

Public Document Pack



To: All Members of the Council

Town House,
ABERDEEN, 7 June 2023

COUNCIL

The Members of the **COUNCIL** are requested to meet in Council Chamber - Town House on **WEDNESDAY, 14 JUNE 2023 at 10.30am**. This is a hybrid meeting, therefore Members may also take part remotely.

JENNI LAWSON
INTERIM CHIEF OFFICER - GOVERNANCE
(LEGAL)

B U S I N E S S

ADMISSION OF BURGESSES

1.1 Admission of Burgesses

NOTIFICATION OF URGENT BUSINESS

2.1 No urgent business at this stage

DETERMINATION OF EXEMPT BUSINESS

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

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

4.1 Members are requested to declare any interests or connections

DEPUTATIONS

- 5.1 There are no deputation requests at this stage

MINUTES OF PREVIOUS MEETINGS OF COUNCIL

- 6.1 Minute of Meeting of Aberdeen City Council of 26 April 2023 - for approval (Pages 7 - 22)
- 6.2 Minute of Adjourned Meeting of Aberdeen City Council of 4 May 2023 - for approval (Pages 23 - 28)
- 6.3 Minute of Meeting of Aberdeen City Council of 12 May 2023 - for approval (Pages 29 - 32)
- 6.4 Minute of Meeting of Urgent Business Committee of 23 May 2023 - for approval (Pages 33 - 36)

REFERRALS FROM COMMITTEES

- 7.1 Communities, Housing and Public Protection Committee of 16 May 2023 - Notice of Motion by Councillor Tissera (Pages 37 - 38)
- 7.2 Finance and Resources Committee of 17 May 2023 - Notice of Motion by Councillor Crockett (Pages 39 - 40)

BUSINESS PLANNER AND OTHER MINUTES

- 8.1 Council Business Planner (Pages 41 - 46)

GENERAL BUSINESS

- 9.1 Treasury Management Strategy - Year-end Review - RES/23/166 (Pages 47 - 50)
- 9.2 Performance Management Framework (2023/24) - COM/23/168 (Pages 51 - 72)
- 9.3 Work Plan and Business Cases - Revenue - COM/23/169 (Pages 73 - 78)
- 9.4 Adoption of the Aberdeen Local Development Plan 2023 - COM/23/174 (Pages 79 - 262)
- 9.5 Scheme of Governance Review - 2023 - COM/23/162 (Pages 263 - 614)

NOTICES OF MOTION

10.1 Notice of Motion by Councillor Ali

Council:-

Notes the statement made by Sir Iain Livingstone (Chief Constable of Police Scotland) to the Scottish Police Authority on 25 May 2023 related to institutional racism, sexism, misogyny and discrimination

Acknowledges how difficult it was for the Chief Constable to make this statement because of the lack of understanding around these terms

Acknowledges this statement is not suggesting any officer is prejudiced but accepts that to improve Police Scotland as an organisation, initially a statement of the problem must be made

Fully supports and thanks all members of staff at Police Scotland for their work in immensely difficult circumstances and, recognises their dedication and commitment to public protection

Agrees to send a copy of this Notice of Motion and the Council decision to Chief Constable Sir Iain Livingstone QPM at Police Scotland

10.2 Notice of Motion by Councillor Ali

Council:-

Acknowledges that 31st May is the anniversary of the atrocities in Prijedor, Bosnia, which was marked with a memorial event in Aberdeen as organised by Remembering Srebrenica Scotland, Aberdeen Mosque and Aberdeen City and Aberdeenshire Councils remembering the Prijedor genocide, rape and torture of 3,173 civilians (102 children and 256 women), all Bosnian Muslims who were instructed to wear a white armband or drape a white sheet from their homes to identify their ethnicity; and recognises the hugely valuable work done by Remembering Srebrenica Scotland to share the stories of this period and combat hate speech and intolerance.

Agrees to send a copy of this Notice of Motion and the Council decision to Remembering Srebrenica Scotland.

10.3 Notice of Motion by Councillor Bonsell

That Council

1. Notes that work commenced on the new Mortuary at Aberdeen Royal Infirmary (ARI) in October 2022 and that the project is planned to complete in Spring 2024.
2. Notes that the change in land use on the ARI site has impacted hugely on the available car parking capacity available for staff and visitors.
3. Notes that public transport opportunities to the ARI site have been reduced.
4. Instructs the Chief Officer - Operations and Protective Services to report to the October 2023 meeting of the Net Zero, Environment and Transport Committee on the implications of parking capacity of ARI; the impact this is having on parking in the surrounding streets; and considers solutions, in consultation with NHS Grampian.

10.4 Notice of Motion by Councillor Boulton

To instruct the Chief Officer - City Growth to work with Aberdeen Inspired to arrange for bunting on Union Street as a matter of priority, ensuring the City is welcoming for both residents and tourists. The bunting will complement the floral displays already appearing on Union Street and adjoining streets. The bunting will bring a much-needed splash of colour and vibrancy to the main artery of the city centre, acknowledging that there will need to be medium to longer term plans for the streetscape.

10.5 Notice of Motion by Councillor Boulton

To instruct the Director of Resources to produce options and costs for the original gates for the front of Marischal College Quad to be re-instated, combined with the reconfiguration of the entrance into the council offices; and to report back to the Full Council meeting on 11 October 2023.

10.6 Notice of Motion by Councillor Brooks

That the Council take this opportunity to:

1. Extend their thoughts and prayers to all those affected by the tragic events of 6th July 1988 widely known as the Piper Alpha Disaster, especially as we approach the 35th anniversary of the loss of 167 lives;
2. Recognise and thank those - often local - men and women offshore who undertake the work of the oil and gas sector that affords us the ability to keep the lights on and to heat our homes, to name but two things;
3. Acknowledge the work of the Health and Safety Executive, OEUK and the NSTA in keeping safety and the lessons learned from the Piper Alpha disaster in the forefront of our North Sea activities as we look to ensure energy security whilst also transitioning to Net Zero by 2050;
4. Note the planting of new rose bushes together with the ongoing maintenance work and improvements to the Piper Alpha memorial and the gardens, using funding from the "Pound for Piper Trust", in time for the 35th anniversary service, as noted at the Communities, Housing and Public Protection Committee (Item 11.3 - RES/23/151, para 3.3).

10.7 Notice of Motion by Councillor Kuszniir

That the Council:

1. Notes the negative impact since 2022 of the South College Street Junction Improvements Project works on the businesses based on and around Palmerston Road, Palmerston Place and The Arches on South College Street;
2. Believes that small and medium-sized enterprises are the backbone of the UK, Scottish and Aberdeen economy; and
3. Therefore, instructs the Chief Officer - Finance to prepare a report outlining the options available to Councillors in encouraging businesses to remain within the area, including but not limited, to Non-Domestic Rate discounts for approval by Council.

10.8 Notice of Motion by Councillor Thomson

That the Council

1. Agrees that the traffic chaos of the last few months has been immensely frustrating for all concerned.
2. Agrees that successive closures of the Bridge of Dee and George VI Bridge, either northbound or southbound, taking place at the same time (as required for contraflow purposes) as works on South College Street and the roads along both banks of the river have meant long tailbacks and delays.
3. Notes that the question that many people are asking is whether some of that chaos could have been avoided.
4. Instructs the Chief Officer - Operations and Protective Services to report to the August 2023 Council meeting providing an explanation of the timings of all these substantial projects and any lessons learned. Also to instruct the Chief Officer - City Growth to detail what the economic impact has been.

EXEMPT/CONFIDENTIAL BUSINESS

11.1 Work Plan and Business Cases - Revenue - COM/23/169 - exempt appendices (Pages 615 - 636)

Website Address: www.aberdeencity.gov.uk

IIAs related to reports on this agenda can be viewed [here](#)

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

ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 26 April 2023

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Lord Provost David Cameron, Chairperson;
Depute Provost Steve Delaney; and

COUNCILLORS

GILLIAN AL-SAMARAI
NURUL HOQUE ALI
CHRISTIAN ALLARD
ALISON ALPHONSE
KATE BLAKE
JENNIFER BONSELL
MARIE BOULTON
DESMOND BOUSE
RICHARD BROOKS
HAZEL CAMERON
DONNA CLARK
JOHN COOKE
NEIL COPLAND
WILLIAM CORMIE
BARNEY CROCKETT
SARAH CROSS
DEREK DAVIDSON
LEE FAIRFULL
EMMA FARQUHAR
GORDON GRAHAM
ROSS GRANT
MARTIN GREIG

DELL HENRICKSON
RYAN HOUGHTON
MICHAEL HUTCHISON
MICHAEL KUSZNIR
GRAEME LAWRENCE
SANDRA MACDONALD
NEIL MacGREGOR
ALEXANDER McLELLAN
KEN McLEOD
CIARAN McRAE
M. TAUQEER MALIK
DUNCAN MASSEY
JESSICA MENNIE
ALEX NICOLL
MIRANDA RADLEY
JENNIFER STEWART
KAIRIN VAN SWEEDEN
LYNN THOMSON
DEENA TISSERA
SIMON WATSON
and
IAN YUILL

Lord Provost David Cameron, 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, Wednesday, 26 April 2023

ANNOUNCEMENT

1. Following interventions by Councillor Mrs Stewart and Councillor Tissera, the Lord Provost apologised to Councillor Mrs Stewart and Councillor Tissera and anyone else in the Chamber who felt he had not treated them fairly. The Lord Provost stated that they had his assurance he would ensure that everyone would be treated fairly and listened to going forward.

NOTICE OF MOTION BY COUNCILLOR KUSZNIR

2. The Council had before it a notice of motion by Councillor Kuznir in the following terms:-

That the Council:

- (a) Notes the decision of Full Council on 1 March 2023 to terminate the agreement with SISTEMA Scotland, who deliver Big Noise Torry in partnership with Aberdeen City Council, following a reduction in Aberdeen City Council's contribution by £738,000;
- (b) Further notes that Sistema Scotland's budget was protected by the previous Administration in their 2022-23 Budget, following the extension of the partnership for 6 years from 2020;
- (c) Acknowledges the funding announced by Neil Gray, Minister for Culture, Europe and International Development to be provided to Sistema Scotland by the Scottish Government, which should protect Big Noise Torry;
- (d) Believes that Big Noise Torry is about much more than music. Music is a tool that is utilised to deliver early intervention and improve life chances. The Council recognising this in 2013, when it first approached Sistema Scotland to deliver Big Noise Torry, said "*that Sistema Scotland's operation will be an integral aspect of the City Council's regeneration work in Torry*";
- (e) Notes that the decision to cut Sistema Scotland's funding was supported by the following Aberdeen City Councillors:
 - a. SNP: Gill Al-Samarai; **Christian Allard, Torry/Ferryhill**; Alison Alphonse; David Cameron; Hazel Cameron; Donna Clark; John Cooke; Neil Copland; Bill Cormie; Derek Davidson; **Lee Fairfull, Torry/Ferryhill**; Dell Henrickson; Michael Hutchison; Neil MacGregor; Alexander McLellan; Ciarán McRae; Jessica Mennie; Alex Nicoll; Miranda Radley; and Kairin van Sweeden; and
 - b. Liberal Democrat: Desmond Bouse; Steve Delaney; Martin Greig; and Ian Yuill.
- (f) Further notes that these same Councillors unanimously supported a Notice of Motion on 14 December 2022 by Cllr Kuznir congratulating Big Noise Torry on their side-by-side concert with the Royal Scottish National Orchestra;

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- (g) Is aware of the previous support, during his time as a Member of the Scottish Parliament, for Sistema Scotland and Big Noise Torry from Cllr Christian Allard where he tabled a parliamentary Motion on 30 June 2015 which said:

That the Parliament recognises what it considers the crucial work that Sistema Scotland does by inspiring young people to get involved in symphony orchestras as well as the huge social benefits in doing so; notes the broad age range who benefit from this work, from nursery to secondary school pupils; commends the launch of a new Big Noise orchestra centre in Torry in Aberdeen; considers that this will have a positive social impact for the local community, and encourages the formation of more organisations that aim to include young people in creative activities, bringing recreational and social fulfilment.

- (h) Further notes Cllr Christian Allard's comments during the Budget debate on 1 March 2023 when he said that Big Noise Torry has had "no impact whatsoever";
- (i) Condemns Cllr Christian Allard for his perceived rank hypocrisy as Convener of the Anti-Poverty and Inequality Committee for voting to remove the funding of an integral aspect of the City Council's regeneration work in Torry;
- (j) Can no longer support Cllr Christian Allard remaining as Convener of the Anti-Poverty and Inequality Committee given his disingenuous manner in publicly supporting Big Noise Torry and then voting to cut their funding; and
- (k) In terms of Standing Order 5 removes Cllr Allard from his aforesaid Convener appointment at the Full Council Meeting on 26 April 2023.

Councillor Kuszniir moved, seconded by Councillor Watson:-
That the Council approve the notice of motion.

Councillor Allard moved as an amendment, seconded by Councillor Fairfull:-
That Council:

- (a) Notes the decision of Full Council on 27 March 2023 to remove funding for Sistema Scotland to deliver the Big Noise Torry programme based on the evidence published on 24 March 2023 and to support the transition of Sistema to the Scottish Government;
- (b) Notes that the previous Labour/Conservative/Independent Administration extended the £4m contract for 6 years from 2020 with a caveat that services would be shared and spread across the city;
- (c) Notes the following from the evaluation commissioned by the previous Administration:
1. The first recommendation of the 2021 report was to note the limited impact of Big Noise Torry on educational attainment based on quantitative data (page 139)
 2. There is no evidence that Big Noise Torry is improving general attendance at Walker Road (page 144)
 3. There is no evidence that Big Noise Torry has improved level of attendance at Tullos Primary (page 146)

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4. Young people at Lochside continue to operate below the virtual comparator. The gap between the school and its virtual comparator has grown over time (page 146)
 5. Summary of findings - there isn't conclusive proof of the positive impact of Big Noise Torry on the attainment and engagement of all learners in the Torry area (page 147);
- (d) Notes the aims of Big Noise Torry is about much more than music but notes that the analysis undertaken by the Chief Education Officer in February 2022 found no direct impact on educational attainment directly from the Big Noise Torry project; and
- (e) Instructs the Director of Children's and Family Services to share the evaluation commissioned by the previous Administration in 2021 with the Scottish Government.

On a division, there voted:-

For the motion (21) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Cross, Farquhar, Graham, Grant, Houghton, Kuszniir, Lawrence, Macdonald, McLeod, Malik, Massey, Mrs Stewart, Thomson, Tissera and Watson.

For the amendment (24) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Nicoll, Radley, van Sweeden and Yuill.

The Council resolved:-
to adopt the amendment.

At this juncture, the Lord Provost advised that he would be bringing forward agenda item 11.4 (Notice of Motion by Councillor Crockett) to be considered immediately prior to agenda item 10.1 (Committee Places)

DETERMINATION OF EXEMPT BUSINESS

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

12.2 Workplan and Business Cases - Revenue - exempt appendices

The Council resolved:-

in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of item 12.2 so as to avoid disclosure of exempt information of the class described in paragraph 8 of Schedule 7A of the Act.

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DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

4. Councillor Hazel Cameron advised that she had a connection in relation to agenda item 11.8 (Notice of Motion by Councillor Macdonald) as a Council appointed member of the Board of the St Machar Parent Support Project, however having applied the objective test she did not consider that she had an interest and would not be withdrawing from the meeting.

Councillor McRae advised that he had a connection in relation to agenda item 10.3 (Beachfront Masterplan Update) by virtue of being voluntary crew with the RNLI, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Cooke advised that he had a connection in relation to agenda items 10.3 and 11.3 (Notice of Motion by Councillor Crockett) as an observer to the Board of Sport Aberdeen, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Yuill advised that had connections in relation to agenda item 10.3 by virtue of being a member of Cycling UK and also as a member of the AA (Automobile Association), however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Fairfull advised that she had a connection in relation to agenda items 10.3 and 11.2 as a Council appointed member of the Board of Transition Extreme, however having applied the objective test she did not consider that she had an interest and would not be withdrawing from the meeting.

Councillors Allard and Macdonald advised that they had a connection in relation to agenda item 10.3 as Council appointed members of the Board of Aberdeen Heat and Power Limited, however having applied the objective test neither considered that they had an interest and they would not be withdrawing from the meeting.

Councillor Ali advised that he had a connection in relation to agenda item 10.5 (Notice of Motion by Councillor Malik) as a Trustee of Aberdeen Muslim Islamic Centre, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Ali advised that he had a connection in relation to agenda item 10.3 as a member of the Board of Aberdeen Heat and Power Limited, although he would soon be resigning, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

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MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 22 FEBRUARY 2023

5. The Council had before it the minute of meeting of Aberdeen City Council of 22 February 2023.

The Council resolved:-
to approve the minute.

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 1 MARCH 2023

6. The Council had before it the minute of meeting of Aberdeen City Council of 1 March 2023.

The Council resolved:-
to approve the minute.

MINUTE OF SPECIAL MEETING OF ABERDEEN CITY COUNCIL OF 27 MARCH 2023

7. The Council had before it the minute of special meeting of Aberdeen City Council of 27 March 2023.

The Council resolved:-
to approve the minute.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 9 MARCH 2023 - LOCAL REVIEW BODY PROCEDURE REVIEW - PLA/23/079

8. With reference to Article 6 of the minute of meeting of the Planning Development Management Committee of 9 March 2023, the Council had before it, by way of remit, a report by the Chief Officer - Strategic Place Planning which sought approval to change the constitution of the Local Review Body (LRB) following an instruction given at the Planning Development Management Committee of 12 January 2023.

The report recommended:-

that the Planning Development Management Committee -

- (a) note the options presented in the report in relation to the constitution of the LRB;
- (b) approve Option 2 as the preferred option for the constitution of the LRB; and
- (c) refer the proposed changes to the constitution of the LRB outlined in Option 2 of this report to the Full Council meeting of 26 April 2023 for formal adoption.

The Planning Development Management Committee had resolved to:-

- (i) note the options presented in the report in relation to the constitution of the LRB;
- (ii) agree the recommendations contained within option two of the report subject to the following changes:

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1. Membership of the local review body is drawn exclusively from PDMC Members on a rota basis, and members have the dates set in their diaries.
 2. LRB Membership at any specific meeting is set at 5 members and a quorum at 3 Members.
 3. A local ward Member cannot take part in decision making at the LRB when it is considering an application in the ward that Member represents.
 4. Any substitutes to be exclusively drawn from PDMC Members and must be notified to the Committee Clerk as far as possible in advance of the meeting so that there is time to ensure that this would not result in a member from the ward as an application on the LRB.
 5. LRB to be chaired by the Convener of the PDMC, or Vice Convener or another member if they are both unavailable or are precluded from taking part in the decision making at the LRB because it is considering an application in the Member's ward; and
- (iii) refer the proposed changes to the constitution of the LRB to the Full Council meeting of 26 April 2023 for formal adoption.

Councillor Henrickson moved, seconded by Councillor Bouse:-

That the Council approve the decision of the Planning Development Management Committee.

Councillor Boulton moved as an amendment, seconded by Councillor Farquhar:-

That the Council approve option 2 as outlined in the report.

On a division, there voted:-

For the motion (36) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Ali, Allard, Alphonse, Blake, Bonsell, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Crockett, Davidson, Fairfull, Graham, Grant, Greig, Henrickson, Hutchison, Lawrence, Macdonald, MacGregor, McLellan, McRae, Malik, Mennie, Nicoll, Radley, van Sweeden, Thomson, Tissera, Watson and Yuill.

For the amendment (9) - Councillors Boulton, Brooks, Cross, Farquhar, Houghton, Kuszniir, McLeod, Massey and Mrs Stewart.

The Council resolved:-

to adopt the motion.

COUNCIL BUSINESS PLANNER

9. The Council had before it the business planner as prepared by the Interim Chief Officer - Governance (Assurance).

The Council resolved:-

- (i) to remove item 4 (Street Occupation Policy) from the business planner;
- (ii) to transfer item 5 (Wellington Road Multimodal Corridor) to the Net Zero, Environment and Transport Committee business planner;

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- (iii) to note that item 7 (Performance Management Framework) had been delayed and would be reported to the Council meeting in June 2023; and
- (iv) to otherwise note the business planner.

NOTICE OF MOTION BY COUNCILLOR CROCKETT

10. The Council had before it a notice of motion by Councillor Crockett in the following terms:-

Council agrees:

1. That it is of special importance that representation on the Pensions Committee is fully proportionate and in particular recognises that no group should have a majority on the Committee unless that group has a majority of Councillors on the Council.
2. That Councillors should play the lead role, appropriately supported by officers, in relationships with national bodies including the Local Authority Pension Fund Forum and that Councillors should attend national meetings subject to the appropriate governance.
3. That where any member of the committee stands for nomination to a national role they should be allowed to do so, subject to the appropriate governance, unless the Convener believes that member is incapable of carrying out the duties of the role.
4. That the Convener and members of the committee should at all times remember the Public Sector Equality Duty and seek to encourage all committee members but particularly women and members of ethnic minority groups to take part in wider events, where appropriate.

Councillor Crockett moved, seconded by Councillor Malik:-
That the Council approve the notice of motion.

Councillor Cooke moved as an amendment, seconded by Councillor Greig:-
That Council:-

- 1) Agrees that the composition of the Pensions Committee should be determined in line with the principles of Section 15 of the Local Government and Housing Act 1989, in line with all other council committees.
- 2) Notes that the Labour Group has failed to fill all its allocated places on the Pensions Committee.
- 3) Congratulates the Local Authority Pension Fund Forum (LAPFF) on its work on Environmental, Social, and Governance issues, and welcomes the continuing membership of the Forum by the North East Scotland Pension Fund (NESPF).
- 4) Agrees that it is appropriate that officers from NESPF represent the Fund in relationships with LAPFF.

At this juncture, Councillor Watson advised that he had a connection in relation to the item by virtue of being joint secretary of the Scottish Local Government Pension Scheme Advisory Board, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

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Councillor Copland and the Lord Provost advised that they also had connections by virtue of receiving a local government pension, however having applied the objective test, neither considered that they had an interest and they would not be withdrawing from the meeting.

On a division, there voted:-

For the motion (21) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Cross, Farquhar, Graham, Grant, Houghton, Kuszniir, Lawrence, Macdonald, McLeod, Malik, Massey, Mrs Stewart, Thomson, Tissera and Watson.

For the amendment (24) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Nicoll, Radley, van Sweeden and Yuill.

The Council resolved:-
to adopt the amendment.

COMMITTEE PLACES - COM/23/116

11. The Council had before it a report by the Director of Commissioning which considered the allocation of committee places following the result of the Council by election of 23 February 2023, and other committee vacancies.

The report recommended:-
that the Council -

- (a) agree that three Conservative committee places transfer to Labour, these being one place on each of the following committees - Anti-Poverty and Inequality; Net Zero, Environment and Transport; and Planning Development Management; and
- (b) determine the composition of the Pensions Committee in light of the resignation of Councillor Mrs Stewart, and other vacancies.

The Council resolved:-

- (i) to agree that three Conservative committee places transfer to Labour, these being one place on each of the following committees - Anti-Poverty and Inequality; Net Zero, Environment and Transport; and Planning Development Management;
- (ii) to agree that the Partnership would appoint the appropriate number of members to the Pensions Committee in line with the vacancies on the committee; and
- (iii) to agree that should members of the Labour group, or Independent members wish to subsequently agree to take up their vacated positions and serve on the Pensions Committee, that their nomination be brought to the appropriate meeting of Council or Urgent Business Committee to have their positions reinstated.

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WORK PLAN AND BUSINESS CASES REVENUE - COM/23/118

12. The Council had before it a report by the Director of Commissioning which presented procurement work plans where expenditure was included for the Commissioning and Customer functions for review and sought approval of the total estimated expenditure for the proposed contracts as contained in the procurement business cases appended to the report.

The report recommended:-

that the Council -

- (a) review the workplan as detailed in the appendices for the Commissioning and Customer functions;
- (b) approve the estimated annual expenditure for framework agreements within financial year 23/24 as detailed within the appendices;
- (c) approve the procurement business cases, including the total estimated expenditure for the proposed contracts; and
- (d) note the content of Appendix 3 - Summary of 3.10 Memos.

The Council resolved:-

to approve the recommendations.

BEACHFRONT MASTERPLAN UPDATE - COM/23/119

13. With reference to Article 19 of the minute of its meeting of 14 December 2022, the Council had before it a report by the Director of Commissioning which provided the updated Beachfront Development Framework and presented the Outline Business Case (OBC) for the A956 Beach Boulevard Roundabout, the Strategic Outline Case (SOC) for a number of key beachfront projects which were progressing to OBC, and a Branding Strategy for the Beachfront and City Centre Masterplan projects.

Following questions to officers and the circulation of a motion from the Partnership and an amendment from the Conservative group, and an indication from the Labour group that they would also be submitting an amendment, the Lord Provost noted that it was unlikely that the Council would be able to determine the item without suspending Standing Orders to extend the length of the meeting.

The Council resolved:-

to defer consideration of the item until the Council was able to reconvene on a date to be confirmed.

NOTICE OF MOTION BY COUNCILLOR ALI

14. The Council had before it a notice of motion by Councillor Ali in the following terms:-

This Council notes that modern slavery affects millions of people globally.

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The Council notes that only parts of the Modern Slavery Act 2015 apply to Scotland, but as a public body we should uphold the highest possible ethical standards, and contribute to the elimination of this scourge on our society.

Therefore, the Council instructs the Chief Executive to report to the Communities, Housing and Public Protection Committee on the current status of the Modern Slavery Act including any proposed legislative changes and a review of what other local authorities, across the UK, and other major public institutions (e.g. universities, charities, devolved/national governments etc.) have in place and the impact thereof.

The Council resolved:-

to approve the notice of motion.

NOTICE OF MOTION BY COUNCILLOR BOULTON

15. The Council had before it a notice of motion by Councillor Boulton in the following terms:-

That the Council agrees to:

A. (i) Instruct the Chief Officer - Commercial and Procurement to delay the award of a construction contract until 2024/25, at the earliest, the following elements of the Beach Master Plan subject to the Full Business Cases being approved:

- The Urban Park, Events Park and Broadhill, shifting up to £13m of Capital expenditure from 2023/24 to future years.

(ii) Instruct the Chief Officer - Commercial and Procurement to continue to work with partners, Sport Aberdeen, Transition Extreme, Aberdeen Football Club, and the water sport clubs to attract additional funding for these elements within the Beach Master Plan.

(iii) Instruct the Chief Officer - Commercial and Procurement to continue improvements to lighting, railings and renovate the existing play park at the Beach.

B. Instruct the Director of Resources to focus on the delivery of projects contained within the approved city centre masterplan encouraging footfall back onto Union Street and the surrounding city centre area including Queen Street, Castlegate, Union Street East, Union Street West and to continue to work with property owners and developers to encourage the reuse of the buildings on Union Street through ongoing supports such as the affordable housing waiver, the Conservation Area Regeneration Scheme (CARS) and the upcoming bid for Heritage Lottery and Historic Environment funding; and

Council Meeting, Wednesday, 26 April 2023

C. Note the £780,000 reduction in capital financing costs in the 2023/24 General Fund revenue budget created by the implementation of the recommendations above; and therefore:

- Instructs the Director of Customer to reverse the library closures at Cornhill, Cults, Northfield, Ferryhill, Woodside and Kaimhill (£280k);
- Instructs the Director of Commissioning to reverse the cuts to Cultural Grants (£163k); and
- Subject to the submission of a Full Business Case to the Director of Resources from the relevant organisations, and thereafter approval of these business cases by the Finance and Resources Committee, allocate the following capital grants in principle:
 - capital funding to Castlegate Arts of £300k for work required on the Art Centre and to contribute to attract match funding;
 - capital funding to Aberdeen Performing Arts (APA) for the redevelopment of the Lemon Tree of £2m over two years to be match funded;
 - capital funding to the OpenSpace Trust for the redevelopment of the East Kirk of £2m over two years to be match funded; and
 - capital funding to Sport Aberdeen of £2m over two years.

The Council resolved:-

to refer the notice of motion to the Finance and Resources Committee.

NOTICE OF MOTION BY COUNCILLOR CROCKETT

16. The Council had before it a notice of motion by Councillor Crockett in the following terms:-

Council:-

Notes the position with regards to Bucksburn Pool.

Commends the community for their public spirited fight to keep Bucksburn Pool open.

Agrees all four group leaders should seek a joint meeting with the Chief Executive of Sport Aberdeen to ensure that the pool remains open given the community have identified funding.

The Council resolved:-

to refer the notice of motion to the Finance and Resources Committee.

Council Meeting, Wednesday, 26 April 2023

NOTICE OF MOTION BY COUNCILLOR MALIK

17. The Council had before it a notice of motion by Councillor Malik in the following terms:-

Council:-

Notes Council policy on Pay and Display Parking allows for free Parking on a Sunday between 8am till 1pm.

Agrees that this policy allows many citizens to drive to church for worship and park without the fear of receiving a Fixed Penalty Notice.

Agrees that Aberdeen is an extremely tolerant city that is multicultural in its outlook where its citizens appreciate the importance of many faiths and do so in harmony and respect to all faiths within our community.

Agrees that not all religious days are on a Sunday with the Qur'an invoking the importance of Friday as its day of worship.

Agrees therefore to instruct the Chief Officer - Operations and Protective Services to bring forward a report to the Net Zero, Environment and Transport Committee as soon as possible on the feasibility of changing the current policy with options and estimated cost implications.

The Council resolved:-

to refer the notice of motion to the Net Zero, Environment and Transport Committee.

NOTICE OF MOTION BY COUNCILLOR VAN SWEEDEN

18. The Council had before it a notice of motion by Councillor van Sweeden in the following terms:-

That Council:

- 1) Notes the adverse environmental effects of single use vapes which cause considerable levels of additional litter on our streets and in other public places as well as having a detrimental impact on public health;
- 2) Notes that research by Material Focus, an independent not-for-profit organisation, has identified that 1.3 million single use vapes are thrown away every week in the UK;
- 3) Understands that single use vapes pose a number of concerns, including but not limited to:
 - a. The loss of critical raw materials such as Lithium and Copper
 - b. The impacts of hazardous waste
 - c. The loss of plastic
 - d. Fire risk;

Council Meeting, Wednesday, 26 April 2023

- 4) Welcomes the decision by the Scottish Government to commission a review, led by Zero Waste Scotland into the environmental impacts and management of single use vapes;
- 5) Instructs the Chief Officer - Strategic Place Planning to write to the Scottish Government, as part of their review of the environmental impacts and management of single use vapes, expressing Aberdeen City Council's support for a proposed ban on single use vapes and management of single use vapes, and to support measures to ban their sale;
- 6) Instructs the Chief Officer - Strategic Place Planning to report to the Net Zero, Environment and Transport Committee outlining any policy implications of a ban for the Council and to prepare a Council communications campaign highlighting the environmental and health impacts of single use vapes; and
- 7) Instructs the Chief Officer - Strategic Place Planning to write to Lorna Slater MSP, Minister for Green Skills, Circular Economy and Biodiversity in the Scottish Government, and to Iain Gulland, Executive Director and Chief Executive Officer of Zero Waste Scotland, making them aware that Aberdeen City Council supports a ban on single use vapes.

The Council resolved:-

to refer the notice of motion to the Net Zero, Environment and Transport Committee.

NOTICE OF MOTION BY COUNCILLOR TISSERA

19. The Council had before it a notice of motion by Councillor Tissera in the following terms:-

Council:-

- Notes the decision taken by the Administration to deny the public a voice at the last Council meeting
- Notes the Administration have agreed to shut 6 well-loved libraries in our city, 2 of which are in the ward of Councillor Hazel Cameron
- Notes that libraries are community facilities with many uses, including helping teach children to read and notes Aberdeen City Council's active support for libraries on their website specifically saying children are never too young to join the library
- Notes the words used by Councillor Hazel Cameron when defending library closures "that buildings will not teach your children to read" and strongly disagrees with this position
- Affirms the benefits of libraries in helping children learn to read

The Council resolved:-

to refer the notice of motion to the Communities, Housing and Public Protection Committee.

Council Meeting, Wednesday, 26 April 2023

NOTICE OF MOTION BY COUNCILLOR MACDONALD

20. The Council had before it a notice of motion by Councillor Macdonald in the following terms:-

Notes that the main objective of the St Machar Parent Support Project, based at the rear of St Machar Academy, is to provide information, advice, support and training to the parents of those children who attend school or live within the St Machar Academy catchment area of Aberdeen.

Notes that the project aims to encourage and assist parents and their children to experience the formal educational system positively; to promote personal and social development; and to increase training skills and confidence in order to enhance the ability to relate effectively to the school and other professionals as required.

Notes that eight primary schools and Ashgrove Children's Centre benefit directly and that the project also works with schools outwith the catchment areas if a child lives in the area but attends an alternative school because of special circumstances.

Notes that the project receives funding from the Fairer Aberdeen Fund, as well as core funding from Early Intervention and Community Empowerment.

Notes, with concern, that the project is in financial difficulties and that on the advice of their auditor, they have called in administrators to seek solutions.

Instructs the Chief Officer - Early Intervention and Community Empowerment to explore the potential impact and to provide an update to local members/group leaders/others as appropriate.

The Council resolved:-

to approve the notice of motion subject to the update referred to in the final paragraph being provided to all members as appropriate.

In accordance with Article 3 of the minute, the Council considered the following item of business with the press and public excluded

WORK PLAN AND BUSINESS CASES - REVENUE - COM/23/118 - EXEMPT APPENDICES

21. With reference to Article 12 of this minute, the Council had before it exempt appendices relating to the Work Plan & Business Cases - Revenue report.

The Council resolved:-

to note the exempt appendices.

- DAVID CAMERON, Lord Provost.

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ABERDEEN CITY COUNCIL

Town House,
ABERDEEN, 4 May 2023

MINUTE OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Lord Provost David Cameron, Chairperson;
Depute Provost Steve Delaney; and

COUNCILLORS

GILLIAN AL-SAMARAI
NURUL HOQUE ALI
CHRISTIAN ALLARD
ALISON ALPHONSE
KATE BLAKE
JENNIFER BONSELL
MARIE BOULTON
DESMOND BOUSE
RICHARD BROOKS
HAZEL CAMERON
DONNA CLARK
NEIL COPLAND
WILLIAM CORMIE
BARNEY CROCKETT
SARAH CROSS
DEREK DAVIDSON
LEE FAIRFULL
EMMA FARQUHAR
GORDON GRAHAM
ROSS GRANT

MARTIN GREIG
DELL HENRICKSON
MICHAEL HUTCHISON
MICHAEL KUSZNIR
GRAEME LAWRENCE
SANDRA MACDONALD
NEIL MacGREGOR
ALEXANDER McLELLAN
CIARAN McRAE
M. TAUQEER MALIK
DUNCAN MASSEY
JESSICA MENNIE
ALEX NICOLL
MIRANDA RADLEY
KAIRIN VAN SWEEDEN
LYNN THOMSON
SIMON WATSON
and
IAN YUILL

Lord Provost David Cameron, in the Chair.

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

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Council Meeting, Thursday, 4 May 2023

ANNOUNCEMENT

1. The Lord Provost advised that former Councillor Fred Twine had recently passed away and expressed condolences to his family and friends.

Councillor Crockett thanked the Lord Provost for his words and paid his own tribute to former Councillor Twine.

URGENT NOTICE OF MOTION BY COUNCILLOR MALIK

2. Councillor Malik intimated that he had an urgent notice of motion in the following terms:-

This Council notes on Saturday 6th May 2023, King Charles III Coronation will take place at Westminster Abbey, London.

Notes that Aberdeen citizens will be represented at the Coronation by the Lord Lieutenant Dr David Cameron.

Agree that Aberdeen City Council via our Lord Lieutenant sends our best regards and wishes to HM the King and HM the Queen on this historic of occasions for the United Kingdom.

The Council resolved:-

to approve the urgent notice of motion.

BEACHFRONT MASTERPLAN UPDATE - COM/23/119

3. With reference to Article 13 of the minute of its meeting of 26 April 2023, the Council had before it a report by the Director of Commissioning which provided the updated Beachfront Development Framework and presented the Outline Business Case (OBC) for the A956 Beach Boulevard Roundabout, the Strategic Outline Case (SOC) for a number of key beachfront projects which were progressing to OBC, and a Branding Strategy for the Beachfront and City Centre Masterplan projects.

The report recommended:-

that the Council -

- (a) approve the content of the Aberdeen Beachfront Development Framework Phase 1, Executive Summary and Strategic Environmental Assessment (Appendices 1, 2 and 3), and agree to monitor the Development Framework Phase 1 as part of the annual review of the overarching City Centre and Beach Masterplan;
- (b) note the contents of the Executive Summary of the Scottish Transport Appraisal Guidance (STAG) report (Appendix 5) and Outline Business Case (Appendix 6) for the Commerce Street/Beach Boulevard junction improvement project, and agree the recommendations within the Outline Business Case;
- (c) instruct the Chief Officer - Commercial and Procurement in conjunction with the Chief Officer - Capital to join Justice Street, Beach Boulevard and Commerce

Council Meeting, Thursday, 4 May 2023

- Street/Beach Boulevard junction projects into a single City Beach Connectivity Project and to progress detailed design and other preparatory work for City Beach Connectivity Project and provide a Full Business Case within an indicative timeline of 12-18 months;
- (d) approve the findings of the Beachfront Phase C Projects and Coastal Management in the prepared Strategic Outline Case (Appendix 7) and instruct the Chief Officer - Commercial and Procurement to progress to an OBC and report back to Council by December 2023; and
 - (e) approve the development and implementation of the Branding Strategy (Appendix 8).

Councillor Yuill moved, seconded by Councillor Nicoll:-

That the Council:

1. Approve the content of the Aberdeen Beachfront Development Framework Phase 1, Executive Summary and Strategic Environmental Assessment (Appendices 1, 2 and 3), and agree to monitor the Development Framework Phase 1 as part of the annual review of the overarching City Centre and Beach Masterplan.
2. Note the contents of the Executive Summary of the Scottish Transport Appraisal Guidance (STAG) report (Appendix 5) and Outline Business Case (Appendix 6) for the Commerce Street/Beach Boulevard junction improvement project, and agree the recommendations within the Outline Business Case.
3. Instruct the Chief Officer - Commercial and Procurement in conjunction with the Chief Officer - Capital to join Justice Street, Beach Boulevard and Commerce Street/Beach Boulevard junction projects into a single Beach Connectivity Project and to progress detailed design and other preparatory work for the Beach Connectivity Project and provide a Full Business Case within an indicative timeline of 12-18 months.
4. Approve the findings of the Beachfront Phase C Projects and Coastal Management in the prepared Strategic Outline Case (Appendix 7) and instruct the Chief Officer - Commercial and Procurement to progress to an OBC and report back to Council by December 2023.
5. Instruct the Chief Officer - Commercial and Procurement to report to the Council's August meeting on alternative branding options.
6. Note the extensive consultation undertaken to date by both City Centre Masterplan and Beach Development Framework programmes and, as part of work towards the City Beach Connectivity project FBC, instruct the Chief Officer - Commercial and Procurement to ensure engagement with key stakeholders at all key stages in the development of the design.
7. Note the principle of the preferred Commerce Street/Beach Boulevard Junction option is to introduce and improve active travel provision using space currently occupied by the large roundabout and that current project cost estimates are based on its full replacement, including significant allowances for uncertainties and, as part of work towards the FBC, instruct the Chief Officer - Commercial and Procurement to investigate opportunities to reconfigure areas of the roundabout to ensure the Council is able to demonstrate Best Value and evidence how the project will contribute to the Council's Net Zero targets.
8. Note that in order to maximise active travel access between the city centre and beach area requires improved infrastructure along the whole route and therefore instruct the Chief Officer - Commercial and Procurement to investigate and seek

Council Meeting, Thursday, 4 May 2023

additional sources of external funding to support and deliver the wider Beach Masterplan.

9. Note that “Working in Partnership for Aberdeen” includes the objective of making the Castlegate a gateway to our city's beachfront and instruct the Chief Officer - Strategic Place Planning to carry out consultation with key stakeholders on creating an active travel and public transport link through the Castlegate to deliver this objective as part of the Beach Connectivity Project and to report to a future Council meeting on this.

