny. Instead, it was attempting to ensure that information about the budget gap remained confidential until such time as the budget process had concluded and the Council had reported the figure to the London Stock Exchange. The ESC's representative contended, therefore, that in disclosing the sum at the Community Council meeting before the process had ended and the report had been made to the London Stock Exchange, the Respondent had contravened paragraphs 3.16 and 3.17 of the Code.

Respondent's Evidence

The Respondent confirmed that she had disclosed the potential budget gap of £45 million at the Community Council meeting on 24 January 2019, when attending in her capacity as a councillor for Lower Deeside. The Respondent advised, however, that reference in the minute of the meeting to her having "briefed members on the budgetary challenges facing the Council" was somewhat misleading in that she had not chosen to deliberately disclose the sum. Instead, she had done so to try to ensure the community council members in attendance were aware of the budgetary constraints facing the Council. The Respondent further advised that she had done so in an attempt to urge members to prioritise the areas where expenditure might be required and to encourage attendance at a forthcoming meeting the Council had arranged to discuss funding matters with its stakeholders, which was scheduled to take place on 1 February 2019. The Respondent noted that stakeholders were being encouraged to attend the meeting so that they understood the funding challenge facing the Council and would then support any request it made, to the Scottish Government, for additional funding.

The Respondent advised that she had not considered, from the budget pack, that the sum of £45 million was confidential. This was because the warning on the front cover of the pack merely stated that it *contained* confidential information and that disclosing its contents *could* be a breach. The Respondent advised that she had understood this to mean that she was not to disclose information about specific budget lines and associated savings that would be required in certain areas, rather than the overall sum of the budget deficit, given the potential impact on staff and service users. The Respondent advised this understanding was based on her previous experiences and because there had been an extra warning about confidentiality before the 'Staffing' heading. In addition, the Respondent noted that some elements of the pack, such as a document issued by COSLA, were already in the public domain.

The Respondent advised that the Council's stakeholder meeting on 1 February 2019 had been arranged, with invitations issued, before the Community Council meeting on 24 January 2019. The meeting had been arranged so that the Council's co-leaders, Chief Executive and Chief Finance Officer could discuss the funding gap. The Respondent contended that this demonstrated that the information about the deficit was not, nor intended to be, confidential.

The Respondent advised, in any event, that she had been of the belief the figure of £45 million was already in the public domain. The Respondent drew the Panel's attention to the letter prepared for her by the Chartered Accountants, outlining its view that a figure of £44.34 million could be calculable from the following three sources of publicly available information:

- The Council's general fund revenue budget 2018/19 to 2022/23, which had been issued on 6 March 2018. This dealt with the expected cumulative shortfall covering the years 2018/2019 to 2022/2023. Column 2 of a table in the document entitled 'General Fund Revenue Budget 5 Year Position' revealed an expected shortfall of £30.94 million.
- A briefing note on the Scottish Government's Finance Settlement for 2019/20, which had been issued on 18 December 2018. This stated that the Council's Funding would be some £9.8 million lower than 2018/2019 and which would need to be added to the projected deficit of £30.94 million.
- The Scottish Government's Local Government Finance Circular No8/2018, which was issued in December 2018, confirmed that councils could increase council tax by up to 3% in 2019/20. The chartered Accountants had noted that if no increase was implemented, there would be a further shortfall of approximately £3.6 million.

The Respondent advised that she accepted that when she had disclosed the sum it was unconfirmed as the Scottish Government's Finance Settlement for 2019/20 had been delayed and was not known until 21 February 2019. The Respondent advised, however, that the figure did not change between 24 January 2019 (being the date she disclosed it) and 21 February 2019 and the fact it was unconfirmed was why she had stated at the meeting that the sum was "around" £45 million.

In response to cross-examination, the Respondent further accepted that while the stakeholder meeting had been arranged before she had disclosed the sum, it had taken place afterwards. The Respondent accepted that there was a possibility that the co-leaders and senior officers would have had to disclose more information about the budget than they had intended, at the meeting, following the publishing in the newspapers of her having disclosed the £45 million sum.

In response to questions from the Panel, the Respondent advised that she was unsure as to why her disclosure that the deficit would be £45 million made the headlines of local newspapers if the sum had already been in the public domain. The Respondent advised that the reason she had declined to confirm the sum when asked to do so by journalists after the Community Council meeting was not because she considered it to be confidential, but instead was because finance was not part of her portfolio and she did not want to undermine what was going to be said at the stakeholder event. The Respondent further advised that she could not recall exactly what level of budget shortfall was discussed at the stakeholder meeting on 1 February 2019, given this had taken place over a year and a half ago. She also acknowledged that the level of Council Tax to be applied, and therefore its potential impact on the budget was not known on the date of the Community Council meeting.

Submissions made on behalf of the Respondent

The Respondent's representative argued that as the warning on the front cover referred to the budget pack 'containing' confidential information, it was reasonable for the Respondent to have assumed that not everything within it was to be classified and treated as such. The Respondent's representative reiterated that some of the information it contained was clearly already in the public domain, such as a letter from COSLA to the Scottish Government.

The Respondent's representative confirmed that the Respondent had not intentionally disclosed any confidential information and, instead, had simply been responding to scrutiny at the meeting from members of the Community Council and providing information about the estimated budget gap, in order to manage their expectations about potential expenditure in the following financial year. The Respondent had not expanded upon her comments or provided any statement to the press.

The Respondent's representative advised that, the Respondent had, in any event, subsequently considered that the information that the budget gap could be in the region of £45 million was already in the public domain. The Respondent's representative noted that while the Council tax had not been set at the time of the Community Council meeting, it would have been relatively easy for someone who was interested to

ascertain what this was likely to be and the revenue it would generate. The Respondent's representative accepted that, in order to calculate the figure, different sources of information would be required. The Respondent's representative noted, however, that these were all in the public domain and that calculating the sum was a relatively simple arithmetical exercise.

The Respondent's representative indicated that some of the information used to calculate the budget deficit was still to be confirmed at the time of the disclosure by the Respondent. The Respondent's representative noted that this continued to be the case when the matter was discussed at the stakeholder meeting on 1 February 2019 and, indeed, when the budget position was reported to the London Stock Exchange on 26 February 2019. The Respondent's representative suggested that as the exact deficit was unconfirmed, it could not have been a breach of confidentiality to reveal the £45m figure when the Respondent mentioned it on 24 January 2019.

The Respondent's representative highlighted that there had been no trading against the Aberdeen City Council bond since 2016 and therefore no financial consequences as a result of the disclosure of the £45m figure by the Respondent.

The Respondent's representative contended, therefore, that the Respondent had not disclosed confidential information in breach of the Code.

DECISION

The Hearing Panel considered the submissions made both in writing and orally at the Hearing. It concluded that:

1. The Councillors' Code of Conduct applied to the Respondent, Councillor Boulton at the time of the events in question.
2. The Respondent had breached paragraphs 3.16 and 3.17 of the Code.

Reasons for Decision

The Hearing Panel noted that the approved Minutes of the Cults, Bielside and Milltimber Community Council Meeting on 24 January 2019 refer to the Respondent as a councillor, and summarise her contribution under a section entitled 'Report from City Councillors'. The Panel was satisfied, therefore, that the Respondent was acting in her role as a councillor when she attended the meeting and, as such, the Code applied.

The Panel was further satisfied, from the note on the front page of the budget pack and the markings on all other pages, that its contents were confidential and were to remain so until the budget discussion on 5 March 2019. The Panel accepted the Respondent's position that certain matters in the budget pack were already in the public domain. The Panel considered, however, that it was evident that the budget gap of £45 million was an essential element of the matters to be discussed at the forthcoming budget meeting on 5 March 2019. As such, the Panel was of the view that this sum should be kept confidential. The Panel considered that the fact that a further confidential warning had been marked on the pack next to the 'Staffing' heading was only intended to serve as a reminder, or emphasis, in respect of a particularly sensitive area of the pack, and did not dilute the requirement not to disclose other confidential information it contained. The Panel considered that this additional warning could not reasonably be taken as giving any impression that other parts of the pack were not confidential. The Panel considered this was particularly the case given the further confidential warning next to the 'Staffing' heading stated, "I must reiterate the point of confidentiality, it may be possible to identify individuals from the lists included in this section, the pack is confidential and as such cannot be shared disclosed or discussed with anyone outside CMT". The Panel was satisfied that it was evident from the wording of the warning that it was only a reminder and that other parts of the pack should be kept confidential.

The Panel noted that sometimes confidentiality is a matter of timing, in that information may eventually be released into the public domain. In this case, the Panel considered that while information that there was a budget gap was in the public domain at the time of the Community Council meeting, it was not satisfied the figure of £45 million was readily accessible and identifiable. This was because the documents identified by the Chartered Accountants to work out what information was in the public domain had been collated from different sources which had been released over a nine-month period. The Panel considered that while a firm of Chartered Accountants, who were specialists in interpreting numbers, may have been able to identify and calculate the budget deficit from the sources used, it was not satisfied that members of the public would have been able to do so readily and without assistance. The Panel noted, in particular, that:

- the expected shortfall sum of £30.94 million was just one figure contained in a table in the document disclosing the Council's general fund revenue budget from 2018/19 to 2022/23 that had been made public in March 2018; and
- the funding reduction figure of £9.8 million was only mentioned in the three-page briefing note on the Scottish Government's Finance Settlement for 2019/20, issued on 18 December 2018.

The Panel noted even if a member of the public had located the documents and information used by the Chartered accountants to determine the budget gap, the calculable figure from this was £44.34 million, as opposed to the £45 million as disclosed by the Respondent.

In addition, the Panel noted that while the Scottish Government's Local Government Finance Circular issued in December 2018 confirmed that councils could increase council tax by up to 3% in 2019/20, anyone relying on it to work out the exact amount of Aberdeen City Council's deficit would have to know exactly what percentage increase would be applied and the impact of this in terms of revenue generated. The Panel further noted that that Chartered Accountants stated in their letter that they had understood "it was common knowledge between Councillors and Officials that a 1% rise in the Council Tax would equate to circa £1.2 million of additional revenue meaning that if no increase was implemented, there would be a further shortfall of c£3.6 million". The Panel considered that the fact that this may have been common knowledge amongst elected members and officers, did not mean it was known, or easily accessible, to the public at large. The Panel noted, in any event, that as the Council tax was not due to be set until the budget meeting on 5 March 2019, the implications of the settlement and amount of revenue to be generated could not be determined with certainty before that date.

While the Panel accepted that the Council's budget was a matter of public interest, and was to be discussed at a stakeholder meeting on 1 February 2019, it did not consider that the fact that this meeting was to take place meant that the Respondent was entitled to disclose the estimated shortfall figure from a set of papers marked as confidential at a preceding Community Council meeting. The Panel noted that no evidence had been led about the extent of information on the budget gap that was, or would have been, discussed at the stakeholder meeting, had the Respondent not released this figure at the preceding Community Council meeting. The Panel was of the view that it was entirely possible that the Council's co-leaders and senior officers would have had to disclose more information about the budget deficit than they had intended, at the meeting, after the newspapers had published the £45 million figure disclosed by the Respondent.

The Panel was further of the view that the fact that the figure was unconfirmed at the time of the Community Council meeting did not mean it was not confidential. The Panel considered that it would have been perfectly legitimate for the Council to have sought to keep the figure confidential until it was confirmed and discussed by elected members at the budget meeting on 5 March 2019, in order to avoid causing any undue concern or speculation on the part of those who would be affected by any potential expenditure and savings decisions arising as a result of the budget deficit.

The Panel concluded that the Respondent's actions, in disclosing confidential information at the Community Council meeting on 24 January 2019, amounted to a contravention of paragraphs 3.16 and 3.17 of the Code.

Evidence in Mitigation

The Respondent's representative advised that the Respondent had been a councillor for some 13 years and had an unblemished record. The Respondent's representative advised that she took her role as an elected member very seriously, as evidenced by the fact that she had been the Council's Deputy Leader between 2012 and 2017. The Respondent's representative noted that the Respondent worked hard to serve her community and, in doing so, was the Convener of the Council's Licensing Board and its Planning Committee.

The Respondent's representative emphasised that the disclosure had been inadvertent. The Respondent's representative noted that the Respondent had not disclosed the information for any political or personal reason, but rather with the intention of trying to manage the Community Council Members' expectations about potential expenditure in the following year and to encourage attendance at the planned stakeholder meeting on 1 February 2019. The Respondent's representative reiterated that the Respondent had not known that any members of the press were present at the community council meeting in question and that she had not disclosed the sum to seek publicity or draw attention to herself or the budget deficit. The Respondent's representative noted that the Respondent had reported the incident to the Council's Monitoring Officer shortly after it occurred and had apologised for the situation.

SANCTION

The decision of the Hearing Panel was to censure the Respondent, Councillor Boulton.

The sanction was made under the terms of section 19(1)(a) of the Ethical Standards in Public Life etc. (Scotland) Act 2000.

Reasons for Sanction

In reaching its decision on sanction, the Hearing Panel noted, in mitigation, that the Respondent had co-operated fully with the investigative and Hearing processes. The Panel heard that the Respondent had been a councillor for some 13 years, with an unblemished record. The Panel further heard that the Respondent took her position as a councillor very seriously and that she worked hard to serve her community. The Panel noted that the Respondent had accepted additional responsibilities as the Convener of the Council's Licensing Board and its Planning Committee.

The Panel emphasised, however, that the requirement for councillors to maintain confidentiality is a fundamental requirement of the Code. A failure to do so can damage the reputation and integrity of a Council and, further, can impede discussion and decision-making. The Panel agreed that it is legitimate and important for officers to be able to consult, in confidence, with elected members in respect of a council's finance and budget, in order to manage internal and external communications, and avoid causing any undue concern or alarm to those potentially affected (staff and service users) before expenditure and any savings options are finalised. The Panel found that the Respondent had failed to maintain confidentiality as required by the Code.

The Panel was nevertheless of the view that the Respondent's conduct did not warrant a more severe sanction. This was because the Panel had no reason to doubt the Respondent's position that the disclosure was unintentional and that it had not been made for personal or party-political reasons. The Panel further noted that the contravention had been a one-off incident and that the Respondent had herself highlighted the circumstances to the Council's co-leaders and Monitoring Officer shortly afterwards.

RIGHT OF APPEAL

The Respondent has a right of appeal in respect of this decision, as outlined in Section 22 of the Ethical Standards in Public Life etc. (Scotland) Act 2000, as amended.

Date: 28 October 2020



**Mr Michael McCormick
Chair of the Hearing Panel**

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	14 December 2020
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Standards Commission for Scotland – Written Decision – Councillor Donnelly
REPORT NUMBER	COM/20/239
CHIEF OFFICER	Fraser Bell
REPORT AUTHOR	Fraser Bell
TERMS OF REFERENCE	15

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to bring before Council the written decision made by the Standards Commission for Scotland following a hearing held on 20 November 2020.

2. RECOMMENDATION(S)

That Council:

- 2.1 Considers the content of the written decision; and
- 2.2 Notes the sanction imposed by the Standards Commission for Scotland.