Councillor Massey moved as an amendment, seconded by Councillor Farquhar:-

That the Council agree the recommendations contained within the report subject to the following:-

- Amend recommendation (c) to read - instruct the Chief Officer - Commercial and Procurement in conjunction with the Chief Officer - Capital to join Justice Street, Beach Boulevard and Commerce Street/Beach Boulevard junction projects into a single City Beach Connectivity Project and to progress detailed design and other preparatory work for the City Beach Connectivity Project and provide a Full Business Case within an indicative 12-18 months welcoming any full business cases from private sector partners around modes of transport including but not limited to the possibility of a cable car system;
- Instruct the Chief Officer - Strategic Place Planning to engage with the bus operators to gauge their interest in using a reopened Castlegate, noting that:-
 - the current layout of the Castlegate square is poorly used, has low footfall and that many businesses in the square are either closed or struggling;
 - the Castlegate was previously laid out open to traffic and it was a major hub for buses;
 - using the Castlegate as a hub for buses could also dramatically increase footfall and use of the area;
 - reverting to a reopened Castlegate should enable better connection between Union Street and the Beach, and in particular would enable faster bus times. Therefore, it should be included within the single City Beach Connectivity Project as described at recommendation (c);
 - reopening the Castlegate to buses and cycles would also have implications for the Beach Boulevard Roundabout and this should also be considered; and
- Accept part 5 of the motion by Councillor Yuill as outlined above.

Councillor Crockett moved as a further amendment, seconded by Councillor Malik:-

That the Council -

1. agree the recommendations within the report subject to the addition of the following:-
2. note that in the budget for 2021/22 the Labour led Administration put £150m into the Council's General Fund Capital Programme to kick start the Aberdeen City Centre Masterplan including the Beach Masterplan;
3. note that the Business Planner shows that, at its meeting of 25 August 2022, the Council approved the City Centre and Beach Masterplan 2022, noting that it was

Council Meeting, Thursday, 4 May 2023

- a live document, and instructed the Chief Officer - Strategic Place Planning to keep the report under review, with progress reported to Full Council after 12 months;
4. agree that it is important that the City Centre and Beach Masterplan are not decoupled to the extent that they are two separate Masterplans as this will confuse the public, detract from the agreed 2016 Masterplan and will lead to uncertainty of best value when it comes to the best use of council financial resources;
 5. agree that the Council decision of 25 August 2022 is somewhat diluted by recommendation (c) and therefore agree recommendations (c) and (d) subject to all of these matters forming part of the report coming to Council in August 2023;
 6. agree that in order for the City Centre and Beach Masterplan to be a success the Council requires to invest in the city as a whole and note that so far all we have seen from this Administration is Library Closures, Pool closures, proposed School closures and the threat of legal action;
 7. agree the importance of Aberdeen Football Club to the City of Aberdeen and instruct the Chief Officer - Commercial and Procurement, to provide members with any agreed Heads of Terms with Aberdeen Football Club as part of the report due in August 2023; and
 8. approve parts 5 and 9 of the motion by Councillor Yuill as outlined above.

There being a motion and two amendments, the Council first divided between the amendment by Councillor Massey and the amendment by Councillor Crockett.

On a division, there voted:-

For the amendment by Councillor Massey (6) - Councillors Boulton, Brooks, Cross, Farquhar, Kuszniir and Massey.

For the amendment by Councillor Crockett (11) - Councillors Ali, Blake, Bonsell, Crockett, Graham, Grant, Lawrence, Macdonald, Malik, Thomson and Watson.

Decline to vote (22) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, Mennie, Nicoll, Radley, van Sweeden and Yuill.

Absent from the division (1) - Councillor McRae.

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

On a division, there voted:-

For the motion (24) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Boulton, Bouse, Hazel Cameron, Clark, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Nicoll, Radley, van Sweeden and Yuill.

Council Meeting, Thursday, 4 May 2023

For the amendment by Councillor Crockett (16) - Councillors Ali, Blake, Bonsell, Brooks, Crockett, Cross, Farquhar, Graham, Grant, Kuszniir, Lawrence, Macdonald, Malik, Massey, Thomson and Watson.

The Council resolved:-

to adopt the motion.

- **DAVID CAMERON, Lord Provost.**

DRAFT

ABERDEEN CITY COUNCIL

Pittodrie Stadium,
ABERDEEN, 12 May 2023

MINUTE OF SPECIAL OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Lord Provost David Cameron, Chairperson;
Depute Provost Steve Delaney; and

COUNCILLORS

GILLIAN AL-SAMARAI
CHRISTIAN ALLARD
ALISON ALPHONSE
KATE BLAKE
JENNIFER BONSELL
MARIE BOULTON
DESMOND BOUSE
HAZEL CAMERON
DONNA CLARK
NEIL COPLAND
WILLIAM CORMIE
BARNEY CROCKETT
DEREK DAVIDSON
LEE FAIRFULL
EMMA FARQUHAR
GORDON GRAHAM
ROSS GRANT

MARTIN GREIG
DELL HENRICKSON
RYAN HOUGHTON
MICHAEL HUTCHISON
SANDRA MACDONALD
NEIL MacGREGOR
ALEXANDER McLELLAN
KEN McLEOD
CIARAN McRAE
M. TAUQEER MALIK
DUNCAN MASSEY
JESSICA MENNIE
ALEX NICOLL
MIRANDA RADLEY
KAIRIN VAN SWEEDEN
and
LYNN THOMSON

Lord Provost David Cameron, in the Chair.

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

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Council Meeting, Friday, 12 May 2023

FREEDOM OF THE CITY - ABERDEEN FOOTBALL CLUB AND GOTHENBURG GREATS

1. With reference to Article 12 of the minute of its meeting of 14 December 2022, and in accordance with arrangements made pursuant thereto, the Council convened this day at Pittodrie Stadium, Aberdeen, for the purpose of conferring the Freedom of the City of Aberdeen on Aberdeen Football Club and the Gothenburg Greats.

The proceedings were opened by the Lord Provost who said:-

“It is with the greatest of pleasure that I have the honour of speaking in support of awarding Aberdeen Football Club and each of the Gothenburg Greats the Freedom of the City of Aberdeen.

The team which has become known as the Gothenburg Greats after winning the UEFA Cup Winners Cup on 11 May 1983 at the Ullevi Stadium in Gothenburg by beating the legendary Real Madrid 2-1 after extra time, gave Aberdeen a night which has lived long in our memories. Many here today will not necessarily have been born then but are very aware of the important place this team has in Aberdeen folklore.

As Sir Alex Ferguson mentioned in his video message, Aberdeen remain the last team to have beaten Real Madrid in a major European final, 40 years ago, which is quite a statistic.

In the same week, the team returned to Scotland and beat Hibernian at Pittodrie in the Premier Division, and the following Saturday went on to retain the Scottish Cup by beating Rangers 1-0 at Hampden. Later that year, they went on to beat SV Hamburg to win the UEFA Super Cup on another great night at Pittodrie.

The domestic record of Aberdeen Football Club during the 1980s, the core of the team being the players and staff who were responsible for the European successes, included 3 Premier Division Titles, 4 Scottish Cups, a Scottish League Cup and a Dryburgh Cup.

The squad gained 315 Scottish international caps between them; 8 of them went on in their careers to successfully manage various clubs in the Scottish and English Football Leagues and three went on to manage Scotland's National Team - Gordon Strachan, Alex McLeish and their manager Sir Alex Ferguson.

In addition to the players who became synonymous with Gothenburg, we need to add some more names - Sir Alex Ferguson, Archie Knox and the late Teddy Scott who were equally fundamental to the success in Gothenburg and the other successes already mentioned today.

The coming together of the right components for success: players, management, the board and the loyal fans are and were essential in the success of Aberdeen Football Club in the 1980s in particular.

The Freedom of the City is the highest honour that the City of Aberdeen can bestow on anyone, be they citizens of the city, individuals who have greatly enhanced the City of

Council Meeting, Friday, 12 May 2023

Aberdeen by their actions or similarly given exemplary service to the country or humankind.

Since 1834, the Freedom of the City has been conferred on 74 recipients including Prince Albert; Field Marshal Douglas Haig after World War I; Sir Winston Churchill after World War II; Nelson Mandela; Professor John Mallard; and most recently in 2017, Denis Law. It is therefore very fitting that today we are conferring this accolade on the Gothenburg Greats and Aberdeen Football Club.

On this day, Friday the twelfth of May 2023, it is my pleasure to call upon the Chief Executive, Angela Scott, to read the Burgess Ticket and sign the Roll.”

Thereupon, the Chief Executive read the terms of the entry in the Burgess Register which, on signature would formally confer upon Aberdeen Football Club the Freedom of the City. The text on the ticket was as follows:-

At Aberdeen the Twelfth day of May
in the year Two Thousand and Twenty Three
in the Presence of the Lord Provost and
Members of Aberdeen City Council

WHICH DAY

Aberdeen Football Club

Was admitted and received as a Free Burgess and Guild Member of the City and Royal Burgh of Aberdeen in recognition of outstanding contribution to sport in the City of Aberdeen, including winning the European Cup Winners Cup.

Extracted from the City Records
And the City Seal hereto affixed

ANGELA SCOTT
Chief Executive

Thereafter the Lord Provost, the Chief Executive and Dave Cormack, Chairman of Aberdeen Football Club, signed the Burgess Roll.

The Lord Provost then presented Dave Cormack with a silver casket bearing the City Crest and suitably inscribed, and the Lord Provost affixed the Burgess Ticket to his hat.

Dave Cormack acknowledged the tremendous honour which had been conferred on Aberdeen Football Club with a short speech of thanks.

The Lord Provost then called upon the Chief Executive, Angela Scott, to read the Burgess Ticket and sign the Roll.

Thereupon, the Chief Executive read the terms of the entry in the Burgess Register which, on signature would formally confer upon the Gothenburg Greats the Freedom of the City. The text on the ticket was as follows:-

Council Meeting, Friday, 12 May 2023

At Aberdeen the Twelfth day of May
in the year Two Thousand and Twenty Three
in the Presence of the Lord Provost and
Members of Aberdeen City Council

WHICH DAY

The Gothenburg Greats

Were admitted and received as a Free Burgess and Guild Brothers of the City and Royal Burgh of Aberdeen in recognition of outstanding contribution to sport in the City of Aberdeen, including the winning of the European Cup Winners Cup.

Extracted from the City Records
And the City Seal hereto affixed

ANGELA SCOTT
Chief Executive

Thereafter the Lord Provost, the Chief Executive and Archie Knox, Jim Leighton, Doug Rougvie, John McMaster, Alex McLeish, Gordon Strachan OBE, Neil Simpson, Mark McGhee, Eric Black, Peter Weir, Stuart Kennedy, Dougie Bell, Bryan Gunn, Andy Watson, Ian Angus, John Hewitt and Willie Miller MBE signed the Burgess Roll.

Each of the Gothenburg Greats collected a scroll and John Hewitt collected a scroll on behalf of the family of the late Neale Cooper.

The Lord Provost affixed the Burgess Ticket to the hat of Willie Miller MBE, as Captain of the Gothenburg Greats.

Willie Miller MBE acknowledged the tremendous honour which had been conferred on the Gothenburg Greats with a short speech of thanks.

The Lord Provost then called for three cheers for Aberdeen Football Club and the Gothenburg Greats, which brought forth an enthusiastic response. Thereafter the national anthem was sung and Reverend Eddie made a short speech and pronounced the benediction. Following which the proceedings ended.

- **DAVID CAMERON, Lord Provost**.

URGENT BUSINESS COMMITTEE

ABERDEEN, 23 May 2023. Minute of Meeting of the URGENT BUSINESS COMMITTEE. Present:- Councillor Yuill, Convener; and Councillors Crockett, Grant, Greig, Houghton, McLellan (as substitute for the Vice Convener) and Radley.

Also in attendance:- Councillors Allard and Brooks.

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

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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 item on the agenda was of an urgent nature; and (2) that the Committee required to consider the item and take decisions thereon.

The Convener moved as a procedural motion, seconded by Councillor Radley:-

That the Committee agree that the item was of an urgent nature and required to be considered this day to enable members to consider the matter at the earliest opportunity.

On a division, there voted:- for the procedural motion (4) - Convener; and Councillors Greig, McLellan and Radley; against the procedural motion (3) - Councillors Crockett, Grant and Houghton.

The Committee resolved:-

to adopt the procedural motion and thereby agree that the item was of an urgent nature and required to be considered this day to enable members to consider the matter at the earliest opportunity.

SENIOR COUNCILLOR APPOINTMENTS - COM/23/162

2. The Committee had before it a report by the Director of Commissioning which sought replacement appointments to Senior Councillor roles following the resignation of Councillor Nicoll from those roles.

The report recommended:-

that the Committee -

- (a) appoint a Co-Leader in place of Councillor Nicoll with immediate effect;
- (b) appoint a Vice Convener of the Urgent Business Committee in place of Councillor Nicoll;
- (c) note that the Partnership can replace Councillor Nicoll on Council Committees and the Aberdeen City Region Deal Joint Committee, if required, however as

URGENT BUSINESS COMMITTEE

23 May 2023

Councillor Nicoll is currently Convener of the Aberdeen City Region Deal Joint Committee, it would be for the Joint Committee to appoint a replacement Convener;

- (d) note that the Partnership can replace Councillor Nicoll on outside bodies from within the Partnership; and
- (e) note that the constitution of the Community Planning Aberdeen (CPA) Board stipulates that the Chair of the CPA Board will be the Leader of Aberdeen City Council, and in the event that the Council appoints Co-Leaders, the Co-Leaders will determine who will undertake the role, and will notify the Chief Executive of Aberdeen City Council.

The Convener moved, seconded by Councillor Radley:-

That the Committee approve the recommendations, subject to appointing Councillor Allard as Co-Leader and Vice Convener of the Urgent Business Committee in terms of recommendations (a) and (b); and note that Councillor Allard would be the Chair of the CPA Board in terms of recommendation (e).

Councillor Grant advised that he had an amendment, as below, however it would require Standing Orders to be suspended.

That the Committee -

1. note the contents of the report;
2. agree to suspend Standing Orders 4 and 5 and therefore remove Councillor Yuill from office as Co-Leader and Convener of the Urgent Business Committee;
3. agree to appoint Councillor Crockett as Leader of the Council;
4. agree to appoint Councillor Crockett as Convener of the Urgent Business Committee; and
5. agree to instruct the Interim Chief Officer - Governance (Assurance) to report to Council on 14 June 2023 with regard to senior councillor appointments.

Councillor Grant moved as a procedural motion, seconded by Councillor Crockett:-

That the Committee suspend Standing Orders 4 and 5 as above.

On a division, there voted:- for the procedural motion (3) - Councillors Crockett, Grant and Houghton; against the procedural motion (4) - Convener; and Councillors Greig, McLellan and Radley.

The Committee resolved:-

to reject the procedural motion.

Councillor Grant moved as an amendment, seconded by Councillor Crockett:-

That the report be referred simpliciter to Council on 14 June 2023.

On a division, there voted:- for the motion by the Convener (4) - Convener; and Councillors Greig, McLellan and Radley; for the amendment by Councillor Grant (3) - Councillors Crockett, Grant and Houghton.

URGENT BUSINESS COMMITTEE
23 May 2023

The Committee further resolved:-
to adopt the motion.
- IAN YUILL, Convener.

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COMMUNITIES, HOUSING AND PUBLIC PROTECTION COMMITTEE

16 MAY 2023

With reference to the minute of meeting of the Council of 26 April 2023, the Committee had before it a Notice of Motion by Councillor Tissera in the following terms:-

That the Council agrees to:-

- Notes the decision taken by the Administration to deny the public a voice at the last Council meeting;
- Notes the Administration have agreed to shut 6 well-loved libraries in our city, 2 of which are in the ward of Councillor Hazel Cameron;
- Notes that libraries are community facilities with many uses, including helping teach children to read and notes Aberdeen City Council's active support for libraries on their website specifically saying children are never too young to join the library;
- Notes the words used by Councillor Hazel Cameron when defending library closures "that buildings will not teach your children to read" and strongly disagrees with this position; and
- Affirms the benefits of libraries in helping children learn to read.

Councillor Tissera moved her Notice of Motion and explained the rationale behind her request. Councillor Bonsell seconded the Notice of Motion.

The Convener seconded by Councillor Greig, moved as an amendment:-
that the Committee take no action.

On a division, there voted:- for the motion (6) – Councillors Bonsell, Brooks, Cross, Graham, Mrs Stewart and Thomson; for the amendment (7) – the Convener, the Vice Convener, Councillor Delaney, the Depute Provost; and Councillors Clark, Copland, Greig and McLellan.

The Committee resolved:-
to adopt the amendment.

In terms of Standing Order 34.1, Councillor Graham intimated that he would like this matter to be referred to full Council in order for a final decision to be taken. Councillor Graham was supported by Councillors Bonsell, Brooks, Cross, Mrs Stewart and Thomson.

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FINANCE AND RESOURCES COMMITTEE

17 May 2023

NOTICE OF MOTION BY COUNCILLOR CROCKETT

With reference to the minute of meeting of the Council of 26 April 2023, the Committee had before it a Notice of Motion by Councillor Crockett in the following terms:-

that the Council agrees to:-

- (1) note the position with regards to Bucksburn Pool;
- (2) commend the community for their public spirited fight to keep Bucksburn Pool open; and
- (3) agree all four group leaders should seek a joint meeting with the Chief Executive of Sport Aberdeen to ensure that the pool remains open given the community have identified funding.

Councillor Crockett moved his notice of motion and explained the rationale behind his request. Councillor Macdonald seconded the notice of motion.

The Convener seconded by Councillor Greig, moved as an amendment:-
that the Committee take no action.

On a division, there voted:- for the motion (5) – Councillors Crockett, Farquhar, Macdonald, Massey and Watson; for the amendment (8) – the Convener, the Vice Convener and Councillors Fairfull, Greig, Hutchison, Nicoll, Radley and van Sweeden.

The Committee resolved:-
to adopt the amendment.

In terms of Standing Order 34.1, Councillor Crockett intimated that he would like this matter to be referred to full Council in order for a final decision to be taken. Councillor Crockett was supported by Councillors Farquhar, Macdonald, Massey and Watson.

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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	14th June 2023								
4	Performance Management Framework	To present a revised Performance Management Framework reflecting the LOIP and the Council's commissioning outcomes and intentions as set out within the Council Delivery Plan	A report is on the agenda	Martin Murchie	Data and Insights	Customer	24.12		
5	Aberdeen Christmas Village	SCC 23/06/22 - to instruct the Chief Officer – City Growth to report back to the Strategic Commissioning Committee in 2023 with John Codona's, Pleasure Fairs Ltd.'s annual feedback report, as per their contract obligations		Stephen O'Neill	City Growth	Commissioning	24.14	R	This matter was reported to the Finance and Resources Committee on 29 March 2023, it is therefore recommended that the item be removed from the business planner.
6	Annual Procurement Performance Report	To present the annual procurement performance report		Craig Innes	Commercial and Procurement	Commissioning	24.16	D	This item will be reported to Council on 23 August. At one stage it had been thought this could be reported to the Finance and Resources Committee as part of the Scheme of Governance Review, however that is no longer the case.
7	Treasury Management - Year-end Review	To update the Council on Treasury Management activities undertaken during financial year 2022/23.	A report is on the agenda	Neil Stewart	Finance	Resources	5 and 6		
8	Adoption of the Aberdeen Local Development Plan 2023	To inform the Council of a Direction issued by Scottish Ministers requiring modifications to be made to the Aberdeen Local Development Plan 2023 prior to adoption. Accepting the modifications will allow the Council to adopt the Plan.	A report is on the agenda	Andrew Brownrigg	Strategic Place Planning	Commissioning	11		
9	Work Plan and Business Cases - Revenue	To present procurement work plans where expenditure is included for the Commissioning and Customer Functions to Council for review and to seek approval of the total estimated expenditure for the proposed contracts as contained in the Procurement Business Cases appended to the report.	A report is on the agenda	Mel Mackenzie	Commercial and Procurement	Commissioning	24		
10	Scheme of Governance Review	To report with proposals following the annual review of the Scheme of Governance.	A report is on the agenda	Martyn Orchard	Governance	Commissioning	17		

	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	Aberdeen Market	At its meeting of 14 December 2022, the Council noted the business case for Aberdeen Market and instructed the Director of Resources following consultation with the Chief Officer - Corporate Landlord to proceed with the negotiation and execution of contracts for delivery and report progress back to Council on a six monthly basis.		Stephen Booth	Corporate Landlord	Resources	21	D	This matter will be reported to the Council meeting on 23 August.
12	23rd August 2023								
13	Review of Community Council Governance and Boundaries - Stage 1	To present the Revised Scheme for the Establishment of Community Councils including boundary proposals for various Community Councils and to seek approval for the documents to be issued for public consultation.		Karen Finch	Governance	Commissioning	19		
14	City Centre and Beach Masterplan	At its meeting of 25 August 2022, the Council approved the City Centre and Beach Masterplan 2022, noting that it was a live document, and instructed the Chief Officer - Strategic Place Planning to keep the report under review, with progress reported to Full Council after 12 months.		David Dunne	Strategic Place Planning	Commissioning	21		
15	Beachfront Masterplan - Branding Options	At the adjourned Council meeting of 4 May 2023, the Council instructed the Chief Officer - Commercial and Procurement to report to the Council's August meeting on alternative branding options.		Craig Innes	Commercial and Procurement	Commissioning	21		
16	101-103 Union Street	At its meeting of 14 December 2022, the Council noted the content of the Strategic Outline Case Upper Floor use options at 101-103 Union Street and instructed the Chief Officer - Corporate Landlord to continue to review and report back by August 2023.		Stephen Booth	Corporate Landlord	Resources	21		
17	Queen Street - Outline Business Case	At its meeting of 14 December 2022, the Council agreed the Strategic Outline Case for Queen Street and instructed the Director of Resources to progress the short-listed options into an Outline Business Case which would identify a preferred option and report back to Council in August 2023.		Steve Whyte	Director of Resources	Resources	21		
18	Beachfront Masterplan Phase A Works Full Business Case	At its meeting of 14 December 2022, the Council instructed the Chief Officer - Commercial and Procurement to take the Beachfront Masterplan Phase A Works to Full Business Case (FBC) and report the FBC to Council on 23 August 2022.		Craig Innes	Commercial and Procurement	Commissioning	21		

	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									
19	11th October 2023								
20	Broad Street	At its meeting of 14 December 2022, the Council instructed the Chief Officer - Operations and Protective Services to report back to Council on the implications of closing permanently the section of Broad Street between Queen Street and Upperkirkgate to all vehicles.	A meeting was held with First Group and Stagecoach and both operators were asked to come back with feedback on the proposed closure. This will then be considered in the context of repair work to Broad Street and a report on next steps will be brought to the Council meeting in the Autumn.	David Dunne	Strategic Place Planning	Commissioning	21		
21	Electoral Boundaries	To seek approval of potential changes to polling districts for Aberdeen North and Aberdeen South following a review by the Electoral Boundary Commission of the Westminster constituency boundaries.		David Gow	Governance	Commissioning	21		
22	Council Delivery Plan Annual Report	To present the annual report 2020/21 in respect of progress against the Council Delivery Plan		Alex Paterson	Data and Insights	Customer	13		
23	CPA Annual Outcome Improvement Report 2022/23	To present the annual report for the Local Outcome Improvement Plan		Michelle Crombie	Data and Insights	Customer	24.4		
24	13th December 2023								
25	Review of Community Council Governance and Boundaries - Stage 2	To present the Revised Scheme for the Establishment of Community Councils including boundary proposals for various Community Councils and to seek approval for the documents to be issued for public consultation.		Karen Finch	Governance	Commissioning	19		

	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									
31	Governance Review of Trusts - 2023	At its meeting of 14 December 2022, the Council instructed the Chief Officer - Governance to bring a further update report to Council no later than December 2023 on future activity in relation to trusts to which the Council is connected.		Steven Inglis	Governance	Commissioning	21		
32	Medium Term Financial Strategy	At its meeting of 1 March 2023, the Council instructed the Chief Officer - Finance to refresh the Medium Term Financial Strategy and report to the Council by the end of December 2023.		Jonathan Belford	Finance	Resources	21		
33	Organisational Structure	At its meeting of 1 March 2023, the Council instructed the Chief Executive to review the existing organisational structure, in light of the approved budget and to report back to Council by December 2023 on any suggested amendments to ensure the sustainability of Council operations.		Angela Scott	Chief Executive	Chief Executive	21		
34	Beyond 2023 or date to be determined								
35	Revised Council Climate Change Plan	At the Council meeting on 3 March 2021, the Council, amongst other things, instructed the Chief Operating Officer to report back to Full Council with a revised 5 year plan in 2025, or earlier if required.		David Dunne	Strategic Place Planning	Commissioning	21		
36	Review of Community Council Governance and Boundaries - Stage 3 (April 2024)	To present the Revised Scheme for the Establishment of Community Councils including boundary proposals for various Community Councils and to seek approval for the documents to be issued for public consultation.		Karen Finch	Governance	Commissioning	19		
37	Population Needs Assessment	To present the Population Needs Assessment every two years to understand the needs which public bodies must address.		Martin Murchie	Data and Insights	Customer	24.1		
38	Aberdeen Local Development Plan - Draft Aberdeen Planning Guidance and Supplementary Guidance	At its meeting of 14 December 2022, the Council approved the draft Aberdeen Planning Guidance and Supplementary Guidance documents and instructed the Chief Officer - Strategic Place Planning to publish them, subject to any minor drafting changes, for a six-week period of public consultation and report the results of the consultation and any proposed revisions to Members at a subsequent meeting of Full Council within 12 months of the consultation ending.		David Dunne	Strategic Place Planning	Commissioning	21		

	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									
39	Sport Aberdeen	At its meeting of 1 March 2023, the Council instructed the Director of Commissioning in conjunction with the Director of Resources to begin discussions with Sport Aberdeen to review their assets and their business delivery model, with a view to Sport Aberdeen becoming financially independent from the Council and to report back to Council before the end of the financial year 2023/24.		Gale Beattie	Commissioning	Commissioning	21		
40	Funding to Cultural Organisations	At its meeting of 1 March 2023, the Council instructed the Chief Officer - City Growth, in consultation with partner organisations, such as Aberdeen Performing Arts (APA), to bring back a report on how best to allocate funding to cultural organisations from both the General Fund and Common Good budgets and to report back to Council before the end of the financial year 2023/24.		Richard Sweetnam	City Growth	Commissioning	21		
41	Beach Connectivity Project - Full Business Case	At the adjourned Council meeting of 4 May 2023, the Council instructed the Chief Officer - Commercial and Procurement in conjunction with the Chief Officer - Capital to join Justice Street, Beach Boulevard and Commerce Street/Beach Boulevard junction projects into a single Beach Connectivity Project and to progress detailed design and other preparatory work for the Beach Connectivity Project and provide a Full Business Case within an indicative timeline of 12-18 months.		Craig Innes	Commercial and Procurement	Commissioning	21		
42	Beachfront Masterplan - Castlegate	At the adjourned Council meeting of 4 May 2023, the Council noted that "Working in Partnership for Aberdeen" included the objective of making the Castlegate a gateway to our city's beachfront and instructed the Chief Officer - Strategic Place Planning to carry out consultation with key stakeholders on creating an active travel and public transport link through the Castlegate to deliver this objective as part of the Beach Connectivity Project and to report to a future Council meeting on this		David Dunne	Strategic Place Planning	Commissioning	21		

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	14 June 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Treasury Management Strategy – Year-End Review
REPORT NUMBER	RES/23/166
DIRECTOR	Steven Whyte
CHIEF OFFICER	Jonathan Belford
REPORT AUTHOR	Neil Stewart
TERMS OF REFERENCE	5 and 6

1. PURPOSE OF REPORT

- 1.1 To update the Council on Treasury Management activities undertaken during financial year 2022/23.

2. RECOMMENDATION

That Council: -

- 2.1 Consider and note the Treasury Management activities undertaken in the 2022/23 financial year as detailed in this report.

3. CURRENT SITUATION

Introduction

- 3.1 The Council approved a Treasury Management Policy for the financial years 2023/24 to 2025/26 on 22 February 2023. Part of this policy is to report a year-end review to full Council.
- 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 conducted in accordance with good professional practice, which this Council does.

Treasury Management 2022/23

- 3.3 The following is a summary of the significant Treasury Management activities which were undertaken during financial year 2022/23: -
- 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 2022/23 was 3.51%, which can be broken down to 3.49% for interest, and 0.02% for expenses.

- 3.5 Long Term Borrowing – 1 new Public Works Loan Board long-term loan was undertaken during financial year 2022/23. The loan was for £20m, and the interest rate of the new borrowing was 2.79%.
- 3.6 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.
- 3.7 The increase to lending rates was reversed in late November 2020, after a consultation exercise with local authorities and was announced as part of the UK government’s autumn spending review.
- 3.8 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 since been built back up to a manageable level, with available rates currently below long-term borrowing levels. As at 31st March 2023, £267.0m of temporary borrowing was held from other local authorities. The average interest rate for these loans was 3.89%.
- 3.9 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.
- 3.10 In January 2023, at the Pension Fund’s request, the level of this Temporary Loan was increased by £100m, to assist the Fund to maximise their interest return on their excess cash funds. This was a result of exiting an investment early and the funds will be re-invested elsewhere later this year. As at 31st March 2023, the balance of the temporary loan was £145.6m.
- 3.11 Investments - As at 31st March 2023, the Council had temporary investments totalling £53.8m at an average rate of 4.09%. Investments were made in line with the current Counterparty List to the following institutions: -
- Clydesdale Bank £30.0m
 - Santander UK £10.0m
 - Deutsche MMF £12.3m
 - Sevenoaks DC £1.5m
- 3.12 Common Good Fund Investment - A decision was taken by the Council in 2021 to invest £30m of Common Good cash in a Multi-Asset Income fund, which generates greater income for the fund, when compared with traditional fixed-term bank deposits. Several funds were considered for this purpose, and after

a period of meetings and further due diligence, the decision was taken to proceed with Fidelity International's Multi-Asset Income fund.

To date this fund has raised £2.1m in interest at an average rate of around 4%

- 3.13 Retail Price Index (RPI) – At the time of writing, the latest RPI rate (March 23) was 13.5%, a fall of 0.3% from the previous month. The rises to this rate have particular relevance to the Council in relation to its 2016 Bond issuance. Increases in the RPI rate are used to calculate indexation, which is paid alongside half yearly repayments of the Bond debt.

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. ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no direct environmental implications arising from the recommendations of this report.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	No significant risks identified			
Compliance	No significant risks identified			

Operational	No significant risks identified			
Financial	Loss of deposit in a failed bank or financial institution	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	L	Yes
Reputational	No significant risks identified			
Environment / Climate	No significant risks identified			

8. OUTCOMES

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

9. IMPACT ASSESSMENTS

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

10. BACKGROUND PAPERS

10.1 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".

11. APPENDICES

None

12. REPORT AUTHOR CONTACT DETAILS

Name	Neil Stewart
Title	Accountant
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Tel	01224 522696

COMMITTEE	Council
DATE	14 th June 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Performance Management Framework (2023/24)
REPORT NUMBER	COM/23/168
DIRECTOR/INTERIM DIRECTOR	Gale Beattie
CHIEF OFFICER	Martin Murchie
REPORT AUTHOR	Martin Murchie
TERMS OF REFERENCE	24.14

1. PURPOSE OF REPORT

1.1 The report brings before the Council a revised Performance Management Framework reflecting the Local Outcome Improvement Plan and the Council's commissioning intentions, as set out within the Council Delivery Plan 2023/24.

2. RECOMMENDATIONS

2.1 That the Council approves the revised Performance Management Framework for 2023-24 as detailed in Appendix A.

3. CURRENT SITUATION

Report Purpose

3.1 The effective management of performance is a key component of any organisation. It encompasses everything the Council does and every employee and Elected Member. Elected Members need timely and relevant intelligence to make sound strategic and policy decisions; to be assured that decisions are being implemented effectively; and that performance and outcomes are improving.

3.2 Managers need timely and relevant intelligence to make operational decisions and to make best use of resources. Council employees need timely and relevant intelligence in order to deliver effective services and manage their own performance. Customers need open, relevant and accurate information to be informed and hold the Council's services and performance to account.

- 3.3 The content of the revised Performance Management Framework aligns directly with the “Council Delivery Plan 2023/24” which was approved by Council on 1st March 2023
- 3.4 Following on from consideration of Audit Scotland’s “Best Value Audit of the Council”, which assisted in defining the 2021/22 Framework, this revision sets out performance management arrangements at Council; Cluster; and Personal levels that reflects the evolution of governance arrangements, and data management through an approach to performance management which:
- i. focusses on accountabilities for service performance, improvement; and outcomes;
 - ii. carries forwards the established comprehensive approach by examining four perspectives of performance, namely, Customer, Staff, Finance & Controls and Processes;
 - iii. recognises the iterative nature of, and learning to be taken from, benchmarking of performance management review at both local and national levels;
 - iv. is reflective of aspects of performance management where collaboration with stakeholders can inform the Framework and its content.
- 3.5 Best Value Auditing of local authority performance is changing to include annual reporting on best value themes, rather than a full Best Value Assurance Report every five years. A report on this matter was considered by the Audit, Risk and Scrutiny Committee on 11th May. Both the officer-led Performance and Risk Boards have a role in supporting best value auditing, given their respective roles in providing assurance and assessing risk, whilst reflecting on and monitoring the Council’s performance in key areas. The Audit, Risk and Scrutiny Committee will continue to receive updates as the revised best value auditing regime embeds.

Performance Management Framework Reporting Structure and Content

- 3.6 Considering and reporting on how any local authority is performing is complex. This reflects:-
- the breadth and diversity of services delivered
 - the influence of external socio-economic factors on the achievement of outcomes
 - relationships with partners where responsibilities and accountabilities are shared; and
 - the need to focus on longer term outcomes as well as more immediate service delivery performance.
- 3.7 The Council's Performance Management Framework supports and enables scrutiny against progress of the Council Delivery Plan, and key measures aligning with the LOIP. It establishes a robust performance management and consistent reporting system which encompasses single and multi-service inputs, outputs and outcomes.

3.8 The revised Framework both captures and expresses learning taken from recent experience, particularly that gained during the Council’s response to COVID, whilst retaining content flexibility that will enable the Council to respond to changes in emphasis resulting from legislative provisions and within the community.

4. FINANCIAL IMPLICATIONS

There are no direct financial implications arising from this report.

5. LEGAL IMPLICATIONS

There are no direct legal implications arising from this report.

6. ENVIRONMENTAL IMPLICATIONS

There are no direct environmental implications arising from this report

7. RISK

The assessment of risk contained within the table below is considered to be consistent with the Council’s Risk Appetite Statement”

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) <i>*taking into account controls/control actions</i>	*Does Target Risk Level Match Appetite Set?
Strategic	No significant strategic risks	Robust PMF reporting offers assurance around delivery against strategic aims and objectives	L	Yes
Compliance	No significant legal risks.	Publication of service performance information in the public domain ensures that the Council is meeting its legal obligations in the context of Best value reporting.	L	Yes
Operational	No significant operational risks.	Oversight by Elected Members of core performance measures ensures that services are supported to consider/deliver operational	L	Yes

		improvement on a consistent basis		
Financial	No significant financial risks.	Overview data on specific aspects of financial performance within the PMF offers assurance to Elected Members that the Council is delivering against its Best Value obligations	L	Yes
Reputational	No significant reputational risks.	Reporting of service performance to Members and in the public domain serves to enhance the Council's reputation for transparency and accountability.	L	Yes
Environment / Climate	No significant Environmental/ Climate risks	Development of enhanced reporting on these themes into the public domain is central to current Climate Change aims	L	Yes

8. OUTCOMES

<u>Council Delivery Plan</u>	
	Impact of Report
Aberdeen City Council Partnership Agreement	The provision of information on the 2023/24 outputs and outcomes, as defined within the Performance Management Framework Reporting supports scrutiny of progress against delivery of the each of the Aberdeen City Council Policy Statements and the Council Delivery Plan
<u>Aberdeen City Local Outcome Improvement Plan</u>	
LOIP Stretch Outcomes	The detail, and content, outlined within Performance Management Framework reporting contributes to, and evidences how, Council delivery and leadership contributes to each LOIP Stretch Outcome
Regional and City Strategies	The detail within Performance Management reporting evidences how Council Service delivery

	leads, contributes to, or influences outcomes aligned to regional and City Strategies
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9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	A full impact assessment is not required for this report
Data Protection Impact Assessment	A Data Protection Impact Assessment is not required for this report.
Other	No additional impact assessments have been completed for this report.

10. BACKGROUND PAPERS

Council Delivery Plan 2023/24, Council, 1st March 2023

Performance Management Framework Report, Strategic Commissioning Committee, 6th October 2021

[Audit Scotland. Why Best Value matters now more than-ever](#) November 2022

11. APPENDICES

Appendix A – Performance Management Framework 2023/24

12. REPORT AUTHOR CONTACT DETAILS

Martin Murchie

Chief Officer Data and Insights

MMURCHIE@aberdeencity.gov.uk

01224067580

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Performance Management Framework (2023/24)

WHO AND WHAT IS THIS FRAMEWORK FOR?

The effective management of performance is a key component of any organisation. It encompasses everything the Council does and every employee and elected member.

Elected Members need ...

timely and relevant intelligence to make sound strategic and policy decisions; to be assured that decisions are being implemented effectively; and that performance and outcomes are improving.

Managers need ...

timely and relevant intelligence to make operational decisions and to make best use of resources in order to meet customer's needs and improve outcomes.

Council Employees need ...

timely and relevant intelligence in order to deliver effective services and manage their own performance.

Customers need ...

open, relevant and accurate information to be informed and hold the Council's services and performance to account.

PERFORMANCE MANAGEMENT ACROSS CAPABILITIES

Aberdeen City Council manages a broad and diverse range of services for our citizens and, through these services, aims to support improved outcomes for the people, place and economy of Aberdeen. Citizens engage with and experience council services in diverse ways at various levels. This places a series of different accountabilities for performance on the Council and its workforce.

i. Accountability for Outcomes

The purpose of the Council is to support the vision of the Local Outcome Improvement Plan (LOIP) and ensure Aberdeen is 'a place where all people can prosper'. In order to realise this vision, the LOIP sets long term stretch outcomes and the Council, in turn, defines annual Commissioning Intentions which support the Council's contribution to, and accountability for, delivering those outcomes.

ii. Accountability for Service Performance

The Council delivers services every day to citizens and internal colleagues. It is accountable for ensuring that these services meet citizens' needs; are efficiently managed; and meet performance standards set through legislation, regulation and policy.

iii. Accountability for Improvement

All councils have a statutory duty, and are accountable, for achieving continuous improvement in the delivery of services. Planned improvements need to be evidence based, systematic and aligned to agreed outcomes.

These different perspectives on accountability each require tailored arrangements to effectively manage performance.

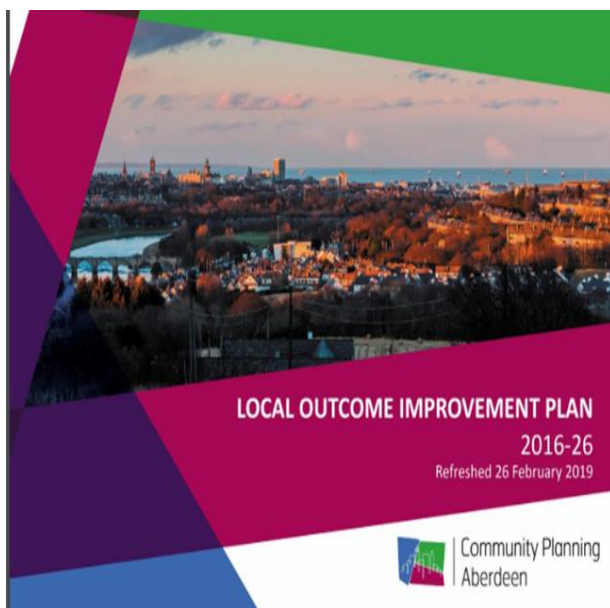
ACCOUNTABILITY FOR OUTCOMES

Ultimately, improving outcomes for the economy, people and place of Aberdeen will be the test of our success. Reaching these outcomes often represents fundamental social, environmental and economic change realised over a range of short, medium and long term.

The LOIP; our Locality Plans; and the Council’s Delivery Plan each include key measures which are used to evaluate the extent to which these outcomes have been achieved.