3. BACKGROUND

- 3.1 Appended to this report is a copy of the written decision of the Standards Commission for Scotland following a hearing on 20 November 2020. This hearing was convened further to a complaint alleging that Councillor Alan Donnelly had contravened the Councillors' Code of Conduct in respect of his conviction in December 2019 for sexual assault.
- 3.2 Following the hearing, the Standards Commission for Scotland suspended Councillor Donnelly from all Council meetings for a period of one year after determining that he had contravened paragraphs 3.2 and 3.6 of the Councillors' Code of Conduct.
- 3.3 The Council is legally required to consider the findings of the Standards Commission for Scotland. The findings must be considered by a meeting of full Council.

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

5.1 Section 18(2) of the Ethical Standards in Public Life etc. (Scotland) Act 2000 requires that the Council consider the findings of the Standards Commission for Scotland whenever the Commission makes a finding about a Member. The Council must consider the findings within 3 months of receiving them unless the Commission sets a longer period in writing.

5.2 Section 18(3) of that Act requires that the duty to consider the findings must be discharged by Full Council and not by a committee, sub-committee, or officer.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	None	N/A	N/A
Compliance	Failure to timeously consider the findings would be a breach of statutory duty.	L	This report ensures Council meets its obligations.
Operational	None	N/A	N/A
Financial	None	N/A	N/A
Reputational	Further breaches of the Code could happen.	L	Training programme for Members helps ensure that all Members remain aware of their responsibilities.
Environment / Climate	None.	N/A	N/A

13. OUTCOMES

13.1 The proposals in this report have no impact on the Council Delivery Plan.

14. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Not Required
Data Protection Impact Assessment	Not required

15. BACKGROUND PAPERS

None

16. APPENDICES

Appendix 1: Decision of Standards Commission for Scotland

17. REPORT AUTHOR CONTACT DETAILS

Name	Fraser Bell
Title	Chief Officer - Governance
Email Address	frbell@aberdeencity.gov.uk

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Decision of the Hearing Panel of the Standards Commission for Scotland following the Hearing held online, on 20 November 2020.

Panel Members: Ms Ashleigh Dunn, Chair of the Hearing Panel
Mr Mike McCormick
Mrs Tricia Stewart

The Hearing arose in respect of a Report referred by Ms Caroline Anderson, the Commissioner for Ethical Standards in Public Life in Scotland (the ESC), further to complaint reference LA/AC/3199, concerning an alleged contravention of the Councillors' Code of Conduct (the Code) by Councillor Alan Donnelly (the Respondent).

The ESC was represented by Mr Martin Campbell, Director of Investigations and solicitor to the Commissioner. The Respondent was represented by Ms Karen Cameron, solicitor advocate.

Referral

Following an investigation into complaints received about the conduct of the Respondent, the ESC referred a report to the Standards Commission for Scotland on 16 June 2020, in accordance with section 14(2) of the Ethical Standards in Public Life etc. (Scotland) Act 2000, as amended.

The substance of the referral was that the Respondent had failed to comply with the provisions of the Code and, in particular, that he had contravened paragraphs 1.5, 3.2 and 3.6. The relevant provisions were:

Introduction to the Code of Conduct

1.5 Councillors hold public office under the law and must observe the rules of conduct stemming from the law, this Code and any guidance from the Standards Commission, and the rules, standing orders and regulations of the Council. It is your personal responsibility to comply with these and review regularly, at least annually, your personal circumstances with this in mind, particularly when your circumstances change. You must not, at any time, advocate or encourage any action contrary to the Code of Conduct.

Relationship with other councillors and members of the public

3.2 You must respect your colleagues and members of the public and treat them with courtesy at all times when acting as a councillor.

Bullying and Harassment

3.6 Bullying or harassment is completely unacceptable and will be considered to be a breach of this Code.

Preliminary Matters

The Respondent's representative requested that the Hearing Panel adjourn the Hearing. The Respondent's representative explained that she had only been asked to act by the Respondent late on 18 November 2020 and, as such, had not had time to prepare or take proper instructions, other than in respect of seeking an adjournment. The Respondent's representative advised that the Respondent had dismissed his previously instructed solicitor when he had discovered that the solicitor had failed to ask a key witness to appear at the Hearing. The Respondent's representative advised that she had not yet received the paperwork from the Respondent's previously appointed solicitor and was not, therefore, fully aware of any submissions made to date on the Respondent's behalf.

The Respondent's representative noted that the Standards Commission had been provided with evidence, in the form of a medical certificate, to demonstrate that the Respondent was not fit to attend the Hearing. The Respondent's representative argued that, in accordance with the principles of natural justice, the Respondent was entitled to both be heard and represented at the Hearing, and urged the Panel to adjourn until such time as he could attend. The Respondent's representative indicated this was likely to be in

approximately nine weeks' time, which was when a course of treatment the Respondent was undertaking was due to end.

The Respondent's representative noted that Hearing Rules provided that if the Standards Commission was satisfied that any party or witness was unable, through physical or mental impairment, to attend a Hearing, it 'may make such arrangements as appear best suited in all the circumstances of the case to fairly dispose of the matter'. The Respondent's representative contended that, in the current circumstances, the Panel could not dispose of the case fairly given the Respondent was not in attendance or represented, and therefore, the ESC's witnesses would not be cross-examined. The Respondent's representative accepted that the Hearing had been adjourned once before, following a request made on behalf of the Respondent, but advised this was because he had been suffering from the coronavirus at the time. The Respondent's representative accepted that she was making the adjournment request at the last moment, but contended that the Respondent could not have reasonably foreseen that he would require treatment and would also need to instruct new representation. The Respondent's representative argued that as the Panel had the power to suspend or disqualify the Respondent, and thus remove his employment, the requirement for it to be fair and prevent any potentially substantial prejudice to him, outweighed any need to avoid inconvenience to the ESC and any witnesses.

The Respondent's representative advised that if the Panel did not accept the adjournment request, she would have to withdraw from the Hearing as she would not be able to represent the Respondent properly and, further, did not have instructions to do so.

The ESC's representative accepted that the Respondent had the right to be heard at the Hearing but noted, nevertheless, that the Panel had the discretion to proceed in his absence. The ESC's representative asked the Panel to note that the medical certificate submitted only stated that the Respondent was unable to work and argued that it should not, therefore, be taken as evidence that he was unable to attend the online Hearing or provide instructions. The ESC's representative highlighted the lateness of the adjournment request and advised that there would be a great deal of inconvenience to the witnesses if it was granted, given they had given up their time to appear and, indeed, had been ready previously for the Hearing initially scheduled in October. The ESC's representative noted that any potential prejudice to the Respondent resulting from him not being able to cross-examine the witnesses was mitigated by the fact that the Panel was entitled to put questions to them and to explore any inconsistencies in the answers supplied. The ESC's representative noted that there was a public interest in the expeditious disposal of the case and contended that confidence in the ethical standards framework could erode if there was any further delay to the Hearing. He stated that the concept of fairness extended to the interests of the Respondent, the interests of the public and the interests of the participants.

The Panel considered carefully the adjournment request and the submissions made by Ms Cameron and Mr Campbell. The Panel noted that before any postponement or adjournment was granted, it was required, in terms of the Standards Commission's Rules, to consider not only the issue of fairness to the Respondent but also whether there could be any inconvenience or prejudice to the parties and to witnesses, as well as the public interest in the expeditious disposal of the case.

The Panel was of the view, on balance, that the public interest in the expeditious disposal of the case, along with the risk of inconvenience to the ESC and the other witnesses, outweighed the risk of any prejudice to the Respondent. This was because the matter, in which there was substantial public interest, has been ongoing for a lengthy period of time, with the Hearing having been postponed previously at the Respondent's request. The Panel was satisfied that the Respondent had been afforded sufficient time to prepare fully for the Hearing and to instruct someone to appear on his behalf. In this regard, the Panel noted that the Respondent was sent a notice on 23 June 2020 advising that a Hearing was to be held. He was asked, in the notice, to submit within the following 21 days, a written statement of case and the names of any witnesses he intended to call to give evidence. Since then, the Respondent's previously appointed solicitor had

attended a pre-Hearing meeting on his behalf, held on 7 September 2020. When the previously appointed solicitor had advised the Commission, 8 days before the Hearing, that a new witness had been identified, the Commission had confirmed a witness statement would be accepted and considered by the Panel. The previously appointed solicitor had advised the Standards Commission, on 18 November 2020, that he had signed statements from two witnesses, that he had updated a prepared statement for the Respondent to sign, and that he had been ready to submit these for the Panel's consideration at the Hearing. The Panel confirmed that such statements would have been accepted and considered, had the Respondent given instructions for them to be submitted.

The previously appointed solicitor further indicated that both he and an advocate had been intending to attend and represent the Respondent at the Hearing. The previously appointed representative advised, however, that the Respondent had withdrawn instructions that day. The Panel was satisfied, therefore, that it had been the Respondent's decision to change representatives two days before the Hearing and that he would have been represented, with witness statements submitted on his behalf, had he not have made that choice. The Panel was further satisfied, in any event, that it had detailed submissions from the Respondent's previous representative outlining the Respondent's position as to whether there had been a breach of the Councillors' Code of Conduct. The Panel confirmed it would consider and refer to these when making its decision.

The Panel was also of the view that any further delay in dealing with the matter could erode public confidence in the ethical standards framework. In the circumstances, the Panel considered that it could fairly dispose of the case by proceeding with the Hearing as planned.

Having been advised of the Panel's decision, the Respondent's representative confirmed that she was not able to represent the Respondent further and withdrew from the Hearing.

Evidence Presented at the Hearing

The ESC's representative advised that the Respondent had been convicted of sexual assault, contrary to section 3 of the Sexual Offences (Scotland) Act 2009, at Aberdeen Sheriff Court on 13 December 2019. The Panel further noted that, at a Sentencing Hearing on 31 January 2020, the Respondent had been ordered to pay compensation of £800 and placed on the Sex Offender's Register.

The ESC's representative drew the Panel's attention to the extract conviction, which described the charge the Respondent was convicted of as being that, on various occasions on 3 November 2018 at the Seven Incorporated Trades, Trinity Hall, Aberdeen, he sexually assaulted a Mr A, who was working there, by touching his face and hair, his body and by kissing him on the face.

The ESC's representative led evidence from two witnesses, being Councillor Lumsden, the Co-Leader of Aberdeen City Council, and the Deacon Convenor of the Seven Incorporated Trades of Aberdeen organisation.

Councillor Lumsden advised that an email from the Seven Incorporated Trades organisation had been sent to his Council email address, on 11 October 2018, inviting him to its annual Election Dinner at Trinity Hall, Aberdeen on 3 November 2018. Councillor Lumsden advised that he had initially thought he could attend and, as such, the Council Leader's secretary responded on his behalf to advise that he would be there. Councillor Lumsden confirmed that the secretary was a council employee whose role was to assist the Leaders with council related business. Councillor Lumsden confirmed that a formal invitation was then issued and sent to him at the Council's postal address.

Councillor Lumsden stated that the Seven Incorporated Trades of Aberdeen had a longstanding and close connection to the Council and that the organisations worked together on various matters, including a Remembrance Day service. Councillor Lumsden advised that the Seven Incorporated Trades organisation had

sent invitations to the dinner to the Lord Provost and the leaders of each political group (all of whom were councillors). Councillor Lumsden confirmed that he had received the invitation in his capacity as leader of the Conservative Party group.

Councillor Lumsden advised that, when he subsequently realised he was unable to attend, he had passed the invitation to the co-Vice Chair of the local Conservative Association, who was not a councillor. It was only when he had also been unable to attend, that the invitation had been passed to the Respondent.

In response to questions from the Panel, Councillor Lumsden advised he had passed the invitation to the co-Vice Chair, despite him not being a councillor, as he had felt that the key consideration was for a fellow Conservative Party member to attend. Councillor Lumsden confirmed that the only individuals he had approached about the invitation were the co-Vice Chair and the Respondent. Councillor Lumsden advised that his decision to ask the Respondent to attend in his place was based on him being a Conservative Party member, rather than a fellow councillor, and that he had not considered that the invitation had to be passed to another elected member. Councillor Lumsden advised that he had attended the event the previous year but was unable to recall if there had been any name badges or seating plan displaying the title of attendees. Councillor Lumsden confirmed that the email from the Seven Incorporated Trades organisation of 11 October 2018 had been sent to his council email account but noted that was his only publicly available email address.

The Deacon Convenor of the Seven Incorporated Trades of Aberdeen confirmed that the organisation had a historic and longstanding relationship with the Council and worked with it on various charitable endeavours, such as establishing a fund to assist the families of trades members who had been affected by the coronavirus pandemic. The Deacon Convenor confirmed that invitations to the annual Election Dinner being held on 3 November 2018 had been issued to the leaders of all the Council's political groups and that this was in accordance with the practice followed by the Seven Incorporated Trades organisation's practice for the last 30 years at least. The Deacon Convenor advised that his understanding had been that Councillor Lumsden would attend and that the Seven Incorporated Trades organisation had not been told that the invitation had been passed to anyone else or that the Respondent would be present in his place. He stated he would have expected a Councillor to attend on Councillor Lumsden's behalf.

In response to questions from the Panel, the Deacon Convenor confirmed that, having sent the invitations to the group leaders, his expectation was that it would be councillors who would attend. The Deacon Convenor advised that name cards bearing the titles of attendees were placed on the tables at the dinner. The Deacon Convenor advised that he expected that, as the organisation did not know the invitation had been passed on, the name card on the table would have remained in the name of Councillor Lumsden. The Deacon Convenor further advised that attendees were initially placed in an ante room before being called into the dining room by a clerk. The Deacon Convenor stated that as it was the clerk's practice to announce the attendees by title and name, he would expect the Respondent would have been announced as "Councillor Donnelly".

Submissions made by the ESC's Representative

The ESC's representative argued that, in breaking the law, the Respondent had breached paragraph 1.5 of the Code, which states that councillors 'must observe the rules of conduct stemming from the law, this Code and any guidance from the Standards Commission, and the rules, standing orders and regulations of the Council'. The ESC's representative stated that, by acting unlawfully and contravening the Sexual Offences (Scotland) Act 2009, the Respondent failed to observe the rules of conduct stemming from the law. The ESC's representative argued that there was no qualification in the Code stating that councillors were only expected to act lawfully when they were acting, or could be perceived as acting, as a councillor. This qualification only appeared in respect of section 3. The ESC's representative noted that the Code was issued by Scottish Ministers and argued that if they had intended paragraph 1.5 to be qualified in such a way, they would have stated so in express terms, as they had in the section 3. The ESC's representative noted that it was self-evident that all citizens must obey the law and contended, therefore, that by including reference to this at paragraph 1.5, Scottish Ministers were intending to incorporate this in the Code as a duty. The ESC's

representative argued that the language used in paragraph 1.5 supported his contention that it was an obligation.

The ESC's representative contended, in any event, the Respondent could reasonably be perceived as acting as a councillor at dinner on 3 November 2018. This was because:

- the Respondent was invited to the event via the invitation sent to his colleague, Councillor Lumsden's, council email address;
- the response to the email inviting Councillor Lumsden to the dinner was delegated to, and issued by, a council employee;
- the official invitation was then sent to Councillor Lumsden at the Council's postal address;
- the custom and practice of the Seven Incorporated Trades organisation was to invite the Council's party group leaders; and
- the expectation was that councillors would attend the event, particularly given the historical connection between the Council and the Seven Incorporated Trades organisation.