Progress towards outcomes is reviewed jointly with our partners. Through our [“Aberdeen Outcomes Framework”](#) we capture and publicly report movements across all outcomes over time, as well as information on the many improvement projects underway. Through the governance arrangements of Community Planning Aberdeen, performance in achieving outcomes is continuously monitored and assessed, which, in turn, directs future improvement activity. In 2023/24, the Council will monitor and scrutinize the achievement of outcomes through consideration of:-

- the LOIP Annual Performance Report
- Locality Plan Annual Reports
- the Population Needs Assessment
- the Council Delivery Plan – Annual Review
- quarterly review of measures of our commissioning intentions
- the online publication “Aberdeen Outcomes Framework”
- subject specific reviews of strategies and impact



ACCOUNTABILITY FOR SERVICE PERFORMANCE

Each of the Council's organisational Functions is responsible for the delivery of services to citizens and is accountable for the performance of those services. Monitoring and reporting of ongoing performance is undertaken as follows.

i. Corporate Level Performance Monitoring and Reporting

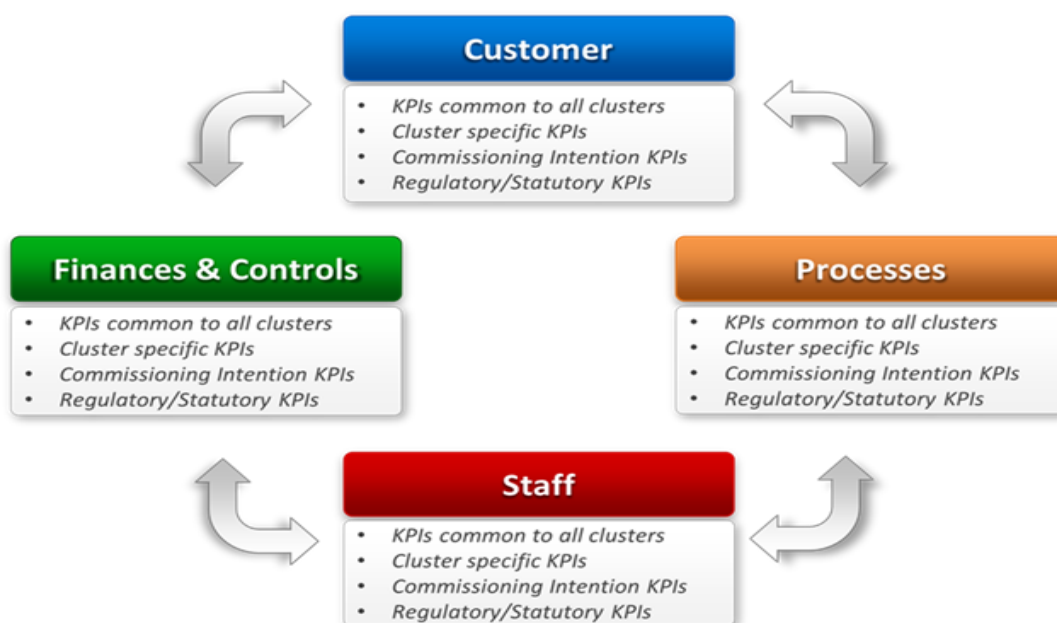
Accountability for performance in the management of staff and finance is common to all areas of the Council. Monitoring and reporting on these aspects of performance are aggregated to a corporate level.

- Council Wide Staff Perspective - Reported to the Staff Governance Committee
- Council Wide Finances Perspective - Reported to the Finance and Resources Committee

ii. Cluster Level Performance Monitoring and Reporting

Cluster level performance scorecards are structured as shown in the figure below. These show the performance of services in the round. The KPIs which populate the scorecards are continuously monitored by officers and regular reporting to Committees and management teams is undertaken showing current performance data, as well as relevant contextual analysis to support scrutiny and decision making.

Additional, supplemental performance reporting to committees will be scheduled, as appropriate, to provide timely and full analysis in key areas e.g., annual educational attainment performance and benchmarking against national data releases.



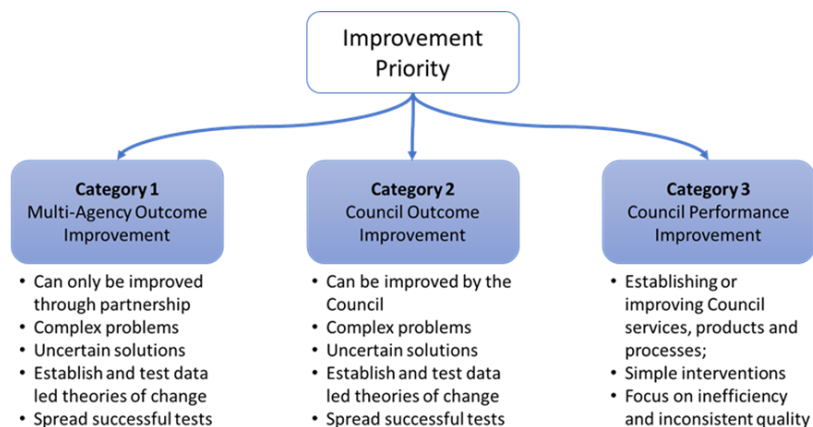
Each cluster will report a service performance scorecard to the relevant Committee as outlined below.

Function	Cluster	Committee
Children's and Families Services	Education and Children's Social Work	Education and Children's Services
Customer	Early Intervention and Community Empowerment	Communities, Housing & Public Protection
	Customer Experience	Communities, Housing & Public Protection
	Digital & Technology	Communities, Housing & Public Protection
	People & Organisation	Finance & Resources
Commissioning	City Growth	Finance & Resources
	Strategic Place Planning	Finance & Resources
	Commercial & Procurement	Finance & Resources
	Governance	Finance & Resources
	Data & Insights	Finance & Resources
Resources	Capital	Finance & Resources
	Corporate Landlord	Finance & Resources
	Operations and Protective Services	Net Zero, Environment & Transport and Communities, Housing & Public Protection
	Finance	Finance & Resources

ACCOUNTABILITY FOR IMPROVEMENT

A systematic approach is taken to identify, plan and deliver improvement. The scrutiny of performance in both outcomes and service delivery, described above, provides the data and analysis to identify improvement priorities. Whilst there is a continuous focus on improvement, in reviewing performance reports, the Council's committees, as well as officer groups (e.g., Performance Board; Extended Corporate Management Team (ECMT)), can consider and agree areas where formal improvement activity should be initiated. For each priority improvement area identified the undernoted steps are followed:-

- i. **Define the desired improvement** - a description of the issue to be addressed / the performance to be improved. It identifies the gap between current state and desired state.
- ii. **Identify the nature of the improvement** - there are 3 categories of improvement project. The improvement methods applied, and the tools used will vary, depending on which category the project falls in to. The categories are:-



iii. **Establish and implement improvement projects**

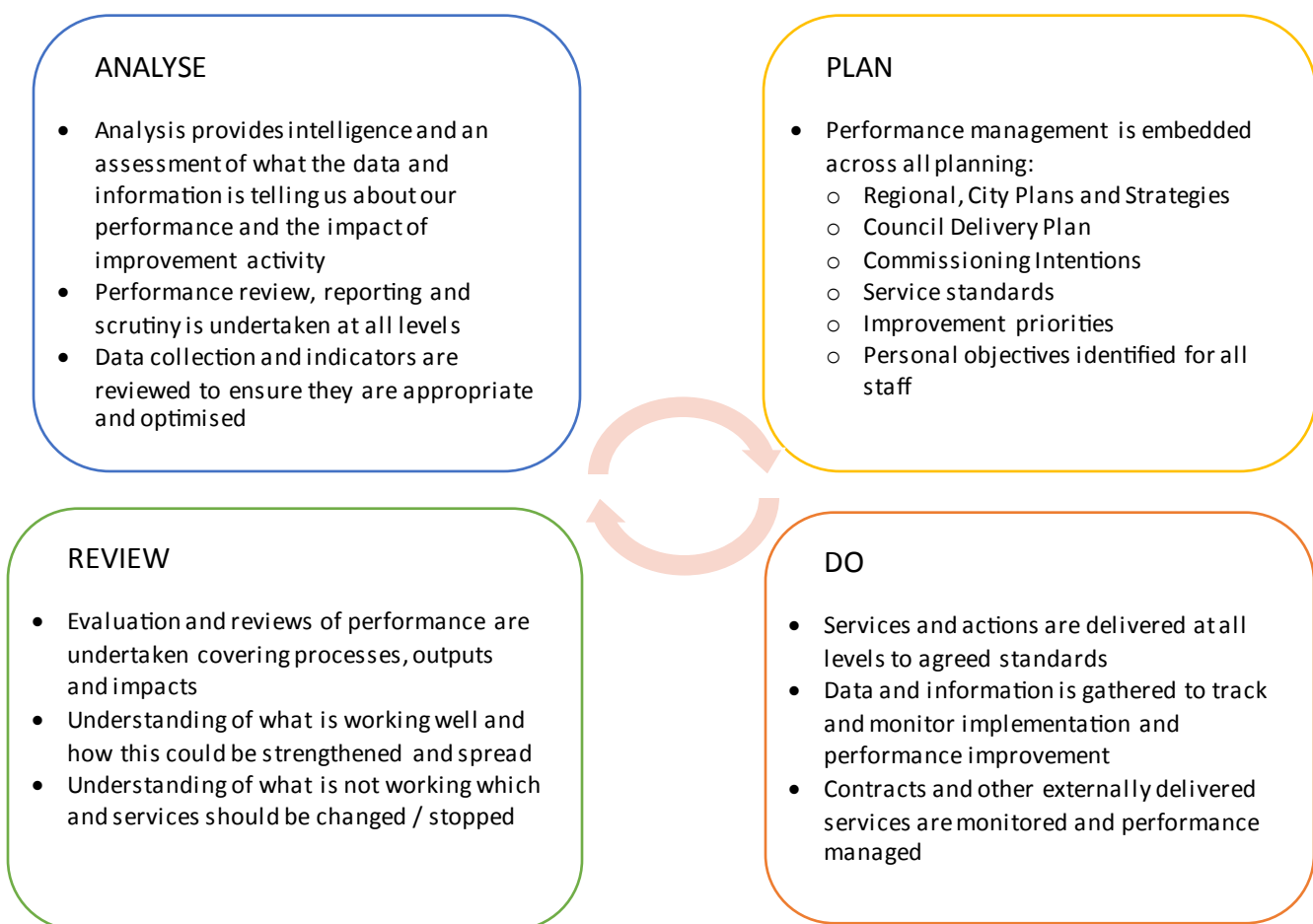
- **Category 1-** Identified and agreed by Community Planning Aberdeen following the “Quality Improvement” methodology. Council officers lead or support the delivery of individual improvement projects.
- **Category 2-** Identified and agreed by the Council’s committees or the Corporate / Extended Corporate Management Team. The method of improvement used will take an explorative, agile approach suitable to dealing with complex challenges, where the problem and solution is not fully understood at the outset.
- **Category 3-** Identified and agreed by the Council’s committees or the Corporate / Extended Corporate Management Team. The methods of improvement used will focus on understanding, mapping and establishing or improving services, products and processes, removing inefficiency & improving consistency, feedback and quality.

iv. **Monitor the effectiveness of improvement projects** - Category 1 projects are monitored by Community Planning Aberdeen. Category 2 and Category 3 improvement projects will be recorded, and progress monitored against the agreed project stages below.

- | | |
|---|---------------------------------------|
| 1. Draft Outline Project Charter/Plan and team in place | 6. Testing underway |
| 2. Understanding baseline of current system | 7. Initial indications of improvement |
| 3. Project Charter endorsed by Project Board | 8. Improvements achieved |
| 4. Change ideas and project measures developed | 9. Sustainable improvement |
| 5. Improvement area identified and agreed | 10. Project complete |

THE PLANNING, IMPROVEMENT AND PERFORMANCE MANAGEMENT CYCLE

Our approach to performance management mirrors the Council's commissioning cycle: Analyse, Plan; Do; and Review. This cycle ensures an integrated approach to performance management and planning, where information and intelligence supports delivery and enables scrutiny of existing priorities and leads the development of learning, forward planning and commissioning.



EVALUATION IN OUR COMMISSIONING CYCLE

A key element of managing performance is the use of data, information and intelligence to evaluate whether the things we're doing are having the impacts that a) they need to have and b) we expected them to have. This applies to:

- services delivered by the Council

- services delivered with and by partners and providers, including contracts
- policy interventions and other tests of change

Councils perform a diverse range of functions in many different ways and, consequently evaluation can be undertaken using a variety of analytical methods depending on which suit each circumstance. The choice of method depends on a wide range of factors, but evaluation answers:

- What was the impact? Did we realise the stated ambitions?
- Did we do what we said we would? How was the service delivered?
- Did we generate value for money? Is this the most cost-effective means of achieving impact?

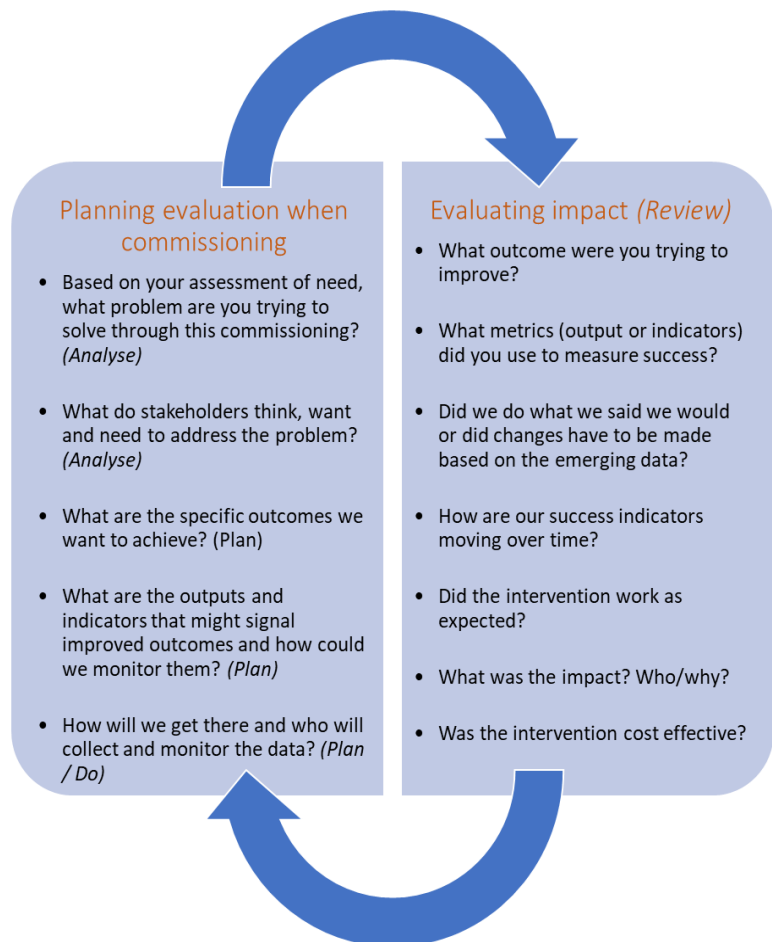
For evaluation to be effective, as policies are designed and services commissioned, consideration needs to be given to how impact will be measured. The figure below shows how evaluation is built into each stage of the Council’s Analyse; Plan; Do; Review commissioning cycle.

Factors that will determine the nature of evidence used to support evaluation include:

- scale, complexity, innovation
- the objectives to be realised
- types of impacts and timescales over which they might occur
- availability of information and data

In 2023/24, these principles of evaluation will be applied across the range of commissioned activity. The Strategy Board will oversee a programme of selected high-level evaluations.

The Demand Management Control Board will oversee evaluation of contracts.



MODERNISING HOW WE USE DATA

The Council continues to invest in modern approaches to the management of data, including the use of PowerBi to visualise and support analysis. In 2023/24 Aberdeen City Council will implement a corporate data analytics platform to:

- consolidate data from various sources, reducing data silos and ensuring users have access to accurate and up to date information
- transform and clean data, making it consistent and usable for analysis purposes
- implement improved data governance and standards
- leverage advanced analytics techniques including machine learning and predictive analytics

This technology and our broad approach to data management directly supports performance management. It allows us to access and understand more clearly what current performance is and provides richer data for predictive analytics. This allows decision making to be increasingly responsive to, and informed by, insights.

The Council uses extensive interactive reporting to support operational delivery of services as well as analytics, contract management and public performance reporting. We will continue to develop our “Managers Portal” and our use of PowerBI to visualize, analyse and share data and insights moving towards performance management and scrutiny being a continuous process rather than event.



MODERNISING HOW WE REPORT - PUBLIC PERFORMANCE REPORTING

The Council is committed to ensuring that accountability, transparency and openness is embedded throughout the organisation. Public Performance Reporting, which all councils have a statutory duty to undertake, is one of the key elements in delivering on that.

The Council currently provides a range of performance information to the public through various media and consolidates corporate Public Performance Reporting through the Council’s website <https://www.aberdeencity.gov.uk/services/strategy-performance-and-statistics>

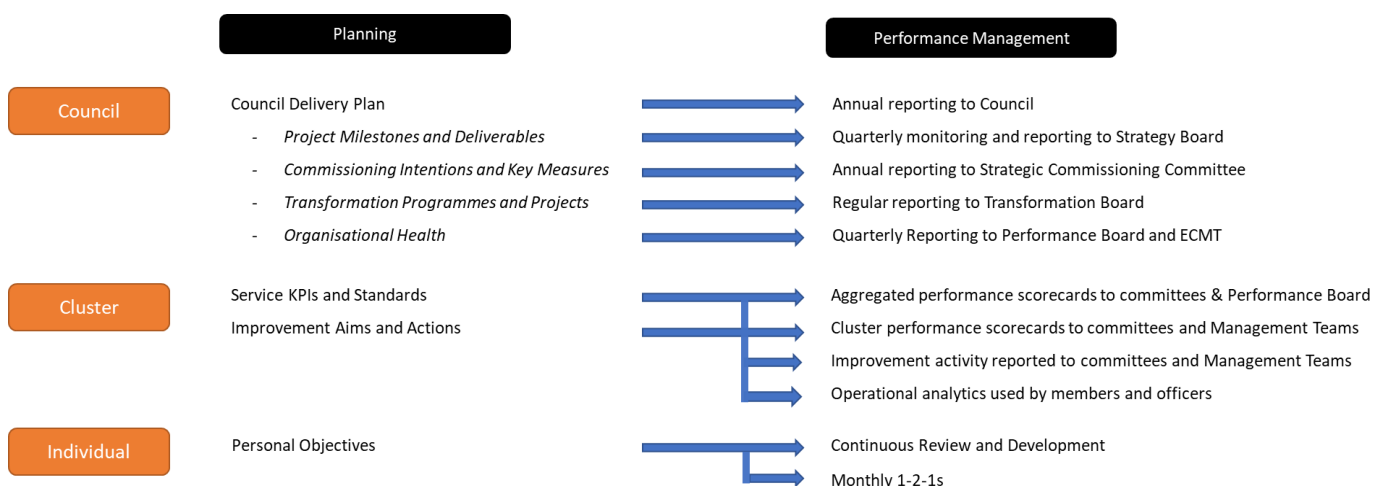
The nature of public performance reporting is evolving in the digital age. The Scottish Government consulted in 2022 on “Access to information rights in Scotland” including questions relating to public bodies improving proactive publication on how they are performing and how well they deliver their functions and services. A response from the Scottish Government to the consultation, which closed on the 14th of March 2023, is awaited and Aberdeen City

Council will implement any revised requirements of local government as required, engaging with stakeholders to understand the range of information they want to receive, how they want to receive it.

The Council publishes both Council and partners’ “Open Data” to the wider community to promote transparency and encourage innovation around that data.

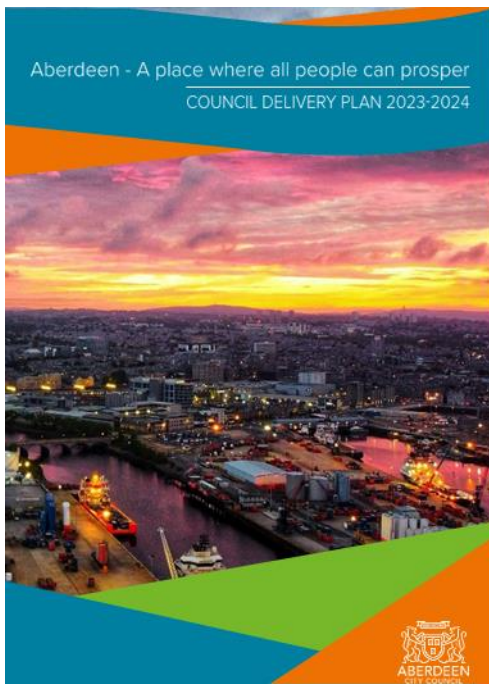
PLANNING AND PERFORMANCE MANAGEMENT ARRANGEMENTS

This Framework establishes arrangements at Council; Cluster; and individual levels. Performance management arrangements at Regional and City levels have been established by responsible bodies and forums. The figure below shows the planning activity and corresponding performance management arrangements at these levels.



COUNCIL PLANS AND PERFORMANCE MANAGEMENT

Aberdeen City Council – Planning



i. Council Delivery Plan

The Council Delivery Plan is agreed annually at the Council’s budget setting meeting and brings together:-

- Commitments set out in the Policy Statement
- Outcomes and measures from the LOIP and Locality Plans, including Council Commissioning Intentions
- Commitments and actions arising from regional and city strategies
- Government policy and legislative duties
- Transformation activity

ii. Council Strategy Suite

The Council, like all Community Planning Partners, develops organisational strategies ensuring that resources are strategically aligned to facilitate the delivery of regional and city priorities. The strategy suite includes a number of “Enabling Strategies” (Customer, Digital & Data; Estate & Asset; Workforce; and Intervention & Prevention) developed to support the implementation of the Council Delivery Plan.

iii. ACC Commissioning Intentions

The Council and the Strategic Commissioning Committee annually considers the services it requires to deliver, and how these will most effectively be commissioned. Annual commissioning intentions are agreed which define the Council’s contributions to the LOIP. These direct re-commissioning, de-commissioning, required service actions and standards.

iv. Transformation Programme

Transformation activities to deliver the Council’s Target Operating Model are set out within the Transformation Programme and supporting projects.

v. Council Policies

ACC determines which policies are required to help deliver its priority outcomes and transformation activity.

COUNCIL PLANS AND PERFORMANCE MANAGEMENT

Aberdeen City Council - Performance Management

i. Council Delivery Plan

Progress against the commitments within the Council Delivery Plan are monitored, analysed and reported annually. This incorporates commissioning intentions and associated key measures; project milestones and deliverables.

- When / Where:**
- Annually to Council
 - Quarterly to Strategy Board

By Whom: - Data & Insights, with involvement of all functions

Regular monitoring of all commitments and measures within the Council Delivery Plan.

When / Where: - Appropriate senior management teams

By Whom: - Data & Insights with involvement of all functions

ii. Council Strategy and Policy Suite

When / Where: - Targeted and prioritised monitoring at Strategy Board and Performance Board

By Whom: - Programme Management Office (Data & Insights)

iii. Transformation Programme

Regular and standard reporting of delivery of the Transformation Programme and supporting projects.

When / Where: - Each meeting of Transformation Board
- Programme and Project Governance structures

By Whom: - Programme Management Office
- SROs, Programme and Project Managers.

iv. Operational Performance and Organisational Health

A summary of key corporate level Customer; Processes; Finance and Control; and Staff indicators.

When / Where: - Quarterly to Performance Board and ECMT

By Whom: - Data & Insights

Cluster and Service level performance and organisational health measures including self-evaluation of performance against external inspection standards.

When / Where: - Each meeting of the Performance Board

By Whom: - Data & Insights and those services subject to external inspection

CLUSTER LEVEL PLANNING AND PERFORMANCE MANAGEMENT

Aberdeen City Council – Planning

i. Service Standards

The Council's commissioning intentions have been agreed through the Council's Delivery Plan for 2023/24. These define the Council's contributions to the LOIP, frame the ask of our in-house commissioned services and inform the development of service specifications and service standards. The allocation of resources is considered in the context of the standards to which those services will be delivered. Service standards have been categorised as relating to: -

- The availability of the service
- The responsiveness of the service
- The quality of the service
- Eligibility for the service.

2023/24 Service Standards were agreed at the Council's Budget meeting on 1st March 2023 and will be monitored and reported on throughout the year.

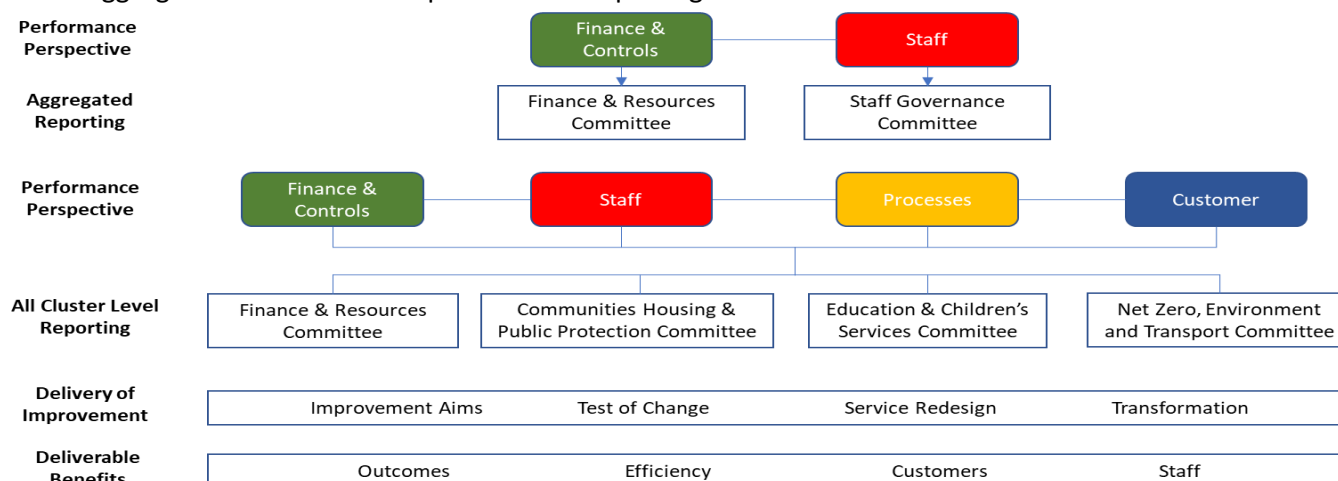
ii. Improvement Aims and Actions

As described above, the management of performance requires a systematic approach to improvement to deliver improved services and outcomes. The Council will use a suite of approaches and tools to manage that improvement activity.

All clusters identify clear, intelligence driven, improvement aims and actions which will support the delivery of service improvement and the delivery of improved of the outcomes as agreed through the LOIP, Locality Plans and the Council’s commissioning intentions.

CLUSTER LEVEL PERFORMANCE MANAGEMENT

The Council Delivery Plan sets out how the Council will manage performance across four perspectives: Customer; Finance & Controls; Processes; Staff and that these perspectives will underpin regular performance reports to the Council’s committees throughout 2023/24, enabling members to undertake scrutiny. The Council Delivery Plan details aggregated and cluster level performance reporting as follows.



CLUSTER LEVEL PERFORMANCE MANAGEMENT

Performance Scorecards

Scorecards are an essential tool within our management system for helping elected member and managers know whether the organisation is succeeding and whether our transformation efforts are on track. Each cluster identifies key performance indicators (KPIs), which relate to and measure performance in the delivery of cluster outcomes and intentions for each of the perspectives below. These KPIs are reported through a performance scorecard model.

Elected Members

- When / Where:** - Meetings of the Council’s Committees as per agreed reporting schedule
- By Whom:** - Each Cluster / Service supported by Data & Insights

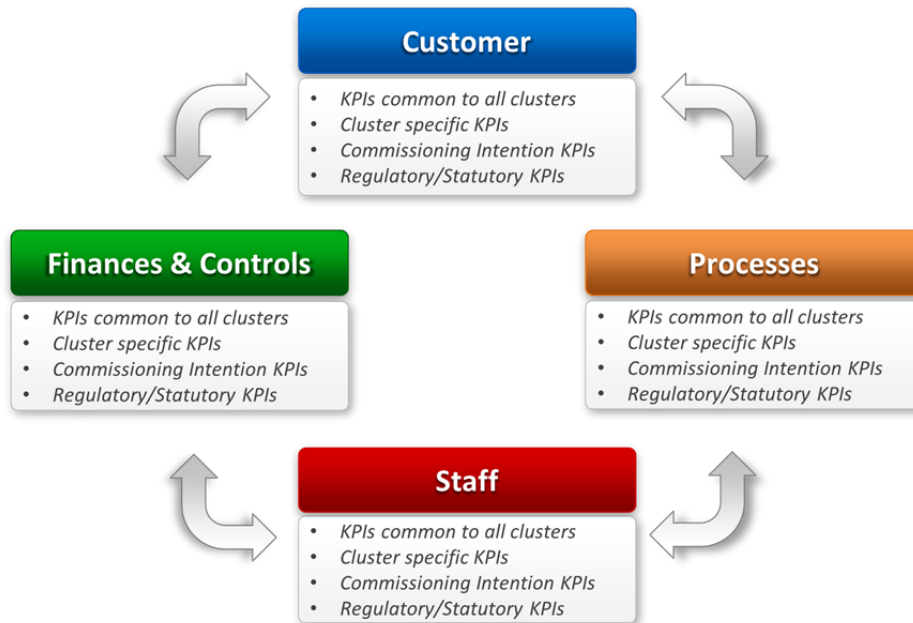
Corporate Management

- When / Where:** - Each meeting of the Performance Board on a rotational and exception basis
- By Whom:** - Each Cluster / Service supported by Data & Insights

Service Management

- When / Where:** - Regular Senior Management Team meetings
- By Whom:** - Each Cluster / Service supported by Data & Insights

Performance scorecards are structured as shown in the figure below. Reporting to Committees and management teams will show the data for these indicators and provide context and analysis.



Presentation of scorecard reports to Committees and Senior Management will include the following elements:

Indicator	Period 1	Period 2	Period 3	Target	RAG	Trend
Customer Perspective						
% of ...	x %	x%	x%	x%	Green	
Finances & Controls Perspective						
No. of ...	10	10	10	9	Amber	
Processes						
% of ...	x%	x%	x%	x%	Red	
Staff Perspective						
Level of ...	x%	x%	x%	x%	Green	

Analysis

Jointly provided by service management and Data & Insights. To include description of performance and trends; reasons for variation from forecast / target performance; ongoing reference to benchmarks; mitigation of risks.

Improvement Aims and Activity

Jointly provided by service management and Data & Insights. Using improvement approaches and tools to set out prioritised improvement aims for service performance and delivery of outcomes and analysis of the impact of improvement activity.

INDIVIDUAL PLANNING AND PERFORMANCE MANAGEMENT

The Performance Management Framework supports our Guiding Principles and Core Capabilities.



Continuous Review and Development (CR&D) is the Council’s scheme for aligning all employees’ personal objectives to the Council’s priorities and for supporting staff achieve the right levels of performance. CR&D focuses on continuous improvement and feedback through ongoing one-to-ones and communication between line manager and team members throughout the year. It’s built around the Capability Framework and a self-assessment so that we can understand what knowledge, skills and behaviours are needed for our roles and put in place any necessary development by updating a development plan.

It’s important that employees understand the outcomes the Council expect to deliver for the city through the Local Outcome Improvement Plan as well as the transformation activities which are transitioning the Council to the Target Operating Model. Managers and employees must consider how every job supports those outcomes and how personal objectives tie in with this.

CR&D emphasises regular quality conversations between employees and line managers to reflect on achievements and development needs and to plan ahead.

Guides on CR&D can be found [here](#) and are fully accessible through a variety of formats and differing channels, ensuring that all employees are (a) able to be supported in understanding how individual objectives align directly with their team and service performance aims, and that of the Council corporately, and (b) can actively participate in, and contribute to, the performance cycle.

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ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	14 June 2023
EXEMPT	No Appendices 2, 3, 4 & 5 exempt under Paragraph 8
CONFIDENTIAL	No
REPORT TITLE	Work Plan & Business Cases – Revenue
REPORT NUMBER	COM/23/169
DIRECTOR	Gale Beattie
CHIEF OFFICER	Craig Innes
REPORT AUTHOR	Mel Mackenzie
TERMS OF REFERENCE	24

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to present procurement work plans where expenditure is included for the Commissioning and Customer Functions to Council for review and to seek approval of the total estimated expenditure for the proposed contracts as contained in the Procurement Business Cases appended to the report.

2. RECOMMENDATIONS

That Council: -

- 2.1 reviews the workplan as detailed in the Appendices for the Commissioning and Customer Functions; and
- 2.2 approves the procurement business cases, including the total estimated expenditure for the proposed contracts.

3. CURRENT SITUATION

- 3.1 The ACC Procurement Regulations 2022 require that authority to incur expenditure must be sought prior to any invitation to tender or contract entered into. The method of authorising depends upon the contract value, with contracts above £50,000 (supplies/services) or £250,000 (works) to be listed on a workplan with an associated Procurement Business Case and submitted by the relevant Chief Officer to the Finance and Resources Committee (approval of contracts with a value under £1,000,000) and to Council (approval of contracts with a value over £1,000,000). The approval of the applicable body is required prior to the procurement being undertaken.
- 3.2 Council is asked to review the Commissioning and Customer Functions work plans and to approve the expenditure detailed in the Procurement Business Cases appended to the report.

4. FINANCIAL IMPLICATIONS

4.1 The indicative value of each of the proposed contracts is shown within the workplans and in the Appendices. The ability to have an overview of contract expenditure is aligned to Core Outcomes of the LOIP and the whole systems commissioning cycle approach. The robust approach to governance ensures that all contracts are aligned to the approved budget provision for each financial year with controls in place for flexibility if required. This also assists the Council in meeting its statutory duty to keep a Contracts Register.

5. LEGAL IMPLICATIONS

5.1 The contracts shall be procured in accordance with procurement legislation and the Commercial Legal Team within C&PS shall provide legal advice where necessary, legal commentary has been sought and is included within each Procurement Business Case.

6. ENVIRONMENTAL IMPLICATIONS

6.1 Consideration is included within each Procurement Business Case as to how the proposed contract will support the Council's climate commitments. If these are not to be included, officers are asked to confirm why this is the case. Standard wording is included in procurement templates to ensure this is captured at tender stage through to awarded contract.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls, control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	Contract expectations not being monitored or managed.	Contract Management consideration in business cases, guidance and training available for officers.	M	Yes
Compliance	Failure to comply with internal procurement regulations and procurement legislation	Robust process for review of individual business cases and proposed approach to procurement.	L	Yes

Operational	Unable to control demand	Robust process and focus on demand reduction strategies, contract terms developed to be more flexible.	L	Yes
Financial	Escalation of costs Differing market conditions depending on commodity or service	A strong focus on value for money in all commissioning activities and market engagement or use of Business Intelligence to engage with market / ascertain changes/trends.	M	Yes
Reputational	Insufficient information provided by officers, lack of transparency.	Robust process for review of individual business cases and proposed approach to procurement.	L	Yes
Environment/ Climate	Failure to consider sustainable options.	Environmental consideration within business cases and environmental clauses within tender documents.	L	Yes

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
Impact of Report	
Aberdeen City Council Policy Statement	The ability to have an overview of contract expenditure is aligned to Core Outcomes of the LOIP and the whole systems commissioning cycle approach.
Aberdeen City Local Outcome Improvement Plan	
Stretch Outcomes (Prosperous Economy/People/Place)	Community Benefits, Fair Work and Climate requirements are incorporated into all ACC Procurement Activity, consideration is given to the Stretch Outcomes within the LOIP at the development phase.
Regional and City Strategies	Details of anticipated outcomes and how they support key strategies are contained within the business case(s) attached.

UK and Scottish Legislative and Policy Programmes	Details of the legislative and policy programmes to be complied with is contained within the business case(s) attached.
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9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Not required
Data Protection Impact Assessment	Not required
Other	Not required

10. BACKGROUND PAPERS

None

11. APPENDICES

Public

Appendix 1 Final Revenue Work Plans PUBLIC Council 140623

Private

Appendix 2 Final Revenue Work Plans PRIVATE Council 140623

Appendix 3_Business_Case_Electric Vehicle Charging Infrastructure_
PRIVATE_Council_140623

Appendix 4_Business Case_Microsoft Services_ PRIVATE _Council_140623

Appendix 5_Business_Case_MS Campus_PRIVATE_Council_140623

11. REPORT AUTHOR CONTACT DETAILS

Name	Melanie Mackenzie
Title	Strategic Commercial Manager
Email Address	MeMackenzie@aberdeencity.gov.uk
Tel	07795 316388

Commissioning Work Plan	Committee: Council	Date of Committee: 14 June 2023
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Reference	Function	Cluster	Description of Requirement	Type of Budget	Estimated Start date of Contract or Extension	Estimated End date of Contract (Excluding extension)	Maximum Extension Period (months)	Estimated End date of Contract (Including extension)	Summary
000-VTEG9249	Commissioning	Commercial & Procurement	Provision of Electric Vehicle Charging Infrastructure	Revenue	01/04/2024	31/03/2034	120	31/03/2044	The undertaking of a collaborative procurement process for an Alternative Delivery Model for the provision of Electric Vehicle Charging Infrastructure (across Aberdeen City, Aberdeenshire and Highland Council areas) via the appropriate sourcing route in compliance with Scottish procurement regulations.

Customer Work Plan	Committee: Council	Date of Committee: 14 June 2023
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Reference	Function	Cluster	Description of Requirement	Type of Budget	Estimated Start date of Contract or Extension	Estimated End date of Contract (Excluding extension)	Maximum Extension Period (months)	Estimated End date of Contract (Including extension)	Summary
000-VPDL3367	Customer	Digital & Technology	Microsoft Services to Support Transformation Programme	Revenue	01/08/2023	28/02/2026	0	28/02/2026	At its budget meeting on 01/03/2023 Aberdeen City Council committed £12.6m of investment into digital transformation. This work builds on the foundational capabilities delivered in previous iterations of cloud transformation and accounts for digital change in years 1-3 of the overall programme.
000-NUCT7764	Customer	Digital & Technology	Microsoft Campus Agreement	Revenue	01/08/2023	31/07/2026	0	31/07/2026	Microsoft licencing requirement for next 3 years to allow the council to utilise key functionality aligned with transformation strategy including defender for increased cyber protection, Teams Telephony licences to manage our analogue to digital transition and Powerbi Pro to support the report

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	14 June 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Adoption of the Aberdeen Local Development Plan 2023
REPORT NUMBER	COM/23/174
DIRECTOR	Gale Beattie
CHIEF OFFICER	David Dunne
REPORT AUTHOR	Andrew Brownrigg
TERMS OF REFERENCE	11.

1. PURPOSE OF REPORT

- 1.1 This report informs the Council of a Direction issued by Scottish Ministers requiring modifications to be made to the Aberdeen Local Development Plan 2023 prior to adoption. Accepting the modifications will allow the Council to adopt the Plan.

2. RECOMMENDATIONS

That Council:-

- 2.1 Instruct the Chief Officer - Strategic Place Planning to confirm to Scottish Ministers that the planning authority will accept the modifications to the Aberdeen Local Development Plan 2023 as outlined in their Direction letter of 10th May 2023 (Appendix 1).
- 2.2 Instruct the Chief Officer – Strategic Place Planning to proceed to adopt the Aberdeen Local Development Plan 2023, as modified (Appendix 2) and to undertake the statutory procedures set out in paragraph 3.5 of the report.

3. CURRENT SITUATION

- 3.1 On 14th December 2022 the Council approved the Aberdeen Local Development Plan 2023 (the Plan) for adoption, subject to various procedures outlined in the report (COM/22/283). The Council was then required by statute to send the Plan to Scottish Ministers for a 28 day period. During this period Scottish Ministers may, if it appears to them that the Plan is unsatisfactory, direct the planning authority to consider modifying the Plan in such respects as are indicated by the Direction. Scottish Ministers also have the power to extend the 28 day period.