The ESC's representative contended that, by sexually assaulting Mr A at the dinner, the Respondent had failed to treat him with courtesy and respect. The ESC's representative further argued that, in trying to engage Mr A in sexual activity without consent or a reasonable belief of consent, the Respondent had harassed him. The ESC's representative contended, therefore, that the Respondent had also breached paragraphs 3.2 and 3.6 of the Code.

In response to questions from the Panel, the ESC's representative accepted that while one of the key principles outlined in section 2 of the Code was 'respect', the provision to treat everyone with respect was nevertheless included as a specific requirement under section 3. The ESC's representative noted the point being made in the question was that there would have been no need to include this, if sections 1 and 2 were taken to form part of the substantive Code. The ESC's representative argued, however, that the fundamental difference was that section 2 explicitly stated that the key principles 'should be used for guidance and interpretation only'. The ESC's representative noted that there was no such caveat in section 1.

DECISION

The Hearing Panel considered the submissions made both in writing and orally at the Hearing. It concluded that:

1. The Councillors' Code of Conduct applied to the Respondent, Councillor Donnelly.
2. The Respondent had breached paragraphs 3.2 and 3.6 of the Code.

Reasons for Decision

The Panel noted the ESC's representative's arguments that the Respondent had breached paragraph 1.5 of the Code (which states that councillors must observe the rules of conduct stemming from the law). The Panel agreed, however, with written submissions made on behalf of the Respondent, that section 1 of the Code was clearly labelled as an 'Introduction to the Code' and, as such, did not form part of the rules of conduct. In support of this view, the Panel noted that section 2 of the Code contains the key principles, which again did not form part of the Code itself, but were included to assist with the interpretation of the substantive, actionable provisions. The Panel noted, in particular, that the key principle of 'duty' in section 2 states that councillors have a duty to uphold, and act in accordance with, the law. Section 2 clearly states, however, that the key principles are included for 'guidance and interpretation only'. The Panel was of the view that this contradicted the ESC's representative's argument in relation to the inclusion of 'respect' in both the key principles and the rules of good conduct in Section 3.

In any event, the Panel agreed that if paragraph 1.5 was taken to be part of the substantive Code itself then any conviction (for example, for a failure to pay for a TV licence or a minor road traffic offence) could be a breach. The Panel noted that the ESC's representative had argued that the ESC was entitled to exercise a

discretion, based on proportionality, in respect of whether to refer breaches of the Code for minor, low level convictions to the Standards Commission. The Panel noted, however, that the ESC had not exercised any such a discretion in respect of other cases and, in practice, referred all potential breaches of the Code, including ones where there was an inadvertent, technical contravention, such a failure to register an interest within the strict one-month deadline for doing so. The Panel further noted that the ESC had never previously sought to rely on a breach of a paragraph in section 1 as a breach of the Code itself.

The Panel noted that if had been Parliament's intention, when it approved the Code, for all criminal convictions to amount to a breach, it would have expressly stated so, or would have sought to amend the section in the Local Government (Scotland) Act 1973 that provides that a councillor is automatically disqualified if they are convicted of a crime and receive a custodial sentence of three months or more. The Panel further noted that paragraph 1.5 also referred to councillors being obliged to observe the Standards Commission's Guidance. The Panel noted that the ESC herself has correctly held, in respect of other investigations, that the Guidance did not hold as much weight as the Code and that a breach of the Guidance did not constitute a breach of the Code.

As an aside, the Panel noted a consultation on a revised version of the Councillors' Code of Conduct was currently underway, with the Scottish Government inviting all comments and proposals to be submitted by 3 February 2021. The Panel noted that Scottish Ministers would have the opportunity to amend the Code and make it clear that it applied in all situations, regardless of whether a councillor was acting, or could reasonably be perceived as acting in that capacity, if that had always been the intention.

The Panel was satisfied, therefore, on the balance of probabilities, that a breach of paragraph 1.5 was not, in itself, a breach of the Code. It therefore proceeded to consider whether there had been a breach of paragraphs 3.2 and 3.6.

The Panel noted that while written submissions had been made on behalf the Respondent, none had been made to the effect that the conduct as outlined in the charge had not occurred. The Panel was therefore satisfied, on the balance of probabilities, that the Respondent had engaged in the behaviour as described.

The Panel noted that paragraph 3.1 of the Code stated that the rules of good conduct must be observed in all situations where an individual is acting as a councillor or could be perceived as acting as a councillor. The Panel agreed that there could be situations where councillors cannot reasonably be perceived to be acting as such, including when they were acting solely in a personal capacity. The Panel considered, however, that there are circumstances when the Code would apply when a councillor was attending an external event, provided they were doing so, or could reasonably be perceived as doing so, in their capacity as a councillor.

The Panel noted the written submissions made on behalf of the Respondent and, specifically, that he disputed that his attendance at the dinner was in his capacity as a councillor. This was because:

- the invitation was initially extended to Councillor Lumsden as group leader of the Conservative Group. When Councillor Lumsden could not attend, he had nominated the co-Vice Chair of the local Conservative Association as his substitute. The co-Vice Chair was not a councillor and it was only when he advised that he could not attend that the invitation had been passed to the Respondent. The key connection between Councillor Lumsden, the co-Vice Chair and the Respondent was their positions in the Conservative Party (as opposed to them all being councillors).
- the invitations had been issued to the leaders of the political groups, not elected members;
- the Respondent could not have been a 'substitute councillor', because the individual he substituted for was not one; and
- the event was a private dinner and by invitation only and, as such, was not official council business.

The Panel nevertheless was of the view that it would have been reasonable for an informed member of the public to have perceived that the Respondent was acting as such at the dinner on 3 November 2018 for the following reasons:

- the invitations had been sent to group leaders, as elected members, and it was the Deacon Convener's clear expectation that councillors would be attending;
- the initial invitation had been issued to Councillor Lumsden via his council email address. The formal invitation had then been sent to him at his council's postal address;
- the response to the invitation had been issued by a council employee;
- notwithstanding that the invitation had been passed to the co-Vice Chair of the local Conservative Association before being forwarded to him, the Respondent was still in effect deputising for Councillor Lumsden (being another elected member);
- there was a long-established relationship between the Seven Incorporated Trades organisation and the Council;
- the Deacon Convener had confirmed that titles would have been used at the dinner. The Panel considered that it was likely, therefore, that the Respondent would have been addressed 'Councillor Donnelly' at the event; and
- other attendees at the dinner would have known the Respondent as being a councillor, as well as being the Deputy Provost (at the time).

The Panel noted that paragraph 3.2 of the Councillors' Code of Conduct requires councillors to respect their colleagues, council employees and members of the public and to treat them with courtesy at all times when acting as a councillor or when they could reasonably be perceived as acting as such. The Panel was satisfied that, by sexually assaulting an individual at the event, the Respondent had failed to treat that individual with courtesy and respect.

The Panel noted that paragraph 3.6 of the Code provides that bullying or harassment is completely unacceptable and will be considered a breach of the Code. The Panel noted that Standards Commission's Advice Note for Councillors on Bullying and Harassment defines harassment as any unwelcome behaviour or conduct which has no legitimate workplace purpose and which makes someone feel offended, humiliated, intimidated, frightened and/or uncomfortable at work. In this case, the Panel noted the offence was committed at Mr A's workplace and had no legitimate workplace purpose. The Panel was of the view that it was reasonable to conclude that the fact a complaint had been made to the police meant that Mr A had not consented and was likely to have made to feel offended, humiliated and uncomfortable at work. As such, the Panel was satisfied that the Respondent had harassed Mr A.

The Hearing Panel concluded, therefore, that the Respondent's conduct amounted to a contravention of paragraphs 3.2 and 3.6 of the Code.

Submissions in respect of Mitigation and Sanction

The Panel noted that, in a response to the ESC the Respondent's previous representative had asked that it be noted that the underlying charge, for which the Respondent had been convicted bore limited facts, being that he had touched Mr A on the face and his hair; touched Mr A's body; and kissed Mr A on his face.

The Respondent's previous representative had highlighted that only a conviction giving rise to a period of custody of three months or more precluded the holding of the office of councillor under, and in terms of, section 31 of the Local Government (Scotland) Act 1973. The Respondent's previous representative argued that the system of sanctions for misconduct contained within the 2000 Act ought not to conflict with the clear and unambiguous intention of Parliament, as contained in section 31 of the 1973 Act.

The Panel noted that an eight-month supervision period imposed on the respondent at the Sentencing Hearing had now ended and that the Respondent was no longer on the Sex Offenders' Register.

SANCTION

The decision of the Hearing Panel was to suspend, for a period of 12 months, the Respondent, Councillor Donnelly, from all meetings of the council and of any committee or sub-committee thereof and of any other body on which the councillor is a representative or nominee of the council or body.

The sanction was imposed under section 19(1)(c) terms of the Ethical Standards in Public Life etc. (Scotland) Act 2000.

Reasons for Sanction

In reaching its decision on sanction, the Hearing Panel noted, in mitigation, that the Respondent had co-operated with the investigative and adjudicatory processes, albeit he had not been able to attend the Hearing.

The Panel noted that the options available to it were to censure the Respondent, to suspend him for a period not exceeding one year or to disqualify him.

The Panel emphasised that the requirement for councillors to behave in a respectful manner towards colleagues, council employees and members of the public is a fundamental requirement of the Code. The Panel noted that a failure to do so has the potential to undermine the reputation of a Council and public confidence in the role of elected members. Given the serious nature of the conviction that led to the breach of the Code, the Panel did not consider that a censure was an appropriate disposal.

The Panel considered whether a sanction of disqualification should be imposed. The Panel noted that only a conviction giving rise to a period of custody three months precludes the holding of the office of councillor in terms of Section 31 of the Local Government (Scotland) Act 1973. The Panel noted that the Sentencing Sheriff in the Respondent's case, having heard the full account of the circumstances and its impact, had not considered the events in question that led to the conviction necessitated a custodial sentence. The Panel was of the view that, while the Respondent's conduct was entirely unacceptable and would have been distressing and disturbing for the victim, there was no evidence before it to show that the Respondent's conduct had been repeated or had extended beyond the incident in question. The Panel noted that the Respondent had been a councillor since 2007 and that he had not previously been the subject of a referral to the Standards Commission. The Panel accepted that the Respondent had already been punished by a criminal Court in respect of the incident that was the subject of the complaint. The Panel noted that that the supervision period imposed on the Respondent had ended and, further, he was no longer on the Sex Offenders' Register. In the circumstances, the Panel did not consider that disqualification was an appropriate sanction.

The Panel determined, therefore, that the sanction should be a suspension. The Panel was of the view that, in order to reflect how wholly inappropriate the Respondent's behaviour had been, the maximum suspension of one year should be imposed. The Panel was satisfied that the imposition of the maximum suspension would reflect the potential damage the Respondent's conduct had inflicted on the public's confidence on the role of a councillor and the reputation of the Council. The imposition of the maximum suspension would also reflect the wholly unacceptable nature of the conduct towards Mr A, who was working at the location when he was sexually assaulted by the Respondent.

The Panel noted that the Standards Commission had imposed an interim suspension on the Respondent on 4 March 2020, while the matter was being investigated by the Commissioner, and to reflect the serious nature of the conviction. The interim suspension had remained in place since then, meaning that the Respondent had already been suspended for a period of eight months. The Panel noted that it was obliged to take into account any period for which a Respondent had already been the subject of an interim suspension. As such, the Panel suspended the Respondent, Councillor Donnelly's, right to attend all meetings

of Aberdeen City Council and of any committee or sub-committee thereof and of any other body on which he is a representative or nominee of the council until 3 March 2021.

RIGHT OF APPEAL

The Respondent has a right of appeal in respect of this decision, as outlined in section 22 of the Ethical Standards in Public Life etc. (Scotland) Act 2000, as amended.

Date: 25 November 2020



**Ms Ashleigh Dunn
Chair of the Hearing Panel**

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ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	14 December 2020
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Treasury Management Strategy – Year-End and Mid-Year Reviews
REPORT NUMBER	RES/20/209
DIRECTOR	Steven Whyte
CHIEF OFFICER	Jonathan Belford
REPORT AUTHOR	Neil Stewart
TERMS OF REFERENCE	Council, 5 and 6

1. PURPOSE OF REPORT

- 1.1 To update the Council on Treasury Management activities undertaken during financial year 2019/20 and also to update the Council on Treasury Management activities undertaken to date, during financial year 2020/21.

2. RECOMMENDATION(S)

That the Council:-

- 2.1 Consider and note the Treasury Management activities undertaken in the 2019/20 financial year as detailed in this report; and
- 2.2 Consider and note the Treasury Management activities undertaken in the 2020/21 financial year to date, as detailed in this report.

3. BACKGROUND

Introduction

- 3.1 The Council approved a Treasury Management policy for the financial years of 2020/21 to 2022/23 on 2 March 2020. Part of this policy is to report a year-end review to full Council, and also to report on Treasury Management activities undertaken during the financial year 2020/21 to date.
- 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 2019/20

- 3.3 The following is a summary of the significant Treasury Management activities which were undertaken during financial year 2019/20: -
- 3.4 Loans Pool Rate - 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 2019/20 was 3.58%, which can be broken down to 3.56% for interest, and 0.02% for expenses. This represents a reduction of 0.24% from the previous year's rate.
- 3.5 Long Term Borrowing - Seven new PWLB (Public Works Loan Board) loans totalling £130 million were borrowed at an average interest rate of 1.85%, to assist financing the Council's capital programmes.
- 3.6 These new loans, which have an average life of 44 years, were borrowed in line with the Council's existing debt Maturity Profile. These loans are the first long-term borrowing that the Council has undertaken since the Bond issuance in November 2016, during which time long-term debt of £64.2m has been repaid, but not replaced until now.
- 3.7 PWLB Interest Rates – In October 2019 HM Treasury introduced a major change to PWLB public sector lending rates. There was an immediate increase to all PWLB borrowing rates of 100 basis points, adding an additional 1% to interest rates. This change meant that HM Treasury set its rates at an average of 180 basis points over the relevant gilt price.
- 3.8 At Spring Budget 2020, the Government announced a new, discounted rate of PWLB lending to support social housing in England, Scotland and Wales. The new Housing Revenue Account (HRA) rate was available from 12 March 2020. The value of this discount is 100 basis points below the rate at which the Council usually borrows from the PWLB.
- 3.9 Short Term Borrowing - In 2016, the Council made the deliberate decision to run down its external temporary borrowing (short-term loans from other Local Authorities). This was due to the level of funds received from the Bond Issuance. External temporary borrowing has been built back up to a manageable level, with available rates currently well below long-term borrowing levels. As at 31st March 2020, some £98m of temporary borrowing was held from other local authorities. The average interest rate for these loans is 0.9%.
- 3.10 North East Scotland Pension Fund – The Council's Loans Fund has an ongoing Temporary Loan from the North East of Scotland Pension Fund. This represents the Pension Fund's excess level of cash funds on hand, which is driven by the Pension Fund's cashflow requirements. This Temporary Loan is a means of earning the Pension funds a fair short-term interest rate from these funds, rather than a means of borrowing for the Loans Fund.
- 3.11 Throughout last year, at the Pension Fund's request, the level of this Temporary Loan was increased, to assist the Fund to maximise their interest return on their

excess cash funds. As at 31st March 2020, the balance of the temporary loan was £67.4m.