- 3.2 Following several extensions to the period, Scottish Ministers issued a Direction letter on 10th May 2023. This Direction included a number of further modifications to the Plan for the planning authority to consider. Scottish Ministers consider the modifications in the Direction are necessary to ensure the Local Development Plan takes account of the fact that National Planning Framework 4 (NPF4) was adopted on 13th February 2023 and now forms part of the statutory development plan, replacing the Strategic Development Plan.
- 3.3 Under Section 20(6) of the Town and Country Planning (Scotland) Act 1997, the Council may not adopt the Local Development Plan unless it makes the modifications necessary to conform with the Direction, or the Scottish Ministers choose to withdraw the Direction.
- 3.4 Officers are therefore recommending that the planning authority should confirm to Scottish Ministers that the modifications shown as track changes in Appendix 2 be accepted. This includes the minor consequential modifications arising from the Direction such as paragraph and table re-numbering and non-notifiable modifications such as minor corrected typographical errors. This will enable the Council to adopt the Plan over the next few days at which point the extant Aberdeen Local Development Plan 2017 will fall.
- 3.5 When the Aberdeen Local Development Plan 2023 is adopted, the following statutory procedures will be carried out by the planning authority;
- Send 2 copies to Scottish Ministers;
 - Publish it, including electronically;
 - Place copies in public libraries;
 - Notify people who made representations on the proposed or modified plan of its publication and its availability in public libraries; and
 - Advertise its publication and availability in a local newspaper

4. FINANCIAL IMPLICATIONS

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

5. LEGAL IMPLICATIONS

- 5.1 Scottish Ministers have the power to issue a Direction to the planning authority if they think a Local Development plan is unsatisfactory under Section 20(5) of the Town and Country Planning (Scotland) Act 1997. Section 20(6) of the same Act requires planning authorities to accept any modifications issued under the Direction in order to adopt the Plan, unless Ministers withdraw the Direction.
- 5.2 Planning and legal officers are of the opinion that the modifications issued in the Direction should be accepted.
- 5.3 When the Local Development Plan is adopted, there is a six week period in which a legal challenge can be made on the grounds that:
(a) that it is not within the powers conferred by Part II of the Town and Country Planning Act 1997, as amended, or

(b) that any relevant requirement of that Part or of any regulations made under than Part have not been complied with.

5.4 It is considered that accepting the modifications is consistent with the legislative requirements of the Act.

6. ENVIRONMENTAL IMPLICATIONS

6.1 An up to date Local Development Plan has positive environmental implications by helping to ensure that all new developments in the City are appropriately sited and designed to avoid adverse impacts on the environment. The Local Development Plan has been subject to a Strategic Environmental Assessment and Habitats Regulations Appraisal in consultation with statutory consultation bodies.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	Ensuring up to date and relevant supporting planning guidance to coincide with adoption of the new Local Development Plan.	Adopt new Local Development Plan as modified. Ensure all statutory requirements and public notices are carried out.	L	Yes
Compliance	Ensuring that current adopted Local Development Plan is replaced to comply with relevant planning legislation.	Adopt new Local Development Plan as modified. Ensure all statutory requirements and public notices are carried out.	L	Yes
Operational	No significant risks identified			
Financial	Not having timely published versions of the Local Development Plan could lead to uncertainty at planning application stage and potentially	Adopt new Local Development Plan as modified. Ensure all statutory requirements and public notices are carried out.	L	Yes

	lead to more staff time being spent processing applications on unsuitable sites and a greater number of planning application appeals.			
Reputational	Not having timely published versions of the Local Development Plan could lead to uncertainty with the development industry, key partners and agencies and members of the public.	Adopt new Local Development Plan as modified. Ensure all statutory requirements and public notices are carried out.	L	Yes
Environment / Climate	Ensuring that the Local Development Plan takes into consideration the relevant environmental and climate change legislation at the point of its development and production.	Wide consultation and an examination of the Proposed Local Development Plan was carried out to ensure that the Local Development Plan and supporting documents are up to date and relevant at the date of adoption. A Strategic Environmental Assessment was also carried out.	L	Yes

8.0 OUTCOMES

<u>COUNCIL DELIVERY PLAN 2022-2023</u>	
	Impact of Report
Aberdeen City Council Policy Statement	The Aberdeen Local Development Plan will support the delivery of many aspects of the policy statement – primarily under the headings of ‘A City of

<u>Working in Partnership for Aberdeen</u>	<p>Opportunity', 'A Vibrant City', 'Building a Greener and Sustainable City', 'Greener Transport, Safer Streets, Real Choices', 'Homes for the Future', 'An Active City', and 'A Prosperous City'. It will particularly support the following aspects of the policy statement:-</p> <ul style="list-style-type: none"> • Review and invest in our school estate, ensuring all of Aberdeen's schools are fit for the educational needs and the challenges of the 21st century • Improving cycle and active transport infrastructure • Work with partners to produce a ten-year plan to increase the stock and variety of Council and social housing • Expand Aberdeen's district heating network • Repeal the guidance that exempts student accommodation developers from affordable housing contributions • Back Sport Aberdeen in their efforts to invest in and improve sporting facilities • Work with partners to stimulate sustainable economic development
<u>Aberdeen City Local Outcome Improvement Plan</u>	
Prosperous Economy Stretch Outcomes	The Aberdeen Local Development Plan will help to support the Stretch Outcome 'No one will suffer due to poverty by 2026.' The guidance will help to support sustainable economic growth and create a framework for the delivery of new energy efficient homes which will help reduce fuel poverty for residents.
Prosperous Place Stretch Outcomes	The Aberdeen Local Development Plan will support Place Stretch Outcomes 13 – 15 by providing guidance to ensure that new developments within the City are designed to achieve high standards of energy efficiency, encourage sustainable methods of travel, and to achieve net gains for biodiversity wherever possible.
Regional and City Strategies	The Aberdeen Local Development Plan will directly support the Local Housing Strategy. It supports the Regional Economic Strategy and the Regional Transport Strategy by setting out guidance to help deliver sustainable economic development and to ensure that new developments have proper regard to their impacts on the transport network. Through the proposed Planning Obligations Supplementary

	Guidance, contributions will also be sought where appropriate from new developments towards infrastructure enhancements such as schools and other community facilities. This will support delivery of the Council's Estates and Assets Strategies.
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9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Full impact assessment has been carried out.
Data Protection Impact Assessment	A full DPIA has already been carried out and covered the whole LDP production process. A further iteration is not considered necessary.
Other	None

10. BACKGROUND PAPERS

10.1 Town and Country Planning (Scotland) Act 1997

<https://www.legislation.gov.uk/ukpga/1997/8/contents>

10.2 Adoption of Aberdeen Local Development Plan 2023 (COM/22/283) – Council Report on 14th December 2022.

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=122&Mid=8190>

11. APPENDICES

Appendix 1 - Scottish Government Direction Letter of 10th May 2023 on the Aberdeen Local Development Plan

Appendix 2 - Aberdeen Local Development Plan 2023 with Minister's modifications (and the consequential modifications) in track changes

12. REPORT AUTHOR CONTACT DETAILS

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Our ref: A43633952
10th May 2023

Dear Andrew,

**Town and Country Planning (Scotland) Act 1997
Notice of Intention to Adopt – Aberdeen City Council Local Development Plan (as modified)**

I refer to your correspondence of 15th December 2022, regarding Aberdeen City Council's intention to adopt the proposed Aberdeen City Council Local Development Plan (as modified).

Scottish Ministers have decided that the proposed plan as notified is unsatisfactory and hereby direct under section 20(5) of the Town and Country Planning (Scotland) Act 1997, that Aberdeen City Council consider modifying the proposed Aberdeen City Council Local Development Plan 2 as indicated in the Annex to this direction.

This direction is considered necessary to ensure the Local Development Plan takes account of the fact that National Planning Framework 4 (NPF4) has been adopted and that this replaces National Planning Framework 3 (NPF3) and Scottish Planning Policy (SPP), and that Strategic Development Plans (SDPs) have now ceased to have an effect and are no longer part of the development plan. The current proposed local development plan is considered to be unsatisfactory to the extent that it seeks to continue in effect policies that have been superseded by NPF4

Section 20(6) provides (subject to any further direction under section 20) that your authority may not adopt the Aberdeen City Council Local Development Plan 2 unless you satisfy Scottish Ministers that you have made the modifications necessary to conform with this direction, or the Scottish Ministers withdraw it.

I would be grateful if you would therefore confirm that your authority will modify the plan.



Yours sincerely

Allen Hughes
Planning, Architecture and Regeneration Division

ANNEX

Reference	Modification	Reason for Modification
Contents page 1	Remove “Aberdeen City and Shire Strategic Development Plan” and renumber as required.	To reflect the changing context for the plan.
Page 6 paragraph 1.1.2	Remove “, from The Planning (Scotland) Act 2019 through the National Planning Framework, Scottish Planning Policy, down to Local Development Plans and Aberdeen Planning Guidance.”	To reflect the changing context for the plan.
Page 13 List under paragraph 1.4	Add “National Planning Framework 4” Remove “Scottish Planning Policy” Remove “Aberdeen City and Shire Strategic Development Plan”	To reflect the changing context for the plan including the adoption of National Planning Framework 4 on 13 February 2023.
Page 15 paragraph 2.2	Remove “The National Planning Framework (NPF3) is currently under review and its replacement will set out Scotland’s vision for the future as well as introducing national policies on various topics. The current”	As above.
Page 15 paragraph 2.3	Remove “Planning authorities must take NPF3 into account when preparing local development plans and it is a material consideration in determining planning applications. This will remain the position until it is replaced by NPF4.”	As above
Pages 15 and 16	Remove paragraphs 2.4, 2.5 and 2.6	As above
Page 16 paragraph 2.8	Add “Given the timing of this plan, a pragmatic approach has been taken to changes in the planning system. National Planning Framework 4 was adopted following the examination and subsequent modification of this plan, and as a result some terminology referred to here may vary from the new policy framework. References to the Scottish Planning Policy in the Proposed Plan have been removed to minimise confusion. References to the Strategic Development Plan have been minimised but retained where necessary to explain the source of data and requirements, but it should be	To explain how the changing planning system has been reflected in the plan as a whole.

	noted that this plan, together with NPF4 now forms the basis of the statutory development plan.”	
Page 16 paragraph 2.11	Remove “and the Strategic Development Plan”	To reflect the changing context for the plan.
Page 17 paragraph 3.1	Remove “the wider strategic aims of the Strategic Development Plan and”	As above
Page 17 paragraph 3.4	Remove paragraph 3.4 and table 2 (and related footnotes) and replace with: From February 2023, the National Planning Framework forms part of the statutory development plan. It sets out a 10 year Minimum All-Tenure Housing Land Requirement of 7,000 units at Annex E. This plan was prepared on the basis of the Strategic Development Plan that was part of the statutory development plan at that time, which set out a Housing Land Requirement of 21,450 for 2016 to 2032. Proposals are already progressing or are in the pipeline for much of the land that will accommodate these requirements. Most of this requirement will be met through established sites identified through this local development plan with a focus on sites that are deliverable within the timeframe to 2032. There will also be a continued emphasis on meeting the needs of the whole community including through the provision of affordable housing. Monitoring and review of the contribution of the land supply to delivering affordable housing will be important in this respect.	As above
Page 18 Paragraph 3.5	Remove: “in Table 2”	As above
Page 18 paragraph 3.5	At title of Table 3 remove “Housing and” In table 3, remove the part/columns relating to Housing Allowances	As above
Page 18 Paragraph 3.6	Add text to the start of paragraph 3.6 “This LDP was prepared on the basis that”	As above
Page 18 paragraph 3.6	Second sentence, after “allocation for”, remove “housing and”	As above
Page 18 paragraph 3.7	Remove “The Strategic Development Plan 2020 states that” Capitalise the following sentence.	To reflect the changing context for the plan.

	Remove “endorses that approach and” Remove “in line with SDP targets”	
Page 18 paragraph 3.8	Remove “This Local Development Plan needs to show how we will meet the 5,107 housing allowance which the Strategic Development Plan sets for Aberdeen for the period to 2032. The Strategic Plan states that” Capitalise the following sentence. Remove “new allowance includes” and replace with “sites include”	As above
Page 19 paragraph 3.9	Remove “That leaves a potential shortfall in the new housing land allowance of some 1568 units. However Scottish Planning Policy places the focus on the maintenance of a five year land supply drawing from all sources.” Remove “enable the future maintenance of the 5 year effective supply”. Replace with “come forward.”	To reflect the changing context for the plan including the adoption of National Planning Framework 4 on 13 February 2023.
Page 20 paragraph 3.11	Remove “(used as the basis for calculating the Strategic Development Plan allocations)”	As above
Page 20 subheading after paragraph 3.12	Remove “Period 2 Allowances 2033 -35 and Period 3 Allowances 2036-40 Replace with “Sites beyond 2033”	As above
Page 20 paragraph 3.13	Remove “These sites can be set against the new Period 2 Allowances for 2033-35. We do not propose to identify any further sites to meet the allowances for Periods 2 and 3. Neither Scottish Planning Policy or the Strategic Development Plan requires this Plan to do so.”	To reflect the changing context for the plan.
Page 21 paragraph 3.14	Remove whole paragraph: “The Strategic Development Plan 2020 asks Local Development Plans to make sure there is at least 60 hectares of marketable land available to businesses at all times in a range of places within Aberdeen City. In addition, at least 20 hectares of the marketable employment land in the Strategic Growth Areas should be of a standard which will attract high quality businesses or be suitable for company headquarters.”	To reflect the changing context for the plan.

Page 21 Paragraph 3.17	After Part A – Existing Housing Allocations and Housing remove “Allowances” and replace with “sites” After Housing and employment development on existing allocated sites and housing remove “allowance”	As above
Page 22 Policy LR1	Remove “The council will work with developers, service providers and other partners to maintain the 5 year supply of effective housing land at all times, along with the supply of employment land.” Replace with “The council will work with developers, service providers and other partners to maintain a sufficient pipeline of deliverable housing land along with the supply of employment land.”	To reflect the changing context for the plan and in particular Policy 16 of NPF4.
Page 22 paragraph 3.18	Remove “Policy LR1 at Part A supports the maintenance of a 5 year effective supply of housing land at all times (in the relevant 10 year period to 2032). This is to provide a supply of land sufficient to meet the housing land requirement as established in the strategic plan. It is recognised above that there is a shortfall in terms of those sites specifically identified to meet the strategic allowance. Consequently”	To reflect the changing context for the plan.
Page 22 paragraph 3.19	Remove “This will result in the replacement of the strategic development plan context with that to be established through the new National Planning Framework.” and “This is particularly important in the circumstances where the extent of new allowance sites identified through this local development plan falls short of that envisaged by the current strategic plan.	To reflect the changing context for the plan.
Page 23 paragraph 3.23	Remove “and meet the requirements of the Strategic Development Plan.”	To reflect the changing context for the plan.
Page 36	Under “Delivering Sustainable Communities” remove “and how we will meet the objectives and targets of the Strategic Development Plan.”	To reflect the changing context for the plan.
Page 36 paragraph 5.1	Remove “National Planning Framework 3, Scottish Planning Policy and the Aberdeen City and Aberdeenshire	To reflect the changing context for the plan.

	Strategic Development Plan all highlight the relationship between well planned places, a healthy lifestyle, wellbeing and social inclusion.”	
Page 41 paragraph 6.4	Remove “The Strategic Development Plan sets objectives for the region ensuring that...” Replace “new” with “New” Add “should ensure that it” between “development” and “safeguards”	To reflect the changing context for the plan.
Page 42 paragraph 6.6	Remove “Scottish Planning Policy states that”. Capitalise the following sentence. Remove “In line with the Strategic Development Plan,”. Capitalise the following sentence.	As above
Page 42 paragraph 6.7	Remove “In line with the Scottish Planning Policy,”. Capitalise the following sentence.	As above
Page 42 paragraph 6.8	Remove “In line with the Scottish Planning Policy”. Capitalise the following sentence.	As above
Page 43 paragraph 6.12	Remove “Scottish Planning Policy states that”. Capitalise the following sentence.	As above
Page 47 bullet 2	Remove “Scottish Planning Policy and”	As above
Page 48 paragraph 6.32	Remove “as set out in Scottish Planning Policy”	As above
Page 53 paragraph 7.1.	Replace “NPF3” with “NPF4”, remove “Scottish Planning Policy”	As above
Page 60 paragraph 7.15	Remove “Scottish Planning Policy and” Amend “NPF3” to “NPF4”	As above
Page 66 paragraph 8.5	Remove “Scottish planning Policy requires” Insert “are required to” after “Planning authorities”	As above
Page 68 paragraph 8.12	Replace “Scottish Planning Policy” with “National planning policy”	As above
Page 69 paragraph 8.13	Remove “The Strategic Development Plan has identified”. Capitalise the following sentence. Remove “The Strategic Development Plan notes that”	As above.
Page 71 paragraph 8.17	Remove “Scottish Planning Policy and National Planning Framework 3” Replace with “National planning policies”	As above
Page 76 paragraph 9.8	Remove “Scottish Planning Policy states that where a demand is identified through Housing Need and Demand Assessment (HNDA), polices should be put in place to	As above

	mitigate for this change through the provision of suitable housing.” Replace with “National planning policies support proposals for new homes which address identified gaps in provision, which could include homes for older people, including supported accommodation, care homes and sheltered housing.”	
Page 77 paragraph 9.13	Remove “and take into consideration the Strategic Development Plan affordable housing targets, the provisions of Scottish Planning Policy and Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits; which sets a benchmark of 25% provision for new developments.”	As above
Page 101 paragraph 12.1	Remove “The Strategic Development Plan requires a ready supply of employment to be maintained in the city. Therefore to” Start the following sentence with “To”	As above.
Page 108	Under “Ecosystems Services” Remove “As defined in Scottish Planning Policy,”	As above
Page 109	Remove “Effective Land Supply Sites which have no constraints and are available for development.”	As above
Page 112	Under Strategic Development Plan Remove “to be replaced by Regional Spatial Strategies.” And replace with “and no longer part of the statutory development plan.”	As above
Page 115	Remove “Consequently they are not counted as part of the strategic allowance as set out in Chapter 3 of the plan. Nevertheless” Capitalise the next sentence	As above

Appendix 2

Aberdeen Local Development Plan 2023

Aberdeen Local Development Plan 2023

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Foreword

To be agreed

Intentionally left blank

1. A sustainable vision for Aberdeen

Context

1.1 Planning's role has long been one of managing multiple complex and often competing factors to arrive at a well-considered and balanced decision. Its origins stem from a realisation that an imbalance had developed in society during the industrial revolution, and that a system was needed to correct and shepherd future development. Much like the modern-day principles of sustainable development, planning has always sought to balance social, environmental and economic needs, to deliver development that is sustainable, and where possible balance these three pillars of society.

1.1.1 Climate Change is now recognised internationally as one of the greatest challenges facing the planet. Responding to the Intergovernmental Panel on Climate Change (IPCC) statement that, "Limiting global warming to 1.5°C would require rapid, far-reaching and unprecedented changes in all aspects of society." Scotland has set an ambitious target of achieving Net Zero by 2045 and reducing its emissions by 75% by 2030. To achieve this all aspects of society and the economy must be mobilised to reduce emissions across all sectors.

1.1.2 At its heart, the planning system in Scotland seeks to deliver sustainable healthy communities. This is enshrined at all levels of the planning system, ~~from The Planning (Scotland) Act 2019 through the National Planning Framework, Scottish Planning Policy, down to Local Development Plans and Aberdeen Planning Guidance.~~ The planning hierarchy requires that these principles are at the heart of Local Development Plans and that they specifically aim to deliver places which are sustainable and healthy.

1.1.3 In Aberdeen, the Local Development Plan begins this process by assessing all development bids against our sustainability checklist. This checklist scores development bids against 21 criteria which include amongst others, natural conservation, landscape fit, accessibility, proximity to facilities such as health, access to active travel routes and to public transport. All of our site assessments are made public and are available on our website as well as being reported to committee with the Local Development Plan.

1.1.4 These checklist scores are then used to help determine which sites best achieve the Local Development Plan's goals of delivering high quality places which are sustainable and healthy. In parallel to this, the policies within the Plan aim to support the sustainable delivery of these developments.

1.1.5 While our policy framework covers areas such as Low and Zero Carbon Buildings, Water Efficiency, Renewable and Low Carbon Energy Developments and Heat Networks it is important to note that all of the policies in the plan have been developed to reduce their impact on the environment or indeed promote environmental objectives.

1.1.6 Emphasis has been placed on creating sustainable places and the circular economy, thereby reducing energy use and the need to travel. Ensuring housing, leisure and work are co-located where possible and encourage active or public transport in place of the car.

1.1.7 The policies which make for a sustainable place also make for a healthy place. In this plan for the first time our policies have been co-designed with NHS Grampian, to ensure wherever possible that a health in all policies approach is taken. In parallel to this, a new chapter focused on Health and Wellbeing has been introduced, and now with the support of the Planning (Scotland) Act 2019, this plan includes a policy on Health Impact Assessments. This policy will seek to ensure that where possible, all development maximises opportunities to positively impact on health outcomes.

Vision to 2032 and beyond

1.2 This Local Development Plan represents Aberdeen City Council's land use strategy for Aberdeen for 10 years from 2022. Its aim is to support the Council's vision of creating a sustainable and socially equitable future for the city, as the home to its residents, as the regional centre of the North East, and as one of Scotland's most important economic engines.

1.2.1 Aberdeen is a global city, an ambitious city, a city with a long history of being unafraid to change or reinvent itself. In economic terms a city that has gone through many periods of growth and retraction and moved its economic focus to embrace opportunity when it arose. In social terms a city with a strong sense of community, yet a global city made up of many different and distinct communities. And all of this in the environment of a compact coastal city, surrounded and intersected by greenspace and rivers. A city with an extensive network of open space, core paths and a growing active travel network. A city with a magnificent coastline facing out to the North Sea, and it is from the North Sea that it has gained its recent global status.

1.2.2 Recognised internationally as a global leader in the oil and gas industry, the influence of this, and its supporting industries, have been considerable over the past four decades. Helping to raise living standards in the city and contributing to income levels above the national average, it has also resulted in strong rates of employment and provided opportunities across a range of supporting sectors.

1.2.3 Aberdeen has become a premier centre for business and education with two world class universities. Innovation has been driven forward by these universities working with industry, and partnerships have been forged across sectors to support this. Aberdeen City Council has been an intrinsic partner in this process. Working with partners including those within the European Union, Aberdeen has developed the largest hydrogen bus fleet in Europe and an extensive range of supporting infrastructure.

1.2.4 This innovation, in conjunction with the energy sector's existing expertise, is helping many traditional oil and gas companies move away from fossil fuels to new technologies which are low, or zero carbon. Aberdeen is well placed to capitalise on this energy transition and has already seen significant investment in the sector. In this plan we have identified our first Energy Transition Zone a land use zoning and supporting policy specifically aimed at supporting the delivery of low and zero carbon technologies, placing Aberdeen at the forefront of this emerging industry. The Energy Transition Zone has been placed adjacent to Aberdeen's South Harbour Extension and the rail line to maximise the development opportunities.

1.2.5 Aberdeen's City Region Deal is helping to build on these innovations by supporting the delivery of a range of infrastructure, from transport to high speed broadband. This in turn is enabling regional diversification into other sectors such as life sciences, renewable and alternative energy,

food and drink, and technology and digital. The city's transport network continues to be improved with the delivery of the Aberdeen Western Peripheral Route, expansion of the Airport and a range of other transport projects across the city.

1.2.6 As Scotland's third largest city, Aberdeen also remains an important regional centre for culture, retailing and leisure. Aberdeen's built environment is a legacy of an earlier period of strong economic growth in the 19th century, which saw the city gain global recognition for its exports of granite. This granite heritage gives Aberdeen its other name, The Granite City, but more importantly has resulted in a wealth of listed buildings, conservation areas and other cultural and artistic assets including art galleries, theatres and museums. In recent years, supported by Aberdeen City Council, many of these buildings have been restored and extended and a complementary program of festivals introduced to celebrate these cultural assets.

The Future

1.3 If Aberdeen is to maintain this momentum however, new challenges have to be faced, and its future depends on how well it responds to them. While Aberdeen has seen great success, not all of its residents have benefited equally, and to compound this, climate change now poses one of the most significant challenges ever faced by mankind. While the Local Development Plan is a land use planning document its reach and influence is often broad. If we are to achieve a sustainable and socially equitable future, the Local Development Plan must play its part, leading where it can and supporting other plans where it cannot. In that sense the Local Development Plan represents one of the tools Aberdeen can use to respond to these significant challenges.

1.3.1 The Aberdeen Local Development Plan 2022 is a clear 10 year planning framework for the city. The Aberdeen of the future will be sustainable, inclusive, vibrant, adaptable and prosperous. In a future of reduced resources, we must ensure that we push ourselves to achieve the best outcomes for our residents while limiting our impact on the planet. This can only be done by ensuring we use resources wisely and measure our effectiveness to gauge our success. To meet these aims we have ensured that the Local Development Plan includes three sets of metrics:

- A. To assess our impact in terms of Sustainability
The United Nations Sustainable Development Goals (SDG)
- B. To assess our impact in terms of Health
The Scottish Governments Health Priorities for Scotland
- C. To assess our impact in terms of the Cities Social Priorities Local Outcome Improvement
Plans Stretch Outcomes.

A The United Nations Sustainable Development Goals (SDG)

1.3.2 The 17 Sustainable Development Goals (SDGs) of the 2030 Agenda for Sustainable Development are the blueprint to achieve a better and more sustainable future for all. They address the global challenges we face, including those related to poverty, inequality, climate, environmental degradation, prosperity, and peace and justice. The interrelated goals must be achieved by 2030. The integration of the SDG's into the Aberdeen Local Development Plan 2022 are the early stages of an increasingly focussed approach. In the next Local Development Plan, we intend to inspect the targets that sit beneath the 17 SDG and ensure closer alignment and policy coherence between targets and the Local Development Plan policies. Ultimately, all development can achieve each of the

17 SDGs, however it is accepted that some policies will have a more immediate association to some SDGs. Within the Local Development Plan policies, the associated SDG's are represented. The relevance of Local Development Plan policies in aligning to, and delivering specific SDGs, is shown in Table 1.

1.3.3 The Local Development Plan forms only one part of a multi layered, and multi-agency partnership to achieve the SDGs. The Local Development Plan sets the land use framework against which the SDGs can be achieved whilst strengthening the city's reputation as a progressive and attractive place to live, work, play and visit.

B Health Priorities for Scotland

1.3.4 At a national level, and through the Planning (Scotland) Act 2019, the relationship between health and wellbeing and planning is being rediscovered. The six Public Health Priorities for Scotland aim to tackle inequality in health and wellbeing; to achieve this positive social, economic and physical environment is fundamental. By considering the Public Health Priorities for Scotland in the Local Development Plan we aim to better the health and wellbeing for all people at all ages in Aberdeen.

1.3.5 It is of course important to remember that the origins of Town Planning are rooted in improving the health of people, but it is always beneficial to refocus our efforts. To do that all of the polices within the Local Development Plan have been examined with a view to improving and assessing their health impact. Many of the polices, with the help of the Aberdeen Health and Social Care Partnership, have been modified to bring health to the fore. A strong focus has been placed on limiting the negative impacts and enhance the positive impacts of all the policies, and a new Health and Wellbeing chapter has been added to the plan. This chapter sees the introduction of a Healthy Development policy which asks what the health impact of developments is likely to be. For smaller scale developments this will be more limited and easier to gauge but for larger developments this will require a Health Impact Assessment.

1.3.6 All of this is done with a view to helping to deliver these health priorities.

1. A Scotland where we live in vibrant, healthy and safe places and communities.
2. A Scotland where we flourish in our early years.
3. A Scotland where we have good mental wellbeing.
4. A Scotland where we reduce the use of and harm from alcohol, tobacco and other drugs.
5. A Scotland where we have a sustainable, inclusive economy with equality of outcomes for all.
6. A Scotland where we eat well, have a healthy weight and are physically active.

C Local Outcome Improvement Plan

1.3.7 The purpose of creating a healthy and sustainable future is best summed up in the vision for the Local Outcome Improvement Plan 2016-2026, 'a place where all people can prosper.' In many respects this vision sums up not only the purpose of the SDGs and the Health Priorities for Scotland, but the purpose of planning. It is for this reason that Community Planning Aberdeen's (LOIP) is a useful benchmark against which to measure the success of the Local Development Plan. While the LOIP will be updated periodically throughout the life of the Plan, its stretch outcomes will

nevertheless be useful targets against which to assess outcomes. As with the Health Priorities, it must always be remembered that as a land use plan, the Local Development Plan can best support the stretch outcomes in the LOIP through creating a health environment and creating opportunities. While not always directly impacting on the outcomes themselves, many cannot be achieved without an appropriate environment.

Table 1 (over) shows which policies support the Stretch Outcomes

Table 1: Sustainable Development Goals, Public Health Priorities and Local Outcome Improvement Plan

Likely impact areas of the Local Development Plan on					
Policy Name		Sustainable Development Goals	Public Health Priorities	Local Outcome Improvement Plan	
				Impact	Deliver
LR1	Land Release Policy			1	
	Brownfield	3,7,8,9,11,12,13,15	P1	3,4,5,6,7,8,9,10,11,12,13	
	Greenfield	3,7,8,9,11,12,13,15	P1	3,4,5,6,7,8,9,10,11,12,13	
LR2	Delivery of Mixed-Use Communities	1,3,4,6,7,8,9,11,12,13,15,17	P1,P2,P3,P5,P6	3,4,5,6,7,8,9,10,11,12,13	
WB1	Healthy Developments	1,3,4,6,7,8,9,11,12,13,15,17	P1,P2,P3,P5,P6	3,4,5,6,7,8,9,10,11,12,13	15
WB2	Air Quality	3,7,8,9,11,12,13,15	P1	3,4,5,6,7,8,9,10,11,12,13	
WB3	Noise	3,7,8,9,11,12,13,15	P1	3,4,5,6,7,8,9,10,11,12,13	
WB4	Specialist Care Facilities	1,3,4,6,7,8,9,11,12,13,15 & 17	P1,P2,P3,P5,P6	3,4,5,6,7,8,9,10,11,12,13	
WB5	Changing Place Toilets		P1 & P3	3,4,5,6,7,8,9,10,11,12,13	
NE1	Green Belt	3,6,11,12,13,14,15	P1,P2,P3,P5 & P6	3,4,5,6,7,8,9,10,11,12,13	
NE2	Green and Blue Infrastructure	3,6,11,12,13,14,15	P1,P2,P3,P5 & P6	3,4,5,6,7,8,9,10,11,12,13	
NE3	Our Natural Heritage	3,6,11,12,13,14,15	P1,P2,P3,P5 & P6	3,4,5,6,7,8,9,10,11,12,13	
NE4	Our Water Environment	3,6,11,12,13,14,15	P1	3,4,5,6,7,8,9,10,11,12,13	
NE5	Trees and Woodland	3,7,8,9,11,12,13,15	P1	3,4,5,6,7,8,9,10,11,12,13	
D1	Quality Placemaking	3,6,7,11,12,13,15,17	P1 & P5	3,4,5,6,7,8,9,10,11,12,13	14,15
D2	Amenity	3,11,12,13,15,17	P1, P3, P5 & P6	3,4,5,6,7,8,9,10,11,12,13	14,15
D3	Big Buildings	3,11,12,13,15,17	P1 & P5	3,4,5,6,7,8,9,10,11,12,13	
D4	Landscape	3,6,11,12,13,	P1,P2,P3		14,15

		14,15	& P6		
D5	Landscape Design	3,6,11,12,13,15	P1,P3,P5 & P6		14,15
D6	Historic Environment	6,11,12,13,15	P1 & P3		14
D7	Our Granite Heritage	6,11,12,13,15			14
D8	Windows and Doors	11,12			
D9	Shopfronts	11,12			
R1	Minerals	3,8,9,11,12,13,15	P1 & P5	1,13	14
R2	Degraded and Contaminated Land	3,8,9,11,12,13,15	P1 & P5		14
R3	New Waste Management Facilities	3,7,8,9,11,12,13	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	14
R4	Energy from Waste	3,7,8,9,11,12,13	P1 & P5	1,13	14
R5	Waste Management Requirements for New Development	3,9,11,12,13	P1 & P5	1,13	14
R6	Low and Zero Carbon Buildings, and Water Efficiency	3,6,7,9,11,12,13, 14,15	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	14
R7	Renewable and Low Carbon Energy Developments	3,6,7,9,11,12,13, 14,15	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	14
R8	Heat Networks	7,8,9,11,12,13	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	14
H1	Residential Areas	1,3,4,6,7,8, 9,11,12,13,15	P1,P2,P3, P5 & P6	3,4,5,6,7,8, 9,10,11,12,13	
H2	Mixed Use Areas	1,3,4,6,7,8, 9,11,12,13,15	P1,P2,P3, P5 & P6	3,4,5,6,7,8, 9,10,11,12,13	
H3	Density	3,11,12,13 & 15	P1,P2,P3, P5 & P6	3,4,5,6,7,8, 9,10,11,12,13	14
H4	Housing Mix and Need	3,10,11 & 12	P1,P2,P3, P5 & P6	3,4,5,6,7,8, 9,10,11,12,13	
H5	Affordable Housing	3,10,11,12	P1,P2,P3, P5 & P6	3,4,5,6,7,8, 9,10,11,12,13	
H6	Gypsy and Traveller Caravan Sites	3,10,11,12	P1,P2,P3, P5 & P6	3,4,5,6,7,8, 9,10,11,12,13	
H7	Student Accommodation Developments	1,3,4,6,7,8, 9,11,12,13,15	P1,P2,P3, P5 & P6	3,4,5,6,7,8, 9,10,11,12,13	
H8	Houses in Multiple Occupation and Overprovision	1,3,4,6,7,8, 9,11,12,13,15	P1,P2,P3, P5 & P6	3,4,5,6,7,8, 9,10,11,12,13	
CF1	Existing Community Sites and Facilities	3,10,11,12,13,15	P1,P3 & P5	3,4,5,6,7,8, 9,10,11,12,13	
CF2	New Community Facilities	3,10,11,12,13,15	P1,P3 & P5	3,4,5,6,7,8, 9,10,11,12,13	
VC1	Vibrant City	8,11,12 & 13	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	

VC2	Tourism and Culture	8,11,12 & 13	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	
VC3	Network of Centres	8,11,12 & 13	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	
VC4	City Centre and Retail Core	8,11,12 & 13	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	
VC5	City Centre Living	3,7,8,9,10,11, 12,13,15	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	14
VC6	West End Area	3,4,7,8,9,11, 12,13,15	P5	3,4,5,6,7,8, 9,10,11,12,13	
VC7	West End Shops and Cafes	8,11,12,13	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	
VC8	Town, District, Neighbourhood and Commercial Centres	8,11,12,13	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	
VC9	Out of Centre Proposals	8,11,12,13	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	
VC10	Local Shop Units	8,11,12,13	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	
VC11	Beach and Leisure	8,11,12,13	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	
VC12	Retail Development Serving New Development Areas	3,8,9,10,11,12, 13,15	P1 & P5	3,4,5,6,7,8, 9,10,11,12,13	
I1	Infrastructure Delivery & Planning Obligations	1,2,3,4,6,7,8,9,10, 11,12,13,14,15,17	P1,P2,P3, P5 & P6	3,4,5,6,7,8, 9,10,11,12,13	
T1	Land for Transport	3,8,9,11,12,13,14,15	P1,P3,P5 & P6		15
T2	Sustainable Transport	3,8,9,11,12,13,14,15	P1,P3,P5 & P6	3,4,5,6,7,8, 9,10,11,12,13	15
T3	Parking	3,8,9,11,12,13,15	P1, P3, P5 & P6	11	15
CI1	Digital Infrastructure	8,9,11,12	P5	1,13	
CI2	Telecommunications	8,9,11,12	P5	1,13	
B1	Business and Industrial Land	3,8,9,11,12,13,15	P5	1,13	
B2	Business Zones	8,9,11,12	P5	1,13	
B3	Aberdeen International Airport and Perwinnes Radar	8,9	P5	1,13	
B4	Aberdeen Harbours	8,9	P5	1,13	
B5	Energy Transition Zone	3,6,7,9,11,12,13,14, 15	P5	3,4,5,6,7,8, 9,10,11,12,13	
B6	Pipelines, Major Hazards & Explosive Storage Sites	3,8 & 9	P5	1,13	

Local Development Plan in context

1.4 The Local Development Plan is not written in isolation. Engagement, consultation and conversations on its content through the Pre-Main Issues and Main Issues Report stage are fundamental in shaping the document, alongside analysis of international, national, and local strategies and policies. The Local Development Plan is responsible for balancing the intricacies of these differing elements with the aim of achieving a spatial strategy and policies for the future land use in Aberdeen. As mentioned above the Local Development Plan is only one of the tools available to the Council to help achieve its goals and objectives.

Council

Local Outcome Improvement Plan City Centre Masterplan

Core Paths Plan Open Space Strategy

Food Growing Strategy

Local Transport Strategy

Local Housing Strategy

Culture Aberdeen

Air Quality Action Plan Climate

Roads Hierarchy

Sustainable Urban Mobility Plan

Regional

~~Aberdeen City and Shire Strategic Development Plan~~

Regional Transport Strategy

Regional Economic Strategy

Tourism Strategy

River Dee Catchment Management Plan

National & International

UN Sustainable Development Goals

National Planning Framework 4

National Planning Framework 3

~~Scottish Planning Policy~~

Designing Streets

Creating Places

Our Place in Time

Historic Environment Policy for Scotland

Marine Spatial Plan

Water Framework Directive

Climate Change (Scotland) Act 2009

Other local Authorities LDP

Health Priorities for Scotland

Scotland's Forestry Strategy

1.5 As the Local Development Plan covers a 10 year timeframe is it important to ensure young people and children are included in discussions. The benefits of doing so increase awareness of the Local Development Plan, increase participation and confidence when engaging with spatial planning and ensure we create a city for all. Aberdeen has started the process of becoming a Child Friendly City through its partnership with Unicef on the Child's Rights Partners programme. The goal of the programme is to change the way Councils work with and for children, create opportunities for

children and families to have a say in the delivery of services and ensure children are surrounded by responsive, connected and empowered support.

It is our intention to produce a child friendly version of the Local Development Plan after it is adopted, thereby paving the way for future discussions on planning and city development.

2 How to use this plan

The Planning Hierarchy in Scotland

2.1 In 2019 the Planning (Scotland) Act came into force. This has introduced many changes which will come into force in line with a timetable being produced by the Scottish Government. While this Plan cannot reflect all these changes, until such time as they have come into force, it has introduced those appropriate at this time.

National Planning Framework for Scotland

2.2 The National Planning Framework (NPF3) is currently under review and its replacement (NPF4) will set out Scotland's vision for the future as well as introducing national policies on various topics. The current National Planning Framework (NPF3) reflected Aberdeen's position as Scotland's third largest city and significant economic engine, and together with the rest of the North East, the important role it plays in Scotland's success. Its key vision for Scotland's spatial development was to create:

- a successful, sustainable place;
- a low carbon place;
- a natural, resilient place; and
- a connected place.

2.3 NPF3 did this by identifying a number of important infrastructure projects across the North East, and in Aberdeen specifically. Many of these, such as rail improvements from Aberdeen to Inverness and the Central Belt, Aberdeen South Harbour Extension, the AWPR, Improvements to Aberdeen Airport and the Dualling of the A96, are either now completed, or well under way. These projects were deemed essential to Aberdeen's continued success and were reflected in Aberdeen's City Region Deal. Planning authorities must take NPF3 into account when preparing local development plans and it is a material consideration in determining planning applications. This will remain the position until it is replaced by NPF4.

2.4 — Until the new NPF4 is in place the Aberdeen Local Development Plan will continue to work to the existing NPF3 and the Strategic Development Plan. However once adopted the new NPF4 will represent a material consideration in determining future planning applications.

~~Aberdeen City and Shire Strategic Development Plan~~

2.5 — The Strategic Development Plan (SDP) represents the regional spatial plan for the City Region. It reflects the National Planning Framework and sets out the strategy for the growth of the North East. The main aims of the Strategic Development Plan are to:

- — provide a strong framework for investment decisions which will help to
- — grow and diversify the regional economy in a sustainable manner;
- — promote the need to use resources more efficiently and effectively whilst
- — protecting our assets; and,
- — take on the urgent challenges of climate change.

~~2.6~~ The Strategic Development Plan promotes four strategic growth areas which will be the focus for development. These strategic growth areas are Aberdeen City and the three transport corridors between Huntly and Aberdeen, Aberdeen and Laurencekirk and Aberdeen to Peterhead. These growth corridors, through NPF3, have seen significant investment, such as the AWPR, rail improvements and the Aberdeen South Harbour Extension and it is expected that through NPF4 the importance of Aberdeen's success in national terms will continue to be reflected.

Aberdeen Local Development Plan – Working Towards the Vision

~~2.47~~ The Local Development Plan represents our spatial vision for Aberdeen and sets out how we aim to achieve this. It is one of the most important vehicles in delivering the Council's objectives and will have a very significant impact on the city over its lifetime. It does this by identifying which land is being allocated to meet the city's development needs to 2040 and beyond, and it sets out the planning policies we will apply in promoting the healthy and sustainable growth of Aberdeen over this period.

~~2.58~~ The Plan has been developed in the context of a new and emerging planning system in Scotland. It has taken account of all changes made to date, for example the removal of statutory supplementary guidance and has been co-designed with NHS Grampian, to reflect the strengthening relationship between planning and health within the Planning (Scotland) Act 2019. Given the timing of this plan, a pragmatic approach has been taken to changes in the planning system. National Planning Framework 4 was adopted following the examination and subsequent modification of this plan, and as a result some terminology referred to here may vary from the new policy framework. References to the Scottish Planning Policy in the Proposed Plan have been removed to minimise confusion. References to the Strategic Development Plan have been minimised but retained where necessary to explain the source of data and requirements, but it should be noted that this plan, together with NPF4 now forms the basis of the statutory development plan.

~~2.69~~ The Plan contains a spatial strategy which explains our overall view of where development should go and the principles behind that. All sites allocated in the Plan have been assessed against sustainable development and health principles to ensure the most appropriate sites are chosen. We have identified development sites and the scale of development we expect to see on each site. We have also specified what developers need to do when designing and delivering development, emphasising the need for masterplans, drawn up with local community involvement, for all the major sites. Our policies set out the requirements for different types of development and explain what uses are acceptable in different areas. More information and advice is contained in Aberdeen Planning Guidance which is approved by Aberdeen City Council. This can relate to specific sites or to specific types of development. We have also prepared a Delivery Programme which sets out what actions are needed for the policies and proposals in the Plan to be delivered, who is responsible for delivering them and the expected timescale for doing this. The Delivery Programme will be monitored and updated regularly and published annually.

~~2.710~~ All development must comply with policies which seek to create a sustainable city. The Local Development Plan contains different types of policies:

- Map based policies, which apply to a specific area on the Proposals Map.
- City wide policies, which apply to all new development proposals.
- Topic policies, which apply to a certain type of development.

~~2.811~~ It is important to remember that development proposals will be assessed against a number

of policies within the Local Development Plan, so it must be carefully considered as a whole. Reference should also be made to appropriate Aberdeen Planning Guidance and Supplementary Guidance as well as national policy and the Strategic Development Plan.

3 The Spatial Strategy

Overview

3.1 Development should meet the needs of the whole community. It should be of the right type in the right place at the right time. Promoting good design, mixing uses and re-using previously developed land will help to deliver good placemaking. The city centre is the commercial, economic, social, civic and cultural heart of Aberdeen. This Plan supports a strong and thriving city centre to deliver the wider strategic aims of the Strategic Development Plan and transformational projects identified in the City Centre Masterplan.

3.2 Regeneration of city centre sites and other brownfield sites throughout the existing built-up area for appropriate uses is encouraged. Brownfield sites are expected to contribute an increasing amount of our housing requirements over the period to 2032. The Plan identifies specific brownfield housing sites and explains the potential for others to come forward. Sites are also identified for other uses which complement existing communities.

3.3 A mixture of house types, employment opportunities and supporting development is important if we are able to offer a wide range of services and facilities which underpin Aberdeen's role at the core of the city region. All development proposals in this Plan are listed in Appendix 2 and shown on the Proposals Map. They include a wide range of proposals including housing, employment, sport and recreation, infrastructure, community, quarries, energy, regeneration, retail and mixed uses. Some of these were identified in the 2017 Local Development Plan. However, this Plan also includes new proposals including health centres, a new stadium and city centre regeneration proposals. New housing and employment proposals are set out in the next section.

Housing and Employment Land Requirements

3.4 From February 2023, the National Planning Framework forms part of the statutory development plan. It sets out a 10 year Minimum All-Tenure Housing Land Requirement of 7,000 units at Annex E. This plan was prepared on the basis of the Strategic Development Plan that was part of the statutory development plan at that time, which set out a Housing Land Requirement of 21,450 for 2016 to 2032. Proposals are already progressing or are in the pipeline for much of the land that will accommodate these requirements. Most of this requirement will be met through established sites identified through this local development plan with a focus on sites that are deliverable within the timeframe to 2032. There will also be a continued emphasis on meeting the needs of the whole community including through the provision of affordable housing. Monitoring and review of the contribution of the land supply to delivering affordable housing will be important in this respect.~~The Aberdeen City and Shire Strategic Development Plan 2020 establishes the requirements for housing and employment land in the period to 2032. Proposals are already progressing or in the pipeline for much of the land that will accommodate these requirements. For housing Table 2 below sets out the land requirement up to 2032. Most of this requirement will be met through established sites. However there is a remaining requirement for a smaller additional allowance to be identified through this current local development plan. This is to supplement the housing land supply with a focus on sites that are deliverable within the timeframe to 2032. There will also be a continued emphasis on meeting the needs of the whole community including through the provision of affordable housing in line with the targets as established in the strategic plan.~~

Monitoring and review of the contribution of the land supply in delivering affordable housing will be important in this respect.

Table 2 Strategic Housing Land Requirement and Land Supply – Aberdeen City (2019)

Housing Land requirement 2016-2032	Assumed contribution from the established land supply 2016-2032*	Additional Housing Land Requirement 2020-32**
21,450	16,719	5,107

* Programming and assumptions based on the 2019 housing land audit

** new requirement as established in the Aberdeen City and Shire Strategic Development Plan 2020

3.5 All the major greenfield sites from the previous Local Development Plan 2017 have approved Masterplans and a number are already delivering homes. A range of other established sites are anticipated to contribute to the requirements set out in Table 2 above. Much of the work in dealing with the complexities of larger sites has been completed. The section in this plan entitled “Growing Aberdeen” explains the expansion areas that were identified previously. These proposals are carried over into this plan where indicative diagrams and key principles are set out for Countesswells, Grandhome, Greenferns, Loirston, Maidencraig and Newhills.

Table 23 Housing and Employment Land Allocations up to 2040

Housing Allowances			Employment Land Allocations	Employment Land: Strategic Reserve
2020-32	2033-35	2036-40	To 2032	2033 -2040
5,107	4,500	4,002	105 hectares	70 hectares

3.6 This LDP was prepared on the basis that Aberdeen will accommodate around half of the new housing and employment land needed to meet the strategic needs of the City Region over the next 20 years. Table 23 above sets out the allocation for housing and employment in the plan period and in the longer term to 2040. A substantial housing land supply is already in place as a result of sizable allocations and consents. This is resulting in significant planned expansions around Aberdeen. These largely greenfield developments will continue to provide opportunities for exciting new ways of delivering communities guided by detailed masterplans prepared in consultation with local communities.

3.7 The Strategic Development Plan 2020 states that nNew housing allocations should reuse brownfield land and attempt to utilise the current constrained supply in the first instance. This Local Development Plan endorses that approach and looks to ensure that at least 40% of all new housing in Aberdeen is built on brownfield sites in line with SDP targets. Because we already have substantial greenfield allocations both in and around Aberdeen we have kept our new greenfield housing allocations to a minimum.

3.8 This Local Development Plan needs to show how we will meet the 5,107 housing allowance which the Strategic Development Plan sets for Aberdeen for the period to 2032. The Strategic Plan states that tThis local development plan must identify additional allocations for the period 2020-2032 which are deliverable within this timeframe. The council has considered opportunities to reuse

brownfield land and to utilise the current “constrained” supply in the first instance. However through the examination of this plan it was concluded that it may not prove realistic to rely so heavily on sites where there is uncertainty around known constraints. Some sites that were to be relied on have remained constrained since before 2019 without any clear change in circumstances to indicate why they would now prove deliverable. However, no replacement or additional sites were recommended as suitable for inclusion in the local development plan at this time.

The identified sites include new allowance includes the following:

- A small contribution from remaining greenfield land in the 2017 Aberdeen Local Development Plan which was not included in the 2019 audit - 42 units.
- A contribution from brownfield sites as included in the 2019 Brownfield Urban Capacity Study – Listed in Appendix 1 of the proposed plan with an estimated capacity of 2032 units over the period to 2032.
- A new housing allocation as set out in Table 34 below with capacity for around 1465 units which includes a mix of brownfield and greenfield opportunities.

3.9 That leaves a potential shortfall in the new housing land allowance of some 1568 units. However Scottish Planning Policy places the focus on the maintenance of a five year land supply drawing from all sources. There is remaining potential through urban capacity sites as set out in Appendix 1 subject to known constraints being timeously addressed. There is also further potential capacity on land as included in Appendix 2. In addition there is a demonstrated history of significant completions on windfall sites. There is a reasonable expectation that other sites particularly those associated with the City Centre masterplan area will contribute in the plan period. This indicates that other sources of housing land have potential to come forward enable the future maintenance of the 5 year effective supply. Policy LR1 and its supporting text are also relevant in this respect.

Table 34 New Housing Allocations for 2020-32

Reference	Site	Proposal	Issues
OP2	Cloverhill	536 homes	Former employment land. Primary and secondary education capacity issues need to be addressed.
OP12	Silverburn	125 homes	Former employment land. Primary and secondary education capacity issues need to be addressed. Needs to link into OP2 and OP13 – the AECC site.
OP14	Cordyce School, Dyce	100 homes	Capacity of the site is dependent on design and access issues.
OP6	WTR Site at Dunford	20	Small brownfield housing opportunity that should look to integrate with the neighbouring development at Dubford.
OP4	North Denmore	30 homes	Housing opportunity on land in North Denmore.
OP11	Balgownie Area 4	15 homes	Small housing opportunity on land next to the new development at Home Farm.

OP26	Old Skene Road	14 homes	Small greenfield site next to Kingswells.
OP66	Granitehill	300 homes	Brownfield housing opportunity in an industrial location. Education capacity issues need to be addressed.
OP69	152 Don Street, Old Aberdeen	50 homes	Well connected brownfield opportunity in a conservation area.
OP76	Raeden (eastern part)	80	Presence of mature trees and walled garden means that only a small part of this site may be suitable for housing.
OP89	Kaimhill Outdoor Centre	35 homes	Housing development in conjunction with open space improvements.
OP54	Craigton, Peterculter	10 homes	Housing opportunity.
OP46	Royal Devenick Park	150 homes	Housing opportunity.

Brownfield Sites

3.10 Redeveloping the urban area can regenerate communities, maintain local services, remove local eyesores, bring land and buildings back into effective use, remediate contamination and reduce the need for car-based travel. It can also be used to create productive open space. Brownfield development may present difficulties, such as land assembly or site preparation but these are likely to be outweighed by the benefits. Planning briefs or masterplans may be required for larger brownfield sites or sites in sensitive locations and where appropriate, an assessment of contamination will be required prior to the granting of planning permission.

3.11 Appendix 1 shows the brownfield sites identified through the Brownfield Urban Capacity Study that have been assessed as suitable for potential future housing development. The Brownfield Urban Capacity Study shows that the sites in Appendix 1, Table 1 have the potential to accommodate up to 3,807 homes depending on the density of development. None of these sites were regarded as effective in the 2019 Housing Land Audit (used as the basis for calculating the Strategic Development Plan allocations) so there is no double counting. We are confident that more brownfield sites will emerge and receive planning consent during the lifetime of the Local Development Plan.

3.12 Alongside the brownfield sites identified for housing, there are sites capable of accommodating other uses, such as for business, retail and leisure. These are shown in Appendix 2 along with all other opportunity sites suitable for a variety of uses. This gives further detail and particulars of each site and its capabilities. Opportunity sites are shown on the Proposals Map.

Sites beyond 2033~~Period 2 Allowances 2033-35 and Period 3 Allowances 2036-40~~

3.13 We will continue to identify the 3,440 homes at Greenferns, Greenferns Landward, Grandhome and Newhills which the 2017 Local Development Plan identifies for its Phase 2. These

sites can be set against the new Period 2 Allowances for 2033-35. We do not propose to identify any further sites to meet the allowances for Periods 2 and 3. Neither Scottish Planning Policy or the Strategic Development Plan requires this Plan to do so. There is already a very healthy and long-term housing land supply in Aberdeen and we do not think that having more longer term allowances is necessary. Further brownfield, city centre masterplan and other windfall sites will also emerge over the next few years which will augment the already generous supply of housing land which we have.

Employment Land Allocations

~~3.14~~ The Strategic Development Plan 2020 asks Local Development Plans to make sure there is at least 60 hectares of marketable land available to businesses at all times in a range of places within Aberdeen City. In addition, at least 20 hectares of the marketable employment land in the Strategic Growth Areas should be of a standard which will attract high quality businesses or be suitable for company headquarters.

3.145 The 2019 Employment Land Audit shows that there is around 210 hectares of marketable employment land in Aberdeen. This figure is reduced to 185 hectares with the re-allocation of Cloverhill. Of this remaining land, around 49 hectares is on allocated sites around the city (Table 5). The rest is on undeveloped land in the existing zoned business and industrial estates such as Findlay Farm, Dyce Drive and Berryhill. Because of this healthy position, we do not consider it necessary to identify any further employment land in this Plan.

3.156 In addition, the land currently identified in the Local Development Plan 2017 as Phase 2 employment land at OP1 Murcar, OP18 Craibstone North and Walton Farm and OP60 Charleston will be identified as Strategic Reserve Employment Land for the period 2033-40 in line with the Strategic Development Plan 2020 requirement.

Table 45 Employment Land Allocations and Strategic Reserve Employment Land

Employment Land (hectares)	Existing to 2032 (marketable land in brackets)*	Strategic Reserve 2033 to 2040
OP1 Murcar		27 hectares
OP19 Rowett North	34.5 hectares (22.5 hectares)	
OP18 Craibstone North & Walton Farm	1.5 hectares	
OP29 Prime Four Kingswells	50 hectares (16.5 hectares)	
OP63 Prime Four Extension	13 hectares	
OP33 Greenferns	10 hectares	
OP34 East Arnhall	1 hectare	
OP38 Countesswells	10 hectares (10 hectares)	
OP48 Oldfold	5 hectares	
OP59 Loirston	11 hectares	
OP60 Charleston		20.5 hectares
Total	135 hectares	66 hectares
Strategic Development Plan Allocations	105 hectares	70 hectares

*Marketable Land figures from the 2019 Employment Land Audit

3.167 The greenfield allocations will be assessed against the following land release policy.

LR1 – Land Release Policy

Part A – Existing Housing Allocations and Housing Allowances sites to 2032 and Employment Allocations up to 2032

Housing and employment development on existing allocated sites and housing allowance sites for the period up to 2032 will be approved in principle within areas designated for housing or employment. There is also a further reserve supply of urban capacity land as identified in Appendix 1 where the principle of development is supported if current constraints can be addressed. The council will work with developers, service providers and other partners to maintain a sufficient pipeline of deliverable housing land along with the supply of employment land. The council will work with developers, service providers and other partners to maintain the 5 year supply of effective housing land at all times along with the supply of employment land. Any proposal for partial development of an allocated site or for development of an adjacent or nearby site will generally be resisted if this would jeopardise the future delivery of the full allocation.

Part B – Housing and Employment Land for the period 2033 – 2040

Housing and employment development on sites allocated in the period 2033-40 are safeguarded for future development and will be released by a review of the Local Development Plan. Any proposal for partial development of a site allocated in these phases or for development of an adjacent or nearby site will generally be resisted if this would jeopardise the future delivery of the full allocation.

The housing and employment land sites for the period 2033-40 are as follows;

OP9 Grandhome – 2,300 homes (from a total of 7,000)

OP21 Rowett South – 240 homes (from a total of 1,940)

OP22 Greenferns Landward – 500 homes (from a total of 1,500)

OP33 Greenferns – 400 homes (from a total of 1,350)

OP1 Murcar – 27 hectares Employment Land

OP18 Craibstone North & Walton Farm – 18.5 hectares Employment Land

OP60 Charleston – 20.5 hectares Employment Land

3.178 The housing land supply can be drawn from a number of sources. Policy LR1 at Part A supports the maintenance of a 5 year effective supply of housing land at all times (in the relevant 10 year period to 2032). This is to provide a supply of land sufficient to meet the housing land requirement as established in the strategic plan. It is recognised above that there is a shortfall in terms of those sites specifically identified to meet the strategic allowance. Consequently Policy LR1 stresses the importance of working pro-actively to manage and deliver the established land supply including those sites where there is potential for development but a current lack of evidence to demonstrate delivery in the relevant timeframe to 2032.

3.189 Part B above indicates that land identified for the longer term from 2033-40 is held in reserve pending a review of the local development plan. A new local development plan would in any event be anticipated around the mid-point of the 10 year period given impending changes to the planning system. This will result in the replacement of the strategic development plan context with that to be established through the new National Planning Framework. That process will review future housing land requirements for the area. This process will provide an early opportunity to further consider the contribution of sites, including urban capacity sites, to the housing land supply.

This is particularly important in the circumstances where the extent of new allowance sites identified through this local development plan falls short of that envisaged by the current strategic plan.

3.19~~20~~ In order to help deliver mixed communities, and assist in the provision of employment land, large sites should include a mix of housing, employment and other uses as set out in masterplans. This will improve the delivery of employment land for new or expanding businesses, support economic growth and deliver sustainable communities.

3.20~~1~~ The Land Release Policy areas are shown on the Proposals Map, and covers sites with multi-phase allocations and the Phase 2 sites. Where a housing or employment site is wholly phased within the period to 2032, it will be zoned as either H1 Residential or given an appropriate employment zoning, but the LR1 Policy will also still apply to them.

Delivery of Mixed Use Communities

Policy LR2 – Delivery of Mixed Use Communities

Other small scale complementary uses will be supported within allocated sites provided there is no conflict with the spatial strategy of the Plan or the achievement of the specified housing and employment provision.

Developments including provision for both housing and employment land will be required to service the employment land along with the associated phases of the housing development. This means that the road, water, gas and electricity infrastructure will need to be considered for the whole site.

Growing Aberdeen

3.21~~2~~ The following expansion areas were identified in the previous Local Development Plan and have been carried over into this one.

3.22~~3~~ Significant land allocations are identified in the Bridge of Don area north of the River Don to support the Energetica Corridor and meet the requirements of the Strategic Development Plan. This seeks to improve the economy and promote the energy industry along the Aberdeen to Peterhead growth corridor. The most significant proposals are the new community at Grandhome and mixed-use opportunities at the former Aberdeen Exhibition and Conference Centre. Former employment land at Murcar has been re-allocated to housing and re-named Cloverhill.

3.23~~4~~ Substantial land allocations are identified in the Dyce and Bucksburn A96 corridor close to Aberdeen International Airport, which is one of the gateways to the Energetica corridor. There is a significant amount of employment land around Dyce Drive and the area around Newhills will become a new community.

3.24~~5~~ Business land is identified at Prime Four Business Park, Kingswells. The main housing sites in this area are at Maidencraig (750 homes) on the A944 corridor and at Greenferns (1,350 homes plus 10 hectares of employment land) close to Northfield. The new stadium and training facilities are identified at Kingsford for the first time in this Plan.

3.256 A new community at **Countesswells** was identified in the 2012 Local Development Plan. This area benefits from being close to the employment sites at Kingswells. This development includes 3,000 homes, 10 hectares of employment land plus appropriate community facilities.

3.267 Relatively limited development is proposed along the **Deeside** corridor with only one major site identified at Oldfold. Further smaller sites are proposed near Peterculter. There are significant transport and educational capacity infrastructure constraints in the area which restrict the scale of future development.

3.278 South of the River Dee, **Loirston** is identified to accommodate a new community. The other major development in this area is the **Aberdeen South Harbour**. The Plan also identifies two areas close to Aberdeen Harbour South specifically as an Energy Transition Zone. Further details of this can be seen in Policy B5.

3.289 Numerous brownfield proposals are identified in **Aberdeen** with some significant proposals at Granitehill, Haudagain, Woodend Hospital, Pittodrie and the Broadford Works. This Plan also identified the seven **City Centre Masterplan** intervention areas.

3.2930 In order to support the delivery of large scale and often multi phased developments, masterplans and development frameworks have been produced. The full list of masterplans and development frameworks are found within section 11 of the Plan. Masterplan Zones have been identified there and within these zones developers will be expected to work together to prepare masterplans for each zone.

3.301 These following residential sites are programmed to be built out over a number of years, and in many cases comprise multiple opportunity sites, or are in multi-ownership:

- OP38: Countesswells
- OP9: Grandhome
- OP28 & OP33: Greenferns
- OP59: Loirston
- OP31: Maidencraig South East & OP32: Maidencraig North East
- OP20: Craibstone South, OP21: Rowett South & OP22: Greenferns Landward is Newhills.

These sites are required:

- To provide a long-term vision.
- To be inclusive mixed-use communities, with a range of community facilities and services.
- To be a place with its own unique identity and sense of place shaped by and responding to existing character and adjacent communities.
- To be a place that is efficient and self-sustaining with low energy demands and promotes healthy community lifestyles.
- To be a place with a varied and interesting urban form, supported by high quality architectural, urban and landscape design.
- To incorporate existing landscape and built features sensitively into sites.
- To provide a full range of building typologies and tenures that will create a diverse and inclusive community structure, offering housing choice and opportunities for all sectors of the community.
- To be active travel focussed and follow the transport hierarchy of pedestrian first.

- To be a place that includes an extensive green network across the site and that extends and links to the existing Core Path and habitat networks.
- To be a place where people can live, work and play without relying on private transport, with each neighbourhood area designed so that residents can access schools, shops, employment opportunities within walking distance of their home.
- To ensure all streets will be designed to create a legible hierarchy within the development. Streets will be designed firstly as places and will connect to existing places.

OP38 Countesswells

3.312 Countesswells, a new place of 3,000 homes, and 10 hectares of employment land with shops, parks, schools, public transport and community facilities, strategically placed to the west of the city. A self-sustaining, well connected, permeable and identifiable community that fits within an attractive and well contained landscape setting, utilising the high amenity location between Countesswells woodland and Hazlehead Park.

3.323 A Development Framework and Phase One Masterplan has been prepared and sits as an Aberdeen Planning Guidance document to accompany this Plan. This document, and any subsequent masterplans which fall from it, will be key material considerations in the assessment of any planning applications for the Countesswells area.

Key Principles

- Cults Burn Corridor runs through the centre of the site from north to south providing a high quality landscape and ecological corridor, enhanced biodiversity and Sustainable Urban Drainage System.
- A clearly defined open space strategy, focussing on Cults Burn Corridor, Central Park, Hazelden Park, allotments, 2 large scale play area and community sports facilities.
- A long-term vision for an inclusive mixed-use community.
- Future town centre, neighbourhood centre(s) and school campus and community sports facility provide the focus for community activity.
- Town Centre will have a focus to a central park, with mixed use, retail and employment uses.
- Future Neighbourhood Centre will include a primary school, with mixed use, retail and employment uses.
- School Campus and Community Sports Facilities will form an education hub with a primary and secondary school, sports facilities and health services. Opportunities to co-locate educational, health and other appropriate uses will be promoted.
- Access to existing and new recreation opportunities for pedestrians, cyclists and equestrian use from the north, south, east and west from existing and aspirational Core Paths.
- Served by pedestrian and cycle network and frequent public transport services including new and extended services.
- Seven main character areas will inform and influence the ongoing design, detail layouts, and architecture.

- Transport infrastructure provided by two main new junctions to the north, Jessiefield junction and Kingswells junction.
- Phasing to be in accordance with the Development Framework.

{Insert Indicative Diagram of Countesswells}

OP9 Grandhome

3.334 Grandhome, located to the north of the city, will constitute a mixed use urban extension of 7,000 homes and 5 hectares of employment land across seven individual neighbourhoods, each supported by shops and services. This new community will include schools, a community campus and health facilities and link into existing communities in Bridge of Don.

3.345 A Development Framework has been prepared and sits as an Aberdeen Planning Guidance document to accompany this Plan. This document, and any subsequent masterplans which fall from it, will be key material considerations in the assessment of any planning applications for the Grandhome area.

Key Principles

- Open space will be configured as a connected network, with around 85 hectares of formal and informal public open space proposed.
- A place which responds to its urban context adjacent to existing communities in Bridge of Don and the Energetica Corridor. This will include working with the natural topography of the site.
- A place informed by the transect-based design approach described in the Development Framework and focused around the development of a town centre and six other residential neighbourhoods with mixed-use cores.
- Community hubs will be located within three areas. Grandhome town centre will comprise a primary school and community sports facilities, mixed use, retail, and health care facilities. The Community Campus will comprise a primary and secondary school, library, community campus and sports facilities. The western neighbourhood centre will comprise a primary school and community sports pitches. Opportunities to co-locate educational, health and other appropriate uses will be promoted.
- A Gypsy and Traveller site will be provided on site.
- Architectural style across Grandhome will respect the local vernacular but also include contemporary aesthetics and materials.
- A new pedestrian / cycle bridge to the Davidson's Mill development to the south will be provided.

- A net positive impact will be achieved on adjoining protected or valuable habitats. The Monument Wood and hill top park will be preserved and enhanced. Traditional boundary treatments will be used as integral features.
- The main vehicular access will be provided from the Parkway, with secondary access points from Whitestripes Avenue to the east and Whitestripes Road to the north.
- The phasing strategy for the site will reflect the strategy outlined in the Development Framework, with development beginning in the eastern areas of the site, then progressing further north before moving towards the west.
- Continued community engagement will be promoted as the place grows.

{Insert Indicative Diagram of Grandhome}

OP28 and OP33: Greenferns

3.356 Greenferns will constitute a new place of up to 1,470 homes and 10 hectares of employment land, with shops, parks, public transport and community facilities. Situated on the edge of several existing, well-established communities Greenferns will be a unique and recognisable place which also connects and integrates with the surrounding communities through sensitive design, good pedestrian connections and the potential for shared facilities.

3.367 A Development Framework has been prepared and sits as an Aberdeen Planning Guidance to accompany this Plan. This document, and any subsequent masterplans which fall from it, will be key material considerations in the assessment of any planning applications for the Greenferns area.

Key Principles

- A place with a comprehensive open space strategy focussing on six areas of open space, play zones, and good connections to existing open space of Sheddocksley Playing Fields, Bucks Burn Gorge Local Nature Conservation Site, Greenfern Community Woodlands, Auchmill Golf Course and Eric Hendrie Park.
- A place that demonstrates a clear urban structure, focused around the development of a neighbourhood core with mix use, retail and health services, located adjacent to the existing Heathryburn Primary School and Orchard Brae School.
- The five main Character Areas described in the Development Framework will inform and influence the ongoing design, detailed layouts, and architecture.
- Integration of business use on site with a link provided between the existing site and the neighbourhood centre.
- The retention, enhancement and response to The Bucks Burn, the ridge line, existing field boundaries and ancient woodland will form the identity of Greenferns.
- Airport noise and safeguarding considerations will be applied to part of the site.
- Access to existing recreation and community services from the north, south, east and west from existing and aspirational core paths will be achieved.
- The phasing strategy for the site will reflect the strategy outlined in the Development Framework.

{Insert Indicative Diagram of Greenferns}

OP59: Loirston

3.378 Loirston will constitute a new place of up to 1,500 homes and 11 hectares of employment land. It occupies an important strategic position in the city as a gateway site, offering potential to connect to and support existing surrounding communities of Cove and Kincorth, as well as integrating with its distinctive landscape setting of Loirston Loch and Kincorth Hill. Proximity to the city centre and key employment areas has attractive potential for waterside mixed-use development.

3.389 A Development Framework has been prepared and will form Aberdeen Planning Guidance to accompany this Plan. This document, and any subsequent masterplans which fall from it, will be key material considerations in the assessment of any planning applications for the Loirston area.

Key Principles

- Safeguard Loirston Loch (Local Nature Conservation Site) with channel improvements to entering watercourse and retention of drystone dykes.
- Development which takes account of key views and vistas, across the loch, to Cove/sea, along the improved watercourse and to hill and city beyond, to create a more coherent settlement with strong sense of place.
- Urban and civic spaces located along the central Primary Street.
- Access primarily from Wellington Road with additional access from Redmoss Road and Wellington Circle, to ensure bus routes, linkages to surrounding communities and a permeable network of streets and spaces.
- Creation of more than 5 hectares of major open space at Loirston Loch.
- A new neighbourhood centre comprising local retail and commercial units, community facilities, new education (primary school).
- The main Character Areas described in the Development Framework will inform and influence the ongoing design, detail layouts, and architecture.
- Higher density development proposed to follow the Lochside, to take advantage of views over the loch, with densities gradually decreasing as development moves west away from the Lochside.

- Phasing to be in accordance with the Development Framework.
- Gypsy and traveller site.

{Insert Indicative Diagram of Loirston}

OP31 and OP32: Maidencraig

3.3940 Maidencraig will constitute an urban expansion of 750 new homes, split into two areas to the north and south of the Lang Stracht at the western edge of the city. Key to the area is the relationship to the Den of Maidencraig Local Nature Reserve and the need to ensure both parts of the site are easily connected to existing community areas such as Sheddocksley and Woodend.

3.401 A masterplan report has been prepared and sits as an Aberdeen Planning Guidance to accompany this Plan. This document will be key material considerations in the assessment of any planning applications for the Maidencraig area.

Key Principles:

- A place effectively and sensitively nestled between established woodland to the north and the Den of Maidencraig to the south, and which will work to enhance landscape setting and existing features.
- An effective open space strategy will work to link woodland to the north and the Den of Maidencraig Local Nature Reserve to the south through green corridors within the site.
- A place that has connectivity with existing residential areas, and community facilities.
- A place which minimises the impact of the Lang Stracht on both visual and physical connectivity.
- A place that demonstrates a clear urban structure, focused around the development of two mixed use areas, one within each part of the site.
- The three main Character Areas described in the Masterplan will inform and influence the ongoing design, detail layouts, and architecture. A northern square and southern square will incorporate commercial, retail and residential uses to support the surrounding community.
- The phasing strategy for the site will reflect the strategy outlined in the Masterplan, with development beginning in the east and progressing further west.
- Continued community engagement will be promoted as the place grows.

{Insert Indicative Diagram of Maidencraig}

OP20 Craibstone South, OP21 Rowett South, OP22 Greenferns Landward: Newhills Development Framework

3.41~~2~~ Newhills will be a major urban expansion area and ultimately provide a new western boundary to the city. Newhills comprises three opportunity sites and will include 4,440 new homes as well as shops, parks, schools, public transport and community facilities spread across three mixed use centres.

3.42~~3~~ A Development Framework has been prepared and sits as an Aberdeen Planning Guidance to accompany this Plan. This document, and any subsequent masterplan which fall from it, will be key material considerations in the assessment of any planning applications for the Newhills area.

Key Principles:

- A place with a comprehensive open space strategy totalling over 80 hectares across the site. This will include two areas of Major open space at Gough Burn Park and Burnbrae Commons, with six further areas of neighbourhood open space, including allotments, community gardens, play zones and sports facilities.
- A place focused around the opportunities of developing and integrating the three individual sites which make up the overalls Newhills area.
- A place that links into existing community areas at Bucksburn and Hopcroft and takes advantage of the close proximity to employment and leisure opportunities, such as The Event Complex Aberdeen (TECA), Three Hills Local Nature Conservation Site and Bucksburn Local Nature Conservation Site.
- A place with five main Character Areas as described in the Development Framework. A Gypsy and Traveller site will be provided on site.
- Mixed use centres will be located within each of the three opportunity sites. The northern section will comprise a village core. The middle section will have local retail, commercial, community and health use and the southern section will have mixed use and a primary school.
- Two primary schools are expected on the overall development site.
- Areas for outdoor sport and recreation will provide innovative ways to encourage healthy, active communities, for example through inclusion of a cross country and long distance running route as well as more traditional playing fields and games areas.

- Development will look to work alongside existing uses such as the SRUC campus and encourage shared use of community facilities where appropriate. Opportunities to co-locate educational, health and other appropriate uses will be promoted in the mixed-use centres.
- The phasing strategy for the site will reflect the strategy outlined in the Development Framework.
- Continued community engagement will be promoted as the place grows.

{Insert Indicative Diagram of Newhills}

4 Monitoring and Review – Infrastructure Planning and Delivery

Infrastructure Delivery for Developments

- 4.1 In the context of the move to ‘Net Zero’ and the continued pressure on resources, all infrastructure must be used to the fullest extent possible to ensure we achieve greatest value for money, reduce duplication and maximise capacity wherever possible. New infrastructure must only be sought where no acceptable alternative can be found, and new and innovative approaches to using and delivering infrastructure should be used wherever possible.
- 4.2 The timely delivery of infrastructure is crucial to the success and deliverability of developments. The Local Development Plan, in conjunction with the Delivery Programme aims to ensure infrastructure requirements are identified early in the development process and these tools will be used to monitor and help facilitate its delivery.
- 4.3 The Local Development Plan and the Delivery Programme are intended to help inform the Council’s Capital Plan and to help focus corporate, and national investment in the appropriate place, to maximise this infrastructure and deliver appropriate development.

Infrastructure Requirements from Masterplan Zones						
Development / Masterplan	Nature of the Contribution	Delivery				
		ACC	Developer	SW	NHS	Other
Cumulative Transport Infrastructure						
All	Contributions required in order to address the cumulative impact of development on the transport network. Possible issues to be resolved / schemes are listed in Supplementary Guidance and further detailed work is required to establish whether these are the most appropriate solutions for each development.	✓	✓			
Public Transport and Walking and Cycling Infrastructure						
All	New developments to be served by comprehensive pedestrian and cycle network and frequent public transport services including new and extended services.	✓	✓			
Roads						
Murcar & Dubford	Direct road access from Dubford and Mundurno onto local road connecting to B999 with potential new intersection.	✓	✓			
	New spur from Murcar to A90 Murcar roundabout.	✓	✓			

Grandhome	New road accesses from Grandhome onto Parkway.	✓	✓			
	Improve Whitestripes Road and B997 to appropriate design standards for forecasted traffic volumes and enable sufficient access to AWPR (does not include further capacity improvements connecting the B977/B997 through Parkhill towards Dyce Drive).	✓	✓			
Stoneywood	New road connection from Stoneywood development to A947 with new junctions.	✓	✓			
Dyce Drive	Access from employment sites onto new Dyce Drive link road.	✓	✓			
Newhills Expansion	Road connection from existing roundabout at A96 / Dyce Drive through masterplan area and to Kepplehills Road.	✓	✓			
Greenferns	Road access from Greenferns to Provost Rust Drive and Provost Fraser Drive.	✓	✓			
Maidencraig	New major junctions on A944 to access Maidencraig sites.	✓	✓			
Kingswells	New major junction from employment development to access A944.	✓	✓			
Countesswells	New road links and major junctions at A944, with appropriate design standards to accommodate forecasted traffic volumes.	✓	✓			
Friasfield	Upgrades to the local road network.	✓	✓			
Oldfold	New major junction connecting Oldfold to A93.	✓	✓			
Loirston	Road connections from Loirston to A956 through Industrial area to Souterhead Roundabout and using junction adjacent to Old Wellington Road (which could become a signalised junction).	✓	✓			
Secondary School Education (Contributions sets against residential development sites only)						
Cloverhill, & Dubford	Additional secondary school capacity.	✓	✓			
Grandhome	New secondary school provision.	✓	✓			
Greenferns & Maidencraig	Additional secondary school capacity at Northfield Academy	✓	✓			
Maidencraig	Additional secondary school capacity at Hazlehead Academy	✓	✓			
Countesswells	New secondary school provision	✓	✓			
Loirston	New secondary school provision	✓	✓			
Primary School Education (Contributions sets against residential development sites only)						

Cloverhill, & Dubford	Additional primary school capacity	✓	✓			
Grandhome	The equivalent provision of three to four new primary schools	✓	✓			
Stoneywood	Replacement primary school incorporating additional capacity.	✓	✓			
Newhills Expansion	The equivalent provision of two new primary schools	✓	✓			
Greenferns	New primary school provision	✓	✓			
Maidencraig	Additional primary school capacity required.	✓	✓			
Countesswells	The equivalent provision of two to three new primary schools	✓	✓			
Oldfold	New primary school	✓	✓			
Loirston	New primary school	✓	✓			
Water						
All	Contributions required in order to provide appropriate infrastructure for water supply and waste water disposal. Scottish Water may explore the potential for addressing the cumulative impact of development on water related infrastructure.		✓	✓		
Health (Contributions sets against residential development sites only)						
Dubford and Cloverhill (& possible contribution from site at East Woodcroft with Grandhome Zone 2)	Extension to existing health facilities to support General Medical Services and additional dental capacity. An additional pharmacy facility may also be required.		✓		✓	
Grandhome	New Health Centre to support General Medical Services and additional dental capacity. Additional pharmacy facilities will also be required.		✓		✓	
Stoneywood	New Health Centre to support General Medical Services and additional dental capacity. An additional pharmacy facility may also be required.		✓		✓	
Newhills Expansion	New Health Centre to support General Medical Services and additional dental capacity. Additional pharmacy facilities will also be required.		✓		✓	
Greenferns	New Health Centre to support General Medical Services and additional dental capacity. Additional pharmacy facilities may also be required.		✓		✓	

Maidencraig Kingswells	Extension at Kingswells Health Centre to accommodate two additional GP's. New two chair Dental facility either in the recommended extension to the Kingswells Health Centre, or on a new site.		✓		✓	
Countesswells	New five GP Health Centre (including land). New four chair Dental Surgery (including land). This facility could be included as part of the required new Health Centre as specified above. Two new Community Pharmacies.		✓		✓	
Friarsfield	Extension to the existing Health Centre to support the General Medical Services for the increased population in the Cults community.		✓		✓	
Oldfold	Extension to the existing Health Centre to support the General Medical Services for the increased population in the Peterculter community.		✓		✓	
Loirston	Extension to the existing Health Centre to support the General Medical Services for the increased population in the Cove community and additional dental capacity. Additional pharmacy facilities will also be required.		✓		✓	

Monitoring Infrastructure and Development Delivery

4.4 Monitoring is a crucial component of implementation of the Plan and will be carried out regularly. We will continually update data and review land use decisions, implementation, and assumptions, in order to identify the impact of the Plan, emerging problems and opportunities, or changing objectives.

4.5 Currently there are a number of means of recording development progress, including:

- Housing Land Audit (HLA) – Reported Annually.
- Employment Land Audit (ELA) – Reported Annually.
- Brownfield Urban Capacity Study – When Required.
- Development Activity Report – Reported Annually.
- Retail Centre Health Checks – Reported every two years.

4.6 In monitoring the Plan, we will be able to see whether and how the policies of the Plan, Supplementary Guidance and Aberdeen Planning Guidance are working through, for example, analysis of Planning Committee and appeal decisions. In parallel to this the Council, through City Growth and its Business Intelligence and Performance Management clusters, gathers significant relevant data across multiple sectors. Under the Planning (Scotland) Act 2019 the Planning Authority also has a requirement to publish a report on Developer Obligations.

- 4.7 It is intended that these streams of data and reporting will be gathered together in an annual report called the City Progress Report. In turn this report will help inform the Council's Delivery Programme and its Capital Plan, to target infrastructure delivery in the appropriate locations and at the appropriate time. Over time this report will also help identify which are delivering on the outcomes of the Local Outcome Improvement Plan. It will also form part of the evidence base for the review process of the Local Development Plan, and feed into the Planning Performance Framework and Customer Service Excellence accreditation.
- 4.8 The Local Development Plan and the accompanying Supplementary Guidance and Aberdeen Planning Guidance will be updated to reflect any changes to our policy approach. The Delivery Programme will be updated to reflect progress with individual development proposals and actions for delivering and implementing planning policies. When appropriate we will undertake a review of the Local Development Plan.

Delivering Sustainable Communities

This Section of the Plan sets out the Council's policies for ensuring that new development contributes to achieving our vision of a sustainable city and how we will meet the objectives and targets of the Strategic Development Plan.

5. Health and Wellbeing

5.1 Health and wellbeing are key components of creating successful, sustainable places.

National Planning Framework 3, Scottish Planning Policy and the Aberdeen City and Aberdeenshire Strategic Development Plan all highlight the relationship between well-planned places, a healthy lifestyle, wellbeing and social inclusion.

5.2 Planning and health and wellbeing have historic connections. Planning by public authorities was initially used as a mechanism for improving the health of the working population in the Victorian era. More recently, good health and wellbeing are intrinsically linked to the UN Sustainable Development Goals in particular Goal 3: Ensure healthy lives and promote wellbeing for all at all ages.