3.12 Investments - As at 31st March 2020, the Council had temporary investments totalling £128.3m at an average rate of 0.56%. Investments were made in line with the current Counterparty List to the following institutions: -

- Clydesdale Bank £13.3m
- HSBC Bank plc £5.0m
- Royal Bank of Scotland £5.0m
- Santander UK £10.0m
- Goldman Sachs Int'l Bank £10.0m
- Close Brothers Ltd £5.0m
- Bank of Scotland £20.0m
- Federated MMF £30.0m
- Aberdeen MMF £30.0m

3.13 **Treasury Management 2020/21**

The following is a summary of the significant Treasury Management activities which have been undertaken to date during financial year 2020/21: -

3.14 PWLB Interest Rates – As previously mentioned, in October 2019 HM Treasury introduced an increase to all PWLB borrowing rates of 100 basis points. Following a recent consultation review, HM Treasury announced in late November 2020 that it was reducing PWLB interest rates by 100 basis points with immediate effect.

3.15 Long-Term Borrowing – No new long-term Public Works Loan Board (PWLB) loans have been drawn down during this financial year to date.

3.16 There are no firm plans for any further long term borrowing this year. We will monitor this situation throughout the remaining part of the financial year as it could be influenced by progress achieved on the Council's Capital programme, which in turn is being influenced by the response to the Covid-19 pandemic. We remain open to the possibility of undertaking some longer-term borrowing, should market conditions become favourable.

3.17 Short-Term Borrowing - At the time of writing, the Council currently has c£124m of temporary borrowing from other local authorities. The average interest rate on these loans is 0.19%. More borrowing of this type may be undertaken during the year, should market conditions continue to be favourable, but only once the level of investments held begins to fall.

3.18 The Council's Loans Fund has an ongoing Temporary Loan from the North East of Scotland Pension Fund. This helps the Pension Fund by providing it with a reasonable rate of return on their temporary excess funds, while also assisting the Council's short-term cashflow liquidity. The level of the temporary loan is c£57m at the time of writing.

3.19 Investments - The Council currently has c£99m of Temporary Investments. These funds are invested across a range of highly rated Banks and Money

Market Funds in line with the Council's current Counterparty List. The average rate of these investments is 0.28%. This figure includes the Pension Fund's Temporary Loan funds, which are kept in call accounts to enable the funds to be repaid back at very short notice.

- 3.20 Money Market Funds - Money Market Funds are AAA rated, short term pooled investment vehicles. They offer security, counterparty diversification and instant access to funds, when required. The Council operates eight Money Market Fund accounts. These Money Market Fund accounts greatly assist the Council in spreading its Counterparty risk while also improving short-term cashflow liquidity.

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, however it should be noted that the issuance of the Bonds requires the Council to comply with the Market Abuse Regulations, the Disclosure and Transparency Rules, the Listing Rules and ongoing obligations as set out in the London Stock Exchange Admission and Disclosure Standards.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Financial	Loss of deposit in a failed bank or financial institution	L	The Council has strict lending criteria, only financial institutions with the highest credit ratings are included on the Council's Counterparty list. The list is compiled in conjunction with the Council's Treasury Advisors and is under constant review.

7. OUTCOMES

The proposals in this report have no impact on the Council Delivery Plan.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Full impact assessment not required
Data Protection Impact Assessment	Not required

9. BACKGROUND PAPERS

- 9.1 CIPFA "Code of Practice for Treasury Management in the Public Services "
CIPFA "The Prudential Code for Capital Finance in Local Authorities"
Link Asset Services "Treasury Management Annual Investment Strategy"
Scottish Government "The Investment of Money by Scottish Local Authorities"

10. APPENDICES - None

11. REPORT AUTHOR CONTACT DETAILS

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ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	14 December 2020
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Armed Forces Covenant Gold Accreditation Award
REPORT NUMBER	CUS/20/237
DIRECTOR	Andy MacDonald
CHIEF OFFICER	Derek McGowan
REPORT AUTHOR	Derek McGowan
TERMS OF REFERENCE	21

1. PURPOSE OF REPORT

To advise Council on the successful application for Gold Accreditation for the Armed Forces Covenant agreed at Council on 10th September 2018.

2. RECOMMENDATION(S)

That Council:-

- 2.1 Notes the successful Gold accreditation for the Council's Armed Forces Covenant through the Defence and Employer Recognition Scheme (ERS); and
- 2.2 Notes the ongoing work to promote the Armed Forces Covenant.

3. BACKGROUND

- 3.1 The Defence Employer Recognition Scheme (ERS) encourages employers to support the Armed Forces and inspire others to do the same. The scheme awards bronze, silver and gold awards for employer organisations that pledge, demonstrate or advocate support to defence and the armed forces community, and align their values with the Armed Forces Covenant.

- 3.2 Aberdeen City Council was awarded the Defence and Employer Recognition Scheme (ERS) Silver award in 2017. On 10th September 2018 Council considered a [report](#) on refreshing the Armed Forces Covenant and agreed to adopt the refreshed Armed Forces Covenant, that the Lord Provost would remain as the Armed Forces Champion, and to establish an Advisory Working Group (AWG) to oversee the implementation of refreshed Covenant.
- 3.3 The Advisory Working Group (AWG) is chaired by the Chief Officer – Early Intervention and Community Empowerment with the Lord Provost, Councillor Houghton, Councillor Hutchison; and officers from Education, Housing, Social Work and Organisational Development completing the membership.
- 3.4 The AWG agreed an action plan towards completing the identified actions with the intention of applying for Gold award accreditation in March 2020. To be successful, the Council had to be able to demonstrate compliance with the measures contained in Appendix 1 to this report.
- 3.5 As part of the work for our submission, and in addition to meeting the criteria outlined in Appendix 1, a webpage was created as a space for collating our policies in support of our Armed Forces:

<https://www.aberdeencity.gov.uk/services/people-and-communities/our-support-armed-forces>

An Armed Forces Network was established for employees of the Council who are veterans; a dedicated email address armedforces@aberdeencity.gov.uk was established to manage enquiries, and a series of social media messages were issued in support of Reserve's Day, Armed Forces Day and the role of the Armed Forces.