5.3 Ensuring physical and mental health and wellbeing goes beyond providing healthcare services, development should create a healthy environment whilst not contributing to negative health outcomes. This relies on creating environments that foster better health, have reduced inequalities in wellbeing and which allow people to live active, engaged, independent and healthy lifestyles. Public Health Priorities for Scotland (2018) reinforces this approach, '... it should be possible for everyone to be as healthy as they can be... the social, economic and physical environments we live in help create health and wellbeing, and local communities and public services make it possible for individuals to take positive decisions about their own health and feel supported to do so'. The Aberdeen City Health and Social Care Partnership focus on improving the health and wellbeing of Aberdeen's citizens and seeks to reduce health inequalities.

5.4 Aberdeen's Local Outcome Improvement Plan 2016-2026 (LOIP) notes there are wide divisions in health and life expectancy between the richest and the poorest communities in our city, with a 14 year life expectancy gap reported between some areas. The LOIP aims to help individuals and communities look after their health, particularly through the choices they make and lifestyles they adopt. Consideration also has to be given to future need, changing demographics, an ageing population and dementia friendly design. Evidence has shown well planned local environments and good quality housing can have a substantial impact on the quality of life of someone living with dementia, and more widely to the general population. Publications such as Royal Town Planning Institute's 'Dementia and Town Planning', and Scottish Government's 'Planning Advice Note 78: Inclusive Design' can provide further guidance.

5.5 As outlined by the World Health Organisation: 'Preventing disease through healthy environments' (2016), city planning and management are of particular importance for reducing the burden of unhealthy environments. The creation of places which foster physical and mental health and wellbeing is dependent on policies being considered holistically. Local Development Plan policies on open space, natural environment, sustainable and active travel, housing, food growing, energy, heating, and quality placemaking by design all facilitate health and wellbeing implicitly, whereas policies on air quality, noise, and specialist care facilities are more direct in their link to health and wellbeing. As such;

- access to safe, convenient active travel and good neighbourhood design promotes physical activity, enhances social connections and strengthens mental health.
- compact neighbourhood design with walkable local facilities and public transport accessibility allows car free access to services, amenities and employment which increase health benefits and reduces the impact of poverty.
- increased access to natural and planned open space with varied and safe opportunities to play and meet has a positive impact on physical activity levels and mental health.
- a mix of good quality affordable homes of all types and sizes to meet differing needs increase health benefits and reduces the impact of poverty.
- protection from environmental hazards; increasing air and water quality, reducing noise pollution, and reducing carbon emissions has a positive impact on physical and mental health.

5.6 The Planning (Scotland) Act 2019 brings health to the forefront of planning once more. Health Impact Assessments will ensure the health and wellbeing needs of Aberdeen’s population, and the likely effects of development and use of land on those health needs are assessed.

Policy WB1 – Healthy Developments

Developments are required to provide healthy environments, reduce environmental stresses, facilitate physical activity and promote physical and mental wellbeing.

National and major developments, and those requiring an Environmental Impact Assessment must submit a Health Impact Assessment (HIA) to enhance health benefits and mitigate any identified impacts on the wider determinants of health; this may involve planning obligations.

Further guidance can be found in Aberdeen Planning Guidance: Health Impact Assessments.

Aberdeen Planning Guidance

Health Impact Assessment

Aberdeen Planning Guidance (APG) on Health Impact Assessments supports policy WB1 by providing guidance on how developments will be expected to assess and demonstrate their compliance with the above policy. Accordingly, APG Health Impact Assessments includes advise on: the procedure for Health Impact Assessment submissions including screening, scoping, the appraisal, gathering an evidence base presenting findings and recommendations.

Air Quality

5.7 Air quality is a key problem faced by cities throughout the world. Research from Kings College London and the United Kingdom government’s Committee on the Medical Effects of Air Pollutants (COMEAP) estimates that between 28,000 and 36,000 people die as a result of air pollution every year in the UK. In Aberdeen, the most common pollutants are nitrogen oxide (NO₂) and particulate matter (PM₁₀) related to road traffic emissions.

5.8 As part of our statutory duties under the UK Environment Act 1995 the Council undertakes monitoring and assessment of seven key pollutants recognised to impact on health. Aberdeen currently exceeds the EU annual mean objective for nitrogen dioxide and the annual mean national objectives for both nitrogen dioxide and particulate matter, resulting in three Air Quality Management Areas (AQMAs) being declared:

- City Centre (encompassing Union Street, Market Street, Virginia Street, Commerce Street, Guild Street and Bridge Street, and parts of Holburn Street, King Street and Victoria Road);
- Anderson Drive (incorporating the whole of Anderson Drive, the area around the Haudagain roundabout and the A96 to Howes Road); and
- Wellington Road (from the Queen Elizabeth II Bridge to Balnagask Road).

5.9 Significant improvements in air quality can only be achieved through the implementation of national and local policies, particularly relating to transportation and planning, that support sustainable development and reduced car dependency, support active travel and encourage the uptake of cleaner vehicles. Aberdeen's Air Quality Action Plan identifies a range of measures to be implemented to tackle the air quality problem. Well- designed places that encourage access by walking, cycling and public transport and which can accommodate no/low emission and/or alternative fuel vehicles such as electric and hydrogen cars are key to ensuring that new development is sustainable, enhances air quality, manages exposure and reduces overall emissions. The preservation and enhancement of green infrastructure in development proposals can also contribute towards improving air quality. The 2011 Air Quality Action Plan will be refreshed by 2021 to account for emerging legislation and policy on air quality to update existing actions and identify new measures that will be implemented to improve air quality.

5.10 Scottish Government has committed to introduce Low Emission Zones into Scotland's four biggest cities between 2018 and 2020. Aberdeen City Council was awarded funding from Transport Scotland to support the development of a proposed Low Emission Zone (LEZ) in the city. The LEZ will set an environmental limit allowing access to only the cleanest vehicles and will help transform Aberdeen into a cleaner, healthier place to live, visit and work. As well as contributing to meeting the air quality objectives, the LEZ must also contribute to meeting the emission reduction targets set out in Part 1 of the Climate Change (Scotland) Act 2009.

Policy WB2 – Air Quality

Development proposals which may have a detrimental impact on air quality will not be permitted unless measures to mitigate the impact of air pollutants are proposed and agreed with the Planning Authority. Planning applications for such proposals should be accompanied by an assessment of the likely impact of development on air quality and any mitigation measures proposed.

The relevant Aberdeen Planning Guidance on Air Quality sets out the likely circumstances in which applicants must submit an assessment of the potential impact of particular types of development on existing and future air quality, particularly in and around Air Quality Management Areas and Low Emission Zones. It also provides guidance on the process of air quality assessment and how mitigation measures will be assessed and implemented.

Aberdeen Planning Guidance Air Quality

Aberdeen Planning Guidance (APG) on Air Quality supports policy WB2 by providing guidance on how developments will be expected to assess and demonstrate their compliance with the above policy, with regard to the delivery of Air Quality Management. Accordingly, APG: Air Quality includes advice on: policy and legislation, triggers for Air Quality Assessments, mitigation measures and biomass installations.

Noise

5.11 Noise is one of the most important environmental risks to physical and mental health and wellbeing. The European Union estimates that at least 100 million people in the EU are affected by road traffic noise, and in Western Europe alone at least 1.6 million healthy years of life are lost as a result of road traffic noise. According to national surveys undertaken in the UK, road traffic noise is the most important source of annoyance, followed by neighbour noise, aircraft noise, railway noise and industrial noise. Exposure to high noise levels seriously harms human health and interferes with people's daily activities at school, at work, at home and during leisure time. It can disturb sleep, cause cardiovascular and psychophysiological effects, reduce performance and provoke annoyance responses and changes in social behaviour.

5.12 The planning system supports the agent of change principle and has a role to play in ensuring that new development does not result in increasing numbers of people exposed to adverse noise impacts. The responsibility for mitigating any detrimental impact of noise from a new development or operation lies with those carrying out the new development or operation. By guiding development to the right locations and, where necessary, specifying design and layout issues, planning authorities can help to prevent and minimise exposure to environmental noise originating from various sources: transportation (road traffic, railway and aircraft) noise and leisure noise. Leisure noise in this context refers to all noise sources that people are exposed to due to leisure activities such as attending night clubs, pubs, live sporting events, concerts or live music venues.

5.13 As required by the European Noise Directive (2004) and Environmental Noise (Scotland) Regulations 2006, a Noise Action Plan has been developed for the Aberdeen area, identifying Candidate Noise Management Areas and Candidate Quiet Areas in the city. Candidate Areas have been assessed and those that have been successfully verified are recommended for progression to Noise Management Areas (NMAs) and Quiet Areas (QAs). NMAs are areas where people are most likely to be affected by noise (predominantly transport noise) and which must therefore be carefully managed, while QAs are areas where environmental noise quality is good and require protection against an increase in noise, which provide a range of benefits to health, wellbeing and the environment. Both NMAs and QAs must be protected from increases in noise exposure resulting from new development. It is also important to ensure that occupiers of a new development near to existing noise sources and existing noise sensitive developments located near to proposed new potentially noisy developments are protected from the adverse effects of noise.

Policy WB3 – Noise

In cases where significant exposure to noise is likely to arise from development, a Noise Impact Assessment (NIA) will be required as part of a planning application.

There will be a presumption against noise generating developments, as identified by a NIA, being located close to noise sensitive developments, such as existing or proposed housing, while housing and other noise sensitive developments will not normally be permitted close to existing noisy land uses without suitable mitigation measures in place to reduce the impact of noise to an acceptable level.

Development within or near to Noise Management Areas (NMAs) and Quiet Areas (QAs) will not be permitted where this is likely to contribute to a significant increase in exposure to noise or a

deterioration of noise conditions in these areas, or where this will reduce the size of, or cause an increase in the noise level within, the QA.

Further information on NIAs, NMAs and QAs, including maps of these areas, can be found in the relevant Aberdeen Planning Guidance which should be read in conjunction with this policy.

Aberdeen Planning Guidance

Noise

Aberdeen Planning Guidance (APG) on Noise supports the policy WB3 by providing guidance on how developments will be expected to assess and demonstrate their compliance with above policy, with regard to the delivery of noise management. Accordingly, APG: Noise includes advice on: policy and legislation, noise impact assessment, noise sources and development management.

Specialist Care Facilities

5.14 There is a change in the age profile of Scotland toward an ageing population. Nationally, the percentage of the population over age 65 is one of the fastest growing age groups. Between 2014-2039, the percentage growth rate of those aged 65-68 years is 20% and the increase in those aged 75+ is around 65%. As specified in the Meeting Housing and Community Needs chapter, residential care or nursing homes are one way we can offer specialised residential accommodation for those who are no longer able to live independently. We will generally support proposals of this kind in order to accommodate all housing need and demand in the area. Where existing facilities are considered for re-development or Change of Use, we will seek supporting evidence to justify the loss of the facility. This will be considered on a case by case basis.

Policy WB4 – Specialist Care Facilities

Proposals for new residential care facilities (such as Care Homes, Nursing Homes, Sheltered Living) should;

1. Be well-connected; located close to public transport links and community amenities for residents and staff, and provide visitor parking; and
2. Meet design and amenity standards in line with other types of 'residential' developments.

Proposals for the redevelopment, or Change of Use, of an existing development of this nature should be accompanied by sufficient supporting evidence justifying the loss of such a facility.

Changing Places Toilets

5.15 Ensuring public developments are catering for the widest demographic is also important. The provision of accessible, changing places toilets in new major developments will support this.

Policy WB5 – Changing Places Toilets

Major developments that are open to the public such as shops and leisure uses must provide free publicly accessible changing places toilets.

6. Protecting and Enhancing the Natural Environment

6.1 The natural environment and the landscape setting of Aberdeen is vital to achieving a sustainable city. A well cared-for natural environment provides a range of benefits for nature and people alike.

6.2 Safeguarding the natural environment will help us to mitigate and adapt to the effects of climate change, care for our green and blue infrastructure and enhance our biodiversity. It will also significantly contribute to local identity and placemaking objectives.

6.3 Good quality environments will also make a positive contribution to public health, which is discussed further in earlier sections of this Plan. This will be achieved through access to biodiverse open space, encouraging active travel modes such as walking and cycling, increasing food-growing opportunities and providing spaces for physical activities or simply peace of mind.

6.4 ~~The Strategic Development Plan sets objectives for the region including ensuring that a~~ New development should ensure that it safeguards and, where appropriate, enhances the city region's historic, natural and cultural assets and is within the capacity of the environment. Our policies for the Natural Environment have been formed on these principles:

- Protect sites and species which are most valuable to our natural heritage,
- Safeguard the unique landscape setting,
- Enhance the green and blue infrastructure in Aberdeen.

Green Belt

6.5 The aim of the Green Belt is to maintain the distinct identity of Aberdeen, and the communities within and around the city, by defining their physical boundaries clearly. Safeguarding the Green Belt helps to avoid coalescence of these settlements and sprawling development on the edge of the city, maintain Aberdeen's landscape setting, and provide access to open space. The Green Belt directs planned growth to the most appropriate locations and supports regeneration.

NE1 – Green Belt

Development in areas defined as Green Belt on the Proposals Map will not be supported. Exceptions to this general presumption will only be supported where the proposal:

- a) is directly associated with and required for agriculture, woodland or forestry; or
- b) is for leisure or recreational uses compatible with an agricultural or natural setting; or
- c) is for the extraction of minerals that meets an established need, if no other suitable site is available, or quarry restoration; or
- d) is associated with existing activities in the Green Belt and is within the boundary of that activity, is small-scale, does not significantly increase the intensity of the activity and the proposed built construction is subordinate to what already exists (including extensions to existing dwellings); or
- e) is directly associated with essential infrastructure such as telecommunications, electricity grid connections, transport proposals identified in the Plan or roads planned through masterplanning of sites, if they cannot be accommodated anywhere other than the Green Belt; or
- f) is related to the generation of renewable energy (wind turbine, solar farm, or hydro scheme) and/or heat; or

- g) is for a dwelling house to replace a dwelling house. This will be on a 'one for one' basis for development of a similar scale within the same footprint or existing curtilage of the site. This may be applicable to vacant properties in poor condition. All applications will be considered on a case by case basis; or
- h) is for the appropriate change of use of a building with a historic or architectural interest that makes a worthwhile contribution to the landscape character of the Green Belt; or
- i) is for a conversion/ rehabilitation scheme of a historic building. If extending, the original building will remain visually dominant to the new extension, the design and siting of the extension will be sympathetic in terms of massing, detailing and materials, and it will relate well to the original building.

Also see further guidance in the Steading Conversions Section of Aberdeen Planning Guidance: New Development.

Green and Blue Infrastructure

6.6 ~~Scottish Planning Policy states that~~ The planning system should protect and enhance green infrastructure networks in and around Scotland's cities. ~~In line with the Strategic Development Plan,~~ The Local Development Plan will play a key role in identifying existing and proposing new green networks and, where appropriate, considering enhancement and implementation opportunities, including through new development.

6.7 Aberdeen's Green Space Network is a strategic city-wide network that connects natural green and blue spaces and habitats to each other and the communities around them. It is made up of multiple components of 'green infrastructure'. ~~In line with Scottish Planning Policy,~~ This includes;

- Formally designated natural heritage sites;
- A diversity of habitats and their connectivity;
- Woodland, hedgerows and individual trees, especially veteran trees;
- Open Spaces defined in Aberdeen's Open Space Audit;
- Food-growing spaces (see paragraph 6.18);
- Spaces for physical activity and access to the outdoors; and
- Paths and links for pedestrians, wheeling and cycling.

6.8 The city's 'blue features' are also included within this Network. ~~In line with Scottish Planning Policy,~~ Blue features include; rivers, wetlands, other water courses, ponds, sustainable urban drainage systems, porous paving, and coastal and marine areas including beaches.

6.9 By encouraging connectivity between habitats, the Green Space Network helps to improve the viability of species and the health of previously isolated habitats and ecosystems. An extensive network of open spaces, together with path networks, will also encourage active travel and healthier lifestyles. Protecting and enhancing the Green Space Network is essential in supporting successful placemaking and in helping to mitigate and adapt to the effects of climate change by; providing opportunities to enhance the landscape of Aberdeen, improve biodiversity and amenity, provide community food-growing spaces, and reduce the impact of flooding.

6.10 Temporary greening can be an appropriate way to create safe and attractive places prior to the development of sites. The Council will support the use of temporary greening of land awaiting development in principle, where appropriate. Consideration will be given to whether greening of a

site could bring about a positive impact to the local environment and overall amenity of the area, without prejudicing the effectiveness and viability of the site, if it is allocated for development in the longer term.

6.11 The Council's online mapping tool provides detailed information about individual areas of Aberdeen's Green Space Network, including opportunities for improvement and enhancement.

Urban Green Space

6.12 ~~Scottish Planning Policy states that~~ The planning system should promote and enhance open spaces for community use, sport and recreation, and that playing fields should be safeguarded from development. The Plan has identified this type of open space as Urban Green Space. The Plan will safeguard areas of Urban Green Space from development, unless replacement provision is provided according to the criteria set out in this policy.

6.13 The larger areas of Urban Green Space are identified on the Proposals Map. However, this policy applies to all areas of Urban Green Space that fall within this definition, including those not zoned or visible on the Proposals Map.

6.14 As clarified in the Glossary and Quality Placemaking by Design section of this Plan, 'open space' refers to public spaces, and 'amenity space' refers to private or residential spaces.

6.15 The Council's Open Space Audit and Open Space Strategy provide a strategic framework for creating, connecting and improving Aberdeen's open spaces. Good quality open space makes a vital contribution towards stronger communities and healthier lifestyles, making Aberdeen a more attractive place to live, work and invest.

Open Space Provision in New Development

6.16 This Plan aims to ensure that new open space provided as part of new development is functional, useful and publicly desirable. For example, it may take the form of naturalised areas, green corridors, play space, or food-growing opportunities. Rather than provide minimum standards for open space based solely on quantity, it is vital that the policy requirements are also based on the quality and accessibility of that open space.

6.17 The Council's Open Space Audit showed an uneven distribution and varying quality of open spaces across city wards. Information from the Audit and other relevant strategies should always be applied when submitting proposals for development, to ensure that open space provided is of an appropriate scale and type and provides the necessary facilities to meet the needs of the local area.

Food Growing Spaces

6.18 The benefits of food-growing projects are multi-faceted; not only for placemaking, environmental and sustainability benefits and climate change mitigation, but for the health, social, physical and mental wellbeing benefits that these projects can bring for all sections of the community.

6.19 A Food Growing Strategy (Granite City Growing: Aberdeen Growing Food Together) has been prepared by the Council in line with the requirements of The Community Empowerment (Scotland) Act 2015. It aims to align other local relevant plans and strategies (such as the Local Outcome

Improvement Plan, Locality Plans, and Open Space Audit) with the food-growing aspirations of the city.

6.20 As such, this Plan supports opportunities for food-growing projects in the city. This can be achieved through the protection and enhancement of existing open spaces identified on the Proposals Map. Specific areas with food-growing potential will be identified by the Food Growing Strategy using the Open Space Audit. It can also be achieved through meaningful open space provision in new developments. This is included within Policy NE2, and further guidance on food-growing is included in the Aberdeen Planning Guidance 'Open Space and Green Infrastructure'.

Outdoor Access and Core Paths

6.21 Access to the outdoors for informal recreation contributes to everyday quality of life. Increased levels of physical activity outdoors can contribute to improved health and wellbeing, while access to high quality areas for outdoor recreation can make the city a more attractive place to live and work. Well managed access can also assist land management and contribute to an appreciation of the environment and natural heritage. It is therefore important that accessible, welcoming and well-managed access to Aberdeen's recreational areas and the surrounding countryside is protected and enhanced. This will facilitate opportunities for recreation and physical activity as well as sustainable and active travel.

NE2 – Green and Blue Infrastructure

Green Space Network

Development proposals will seek to protect, support and enhance the Green Space Network (identified on the Proposals Map). This broadly encompasses the wildlife, biodiversity, ecosystem services & functions, access, recreation, landscape and townscape value of the Green Space Network. Development that does not achieve this will not be supported.

Coherence of the Green Space Network should also be maintained when considering any development and infrastructure proposals. Where infrastructure projects or certain developments necessitate crossing the Green Space Network, they should maintain and enhance the coherence and quality of the network. In doing so, appropriate provision should be made for access across roads for wildlife and outdoor recreation.

Masterplans will determine the location, extent and configuration of the Green Space Network within the area, and its connectivity with the wider network.

Urban Green Space

We will protect, support and enhance the city's Urban Green Space (parks, playing fields, sports pitches, outdoor sport facilities, woods, food-growing spaces, or all other areas including smaller spaces not identified on the Proposals Map such as amenity space or garden ground). Development proposals that do not achieve this will not be supported.

Exceptions may be made when a suitable alternative and equally convenient and accessible area for public space is provided by the applicant for Urban Green Space purposes, for example through the replacement of school buildings, within the locality of the site. Where proposals would affect an outdoor sports facility, development may also be acceptable where it would be ancillary to and/or not affect its current and potential principal use for sport and training; or a clear excess of provision

is demonstrated. In all cases, development will only be acceptable if it meets criteria set out in the Aberdeen Planning Guidance: Open Space and Green Infrastructure.

Open Space in New Development

We will require the provision of biodiverse, usable and appropriate open space in new developments to ensure functionality. Please see Aberdeen Planning Guidance: Open Space and Green Infrastructure for information on how to calculate open space requirements, as well as different types of provision (including food-growing) and the expected accessibility and quality standards.

We will seek open space provision in all developments, including on brownfield sites. It may not be possible to increase the amount of open space on some brownfield sites, for example where existing buildings on the site are being retained. In these cases, appropriate design solutions to deliver on-site amenity will be sought in the first instance and commuted sums towards off-site provision or enhancement of existing open spaces will be sought where appropriate.

In areas where the Open Space Audit has shown that there is opportunity for improvement of existing open space, contributions may be sought to enhance existing provision instead of new provision being required. The Open Space Audit and Strategy provides details of any improvements or enhancements that may be required to open spaces in different areas of the city, and how the linkages between them may be improved. Further guidance is included in Aberdeen Planning Guidance: Open Space and Green Infrastructure.

Outdoor Access and Core Paths

New development will maintain and enhance the integrity of existing access rights to; land and water, Core Paths, other paths and rights of way, or safeguard potential access opportunities to these. This includes any impacts on access during the construction, operation, decommissioning and reclamation phases of development.

In exceptional circumstances routes may be affected by development. In these cases it will be necessary to maintain their condition, enhance their amenity value, or provide an alternative path or access (which links the same locations) that is safe, high quality and convenient for the public to use.

Development proposals should include new or improved provision for public access, permeability, and links to the core path network and green spaces for recreation and active travel within their design. We may seek Developer Obligations for Core Paths where appropriate.

Further information about the standards of infrastructure required are set out within Aberdeen Planning Guidance: Open Space and Green Infrastructure.

Aberdeen Planning Guidance

Open Space and Green Infrastructure

Aberdeen Planning Guidance (APG): Open Space and Green Infrastructure supports the above policy by providing guidance on how developments will be expected to assess and demonstrate their compliance with the above policy, with regards to the delivery of Open Space and Green Infrastructure. Accordingly, Open Space and Green Infrastructure includes advice on: Open Space provision in new development including food- growing, standards for Open Space in residential, brownfield and non- residential development, applying the policies, maintenance and management of Open Spaces, Green Space Network, and Outdoor Access Rights.

Our Natural Heritage

Natural Heritage

6.22 The protection, preservation and enhancement of natural heritage, including geodiversity, sites and species, are important aims of this Plan. All development will be required to protect and enhance natural heritage assets including maintaining and enhancing physical and functional habitat connectivity.

6.23 We will take a broad approach to protecting natural heritage. Development will be expected to demonstrate that it safeguards and/or enhances biodiversity, designated sites and protected species. We will also take into account the need to work with natural processes and to provide for healthy ecosystems; seek enhancements of ecosystem services through the retention and enhancement of our natural heritage assets; and ensure that overall biodiversity gains are delivered. The creation of multifunctional SuDS schemes which support biodiversity will be an important element of proposals.

6.24 The cumulative effects of development will be considered when assessing planning applications.

6.25 Climate change effects on species, habitats and connectivity should be considered in development proposals. Careful choices in design, siting, construction methods and plant selection are crucial and environmental enhancement net gains through development will have an overall positive effect on climate change mitigation and adaptation. Disturbance of peat and other carbon rich soils, for example through excavation or drainage, developments which may result in the disturbance of peatland and carbon-rich soils will require an assessment of the likely effects on CO₂ emissions, to reduce the impacts of development on carbon dioxide emissions.

6.26 European sites include Special Protection Areas (SPA) and Special Areas of Conservation (SAC). Development that is likely to have a significant effect on any European site, either alone or in combination with other plans or projects, will require an Appropriate Assessment under the Habitats Regulations. The River Dee SAC is the only European site within the Plan area. Assessments will be required to consider all relevant European sites both within and outwith the Plan area. Other sites near to Aberdeen which may be impacted include, but are not limited to, the Ythan Estuary, Sands of Forvie and Meikle Loch (and proposed extension) and Loch of Skene Special Protection Areas (SPA).

6.27 National designations within the Plan area include Sites of Special Scientific Interest. Local designations include Local Nature Conservation Sites and Local Nature Reserves. These are shown on the Proposals Map. Please see the Aberdeen City Council website for a list of local designations.

6.28 Some of the species found in Aberdeen are protected under international and national law (including European Protected Species, and species protected under the Wildlife and Countryside Act 1981) while others are identified as being of local importance (North East Scotland Local Biodiversity Action Plan species).

Policy NE3 – Our Natural Heritage

Development should not have a detrimental effect (directly or indirectly) on its own or in combination with other proposals on:

- Sites, habitats, ecosystems or species protected by law or natural heritage designation;

- Sites which have been designated for their geodiversity value;
- Areas of peatland or other carbon-rich soils;
- Sites, habitats, ecosystems or species of regional or local nature conservation value.

Where a development is likely to affect any of the above assets it must demonstrate that alternative solutions have been considered and ruled out, detrimental effects can be minimised through mitigation and overall biodiversity gains can be achieved. Where detrimental effects are still unavoidable, development will only be supported where these adverse effects are clearly outweighed by social, environmental or economic benefits at a level which is at least equal to the designation's or species' importance (international, national or local).

Designated Sites and Protected Species

Development not directly connected with or necessary to the conservation management of a European Site (Special Area of Conservation and Special Protected Area) and which is likely to have a significant effect on the site (either individually or in combination with other plans or projects) will be subject to an Appropriate Assessment. Where it cannot be ascertained that the development would not adversely affect the integrity of the site it will only be permitted where there are no alternative solutions, and there are imperative reasons of overriding public interest, and compensatory measures are provided to ensure that the overall coherence of the European Site network is protected.

Development that is likely to impact upon a nationally designated site will only be supported where it would not adversely impact the integrity of the area or the qualities for which it has been designated. Where adverse impacts are unavoidable, they must be clearly outweighed by social, environmental or economic benefits of national importance.

Development that is likely to impact upon a locally designated site should minimise adverse impacts through careful design and mitigation measures. Where adverse impacts are unavoidable, they must be clearly outweighed by social, environmental or economic benefits of city-wide importance.

For all development proposals, the following is required;

A thorough assessment of all natural heritage assets which may be impacted which includes:

- habitats and species, designated or protected either internationally, nationally or locally, or of regional importance
- an assessment of potential impacts of the proposal on the designated site or protected species in compliance with ~~Scottish Planning Policy~~ and the relevant legislation
- the contribution of the site to the surrounding habitat network and proposals to prevent fragmentation or isolation of habitats and restore or create habitat links
- an assessment of alternative solutions to avoid adverse effects
- proposals to mitigate any adverse effects
- provision to achieve overall biodiversity gains for the site
- A Construction Environmental Management Plan (CEMP) may be required to address any potential adverse impacts on designated sites, protected species, peatlands or carbon-rich soils, waterbodies or regionally important species and habitats during the construction phase of a development.
- Buffer strips are required for the protection and enhancement of water bodies and local biodiversity, including lochs, ponds, wetlands, rivers, tributaries, estuaries and the sea.

Carbon Rich Soils

Development should avoid areas of peatland and other carbon-rich soils. There will be a presumption against development which would involve significant draining or disturbance of peatland or carbon-rich soils.

Developments which may result in the disturbance of peatland and carbon-rich soils will require an assessment of the likely effects on CO2 emissions.

Aberdeen Planning Guidance Natural Heritage

Aberdeen Planning Guidance (APG) Natural Heritage supports the above policy by providing guidance on how developments will be expected to assess and demonstrate their compliance with the above policy, with regards to Natural Heritage. Accordingly, APG includes advice on: Statutory Designated Sites, Protected Species, principles for protecting Natural Heritage, buffer strips, Environmental Impact Assessment, and Habitats Regulation Appraisal.

Our Water Environment Flooding

6.29 This Plan aims to manage and reduce flood risk by ensuring that new development does not take place on areas susceptible to flooding and incorporates appropriate and sustainable surface water management measures. The Council will also seek to protect land and green infrastructure with the potential to contribute to natural flood risk management from development. Development allocations in this Plan have been informed by a Strategic Flood Risk Assessment.

6.30 In accordance with the Flood Risk Management (Scotland) Act 2009, a Flood Risk Management Plan for Aberdeen City and Aberdeenshire is being prepared to address fluvial and coastal flooding. This will be complemented by a Surface Water Management Plan which is also in preparation. Relevant Aberdeen Planning Guidance will be updated to reflect the actions and recommendations of these plans as necessary.

6.31 The ultimate responsibility for managing flood risk lies with land and property owners. All development proposals should take proper account of the likely future effects of climate change, including rising sea levels, greater frequency and duration of rainfall events, and extreme weather events. In assessing development proposals, we will consider flood risk from all potential sources including watercourses, storm and tidal surges and rising sea levels, rising groundwater, surface water and drainage systems. These will be assessed by the relevant authority.

6.32 The Scottish Environment Protection Agency's Flood Maps (www.sepa.org.uk) provide an indication of areas potentially at risk from flooding. Where appropriate, we will consult with key stakeholders such as SEPA having had regard to the Flood Risk Framework as set out in Scottish Planning Policy.

Foul Drainage and Water Quality

6.33 The Plan also seeks to achieve satisfactory disposal of sewage, thereby maintaining and improving standards of environmental quality, public health and amenity. Assessment of the adverse effects on the environment should include water sources/resources and groundwater. Developers will be required to demonstrate that their proposals for foul drainage conform to Scottish Water's current design standards (Sewers for Scotland v4.0 or its successors).

6.34 Water quality is vital for both human health and the health of aquatic ecosystems, and provides significant economic benefits, for example through fisheries and the tourism industry. Therefore, maintaining and improving water quality should be an important consideration in development proposals. We will contribute to achieving the EU Water Framework Directive's objectives of good ecological status of our water environment through the implementation of River Basin Management Plans.

Surface Water Drainage

6.35 Sustainable Drainage Systems (SuDS) provide multiple benefits including mitigating flood risk, improving water quality and enhancing biodiversity. All new developments are required to make provision for SuDS and these should be designed in accordance with best-practice design guidance in the SuDS Manual (CIRIA C753), and the technical criterion set out in Sewers for Scotland v4.0 and its successors. In some circumstances, developments may also be required to adapt to flood risk by incorporating water resistant materials and forms of construction in line with the guidance set out in the Scottish Government's Online Planning Advice on Flood Risk.

6.36 The Council is developing strategic-level Regional SuDS which will incorporate sustainable flood risk management at a strategic scale. There may be opportunities for developers to contribute to a Regional SuDS scheme to help address the impact of their development. Please see our Aberdeen Planning Guidance (APG) for more information.

Coastal Environment

6.37 Aberdeen's coastline is an important environmental, social and economic asset which needs to be protected and enhanced. It has been classified into two types of area, developed and undeveloped coast (shown on the Proposals Map). In general, the developed coast is already a focus of economic or recreational activity and is likely to be suitable for further development, whereas the undeveloped coast is largely unspoiled and likely to be unsuitable for development.

6.38 The Marine (Scotland) Act 2010 introduced a new system of marine spatial planning for Scotland. The National Marine Plan, published by the Scottish Government in March 2015, sets out strategic policies for the sustainable use of Scotland's marine resources out to 200 nautical miles as well as Regional Marine Plans. If the need arises, Aberdeen Planning Guidance will be produced to take into account the provisions and requirements of the National and Regional Marine Plans when they are adopted.

6.39 Terrestrial planning law extends to the mean low water mark of ordinary spring tides, whereas marine spatial planning applies from Mean High Water Springs. All development proposals which affect the inter-tidal area, as well as the wider coastal area generally, should demonstrate the principles of Integrated Coastal Zone Management, which aims for the co-ordinated consideration of issues and policies relating to nature protection, aquaculture, fisheries, agriculture, industry, off shore wind energy, shipping, tourism, development of infrastructure and mitigation and adaptation to climate change.

6.40 A precautionary approach should be taken to assessing flood risk from the coast, taking into account the potential effects of climate change, such as sea-level rise and more extreme weather events.

NE4 – Our Water Environment

Flood Risk & Management

Development will not be supported if:

1. It increases the current and/or future risk of flooding on site or elsewhere
 - a. By reducing the ability of the functional flood plain to store and convey water; or
 - b. Through the discharge of additional surface water; or
 - c. By harming flood defences;
2. It would be at risk of flooding itself; or
3. Adequate provision is not made for watercourses to be maintained as or restored to naturalised channels wherever possible with riparian buffer strips including for maintenance access and erosion prevention; or
4. It would require the construction of new or strengthened flood defences unless flood protection measures to an appropriate standard are a planned measure in a current flood risk management plan.

The piecemeal reduction of functional floodplains will be avoided. Development on the functional floodplain will only be considered where its location is essential for operational reasons and for water compatible uses. Development must be designed and constructed to remain operational during floods and not to impede water flow. Measures to protect against or manage flood risk will be required and any loss of flood storage capacity mitigated to achieve a neutral or better outcome.

Applicants will be required to provide a Flood Risk Assessment where a development may result in a material increase in the number of buildings at risk of flooding, area of land at risk of flooding, if there is an increase in land use vulnerability compared to the existing land use, or where it has been indicated in the opportunity sites schedule that one will be prepared. Potential flood risk is determined by a screening process, including consideration of the indicative flood risk maps produced by the Scottish Environment Protection Agency (SEPA) and the Council's Strategic Flood Risk Assessment.

There is a presumption against excessive engineering and culverting of waterbodies. Natural treatments of floodplains and other water storage features will be preferred wherever possible and supported by a flood risk assessment. There will be a requirement to restore existing culverted or canalised water bodies to a naturalised state where this is possible and supported by a flood risk assessment. Where the Council agrees that culverts are unavoidable for technical reasons, they should be designed to maintain existing flow conditions and aquatic life. Any proposals for new culverts should have a neutral impact on flood risk as demonstrated in a flood risk assessment and be linked to long term maintenance arrangements to ensure they are not the cause of flooding in the future.

Foul Drainage & Water Quality

Connection to the public sewer for foul drainage will be a prerequisite of all development where this is not already provided. Private wastewater treatment systems within the settlement boundary will not be permitted.

Surface Water Drainage

All new developments are required to incorporate SuDS to manage surface water, with the exception of single dwellings/extensions to residential properties or discharges to coastal waters. For change of use and/or redevelopment, opportunities should be sought to retrofit SuDS where appropriate.

SuDS components need to be selected based on specific site opportunities and constraints and provision should be addressed as part of a Drainage Impact Assessment (DIA) which details how surface water quality and quantity will be managed. DIAs will be required for new development proposals of 5 or more homes or 250 square metres non-residential floorspace. DIAs will also be required if the proposal falls within a sensitive area (identified in the TAN).

Aberdeen Planning Guidance: Flooding, Drainage and Water Quality provides further information on flooding and drainage.

Coastal Development

Development will not be supported in undeveloped coastal areas (shown on the Proposals Map). Exceptions to this general presumption will be considered where the proposal:

1. Is dependent on that coastal location given the purpose and operation of the development; and
2. There is no other suitable site, including brownfield land; and
3. It respects the character and value of the landscape, the natural and historic environment, and the recreational value of the surrounding area; or
4. There is an overriding environmental benefit from the proposal.

The exceptions listed above, where considered acceptable in principle must also meet all of the following criteria:

1. The development must not be located in an area at risk of coastal erosion or flooding (as demonstrated in a topographical survey showing that the development lies above the 200 year flood level plus additional allowances for climate change and freeboard);
2. Public access to and along the coast must be protected and promoted wherever possible; and
3. Where marine noise modelling is deemed necessary by the Council or key agencies, it must be demonstrated that adverse impacts on bottlenose dolphins, Atlantic salmon, and any other protected species will be avoided.

Aberdeen Planning Guidance

Flooding, Drainage and Water Quality

Aberdeen Planning Guidance (APG) Flooding, Drainage and Water Quality supports the above policy by providing guidance on how developments will be expected to assess and demonstrate their compliance with the above policy, with regard to Flooding, Drainage and Water Quality.

Accordingly, APG Flooding Drainage and Water Quality includes advice on: statutory roles and responsibilities, arrangements for flood risk management planning in Scotland, Flood Risk Assessment, Drainage Impact Assessment, Sustainable Drainage Systems (SuDS), Regional SuDS and waste and foul drainage requirements.

Trees and Woodland

6.41 Aberdeen has one of the lowest tree coverage percentages in Scotland. Tree and woodland cover contribute to the aims of sustainable development and enhance the services provided by woodland ecosystems. Single trees, groups of trees, hedgerows and woodlands throughout Aberdeen all provide important benefits in terms of amenity, landscape character, nature conservation, economic value and climate change adaptation and mitigation. Ancient woodlands are of particular importance for nature, not just because of the trees, but for soil structure and diversity

of flora created over time. Once destroyed, Ancient Woodlands cannot be recreated so particular emphasis is placed on their protection and management.

6.42 We will therefore seek to protect and enhance Aberdeen’s existing stock of trees and woodland. Where trees are considered to be at risk from development or construction, we will require information and safeguarding measures in accordance with the standards set out in relevant Aberdeen Planning Guidance. We will also support opportunities to plant new trees and woodland to contribute to the existing stock.

6.43 Policy NE5 Trees and Woodland aims to ensure the long-term compatibility of trees with proposed buildings and associated infrastructure. It supports the Planning Authority’s duty to make adequate provision for the preservation and planting of trees through the production of a forestry and woodland strategy, Scotland’s Forestry Strategy and the Scottish Government’s Policy on Control of Woodland Removal.

Policy NE5 – Trees and Woodland

Development should not result in the loss of, or damage to, trees and woodlands.

Development proposals will seek to increase tree and woodland cover and achieve the long-term retention of existing trees and woodlands that the planning authority consider worthy of retention. Particular emphasis is placed on the protection and ongoing management of Ancient Woodlands. Where tree removal takes place or is necessary for good arboricultural reasons, replacement planting will be required to ensure an overall net gain in tree cover. Development that does not achieve this will not be supported.

Buildings and infrastructure should be sited to allow adequate space for a tree’s natural development, taking into account the predicted mature height, canopy spread and future rooting environment.

Where applicable, root protection areas should be established, and protective barriers erected prior to any work commencing. See relevant Aberdeen Planning Guidance for more information.

Aberdeen Planning Guidance Trees and Woodlands

Aberdeen Planning Guidance (APG) Trees and Woodland supports the above policy by providing guidance on how developments will be expected to assess and demonstrate their compliance with the above policy, with regards to Trees and Woodland. Accordingly, the APG includes advice on: how trees are protected, development proposals, planning applications, and the requirements for surveys, plans and assessments.

7. Quality Placemaking

7.1 Quality placemaking is at the core of planning in Aberdeen. National Planning Framework 34, ~~Scottish Planning Policy~~, Creating Places: A Policy Statement on Architecture and Place for Scotland, and Designing Streets promote the delivery of well-designed places and sustainable communities through a design led approach to planning. Quality placemaking creates places where people want to live, work, play and visit.