- 3.6 The application for the Gold award accreditation was submitted as required in March 2020, and we were notified in August 2020 that the application had been successful. Aberdeen City Council is one of only [four organisations](#) in the Highland Reserve Forces and Cadets Association area to be awarded Gold accreditation. On 15th September 2020 the Chief Executive was contacted by the Secretary of State for the Ministry of Defence congratulating the Council on achieving this award. The Council is now listed on the www.gov.uk as a [Gold Award winner](#). The official Gold Accreditation Award has now been received and presented to the Lord Provost.
- 3.7 Officers continue work to ensure we meet the requirements of our Armed Forces Covenant, and further progress will be provided by way of service updates.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from the recommendations of this report

5. LEGAL IMPLICATIONS

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

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	Not applicable		
Compliance	Failure to meet terms of the Covenant could lead to complaint and affect relationship with the Armed Forces	L	Working Group established and action plan completed. Action plan will be reviewed regularly and progress noted through service update to Council.
Operational	Not applicable		
Financial	Not applicable		
Reputational	Failure to meet terms of the Covenant could lead to complaint and affect relationship with the Armed Forces	L	Working Group established and action plan completed. Action plan will be reviewed regularly and progress noted through service update to Council.
Environment / Climate	Not applicable		

7. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
	Impact of Report
Aberdeen City Council Policy Statement	The adoption of the Community Covenant supports the 'People' policy approach, through the provision of a proportion of the new 2000 Council homes to veterans.
Aberdeen City Local Outcome Improvement Plan	
Prosperous Economy Stretch Outcomes	The adoption of the Community Covenant provides for the development of tailored employment pathway for Service leavers. This supports LOIP stretch outcomes 1: 10% increase in employment across priority and volume growth sectors by 2026. and 2:

	90% of working people in Living Wage employment by 2026.
Prosperous People Stretch Outcomes	<p>The adoption of the Community Covenant provides for support and engagement of our local cadet units on local schools and communities o promote the role and benefits of cadet forces and Reserve Armed Forces.</p> <p>This supports LOIP stretch outcome 6:</p> <p>95% of children living in our priority localities will sustain a postive destination upon leaving school by 2026.</p>
Prosperous Place Stretch Outcomes	No impact.
Regional and City Strategies	The proposals within this report support the Regional Economic Strategy through the promotion of employment and educational opportunities.
UK and Scottish Legislative and Policy Programmes	The proposals within this report support the allocation of housing under Housing legislation and the duty to prevent and alleviate homelessness. This includes our Rapid Rehousing Transition Plan and Housing 1 st Programme, and recently refreshed allocations policy.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Full impact assessment not required
Data Protection Impact Assessment	Not required

9. BACKGROUND PAPERS

[Local Authority Community Covenant \(motion by Cllr Ross Thomson\) 24th June 2015.](#)

[Local Authority Community Covenant report 11th October 2017](#)

[Refreshed Community Covenant report 10th September 2018](#)

10. APPENDICES

Appendix 1 – Criteria for Gold Award accreditation

Appendix 2 – Aberdeen City Council Armed Forces Covenant

11. REPORT AUTHOR CONTACT DETAILS

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Appendix 1

Criteria to be satisfied for the Gold award accreditation.

The Council:

- Must have signed the Armed Forces Covenant
- Must have an existing relationship with their National Account Manager / Regional Employer Engagement Director / appropriate defence representative
- Must have already stated their intent to be supportive by using the ERS website to register at Bronze level
- Must proactively demonstrate their forces-friendly credentials as part of their recruiting and selection processes. Where possible, they should be engaged with [Career Transition Partnership](#) (CTP) in the recruitment of service leavers
- Must employ at least one individual from the armed forces community category that the nomination emphasises. For example, an employer nominated for support to the Reserves must employ at least one Reservist
- Must actively ensure that their workforce is aware of their positive policies towards defence people issues. For example, an employer nominated for support to the Reserves must have an internally publicised and positive HR policy on Reserves
- Must be an exemplar within their market sector, advocating support to Defence People issues to partner organisations, suppliers and customers with tangible positive results
- Within the context of Reserves the employer must have demonstrated support to mobilisations or have a framework in place. They must provide at least 10 days' additional leave for training, fully paid, to the Reservist employee
- The employer must not have been the subject of any negative PR or media activity

Appendix 2

Our Armed Forces Covenant commitments:

- We will offer up to 1% of our 2,000 new Council houses to those leaving the armed forces and adapt up to a further 0.5% for those injured in service
- We will support the employment of veterans and work with the Career Transition Partnership (CTP) to establish a tailored employment pathway for Service leavers
- We will support the employment of Service spouses and partners and provide advice services to support cadet forces to prepare for future employment
- We will support our employees who are members of the Reserve forces, including by accommodating their training and deployment where possible
- We will offer support to our local cadet units, either in our local community or in local schools and we will engage with local schools and communities to promote the role and benefits of cadet forces and Reserve Armed Forces
- We will support our employees who are members of the Reserve forces, including by accommodating their training and deployment where possible
- We will offer support to our local cadet units, either in our local community or in local schools and we will engage with local schools and communities to promote the role and benefits of cadet forces and Reserve Armed Forces
- We will work with other organisations across the city to promote sporting opportunities for the armed forces
- We will arrange for colleagues from SAAFA, the Armed Forces Charity, to use a council office one day a week to improve access to support for veterans
- We will ensure that Armed Forces Personnel are not disadvantaged when it comes to gaining a place at a school for their children
- We will take part in Armed Forces Day

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Notice of Motion - Council - 14 December 2020 Councillor Boulton

That Council -

- (i) notes with great Civic Pride that Aberdeen Art Gallery was a winner of Art Fund Museum of the Year 2020; and
- (ii) congratulates Christine Rew and the Aberdeen Art Gallery & Museums team in winning this highly prestigious award. The redevelopment of Aberdeen Art Gallery has been a transformational project not just for the building, but also for the city. In November last year we experienced the powerful affection with which visitors reconnected with the building and their favourite artworks - transformed, but reassuringly familiar. To see the ambition and success we wanted to achieve at the art gallery recognised by a panel of experts is the icing on the cake.

The judging panel said:

Aberdeen Art Gallery is responsible for an exceptional collection of art and heritage, rightly celebrated as among the finest in the UK. 2019 marked the culmination of the most ambitious redevelopment project in the museum's 135 years history, completely re-imagining the gallery so its extraordinary treasures, and the stories they tell can be celebrated, shared and better understood. The judges were impressed with the scale and ambition of this project, which increased the number of works on show from 370 to 1080, the beautifully executed restoration, and the commitment to involve the people of the City in the future of this rediscovered jewel on their doorstep. They look forward to seeing what the next 100 years would bring.

Art Fund has supported Museum of the Year since 2008. Its forerunner was the Prize for Museums and Galleries, administered by the Museum Prize Trust and sponsored by the Calouste Gulbenkian Foundation from 2003-2007. The prize champions what museums do, encourages more people to visit and gets to the heart of what makes a truly outstanding museum. The judges present the prize to the museum or gallery that has shown how their achievements of the preceding year stand out, demonstrated what makes their work innovative, and the impact it has had on audiences.

Winning this prestigious prize will not only raise the profile of the gallery around the World but will benefit local artists. Local artists will benefit from Aberdeen Art Gallery's success as Art Fund Museum of the Year 2020, the Gallery's share of the £200,000 prize, which this year is split equally between five winners in response to the Covid-19 pandemic, will be used to support a series of small-scale commissions.

Creative practitioners (artists, makers, musicians, dancers, designers, writers and performers) living in AB postcode areas will be invited to submit proposals for a series of small-scale commissions. With these 'micro-commissions' creative practitioners are being asked to respond to the Aberdeen's outstanding collection of art and history through the creation of new work which explores the themes of identity, intersectionality and representation.

Key to the success of the commissioning process will be the appointment of an Artist Facilitator, for which expressions of interest are now being invited from creative practitioners and those with experience of facilitating projects and conversations. The Artist Facilitator will use their networks and excellent understanding of the creative sector in Aberdeen to guide both the Art Gallery and awardees through the process, supporting conversations between staff, volunteers, audiences and the creative community.

Commissioned artists will have access to the Aberdeen Archives, Gallery & Museums' collections and specialist curatorial expertise, as well as opportunities to share their work through the public programme of talks, events, performances, workshops and displays.

The micro-commissions will be offered in two rounds, each with two commissions of £3,000 and four commissions of £850. The finished works might be small-scale, and the time spent developing and producing need not be long and drawn-out. The commissions may become part of Aberdeen Archives, Gallery & Museums' collections and organisers are keen to discuss how this might work with non-traditional artforms.