7.2 Quality placemaking is a holistic, multidisciplinary and collaborative approach. Its focus is creating development that sustains and enhances the social, economic, environmental, health and cultural attractiveness of the city. This approach is not restricted to influencing the appearance of a building, street or place; it considers an area's context, and balances the range of interest and opportunities to create multiple interconnected benefits. Successful placemaking can create positive place identity, foster a sense of community, belonging, social connections and social capital, deliver urban renewal and regeneration and promote sustainability, health, wellbeing, and mitigate and adapt the impacts of climate change. It is a material consideration in determining applications. Placemaking can be measured by six essential qualities: **a distinct identity, welcoming, safe and pleasant, easy to move around, adaptable to changing circumstances and is resource efficient.**

7.3 All development must follow a thorough process of site context appraisal to arrive at an appropriate proposal. Context will differ from site to site, however significant characteristics include: siting, scale, mass, detail, proportion, materials, colour, orientation, land designation, surrounding uses, transportation and connectivity, existing building heights, landscape, natural heritage features, topography, views and the relationship to streets and open space, both public realm and green space. Not all development will be of a scale to make a significant placemaking impact, however all good design and detail adds to the attractiveness of the built and natural environment and careful consideration is crucial. All development, from window replacements to large developments, represent an opportunity to add to the rich placemaking legacy of our built environment, and contribute towards creating successful, sustainable places with a strong and distinctive sense of place.

7.4 Aberdeen encourages an engaging, design-led approach to secure quality placemaking through the appropriate use of pre-application discussion, and the application of the placemaking process.

Policy D1 – Quality Placemaking

All development must ensure high standards of design, create sustainable and successful places and have a strong and distinctive sense of place which is a result of detailed contextual appraisal.

Proposals are required to ensure:

- quality architecture, craftsmanship and materials;
- a well considered layout, including biodiverse open space, high quality public realm and landscape design;
- a range of sustainable transportation opportunities ensuring connectivity commensurate with the scale and character of the development.

Successful places will sustain and enhance the social, economic, environmental, wellbeing and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities.

- distinctive
- welcoming
- safe and pleasant
- easy to move around
- adaptable
- resource efficient

A design strategy will be required to be submitted that demonstrates how a development meets these qualities. The design, scope and content will be proportionate to the scale and/or importance of the proposal.

Aberdeen Planning Guidance: Aberdeen Placemaking Process provides guidance where the production of planning briefs, development frameworks and masterplans are required.

Criteria: Six Qualities of Successful Placemaking

7.5 The section below provides further guidance on the six qualities of successful placemaking. The criteria used in assessing an application will be relevant to the scale, character and nature of the proposal.

Distinctive

- responds to the site context and is designed with due consideration to siting, scale, massing, colour, orientation, details, footprint, proportions and materials
- retains and re-uses built or natural assets as features of the site
- protects and enhances the city's important views and creates new views
- is well planned with high quality design, materials and craftsmanship
- complements the established distinctive consistency of materials of an existing streetscape
- reinforces established patterns of development
- reflects local styles and urban form
- development complements local features, such as spaces and scales, street and building forms, materials, landscapes, topography, ecology, and skylines, to create places with a sense of identity
- soft and hard landscaping throughout the site are specified, and maintained, adding visual identity that connect buildings and spaces, and supports climate change adaptation
- where appropriate, uses public art within the public realm to ensure sense of identity

Welcoming

- well detailed, where materials, colour, texture and proportion are considered
- easy to find your way around through a well ordered and inclusive layout with a hierarchy of streets for transportation and recreation
- creates an attractive and defined entrance to the development, the local area or building
- has an attractive and active street frontage
- includes appropriate signage and distinctive lighting to improve safety and highlight attractive buildings

Safe and Pleasant

- designed with pedestrian movement as the priority
- avoids unacceptable impacts on adjoining uses, including noise, smell, vibration, dust, air quality, invasion of privacy and overshadowing
- enables natural surveillance of public spaces through active frontages and does not create spaces which are unsafe or likely to encourage or facilitate crime
- distinguishes between private and public space

- inclusive in its design and creates accessible environments
- incorporates appropriate lighting to avoid creating dark shadows or bright glare
- is not at unacceptable risk of flooding or increases flood risk elsewhere

Easy to get to / move around

- prioritises sustainable and active travel
- provides well connected links within the development and connects to adjacent existing, and proposed, active travel networks & public transport facilities
- places the movement of pedestrians and cyclists above motor vehicles
- provides well connected links to community services and facilities
- provides places to stop and rest for pedestrians
- provides cycle and motor bike storage and complementary facilities

Adaptable

- particularly in areas that are subject to change (e.g. town centres and industrial areas) new development is constructed in a manner suitable for a range of future uses
- new housing should be designed accommodate future internal alteration to sustain reconfiguration suitable for future occupants
- mix of building tenures, densities and typologies
- support climate change mitigation and adaption including increased rainfall, flood risk implications, solar shade and shelter

Resource efficient

- reuses existing buildings and brownfield sites
- encourages movement and journeys by sustainable transport
- maximises efficiency of the use of resources through natural or technological means such as low or zero carbon energy-generating technologies, solar orientation and shelter, water saving measures including water capture and reuse, avoidance of carbon rich soils, incorporation of SuDS and blue/green infrastructure
- denser development sharing infrastructure and amenity with adjacent sites
- minimises energy use and loss
- makes use of available sources of heat and power
- uses building materials from local or sustainable sources
- higher density in town centres and areas with convenient access to good public transport services
- provides space for the separation, storage and efficient collection of recycling and waste

Aberdeen Planning Guidance

Energetica provides guidance on how developments within the Energetica corridor will assure quality of placemaking by ensuring developments are adaptable, resource efficient, safe and pleasant, easy to move around, welcoming and distinctive.

Temporary Buildings, provides guidance on how developments of this nature will be expected to assure quality of placemaking by giving consideration to placement, length of time of the proposal, and context. The APG outlines criteria to be satisfied when developments of this nature are proposed.

Amenity

7.6 Amenity has an influence on the quality of life of individuals and communities. Poor amenity can have detrimental impacts on health and wellbeing. Buildings must be fit for purpose and meet the needs of users and occupiers, with consideration given to neighbouring properties to

ensure there are no unreasonable impacts on daylight, sunlight, noise, air quality and outlook. Amenity spaces around buildings must be useable, have a degree of privacy and be designed to include a range of functions appropriate to the building use, such as space for play, seating, food growing, tree planting and drying laundry.

Policy D2 – Amenity

In order to ensure provision of amenity the following principles will be applied.

Development will be designed to:

- make the most of any opportunities offered by the site to optimise views and sunlight through appropriate siting, layout and orientation;
- ensure that occupiers are afforded adequate levels of amenity in relation to daylight, sunlight, noise, air quality and immediate outlook;
- ensure that occupiers are afforded adequate levels of amenity in relation to daylight, sunlight, noise, air quality and immediate outlook;
- have a public face to the street to ensure natural surveillance, and active street frontages;
- ensure that refuse and recycling facilities, cycle storage, low and zero carbon technology, plant and services are sensitively integrated into the design;
- ensure that external lighting minimises light spillage into adjoining areas and the sky.

Residential developments will also:

- ensure that occupiers are afforded adequate levels of privacy;
- ensure minimum standards for internal floor space and private external amenity space in terms of quantity and quality;
- provide no less than 50% usable amenity space where it is necessary to provide car-parking within a private court. Underground and/or decked parking will be expected in higher density schemes;
- ensure minimal shading of external private and public spaces;
- ensure all residents have access to usable private/ semi-private open spaces and sitting-out areas provided by way of balconies, terraces, private or communal gardens;
- have a private face to an enclosed garden or court to ensure a sense of safety and enclosure.

Further guidance can be found within Aberdeen Planning Guidance: New Developments, and Landscape.

Aberdeen Planning Guidance

New Developments

Aberdeen Planning Guidance (APG) New Developments provides guidance on how developments will ensure suitable amenity is achieved within developments. APG also covers the subdivision and redevelopment of residential curtilages, conversions of buildings in the countryside, city centre living, and space standards. The APG ensures consideration is given to context, the impact on the development on the surrounding built/ natural environment and achieving good amenity.

Big Buildings

7.7 A 'big building' is regarded as one that exceeds the general height of the surrounding built context and/or whose footprint is in excess of the established development pattern, the urban grain, and the surrounding context.

7.8 Well-placed big buildings within the city centre and immediate periphery can reinforce the city's urban experiences and opportunities by: defining places with single new buildings or clustering in groups, providing greater densities and concentrations of use; bringing greater accessibility to a range of amenities; offering greater social intensity; creating the opportunity for different economies at different times of the day as well as providing significant visual interest.

7.9 Aberdeen City Council considers that, where possible, the most appropriate location for quality big buildings should be within the city centre boundary and its immediate periphery. Concentrating appropriate development within the city centre provides a clear long-term vision for growth and reinforces the role of the centre as a destination venue well connected by active travel and public transport rather than sites outwith the city centre whose likely development impacts will displace and dilute the role of the city centre.

7.10 Big buildings have a big impact on our environment whether in terms of their visual presence, the uses they bring to an area or the challenges of connecting them within the existing context, and many more social and environmental implications. It is crucial that sites for big buildings are identified as a result of a thorough urban design analysis to understand the context and its capabilities in providing appropriate functional and visual additions and new identities to parts of the city. Much of the city centre and its immediate periphery is a conservation area; a fundamental consideration during the analysis of the context.

7.11 Due to the nature of their existing context, the policy is unlikely to apply to employment areas, industrial areas and established health or education campuses.

Policy D3 – Big Buildings

Big buildings must be of a high quality design which complements or improves the existing site context.

The most appropriate location for big buildings is within the city centre and its immediate periphery. A proposal's relationship with its context must be demonstrated by using a design statement that includes:

- an analysis of the context;
- an illustration of its landscape, townscape and visual impacts through a series of sequential views;
- an analysis of micro-climatic impacts;
- connectivity;
- the use of high quality materials, craftsmanship and detailing with low maintenance implications.

Proposals for big buildings that are considered to detract from their context and/or interfere with an established vista will not be supported.

Big buildings should maintain and enhance the pattern and arrangement of the street blocks and plots, have slender vertical emphasis and silhouettes that are in proportion and have active uses at ground level to the street.

Big buildings should be sustainable, be composed of a range of complementary uses, and be part of a development with smaller scale buildings to reduce any dominating impact within established areas and minimise blank elevations to the street.

Further guidance can be found within Aberdeen Planning Guidance: Big Buildings

Aberdeen Planning Guidance

Big Buildings

Aberdeen Planning Guidance (APG) Big Buildings assures quality of placemaking is provided when tall and/or bulky building developments are proposed. Criteria to be satisfied in the APG include: site selection, context and appropriate uses, visual analysis and design, building form and visual impact, environmental issues and maintenance and future proofing. Proposals must ensure quality placemaking is achieved by following the placemaking criteria under the heading of distinctive, welcoming, safe and pleasant, easy to get to/move around, adaptable and resource efficient.

Landscape

7.12 Landscape, townscape and seascape character are fundamental in defining and underpinning the distinctive identity of Aberdeen, its setting and embodying sense of place. These different characters are part of the natural and built heritage of Aberdeen making the city easily recognisable. Aberdeen has a close relationship with its natural environment, the name granite city reflects the abundance of buildings constructed from locally sourced stone, while the city's development has been shaped by two river valleys, an arc of hills, and the coast. The river valleys are instrumental in forming links with the surrounding countryside and bring elements of this right through the city. The river valleys, arc of hills and coast provide setting to the city and allow views of the countryside and the sea from many parts of the city, underpinning Aberdeen's distinctive and diverse landscape character. The Aberdeen coast forms an important part of regional and local identity. The character in Aberdeen is wide ranging and encompasses rural, urban, peri-urban, coastal, and historic built and natural environments. Planning must conserve and enhance landscape, townscape and seascape character as these contribute to the distinct identity of Aberdeen, its setting and sense of place.

7.13 Landscape character is a fundamental consideration in developing a site to ensure sense of place is conserved and enhanced. Landscape design should contribute to the delivery of sustainable places and recognise the important role that green infrastructure plays in adapting to climate change and sustainability providing a safe and active environment and good quality landscape setting. In order to secure high quality development, it is essential that hard and soft landscaping are an integral part of any development proposal.

7.14 Respecting existing landscapes and enhancing them through quality development is an essential component in the design process. Existing features add to successful places by ensuring originality, distinctiveness and reinforcing feelings of a positive sense of place. Well-designed hard and soft landscaping can add invaluable amenity, protect and enhance biodiversity through consideration of habitats and their connections, have beneficial impact to health and wellbeing, and allow for food growing and foraging. Landscape design shapes the environment to create desirable places and environments for people, plants and animals to thrive.

Policy D4 – Landscape

Landscape / seascape / townscape character and existing elements which provide, or contribute to, a distinct 'sense of place' will not be adversely affected by development. Development will provide opportunities for conserving or enhancing existing landscape / seascape / townscape elements (natural and built), including linear and boundary features or other components which contribute to character and 'sense of place'.

Development should avoid adversely affecting the character of landscapes and seascapes which are important for the setting of the city, including the coast, river valleys and hill landscapes.

Important views of the city's townscape, landmarks and features (including the coast, river valleys, and hills) when seen from busy or important publicly accessible vantage points such as roads, railways, recreation areas, and path networks and particularly from the main city approaches (gateways) will not be adversely affected by development. Where development is permitted on gateway routes it will be expected to enhance the gateway route frontage.

Development should avoid disturbance to, or loss or damage to important recreation, wildlife or natural resources (such as woodland, rivers, coast) or to the physical and functional links between them.

Green spaces between and around places or communities, and those which can provide opportunities for countryside activities, will not be eroded by development.

The Council may require a Landscape and Visual Impact Assessment (LVIA) to be submitted with proposals, as is outlined in Aberdeen Planning Guidance.

Further guidance is available in the Aberdeen Planning Guidance: Landscape

Policy D5 – Landscape Design

Development proposals will be designed with an effective, functional and attractive landscape framework supported by clear design objectives. The level of detail required will be appropriate to the scale of development.

Landscape design will:

- be integrated early into the layout and design of the site, informing the spatial arrangement of both built and natural elements;
- ensure a sense of place is maintained and enhanced through an assessment of the site and its surrounding landscape/seascape/townscape character; and sympathetically incorporate existing key characteristics and features that contribute to landscape/seascape/townscape character;
- mitigate any negative landscape and visual impacts;
- ensure physical connectivity to adjoining and nearby green spaces, buildings and features;
- maximise adaptation and resilience of the built and natural environment to the effects of climate change, and mitigate the impacts of climate change;
- protect and enhance biodiversity by designing the spatial arrangement of new and existing habitats to maximise connectivity between habitats within and around the site, including the design of SuDS, and through the careful use of informed habitat creation and planting design techniques;

- impact positively on health and wellbeing; ensure active travel routes and areas of recreational / open space are designed to be well connected, inclusive and safe; and help to mitigate air, light and noise pollution.
 - be designed for low maintenance where feasible and appropriate to the design objectives.
- Applications for new development must include a statement of landscape design objectives, hard and soft landscape design plans and specifications, and detailed maintenance proposals.

Further guidance can be found in the Aberdeen Planning Guidance: Landscape

Aberdeen Planning Guidance Landscape

Aberdeen Planning Guidance (APG) Landscape provides guidance on how developments will assure quality of placemaking by considering landscape as both a tool to aid the appropriate layout of development and as a feature of development. Criteria to be satisfied in the APG include: the development proposal, layout and design of residential and commercial developments, soft and hard landscaping, boundary treatments, slopes, car parking and landscape establishment and maintenance.

Historic Environment

7.15 Aberdeen has a rich built heritage that gives the city its unique sense of place and identity. The importance of built heritage and its management is outlined in national policy through Our Place in Time – The Historic Environment Strategy for Scotland, Historic Environment Policy for Scotland, Managing Change in the Historic Environment documents, ~~Scottish Planning Policy~~ and National Planning Framework 4³. Local policy documents on Aberdeen’s built heritage include Aberdeen’s Conservation Area Character Appraisals and Management Plan, and Aberdeen Planning Guidance documents. These documents along with the following policies will be used to determine applications within the historic environment.

7.16 The development of Aberdeen over the centuries owes much to its geography and geology and the buildings, road patterns and parks that grew out of them. This legacy of diverse spaces and places is the historic environment. It is covered by a variety of statutory designations designed to protect and conserve it, whilst still responding and adapting to change. The city centre, the west end and Old Aberdeen all contain significant numbers of listed buildings and conservation areas. Aberdeen has over 1,200 listed building entries, 11 Conservation Areas, 39 Scheduled Monuments and 1 site designated within the Inventory of Gardens and Designed Landscapes in Scotland. Alongside designated sites there are a range of non-designated assets and areas of historical interest, such as historic landscapes, other gardens and designed landscapes, woodlands and routes. Planning authorities should protect and preserve significant non-designated assets and areas of historical interest as far as possible and in situ wherever feasible. The historic environment:

- Projects our cultural identity and regional distinctiveness;
- Contributes to economic development and regeneration;
- Supports the growth of our tourism and leisure;
- Helps connect people and places, providing continuity in a changing world;
- Contributes to sustainability by conserving resources.

7.17 It is important to conserve the historic environment for our own and future generations. The key is ensuring the historic environment remains in active use, is correctly maintained and sympathetically managed through a clear understanding of cultural significance and breadth. Failure to do so can lead to loss of historic sites and buildings. Listed buildings and buildings within conservation areas can be featured on the Buildings at Risk Register for Scotland. Historic Environment Scotland's Managing Change in the Historic Environment Asset Management document outlines principles for the management of the historic environment.

7.18 Changes to the historic environment such as unsympathetic additions or works to boundary walls, railings, trees, paving, windows and doors, etc can have a negative cumulative effect on the character of areas. Retention of detail, historic fabric and features which contribute positively to the character of the area is also important. Where change to historic environment is proposed detailed recording and surveys can be used to document the asset for the public record and historical understanding.

Policy D6 – Historic Environment

Development must protect, preserve and enhance Aberdeen's historic environment, including its historic fabric.

There will be a presumption in favour of the retention and appropriate reuse of historic environment, historic assets, and heritage assets that contribute positively to Aberdeen's character.

Appropriate developments, including new features and fixings, must be designed to respect the character, appearance and setting of the historic environment and protect the special architectural or historic interest of listed buildings, conservation areas and historic gardens and designed landscapes. Stone cleaning will only be supported if in line with local and national guidance.

Proposals which have the potential to impact on historic environment, historic assets, and heritage assets, or a significant element thereof, will be required to ensure the effective recording, assessments, analysis, archiving and publication of any reports or records to an agreed timeframe. The physical in situ preservation of all scheduled monuments and archaeological sites is expected. Developments that would adversely impact upon archaeological remains, of either national or local importance, or on their setting will only be permitted in exceptional circumstances, where there is no practical alternative site and where there are imperative reasons of over-riding public need.

In any such case, the applicant must at their own expense:

- take satisfactory steps to mitigate adverse development impacts; and
- ensure suitable investigation and recording is completed, and
- where the preservation of the site in its original location is not possible, arrange for the full excavation and recording of the site in advance of development and the publication/curation of findings, and, where appropriate, associated events for the public benefit.

Further guidance can be found within the Conservation Area Character Appraisals and Management Plan, and Aberdeen Planning Guidance: Stonecleaning.

Aberdeen Planning Guidance
Stonecleaning

Aberdeen Planning Guidance (APG) Stonecleaning, provides guidance on applications for stonecleaning and the impact they have on the distinctive historic environment of Aberdeen, by setting out criteria and noting the considerable harm to the historic environment and placemaking that can occur due to incorrect stonecleaning.

Our Granite Heritage

7.19 Aberdeen, the Granite City, owes its visual identity and strong sense of place to the consistent and predominant use of locally quarried granite. Granite's qualities of longevity, strength, its range of colours, textures, its embodied energy and the examples of craftsmanship shown within the city have made it a significant local building material. The supply of local granite is now limited and the Council wishes to protect and enhance the city's existing built heritage. Existing features such as setted streets, granite pavements and boundary walls, granite structures and buildings are assets to the city until proven that they can be replaced with development of equal or greater merit.

7.20 Parts of the city are designated as Conservation Areas and many buildings have specific listed status which provides a high level of planning control ensuring that the identity of the Granite City will remain. Conservation Area Character Appraisals record the significant characteristics of an area that should be considered at the outset when development is proposed.

7.21 The Council seeks the sustainable retention and appropriate re-use of all historic granite buildings, structures and features. Demolition is a last resort, and the visible re-use of salvage materials on site is required. This could include its use on building elevations, within landscape design and boundary features.

Policy D7 – Our Granite Heritage

The Council seeks the retention and appropriate re-use, conversion and adaption of all historic granite buildings, structures and features, including setted streets, granite kerbs and granite boundary walls.

Proposals to demolish any granite building, structure or feature, partially or completely, will not normally be granted planning permission, conservation area consent or listed building consent.

Any listed building; structure or feature in the curtilage of a listed building; or any unlisted building, structure or feature in a Conservation Area, may only be demolished where:

- evidence is provided to demonstrate that every effort has been made to retain it, and:
- It is no longer of special interest or cultural significance; or
- It is incapable of meaningful repair; or
- It can be demonstrated the demolition is essential to delivering significant benefits to economic growth or the wider community; or
- Its repair and reuse is not economically viable and that it has been marketed in an open and transparent manner.

Where the tests for demolition are met the visible re-use of salvaged features within the development site is required.

7.22 Windows, doors and their associated features make a substantial contribution to the character of a building and street. They provide an understanding of when a building was

constructed, altered or used. They add to placemaking by ensuring distinctiveness and identity. Historic windows and doors are well suited to the Scottish climate, are durable and can be easily maintained and repaired. Windows and doors can be upgraded to increase energy efficiency, and improve sound insulation and security, often at a lower cost than replacing units, whilst still retaining the original features and style which gives character to buildings and streets. The following policy relates to listed buildings and unlisted buildings within Conservation Areas, but the general principles can be applied to all historic windows and doors in Aberdeen.

Policy D8 – Windows and Doors

Historic windows and doors will be retained, repaired and restored.

Replacement can only be supported where it has been demonstrated that historic windows and doors have deteriorated beyond practicable repair. Condition surveys will be required.

Opportunities to replace unsympathetic windows and doors will be supported.

Further guidance can be found in Aberdeen Planning Guidance: The Repair and Replacement of Windows and Doors.

Aberdeen Planning Guidance Windows and Doors

Aberdeen Planning Guidance (APG) The Repair and Replacement of Windows and Doors provides guidance on how window and door developments will be expected to assure quality of placemaking by consideration of the historic environment, design, material, proportions, scale, detailing, and context. A hierarchy of proposals is outlined in accordance with National Guidance, promoting repair and reuse over replacement when original and historic assets remain in situ. The APG outlines criteria on: retention and repair of original/historic windows and historic glass, reinstating original types and arrangements, removing unsympathetic additions, refurbishment, and replacement windows and doors, and detailing

7.23 New proposals need to be designed for their location to ensure they provide a positive experience to the building, streetscene and wider area.

7.24 Historic features add to the overall pleasant experience of buildings, streetscape and their wider surroundings, and are connected to places through their historical and cultural associations. Where a shopfront is part of the original design of a building it will contribute to the building's architectural significance. Inappropriate design, proportions or materials can detract from a building and the wider streetscape and setting.

Policy D9 – Shopfronts

Proposals must be designed for their context with appropriate proportions, detailing and materials.

Proposals must relate sensitively and harmoniously to the building and make a positive contribution to the streetscene.

When replacement is proposed, it may be possible to restore elements of the original or historic design on the basis of sound evidence; alternatively, a modern shopfront within a traditional

surround or a contemporary design which reinterprets the proportions and form of a traditional shopfront may be acceptable.

Historic shopfronts and their features will be retained and restored.

Further guidance can be found in Aberdeen Planning Guidance: Shops and Signs

Aberdeen Planning Guidance

Aberdeen Planning Guidance (APG) Shops and Signs provides guidance on how shop and sign developments will assure quality of placemaking by consideration of design, material, proportions, scale, detailing, and context. The APG outlines criteria on: retention and repair of original/ historic assets, reinstating original types and arrangements, removing unsympathetic additions, refurbishment, and replacement shops and sign, and detailing. Further guidance is outlined for signage on new build developments, industrial areas and specialist employment areas, again ensuring placemaking is assured.

8. Using Resources Sustainably

8.1 The future development of the city will require significant mineral resources. Ensuring that minerals are available within the city to support its growth will avoid the need to transport minerals over long distances, drive down construction costs and support jobs in the city. Hard rock, for the laying of roads, continues to be quarried at Blackhills (south of Cove) and North Lasts (north of Peterculter). Sand and gravel extraction has also taken place in the north of the city in the recent past. In this context the council will seek to support the maintenance of a land-bank of permitted reserves for construction aggregates of at least 10 years through existing quarry reserves and the criteria based Policy R1- Minerals.

8.2 Mineral extraction can significantly impact on the amenity of communities and the local environment. This Plan identifies and safeguards the sites at Blackhills and North Lasts Quarries, steering mineral extraction to the least sensitive areas within workable mineral deposits.

Policy R1 – Minerals

Mineral extraction proposals are acceptable in principle, provided that:

1. there is no significant impact on the character and amenity of the surrounding landscape or residential properties/local communities or on the ecology of the area; and
2. sufficient information has been submitted with a planning application to enable a full assessment of the likely effects of development, together with proposals for appropriate control, mitigation and monitoring (the main considerations are set out in relevant national guidelines and policy); and
3. where necessary, an appropriate buffer distance has been agreed with the Council, through consultation with local communities, taking account of the specific circumstances of the proposal; and
4. restoration will take place concurrently with excavation where possible. After excavation ceases, restoration will be completed in the shortest time practicable and the proposals accompanied by either an appropriate financial bond or supported by an industry guarantee scheme (such as the Quarry Products Association's Restoration Guarantee Scheme or other financial guarantee options set out in the Heads of Planning Scotland position statement (2018) on the Operation of Financial Mechanisms to Secure Decommissioning, Restoration and Aftercare of Development Sites). The proposed after use will add to the cultural, recreational or environmental assets of the area.

Sites identified for mineral extraction are safeguarded from development which will sterilise the mineral resource or which compromises the safe operation of a quarry.

Degraded and Contaminated Land

8.3 Aberdeen, much like the rest of the UK, has a legacy of land contamination, as a result of past industrial use. Part IIA of the Environmental Protection Act 1990 places a duty on Local Authorities to identify and secure the remediation of contaminated land in their respective areas. Local Authorities have the prime responsibility for enforcement of the Act but may choose to consult with SEPA in certain circumstances, such as water pollution and the enforcement of Special Sites. The Act also requires Local Authorities to maintain a Public Register of land that has been formerly determined as contaminated land. Aberdeen has no entries on its Public Register.

8.4 As well as Part IIAA, the planning process also represents an important mechanism for addressing land contamination and bringing brownfield land into beneficial use. Many brownfield sites in Aberdeen have been made suitable for a new use through development. The current planning guidance for contaminated land is provided for in PAN33, which endorses the risk assessment approach laid out in Part IIA.

Policy R2 – Degraded and Contaminated Land

The Council will require that all land that is degraded or contaminated, including visually, is either restored, reclaimed or remediated to a level suitable for its proposed use. This may involve undertaking site investigations and risk assessments to identify any actual or possible significant risk to public health or safety, or to the environment, including possible pollution of the water environment, that could arise from the proposals. Where there is potential for pollution of the water environment the Council will liaise with SEPA. The significance of the benefits of remediating a contaminated site, and the viability of funding this, will be taken into account when considering proposals for the alternative use of such sites.

Waste Management Facilities

8.5 ~~Scottish Planning Policy requires~~ planning authorities are required to provide for new waste management infrastructure in their Development Plan and assist in implementing the national Zero Waste Plan's objectives in relation to sustainable waste management. Paramount is the waste hierarchy, favouring prevention over reuse, recycling and composting, recovery and finally disposal. A development strategy should guide waste facilities to the most sustainable locations. By 'sustainable location' national policy means locations close to the source of waste arisings (i.e. proximity principle), well linked to transport networks, supporting green job strategies and taking advantage, where possible, of industrial land.

8.6 Composting, transfer stations, materials recycling facilities, anaerobic digestion, refuse derived fuel, mechanical and biological and thermal treatment plants represent the principal options to meet future needs as we look to minimise landfill. With operational control regulated by SEPA, development planning issues focus on aspects such as location, visual impact, transport and supporting Government policy.

Policy R3 – New Waste Management Facilities

Proposals for waste management facilities within the city must comply with the waste hierarchy.

Applications for waste management facilities will be supported provided they:

1. conform to the Zero Waste Plan and Aberdeen Waste Strategy; and
2. meet a clear need for the development to serve local and/or regional requirements for the management of waste; and
3. will not compromise the function and amenity of other land uses; and
4. minimise the transport of waste from its source; and

Applicants must submit:

- a) sufficient information to enable a full assessment to be made of the likely effects of the development, together with proposals for appropriate control, mitigation and monitoring; and
- b) a design statement in support of the application, where the development would have more than a local visual impact; and

c) in respect of landfill proposals, land restoration, after-care and after-use details (including the submission of bonds or a commitment to negotiating a legally binding method for dealing with these details).

Inappropriate neighbouring developments that may compromise the operation of waste management facilities including those listed below will not be approved. The diversification of existing facilities, which moves the waste management process up the waste hierarchy, will be supported in principle.

The following sites are safeguarded for waste-related uses:

East Tullos gas holder and household waste recycling centre (OP107) – an energy from waste facility or in-vessel composting plant.

Aberdeen Exhibition and Conference Centre site (part) at Bridge of Don (OP13) – a household waste recycling centre to replace the facility currently on Scotstown Road.

Additional facilities will be required to deal with construction, industrial land and business waste and these would generally be acceptable in Business and Industrial (B1) areas.

8.7 Waste that is not recycled or composted will continue to be collected. We should view such waste as a resource and derive value from it in the form of energy capture. The means by which this waste could be treated will be determined through an analysis which will consider all available technologies including incineration, gasification and pyrolysis of waste. Heat derived from energy from waste processes should be used to generate heat and power and supplied to homes and businesses in the city. Energy from waste has great potential to contribute to Policy R7: Renewable and Low Carbon.

8.8 Landfill is the option of last resort and any proposals for landfill will be subject to Policy R3 and other development plan policies.

Policy R4 – Energy from Waste

Applications for 'energy from waste' recovery facilities should be accompanied by an environmental assessment in terms of the Environmental Impact Assessment (Scotland) Regulations 2017. This should set out, amongst other things, whether the proposal complies with Policy R3. Consideration should also be given to:

1. the treatment of residues from any plant; and
2. SEPA's Thermal Treatment of Waste Guidelines; and
3. direct wire connection to the electricity grid or specific end users and the provision of heat and power to a mix of neighbouring uses.

Industrial sites with the potential for connection to the electricity grid and with potential users of heat or power are likely to be suitable locations for energy from waste facilities.

8.9 All developments should provide enough space for the storage and collection of waste – specifically recyclables, organic and residual waste – and access to such facilities. Planning conditions are already imposed on proposals likely to generate a significant amount of waste such as public

houses, restaurants, medium to large-scale retail outlets and offices. Particular attention must be made to proposals in the city centre, including residential proposals, where space can be restricted. The design of waste facilities should therefore be an integral part of proposals and not just an afterthought.

8.10 Developers can save money and help the environment by not over-ordering materials, using recycled material and minimising waste production during construction. Preparing a Site Waste Management Plan will help identify how much waste will be produced, how this can be minimised and what might be done with the waste. For proposals where we believe the potential savings are likely to be significant, we will ask developers to prepare a Site Waste Management Plan. SEPA's website (www.sepa.org.uk) contains useful links for creating these as well as guidance on the sustainable reuse of greenfield soils in construction.

Policy R5 – Waste Management Requirements for New Development

All new developments should have sufficient space for the storage of general waste, recyclable materials and compostable wastes where appropriate.

Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. Recycling facilities should be provided in all new superstores or large supermarkets and in other developments where appropriate. Details of storage facilities and means of collection must be included as part of a planning application for any development which would generate waste. Further details are set out in Aberdeen Planning Guidance: Waste Management Requirements for New Development.

For proposals where we believe the potential savings on construction or demolition materials for recycling or reuse is likely to be significant, we will ask developers to prepare a Site Waste Management Plan as a condition of planning consent.

Low and Zero Carbon Buildings, and Water Efficiency

8.11 Reducing the emissions of greenhouse gases is a key policy at international, national, regional and local level. The Climate Change (Scotland) Act 2009 creates a legal framework for the delivery of greenhouse gas emissions reductions in Scotland. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 commits Scotland to a target of net-zero emissions of all greenhouse gases by 2045. Staged improvements in energy standards for new buildings have been in place since the publication of the Sullivan Report in 2007, which was updated in 2013.

8.12 Scottish Building Standards set mandatory minimum carbon reduction standards for new buildings, however Section 72 of the Climate Change (Scotland) Act 2009 requires planning authorities to include policies in their Local Development Plans to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use. This can be achieved through the installation and operation of low and zero carbon generating technologies (LZCGT). Low and zero carbon generating technologies can be renewable energy sources such as but not limited to solar panels, wind turbines and heat pumps or linking into a heat network. ~~Scottish Planning Policy~~ National planning policy supports the planning system in reducing emissions and energy use in new buildings, promoting development that is resource efficient, and maximising the efficiency of the use of resources through natural or technological means.

8.13 The Strategic Development Plan has identified mManaging the use of water and increasing water efficiency is vital to reducing pressures on the River Dee as the region's main source of drinking water, and a Special Area of Conservation. The Strategic Development Plan notes that tThe combination of population and economic growth, along with the effects of climate change, may have a long-term impact on abstraction rates from the River Dee. To alleviate this pressure, it will be necessary to manage the use of this resource through increased water efficiency. Aberdeen Planning Guidance set outs the measures necessary to achieve this.

Policy R6 – Low and Zero Carbon Buildings, and Water Efficiency

Low and Zero Carbon Buildings

All new buildings will be required to demonstrate that a proportion of the carbon emissions reduction standard set by Scottish Building Standards will be met through the installation and operation of low and zero carbon generating technology. The relevant Building Standards and percentage contribution required is set out in Aberdeen Planning Guidance. The Aberdeen Planning Guidance will be kept under review to ensure the proportion of the carbon emissions reduction standard to be met by these technologies will increase over time.

This requirement does not apply to:

1. Alterations and extensions to buildings; or
2. Change of use or conversion of buildings; or
3. Ancillary buildings that are stand-alone having an area less than 50 square metres; or
4. Buildings which will not be heated or cooled, other than by heating provided solely for the purpose of frost protection; or
5. Buildings which have an intended life of less than two years.

Water Efficiency

To reduce the pressure on water abstraction from the River Dee, and the pressure on water infrastructure, all new buildings are required to use water saving technologies and techniques. The level of efficiency required, and types of efficiencies are detailed in Aberdeen Planning Guidance. Further guidance on compliance with this policy is contained in Aberdeen Planning Guidance: Resources for New Developments.

Aberdeen Planning Guidance

Resources for New Developments

Aberdeen Planning Guidance (APG) Resources for New Developments provides guidance on how developments will be expected to assess and demonstrate their compliance with the above policy, with regard to the delivery and safeguarding of Resources for New Developments. Accordingly, APG Resources for New Developments includes advice on: density, energy use in new buildings, including passive design and Low and Zero Carbon Generating Technologies, waste and recycling, and water use efficiency.

Renewable and Low Carbon Energy Developments

8.14 The development of all types of renewable heat and energy generating technologies on all scales, including energy storage, is supported in principle. A positive approach to renewable development will help to meet the Scottish Governments target for 100% of Scotland's electricity to be generated from renewable sources by 2020, 11% of non-electrical heat demand to be met by renewable sources by 2020, and 50% of overall energy consumption to be met from renewable sources by 2030. Aberdeen's Local Outcome Improvement Plan stretch outcome 14 states Aberdeen

will address climate change by reducing Aberdeen’s carbon emissions by 42.5% by 2026 and adapting to the impacts of climate change. Powering Aberdeen, Aberdeen’s Sustainable Energy Action Plan outlines the city’s aspiration to reduce emissions by 50% by 2030 and establish alternative forms of energy.

8.15 In preparing this Plan, a spatial framework for wind turbines was undertaken. The process has not identified any ‘Group 3: Areas with potential for wind farm development’ as there are constraints across the entire Aberdeen City area. This does not preclude the development of wind turbines, but it means that care must be taken in assessing the impact of proposals. This will be done in line with Aberdeen Planning Guidance.

8.16 Much of the onshore renewable energy capacity in the North East of Scotland will come from large scale developments, such as wind farms, which are more difficult to accommodate in urban locations than in more rural locations. However, there will be a range of energy technologies that are more suited to urban locations. These range from single wind or hydro turbines through to heat and power networks, heat pumps, and devices which can be mounted on existing buildings (some of which are classed as permitted development). Aberdeen Planning Guidance on appropriate technologies will be provided through masterplans and Aberdeen Planning Guidance: Heat Networks and Energy Mapping.

Policy R7 – Renewable and Low Carbon Energy Developments

Renewable and low carbon energy schemes will be encouraged and supported in principle, where the technology can operate efficiently, and the environmental and cumulative impacts can be satisfactorily addressed.

Proposals will not:

1. cause significant harm to the local environment, including landscape character and the character and appearance of listed buildings and conservation areas; or
2. negatively impact on air quality. Biomass will only be accepted outwith Air Quality Management Areas (AQMA) / Low Emission Zones (LEZ) and will not be accepted within the city centre; or
3. negatively impact on tourism; or
4. have a significant adverse impact on the amenity of dwelling houses.

Wind energy developments will meet the following specific requirements ensuring that:

1. Development does not give rise to electro-magnetic interference to aviation communication, other telecommunications installations, or broadcasting installations; and
2. Development does not result in a significant cumulative effect on landscape and natural heritage; and
3. Free standing wind turbines are set back from roads and railways a distance greater than the height of the turbine; and
4. Turbines are 10 rotor diameters from residential properties, and
5. Conform with Aberdeen Planning Guidance: Wind Turbine Developments. Appropriate conditions (along with a legal agreement under Section 75, where necessary) will be applied, relating to the removal of wind turbine(s) and associated equipment, and to the restoration of the site, whenever the consent expires or the project ceases to operate for a specific period.

Solar energy developments will need to meet the following specific requirements ensuring that:

1. Development does not result in significant negative cumulative visual impact, and consideration has been given to glint and glare issues and it has been demonstrated that any significant impacts will have a duration of less than five minutes in any one day, and
2. Associated infrastructure does not result in a negative cumulative effect on landscape and natural heritage, and
3. Low impact vegetation management can be achieved (grazing).

Aberdeen Planning Guidance

Wind Turbine Development

Aberdeen Planning Guidance (APG) Wind Turbine Development provides guidance on how developments will be expected to assess and demonstrate their compliance with the above policy, with regard to the delivery of Wind Turbine Developments. Accordingly, APG Wind Turbine Development includes advice on: Environmental Assessment including Landscape and Visual Impacts, safety assessments, Built and Cultural Heritage Assessment, Tourism and Recreation Assessment, efficiency, and decommissioning.

Heat Networks

8.17 ~~Scottish Planning Policy and National Planning Framework 3~~ National planning policies outline the requirement for Scotland to become a low carbon economy and for developments to actively seek to reduce energy use, and where energy is required to use or generate this in the most efficient manner possible. In support of these aims, all developments should in the first instance seek to reduce their energy use. The energy which is required should then be sourced through the most efficient method. Heat networks provide an opportunity to help deliver Scotland's climate change and renewable heat targets. Where a new development connects to an existing heat network or provides a new network it will be deemed to have met the energy requirements of Policy R6: Low and Zero Carbon Buildings, and Water Efficiency.

8.18 Aberdeen is fortunate to have several heat networks across the city, operated by the Council and other bodies. It is the aim of the Council to support and expand these networks to cover the widest area possible, to provide efficient lower cost energy to our residents. It is the aim of the Council to decarbonise the network in support of our climate change objectives thereby helping to isolate the city from volatile energy markets.

Policy R8 – Heat Networks

Heat networks are encouraged and supported. The location and scale of proposed development will determine the heat network approach.

Developments within the City Centre and/or within an identified heat network zone will be required to:

- (a) connect to an existing heat network where available, or
- (b) provide within the site an independent network and plant capable of connecting to the wider network at a future date, or
- (c) provide a Heating/Cooling system within any buildings capable of connecting to the wider network at a future date, or
- (d) heat and cool the building or development site through a renewable form of energy produced on site.

In the case of (b), (c) and (d) a detailed feasibility and financial viability report will be required explaining why connection to the wider network is not possible. This will include evidence of

discussions with the network operator, and engineering specifications showing compatibility of the proposed system with the network, or written confirmation that this will be provided.

The policy does not apply to refurbishment/conversion/change of use developments under 1,000 square metres which do not involve alterations to an existing heating system.

Major Developments and masterplan sites in the Local Development Plan will be required to:

- (a) connect to an existing network where available, or
- (b) provide within the site an independent Heating/Cooling network and plant capable of connecting to the network at a future date, or
- (c) where it can be proven that connection to an existing network and the provision of an independent heat network are financially unviable, a network of soft routes will be provided through the development for the future provision of a heat network. In such cases an agreed network design will be required.

Large heat demand development or development producing unused excess heat will:

- (a) be encouraged to develop a heat network where feasible, and
- (b) be designed to enable connection to a network in future, and
- (c) provide soft routes throughout the development for the future provision of a network, and;
- (d) safeguard strategic routes.

Developments providing an energy plant:

Renewable and low carbon forms of energy will be supported. Fossil fuel powered plants will only be supported where it is proposed to decommission the plant once connected to the heat network
Renewable and low carbon forms of energy will be supported. Fossil fuel powered plants will only be supported where it is proposed to decommission the plant once connected to the heat network.

Proposed Heat Network Routes

Where a proposed development is located on an identified strategic route for the expansion of the heat network, allowance must be made to safeguard future network routes. This safeguarding should take the form of providing soft routes through the site and/or installing pipework and this should be discussed in advance with the network operator. This should also be included in the supporting report for the application.

Low and Zero Carbon Generating Technologies

Where a development connects to an existing Heat Network or provides a new network it will be deemed compliant with the energy requirements Policy R6: Low and Zero Carbon Buildings, and Water Efficiency.

Energy Statements (Viability Statements)

In the case of developments which are not proposing to connect to the existing network or not proposing to provide their own network on viability grounds an energy statement, including details of financial viability, will be required to evidence this.

Heat Network Zones are identified within Aberdeen Planning Guidance: Heat Networks and Energy Mapping.

Heat Networks and Energy Mapping

Aberdeen Planning Guidance (APG) Heat Networks and Energy Mapping provides guidance on how developments will be expected to assess and demonstrate their compliance with the above policy, with regard to the use of Energy Mapping, the delivery of Renewable and Low Carbon Energy and the circumstances under which connection will be required to a heat network. Accordingly, APG Heat Networks and Energy Mapping includes advice on; the City-Wide Heat Map, areas of energy deficit and surplus, Renewable and Low Carbon Energy and Guidelines for New Developments.

9. Meeting Housing and Community Needs

9.1 Our vision for Aberdeen is a place which offers sustainable communities; with a wide choice of housing styles and types to cater to all sections of the population, and where amenity is maintained to a high level to support a high quality of life.

Residential Areas

9.2 H1 areas on the Proposals Map show the city's primary 'residential areas'. Policy H1 is applicable to these areas. There may also be areas of residential use that lie within other areas on the Map that are not shown as such. Notwithstanding, proposals for residential use outside of H1 areas will provide the same level of design and amenity as H1 areas. This is essential in delivering a good quality of living – also see the Quality Placemaking by Design section of this Plan.

Policy H1 – Residential Areas

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new residential and householder development will be approved in principle if it:

1. does not constitute over-development; and
2. does not have an adverse impact to residential amenity and the character and appearance of an area; and
3. does not result in the loss of open space.

Within existing residential areas, proposals for non-residential uses will be supported if:

1. they are considered complementary to residential use; or
2. it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

Aberdeen Planning Guidance

Aberdeen Planning Guidance (APG): Householder Development Guide supports the above policy and Policy D6: Historic Environment by providing guidance to ensure householder developments and works to residential properties now in non-domestic use are of a good quality design, carefully sited and give due consideration to scale, context and design of the parent building to ensure development does not erode the character and appearance of the area.

The APG outlines criteria to be satisfied with regards to extensions, ancillary buildings, dormer windows, roof extensions, roof lights, satellite dishes, decking, boundary enclosures, micro-renewables, and driveways.

Further criteria are given on change of use from amenity space to garden ground, again to ensure quality of place is retained; there will be no detriment to amenity space or visual amenity within the locality, and the distinctive character and appearance of the area will not be eroded.

Mixed Use Areas

Policy H2 – Mixed Use Areas

Applications for development or change of use within Mixed Use Areas (H2 on the Proposals Map) must take into account the existing uses and character of the surrounding area and avoid direct conflict with the adjacent land uses and amenity. Where new housing is proposed, a satisfactory residential environment should be created which should not impinge upon the viability or operation of existing businesses in the vicinity. Conversely, where new industrial, business or commercial uses

are deemed appropriate, development should not adversely affect the amenity of people living and working in the area.

Density

9.3 A minimum density of 50 dwellings per hectare (net) has been set by the Strategic Development Plan for all developments over one hectare. How attractive a place feels is a matter of the design and it will be for the masterplan or planning application to determine which areas could accommodate higher or lower densities across a site, provided an overall density that makes efficient use of land is achieved.

9.4 In the interests of sustainability and efficient use of land, higher density developments are generally encouraged. Higher densities also have the benefit of helping to maintain the vitality and viability of local services and facilities, allow for the effective provision of public transport, encourage active travel, enhance the economic viability of development and increase energy efficiency.

9.5 The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. The density of a proposal will reflect the context of the site and that of the proposed development. If done well, imaginative design and layout of development can lead to a more efficient use of land without compromising the local environment.

Policy H3 – Density

The Council will seek an appropriate net density of development on all housing allocations and windfall sites. Net dwelling density includes those areas which will be developed for housing and directly associated uses, including access roads within the site, garden ground and incidental open space.

For all residential developments over one hectare, the net density of new development is generally sought at no less than 50 dwellings per hectare. This is to achieve efficient use of land in terms of the scale and layout of the site and its context.

Higher densities are expected within the city centre, in and around town centres, public transport nodes and on brownfield sites.

Housing Mix and Need

9.6 It is important to achieve a good mix of size, type and tenure of dwellings across both the market and affordable components of proposals for residential development. This approach helps to create mixed and inclusive communities by offering a choice of housing and lifestyle, and add value to the urban design process. The character of the area, site characteristics, the market and housing need will dictate different mixes on different sites across Aberdeen.

9.7 Policy H4 requires sites of larger than 50 homes to provide a masterplan to set out a suitable mix. A mix is desirable on all sites across both their market and affordable components. Smaller sites should demonstrate a suitable mix of type and tenure, or demonstrate why this is not possible. This

policy does not apply to proposals for ‘specialist’ developments such as student housing and sheltered housing.

9.8 A mix of housing size, type and tenure is important due to the changes in the age profile of Scotland toward an ageing population. Nationally, the percentage of the population over age 65 is one of the fastest growing age groups. Scottish Planning Policy states that where a demand is identified through Housing Need and Demand Assessment (HNDA), policies should be put in place to mitigate for this change through the provision of suitable housing. National planning policies support proposals for new homes which address identified gaps in provision, which could include homes for older people, including supported accommodation, care homes and sheltered housing. The Aberdeen City and Aberdeenshire HNDA (2017) finds that between 2014-2039, the percentage growth rate of those aged 65-68 years is 20%. The increase in those aged 75+ is around 65%.

9.9 The HNDA has found changes in the city’s demographic profile with largest growth being seen in these older-age sectors. It also finds that there is a limited range of housing options for older people other than sheltered housing or residential care, and there is a lack of affordable housing of suitable size and design to suit this group.

9.10 It is therefore important that we encourage suitable housing choice for the local population in order to help facilitate independent, affordable living. This may be achieved by adaptable design of homes, or by targeted development such as:

- Age-restricted general market housing; also known as ‘over-55s living’ which is exclusive to residents of a minimum age, and generally does not include care provision but may include shared amenities, such as amenity space.
- Retirement or sheltered housing; purpose-built accommodation that may include support to enable independent living, with shared on-site amenities.
- Extra care housing or retirement communities; purpose-built accommodation with a higher level of care available and extensive shared amenities. This allows residents to benefit from varying levels of care as time progresses.
- Residential care homes or nursing homes; accommodation that provides a high level of care for those unable to live independently. See Policy WB4: Specialist Care Facilities.

These are just some of the common examples of how housing for the older population can be delivered and is not a definitive list. Specialist housing may also be required for those that do not fall into the ‘older people’ category.

Policy H4 – Housing Mix and Need

Housing developments of larger than 50 units are required to achieve an appropriate mix of dwelling types and sizes, in line with a masterplan. This mix should include smaller 1 and 2 bedroom units and should be reflected in both the market and affordable housing contributions.

An appropriate housing mix is expected in housing developments to reflect the diverse housing need in the area; this includes older people and disabled people. Where possible, housing units should demonstrate a design with accessibility and future adaptability in mind.

For smaller developments (fewer than 50 units), a suitable mix of dwelling types and tenure will be provided in the interests of placemaking and local housing need and demand.

Affordable Housing

9.11 A HNDA has been undertaken for Aberdeen City and Aberdeenshire (2017) to assess future housing requirements for each housing market area to ensure that land is identified to fully meet requirements including affordable housing need.

9.12 Consistent with this Plan's spatial strategy, an estimate of annual housing need has been calculated. Figures in the HNDA identify up to 1,368 new affordable homes needed per annum over a 20-year period. This estimate of net annual housing need depends greatly on the economy and the housing market. If affordability were to improve in the Aberdeen Housing Market Area (AHMA) the current affordable housing stock, including forecast new build projects, would remain insufficient to meet arising need. In line with previous Development Plans, this suggests that need in the AHMA is particularly chronic. The evidence presented in the HNDA justifies the retention of an affordable housing policy to help address housing need.

9.13 The provision of affordable housing should not jeopardise the delivery of housing as this would be counter-productive, increase affordability constraints and have other knock on impacts on the local economy. Therefore, affordable housing requirements must be realistic and take into consideration the Strategic Development Plan affordable housing targets, the provisions of Scottish Planning Policy and Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits; which sets a benchmark of 25% provision for new developments. To ensure viability of development, the target has therefore been set at 25% for all areas of the city.

9.14 The provision of affordable housing is significantly reliant on funding from the Scottish Government and privately sourced by Registered Social Landlords (RSL), which influences the ability to deliver affordable housing. To maximise the provision of affordable housing it is the aim of the Council to take a flexible approach to its delivery, with a view to maximising opportunities to achieve the highest level possible and satisfy need.

9.15 The affordable housing provision should be on site, integrated with, and indistinguishable from the market housing. In other circumstances where the Council agrees that onsite provision is not possible, off-site provision may be considered. This will be subject to Aberdeen Planning Guidance and being acceptable to the Council.

9.16 In exceptional circumstances where on or off-site provision is not possible, a commuted sum will be required from the developer. In circumstances where the developer does not agree with the commuted sum as calculated using the Supplementary Guidance for Developer Obligations, an individual site valuation exercise can be carried out as detailed in PAN 2/2010.

9.17 In Aberdeen, small sites (those capable of accommodating up to four dwellings) contribute only a small proportion of the land supply. Therefore, a threshold of five homes has been set for affordable housing contributions.

Homes for Key Workers

9.18 As found in the HNDA, housing affordability continues to be an issue in the local area. To support our communities, the Local Development Plan will support the accommodation of 'Key Workers'. Key Workers are those who make modest incomes, typically in public sector roles, whose profession is considered to be essential to society, and therefore play an important part in the prosperity of our city. Therefore, the attraction and retention of Key Workers to Aberdeen is important in achieving our goal of sustainable mixed communities.

9.19 Whilst the Plan will continue to support the delivery of affordable homes overall, proposals for specific homes designed for 'Key Workers' is another method that can enhance the supply and choice of homes for those on modest incomes under our 'affordable housing' policy.

Policy H5 – Affordable Housing

Housing developments of five homes or more are required to contribute no less than 25% of the total number of homes as affordable housing.

Affordable housing requirements will be delivered on-site. Off-site provision of affordable housing requirements will only be considered where there is sufficient justification. Commuted Payments will only be accepted in certain circumstances, as set out in the Aberdeen Planning Guidance.

Housing development for occupation by 'Key Workers' will be supported in principle, with further advice set out in Aberdeen Planning Guidance.

Aberdeen Planning Guidance

Affordable and Specialist Housing

Aberdeen Planning Guidance (APG) Affordable and Specialist Housing supports the above policies by providing guidance on how developments will be expected to assess and demonstrate their compliance with above policies, with regards to the delivery of affordable and specialist housing. Accordingly, APG: Affordable and Specialist Housing includes advice on; types of affordable housing provision, categories of affordable housing (including commuted payments), development trigger points, developer viability, mechanisms for the delivery of affordable housing, homes for key workers, and monitoring. It will also include details of the annual review of commuted payment levels.

Gypsies and Travellers

9.20 Gypsies and Travellers are a distinct ethnic group. The lack of suitable, secure accommodation underpins many of the inequalities that Gypsy and Traveller communities experience. It also often leads to Gypsies and Travellers using public and private land to set up unauthorised encampments. Establishing new permanent and transit sites can help to alleviate some of the problems Gypsies and Travellers face. Policy H6 will seek to deliver new permanent or transit sites solely for the use of Gypsies and Travellers.

9.21 The five Masterplan Zones identified in Policy H6 with the potential to create 1,500 or more houses are each expected to contribute towards the provision of these sites for Gypsies and Travellers. Of these five Masterplan Zones, we have identified three which we consider most appropriate for on-site provision, although all five will have to contribute towards the requirement. The preferred sites offer opportunities for sites to be distributed to the north, west and south of the city, thereby offering a choice of locations. Where on-site provision is not made, a financial contribution will be required.

Policy H6 – Gypsy and Traveller Caravan Sites

Sites for Gypsies and Travellers should provide a residential environment and follow the same principle as mainstream housing developments. Applications for permanent or transit sites for Gypsies and Travellers will be supported in principle if:

1. Access to local services and schools can be provided;
2. The development can be made compatible with the character and appearance of the surrounding area;
3. The development makes provision for essential infrastructure such as water, sewage disposal and electricity. Provision of electricity and heat through sustainable means will be encouraged; and
4. It can be demonstrated that the site will be properly managed.

Development sites listed below have been identified, as part of the 25% affordable housing contribution, to make contributions towards the provision of sites for Gypsies and Travellers. The contribution will be for small sites of six pitches, with a net area of approximately 0.5 hectares.

Sites:

- Grandhome
- Newhills Expansion (Craibstone, Rowett South and Greenferns Landward)
- Countesswells
- Greenferns
- Loirston

Within Grandhome, the Newhills Expansion and Loirston sites, the provision must be provided on-site. On the remaining sites the provision will take the form of a commuted sum, as set out in Aberdeen Planning Guidance, at a rate of 15 homes calculated as follows (0.5ha at 30 homes/ha). Further guidance on the delivery of sites for Gypsies and Travellers is contained within Aberdeen Planning Guidance.

Student Accommodation

9.22 Aberdeen has three main further education institutions, with a campus that spreads beyond the city boundaries. The city is a key player in producing and supporting the next 'economically active' generation, and so our students are a valuable section of the population. It is important that they have a high quality choice of accommodation whilst studying in Aberdeen.

Policy H7 – Student Accommodation Developments

Proposals for new Student Accommodation development will be supported in principle where:

1. The location is accessible by means of walking, cycling, wheeling and public transport to the university or college facilities;
2. The proposals offer appropriate facilities; in particular providing an appropriate level of amenity space, refuse/ recycling storage space and secure bike storage facilities; and
3. There will be no significant adverse impact to the amenity of the surrounding area.

In order to restrict occupancy to students, planning conditions or a legal agreement may form part of any planning permission.

Proposals for the redevelopment, or Change of Use, of existing Student Accommodation developments should be accompanied by sufficient supporting evidence justifying the loss of such a facility. New proposals will be assessed for relevant Developer Obligations.

Houses in Multiple Occupation

9.23 Houses in Multiple Occupation (HMOs) account for a significant proportion of the available rental accommodation in Aberdeen and are particularly important in supporting the city's sizeable student population. The cumulative impact of HMOs has the potential to intensify pressure on local amenity; especially upon shared spaces, property upkeep, and traffic/ parking. In order to achieve sustainable mixed communities and support the Development Management process where applications may come forward during the Plan period, a policy is introduced to address 'HMO overprovision'.

9.24 High concentrations of HMOs can lead to changes in a community. This can include: poor upkeep and deterioration of properties which impact upon residential amenity due to a lack of management and/or temporary tenants; an increased population density in a localised area, resulting in an increased demand on services, infrastructure and parking provision; and a deficiency in community cohesion as a result of transient tenants. This may affect locations close to the city centre, educational facilities, or employment areas.

9.25 A threshold for HMO overprovision is set out in Aberdeen Planning Guidance. This is represented by a percentage threshold within defined boundaries of the city. For this Plan, we have set a percentage limit within the city's Small Data Zones areas. Composed of aggregates of Census Output Areas, data zones are large enough that statistics can be presented accurately and yet small enough that they can be used to represent communities spatially. They are designed to have approximate populations of between 500 - 1,000 household residents, have shapes that respect physical boundaries where possible, and to contain households with similar social characteristics.

9.26 With regards to defining a HMO in planning terms, this applies to dwellinghouses where 3 or more unrelated persons are living together (i.e. not as a family) as the premises would no longer fall within the definition of a 'dwellinghouse' for planning purposes. This threshold is used as the point at which a material change has occurred in the use of premises, and a planning application for 'Change of Use' to form an HMO would be necessary.

9.27 Where flats are concerned however, planning legislation does not specify any number of residents above which a material change has occurred. We have considered Aberdeen's context and find it appropriate that the same threshold of 3 or more unrelated people living together in a flat would be materially different from typical 'family use' in planning terms.

9.28 Planning applications will be assessed under their own context and merits. Separate licensing requirements exist for the establishment of a HMO, irrespective of the planning guidance set out. The granting of planning permission does not remove any requirement to obtain the appropriate licence (and vice versa). Thresholds for each process are set on the following table.

Occupants						
	1	2	3	4	5	6+
Flat			XX	XX	XX	XX
House			XX	XX	XX	XX
X HMO License Required X Planning Permission Required						

Policy H8 – Houses in Multiple Occupation and Overprovision

Proposals requiring planning permission for use as a House in Multiple Occupation (HMO) will be assessed on their own merits. A HMO will not result in significant adverse impact upon: residential amenity of the site; upon those walking, wheeling and cycling; upon road traffic safety as a result of increased traffic; or demand for car parking as a result of the HMO.

Proposals will also be assessed as to whether the cumulative concentration of HMO's would be excessive (in the context of the consequent proportion of HMO's relative to other residential properties and any resultant detriment to the established residential character and amenity of the area). Within areas of concern due to excessive concentration further provision is unlikely to prove acceptable.

Aberdeen Planning Guidance

Houses in Multiple Occupation Overprovision

Aberdeen Planning Guidance will provide mapping and analysis to confirm existing areas of concern due to excessive concentrations of HMO's (currently anticipated where HMO's comprise 12-15% of the total housing stock based on an appropriate area definition such as single Small Data zones or Census output areas). This guidance will assist the implementation of Policy H8.

Short Term Lets

9.29 Short Term Lets (STLs) are an emerging topic area within planning. There is currently no statutory definition of what constitutes a short-term let in Scotland. STLs can however be characterised in three broad ways;

- Sharing: a room(s) may be let to a guest by a host who stays within the residence.
- Swapping: a room(s) or entire property may be let to a guest whilst the host is absent, for example on holiday.
- Secondary Letting: a room(s) or entire property may be let to a guest where the host does not normally live (and would be absent).

9.30 According to research undertaken by the Scottish Government from October 2019 ('Research into the impact of short-term lets on communities across Scotland'), short term letting of residential properties can have positive impacts on the local economy, such as supporting local tourism, as well as increased household income for the 'hosts', and reduce the risk of properties laying vacant for prolonged periods. However, in some areas (particularly those in high concentrations of these types of property), some negative impacts were found, including; adverse impacts upon residential amenity (i.e. noise/ disturbance, waste management/ littering), congestion upon infrastructure, a changing nature of communities, and impacts upon the availability and affordability of local housing.

9.31 Under Section 17 of the Planning (Scotland) Act 2019, Local Authorities will be able to respond to issues like these, for example establishing a requirement for planning permission if owners want to change the use of their property to a short-term let. This topic may be considered under future Aberdeen Planning Guidance on 'Short Term Lets'.

Community Facilities

9.32 It is important that all sectors of the community enjoy access to a wide range of facilities which support and enhance health, safety and the overall quality of life by providing essential services, resources and opportunities. This Plan has a role to play in guiding the providers of services and facilities on the overall strategy for new development throughout the city and by outlining where and how facilities might be provided within the context of creating and enhancing sustainable communities. Further details can be found in the infrastructure section.

9.33 The Council will investigate 'community campuses' when building new schools. These campuses can include a range of community facilities and services on the same site, for example health services, financial services, community facilities, other public sector bodies, as well as education provision.

9.34 When existing facilities fall out of use or becomes surplus to current or anticipated future requirements, the possibility of using the premises for alternative community uses, for which there is a demonstrable local need, should be explored. In these cases, the character of the original building should be retained where it is considered to be of architectural merit and an important townscape feature.

9.35 A need has been identified for new General Practice health centres in various areas of the city and specialised health centres in the city centre and regeneration priority areas in particular. These are to be supported in principle.

9.36 The importance of the Foresterhill complex as the main focus for the development of acute healthcare services and associated medical education in the north east of Scotland is recognised. Expansion within this complex over the lifetime of the Plan is welcomed in principle, in order to increase the range of facilities on site and the level of medical service provision to serve the city and wider region. This includes provision for a mortuary at the complex, and reference to this is included within Policy CF1.

9.37 Not all the areas designated under Policy CF1 are entirely in institutional use and in assessing proposed changes of use or new developments, regard will need to be given to impacts on the character of an area as a whole and on the vitality of any residential community.

Policy CF1 – Existing Community Sites and Facilities

This policy applies to both land zoned as CF1 and to health, education and other community facilities located within other Local Development Plan zonings.

The following existing uses shall be used primarily for that use and/ or related purposes;

- Healthcare sites;
- Nursery, primary, secondary and special school land and properties;

- Further education and research institute sites;
- Community buildings such as libraries, community halls, and recreational centres
- Cultural facilities such as theatres and music venues

Proposals for new or extensions of these uses on these sites will be supported in principle. Proposals for a mortuary at the Foresterhill complex will be accepted in principle.

Where land or buildings fall out of use or become surplus to current or anticipated future requirements, alternative uses which are compatible with adjoining uses and any remaining community uses, will be permitted in principle. Large sites or sites in sensitive locations will be subject to a Planning Brief or Masterplan.

Where a CF1 area (see Proposals Map) contains uses other than that for which the area has been designated (and these uses make a positive contribution to the character and community identity of the area), any proposals for development or changes of use (whether or not for the community use recognised in the designation) will be opposed if a likely result would be significant erosion of the character of the area or the vitality of the local community.

Policy CF2 – New Community Facilities

Proposals for new community facilities shall be supported, in principle, provided they are in locations convenient to the community they serve and are readily accessible, particularly by walking, wheeling, cycling and public transport.

Recycling centres shall be located on easily accessible sites and shall not be detrimental to residential amenity.

In significant greenfield and brownfield developments, where a likely need is identified through the masterplanning process, sites shall be reserved for new community facilities.

Any new emergency services facilities must locate where they can meet statutory response time requirements. In examining potential locations there shall be a preference for sites within the existing built-up area or within identified future development areas where there is no detrimental impact on residential amenity and where good access for emergency vehicles is available to the primary road network. Joint developments with other agencies providing community facilities should be investigated. Opportunity Sites are identified on the Proposals Map.

Guidance on private children’s nurseries shall also be included within Aberdeen Planning Guidance.

Aberdeen Planning Guidance

Aberdeen Planning Guidance (APG) Children’s Nurseries supports Policy CF2 and Policy D1 by outlining criteria proposals must adhere to, these include impact on amenity and amenity space for the proposal and access and car parking. This will ensure the existing amenity of an area is not harmed.

10. The Vibrant City

10.1 The city centre plays a major role in the commercial, economic, social, civic and cultural life of Aberdeen and the wider North East. It is an important regional centre providing a focus for employment, business and social interaction, it offers access to a wide range of goods and services, and it is a place where many people meet socially and choose to live and visit.

10.2 It is vital for the future prosperity of Aberdeen that the city centre is enhanced and promoted as a resilient, safe, attractive, accessible and well-connected place which contributes to an improved quality of life. The Plan supports the delivery of this vision within a framework of securing sustainable development. This will be achieved through applying policies which positively promote what can happen, and where, in tandem with the City Centre Masterplan and complementary strategies which include the Sustainable Urban Mobility Plan (SUMP) for the city centre.

10.3 The City Centre Masterplan has eight objectives: changing perceptions, growing the city centre employment base, a metropolitan outlook, a living city for everyone, made in Aberdeen, revealing waterfronts, technologically advanced and environmentally responsible, and culturally distinctive.

10.4 Retailing is a major activity in the city centre and, as the region's main shopping destination, it is important to maintain and improve the visitor experience on offer to maintain Aberdeen's strength and competitiveness. The City Centre Retail Core (shown on the Proposals Map) contains most of the city centre's shopping floorspace and this is where new retail development should be directed. City Centre Masterplan intervention area allocations and further expansion and improvements to the existing retail stock in the City Centre Retail Core will be encouraged to consolidate and enhance Aberdeen's position as one of the UK's leading retail destinations. The guidance and direction given in the City Centre Masterplan will enhance that role.

10.5 With changes in shopping patterns it is recognised that the city centre must embrace diversification of uses to encourage wider variety within the City Centre and Retail Core. This accords with findings of The Aberdeen City and Aberdeenshire Retail Study - 2018 Aberdeen City Update (2019). Restrictions which were in place in previous Local Development Plans have been removed to ensure the city centre can refocus and become a vibrant place.

10.6 The city centre is a place where people can actively interact with one another; where shopping, working, living, sharing, playing and learning can co-exist while also allowing people to spend time in attractive, social, safe, and well-connected spaces. To ensure this happens, the introduction of a broader mix of uses to the city centre, alongside public realm and environmental improvements, should be considered to increase social interaction and bridge the gap between the day and evening economy by encouraging people to dwell for longer outwith traditional office or shopping hours. Creating a link between people and place encourages ownership and stewardship.

Policy VC1: Vibrant City

Proposals for new development, or expansion of existing activities, in the city centre, which support its vibrancy and vitality throughout the day and/or into the evening will be supported in principle.

Proposals will contribute towards the wider aims of the City Centre Masterplan and its vision for the city centre.

The applicant/agent must demonstrate that any adverse impacts can be mitigated and, where applicable, that suitable residential amenity is achieved or maintained.

Proposals will be considered in relation to their locality and context within the city centre.

10.7 Tourism, including cultural uses and the creative arts, are key sectors for the economy of the city which can generate a wide range of business and employment opportunities. There are significant natural and cultural assets in the city and wider region which can be promoted to secure sustainable growth in the tourism market in Aberdeen. The tourism offer has already been expanded through:

- the recently completed development of The Event Complex Aberdeen (TECA);
- the redevelopment of the Art Gallery;
- the redevelopment of the Music Hall;
- the redevelopment of Provost Skene's House;
- public realm pedestrian-priority space on Broad Street;
- the development of new and extended hotel accommodation across the city; and
- the completion of the new Aberdeen South Harbour at Bay of Nigg.

10.8 Attractions such as museums, visitor centres and conference facilities can draw significant numbers of people to an area. This can be particularly beneficial to city centre destinations where the potential exists to increase visitors dwell time and expenditure. The success of visitor attractions relies on having facilities and quality of place. Proposals for new and expanded visitor attractions must create quality places through the use of high quality architecture and urban design to reflect the city's distinctive local culture and set it apart from other places.

10.9 Informed by Culture Aberdeen – A cultural strategy for the city of Aberdeen 2018 – 2028 and Destination Aberdeen & Aberdeenshire – Our Tourism Strategy 2018 – 2023 the promotion of Aberdeen as a significant visitor and tourist destination will be encouraged. The main focus and location for new developments of this nature will be the city centre in line with the hierarchy of centres. The Beach and Leisure Area has a separate role to play.

Policy VC2: Tourism and Culture

Proposals for new, or expansion of existing, visitor attractions and facilities capable of strengthening the appeal and attraction of Aberdeen to a wide range of visitors will be supported.

Proposals should complement existing visitor facilities and be sequentially located in the city centre, or on a site allocated for that use in this Plan, unless activity and locality specific issues demonstrate that this is impracticable.

Networks of Centre

10.10 The city's network of centres has been classified into a hierarchy and the role of each centre in the hierarchy has been set out in Aberdeen Planning Guidance and defined on the Proposals Map. A sequential approach to assessing all significant footfall generating proposals (such as retail, leisure, office, hotel, commercial leisure, public buildings, community, cultural etc.) will be taken in accordance with this hierarchy.

10.11 The city centre is the preferred location for significant footfall generating uses of a regional / city wide scale and proposals outwith the city centre that would undermine its regional role will not be supported in principle. Designating centres outwith the city centre is still important as it helps create sustainable mixed communities and encourages more sustainable travel patterns. Therefore, facilities, at a local scale, will be supported within the defined centres and in allocated expansion areas.

10.12 Existing shops outside the defined centres play an important role in helping maintain sustainable communities. These shops are protected through Policy VC10.

10.13 The Aberdeen City and Aberdeenshire Retail Study – 2018 Aberdeen City Update (2019) assessed current and future retail requirements across the city. It concluded that there are no significant quantitative or qualitative deficiencies for convenience, comparison or bulky goods retailing over the lifetime of this Plan over and above existing, committed or allocated floorspace. The Plan will continue to support existing proposals to enhance the city centre’s retail offer and at allocated expansion areas.

Policy VC3: Network of Centres

Proposals for new, or expansion of existing retail, office, hotel, commercial leisure, community, cultural and other significant footfall generating development shall be located in accordance with the hierarchy and sequential approach:

Tier 1: Regional Centre (City Centre including Retail Core)

Tier 2: Town Centres

Tier 3: District Centres

Tier 4: Neighbourhood Centres

Tier 5: Commercial Centres

Proposals should address a sequential town centre first approach followed by accessible edge of centre sites and then Commercial Centres.

Exceptions to the sequential approach will only be made on sites allocated for these uses in this Plan or where it is demonstrated that activity and locality specific issues make this impracticable.

In all cases, proposals shall not detract significantly from the vitality or viability of any centre.

To support residents, proposals serving a catchment area similar to that of a town centre or district centre may also be located in the city centre. Similarly, proposals serving a catchment area comparable to that of a neighbourhood centre may also be located in any centre that is in the first, second or third tiers.

Proposals for significant footfall generating development on an edge-of- centre site will not be supported unless:

- 1) no suitable site for the proposal is available or is likely to become available in a reasonable time in a town centre (including the city centre);
- 2) the proposal is well-connected to the associated centre; and
- 3) the proposal would have been appropriate (in terms of use and scale) had it been able to be located within that centre.

Retail Impact Assessments should be undertaken where a retail development over 2,500 square metres gross floorspace (or which otherwise may have a significant impact on vitality and viability) outwith a defined regional or town centre is proposed which is not in accordance with the Development Plan.

An analysis of impact should be undertaken where a significant footfall generating development over 2,500 square metres gross floorspace outwith a defined regional or town centre is proposed which is not in accordance with the Development Plan.

A restriction may be imposed on the amount of comparison goods floorspace allowed within convenience shopping developments outside the city centre or other town centres.

City Centre and Retail Core

10.14 High streets have historically been the focus for retailing. However, traditional high streets are facing challenges due to changing retail patterns. The city centre and particularly Union Street is the North East's high street. To support the vitality, vibrancy and viability of the city centre it must refocus and adapt through diversification. Retail remains an important function of the city centre, a major attractor for people and is anchored by the Retail Core which provides investors with confidence that retail is welcomed in Aberdeen. However, to enable it to prosper it must be supported by a broad mix of uses that will increase footfall, dwell time, and provide economic and social activity during the day and into the evening. Evening and night-time entertainment is an important part of the city's economy bolstered by the City Centre Masterplan and encouragement of arts and culture. An increase of people of all ages using the city centre for differing activities at different times of the day, evening and night will have a positive impact on social and informal interactions, increase passive surveillance and change perceptions so that people consider it a safe and comfortable place.

10.15 The Agent of Change principle is fundamental in supporting a mix of uses in the city centre. The responsibility for mitigating any detrimental impact of noise from a new development or operation lies with those carrying out the new development or operation.

10.16 Alongside having a mix of uses, the aesthetic of street level premises and their immediate public realm will have a major impact on perception of place. A welcoming, distinctive and attractive active frontage will improve the visual amenity, vibrancy and vitality of the city centre.

Policy VC4: City Centre and Retail Core

Development within the city centre must contribute towards the vision for the city centre as a major regional centre as expressed in the City Centre Masterplan.

The city centre (as shown on the Proposals Map) is the preferred location for all retail, office, hotel, commercial leisure, community, cultural and other significant footfall generating development serving a city-wide or regional market.

The Retail Core (as shown on the Proposals Map) is the preferred location for major retail developments serving a city-wide or regional market. Where sites are not available in the Retail Core, then sites elsewhere in the city centre may be appropriate in accordance with the hierarchy of centres and sequential approach.

All proposals will:

- 1: Enhance or maintain the vitality and viability of the city centre;
- 2: Contribute to the wider aims of the City Centre Masterplan;
- 3: Make a positive contribution to footfall;
- 4: Not create overprovision and/or clustering of a particular use in the immediate vicinity which would undermine the character and amenity of the regional centre; and
- 5: Not conflict with the amenity of the neighbouring area/commercial uses.

Proposals at ground floor level will also create or maintain an active street frontage which is accessible to the public from the street.

City Centre Living

10.17 Living in the city centre is a positive way to ensure it has vibrancy, vitality and viability and support an economy based around day to day living. To achieve this there needs to be an increase in the number of people living in the city centre. The City Centre Masterplan encourages city centre living and aims to add 3,000 new residents to the city centre by 2040. A mix of unit types and sizes would be supported to ensure there is variety of living accommodation.

Additional residential development and conversion of upper floors in the city centre, particularly where the property is underutilised, can help achieve this aim.

10.18 To ensure suitable residential amenity can be achieved or maintained the Agent of Change principle will apply to proposals for new residential development.

Policy VC5: City Centre Living

Proposals for new residential development or the retention and conversion of upper floors to residential uses in the city centre is supported in principle.

The applicant/agent must demonstrate that suitable residential amenity can be achieved or maintained.

There is a presumption suitable residential amenity cannot be achieved if the proposed development is within the same built structure as:

1. a hot food shop, amusement centre, amusement arcade, casino or licensed premises (with the exception of hotels, restaurants, cafes or off licences); and /or
2. there is a common or shared access with licenced premises or other use detrimental to residential amenity.

West End Area

10.19 The West End Area is a prestigious, high quality location on the edge of the city centre, readily accessible by active travel and public transport, which also provides off-street car-parking and space for expansion. The area, centred around Queens Road, Carden Place and Albyn Place, comprises offices, schools, hotels, flats and a hospital. We will encourage and promote the continual development of this area as a focus for a mix of uses including residential.

Policy VC6: West End Area

The West End Area (as shown on the Proposals Map) comprises a mix of uses including residential, business (Class 4), food and drink (Class 3) and other commercial uses. In this area, the principle of change of use from office to residential will be supported. Applications for all development, including changes of use, must take into account existing uses and avoid undue conflict with the adjacent land uses and amenity.

All proposals must respect the special historic and architectural character of the West End.

West End Shops and Cafes

10.20 The West End of Union Street has a strong presence of independent retail outlets and cafes which are very important to the city centre. This area is identified on the Proposals Map and includes parts of Thistle Street, Rose Street and Chapel Street at the west end of Union Street. We support these uses through Policy VC7 in conjunction with the 'Made in Aberdeen' City Centre Masterplan objective to bolster local distinctiveness and independent trade of the city centre.

Policy VC7 – West End Shops and Cafes

Proposals for a change of use from retail (Class 1) or food and drink (Class 3) to other uses will only be acceptable if all the following are satisfied:

- 1: the new use contributes to the wider aims of the City Centre Masterplan;
- 2: the new use makes a positive contribution to the vitality and viability of the West End Shops and Cafes area and creates or maintains an active street frontage;
- 3: a lack of demand for continued retail and / or food and drink use of the premises can be demonstrated by the applicants/agents;
- 4: the new use does not create overprovision and/or clustering of a particular use in the immediate vicinity which would undermine the character and amenity of the centre; and
- 5: the new use does not conflict with the amenity of the neighbouring area/ existing commercial uses.

Note – Proposals for a change of use where lack of demand is a factor should provide evidence that the property has been actively marketed for six months or more and should provide a statement(s) from letting agents explaining the reasons for the property being unsuitable for retail and / or food and drink use.

Policy VC8 – Town, District, Neighbourhood and Commercial Centres

Town, District, Neighbourhood and Commercial Centres should contribute to providing a range of uses serving local communities and be of a scale which is appropriate to that centre.

Proposals for development, including change of use, will only be acceptable if the proposal:

- 1: makes a positive contribution to the vitality and viability of the centre;
- 2: will not undermine the principal function of the centre in which it is located;
- 3: caters for a catchment appropriate to the centre in which it is located;
- 4: creates or maintains an active street frontage and attractive shop frontage;
- 5: does not create overprovision and/or clustering of a particular use in the immediate vicinity which would undermine the character and amenity of the centre; and
- 6: does not conflict with the amenity of the neighbouring area/existing commercial uses.

Out of Centre Proposals

Policy VC9 – Out of Centre Proposals

All significant footfall generating development appropriate to designated centres, when proposed on a site that is out-of-centre, will be refused planning permission if it does not satisfy all of the following requirements (unless on sites allocated for that use in this Plan):

- 1: no other suitable site is available or likely to become available in a reasonable time in a location that is acceptable in terms of the sequential approach;
- 2: there will be no significant adverse effect on the vitality or viability of any existing centres in the network of centres;
- 3: there is in qualitative or quantitative terms, a proven deficiency in provision of the kind of development that is proposed;
- 4: it would be easily and safely accessible by active travel and regular, frequent and convenient public transport services which link with the catchment population and would not be heavily dependent solely on access by private car;
- 5: it would have no significantly adverse effect on travel patterns and air pollution; and
- 6: there would be no adverse environmental concerns due to the proposal.

Local Shop Units

Policy VC10 – Local Shop Units

Proposals for changes of use from retail to non-retail outwith any of the centres identified in the network of centres will only be allowed if:

- 1: the applicants/agents can demonstrate a lack of demand for continued retail use of the premises;
- 2: the proposed new use caters for a local catchment;
- 3: the proposed use creates or maintains an active street frontage and attractive shop frontage; and
- 4: the alternative use does not conflict with the amenity of the neighbouring area.

Note – Proposals for a change of use where lack of demand is a factor should provide evidence that the property has been actively marketed for six months or more and should provide a statement(s) from letting agents explaining the reasons for the property being unsuitable for retail use.

Aberdeen Planning Guidance

Hierarchy of Centres

Aberdeen Planning Guidance: Hierarchy of Centres supports Policies VC2, VC3, VC4, VC8 and VC9 by providing guidance on how developments will be expected to assess and demonstrate their compliance with policy and includes advice on the retail hierarchy, sequential approach thresholds and designated centres.

Harmony of Uses

Aberdeen Planning Guidance Harmony of Uses supports Policies VC1, VC4, VC5, VC6, VC7, VC8 and VC10 by outlining considerations which need to be considered when the following proposals are put forward within the city; hot food shops, liquor licensed premises, amusement centres (including arcades and casinos), street cafes, living/working above or below a business and residential developments within the city centre. Preservation and non- detriment of existing business and retail is expected.

Serviced Apartments

Aberdeen Planning Guidance: Serviced Apartments encourages the development of serviced apartments within the city centre and supports Policy VC1 and VC4 by ensuring developments take place in the most appropriate location, with no detrimental impact to other uses in the locality. Proposals need to consider amenity, servicing, sustainable travel and parking, planning obligations, single ownership and legal agreements.

Beach and Leisure

10.21 Aberdeen beach is one of the major leisure developments in the city and is appreciated by both residents and visitors. However, the beach is not perceived as being accessible from the city centre as, despite the distance between the two being suitable for active travel, the route is not very attractive or pedestrian friendly, and the area is also perceived as being rundown. Through the City Centre Masterplan 'revealing waterfronts' objective, linkages and connectivity to the beach from the city centre can be enhanced. However, if it is decided that a full masterplan for the beach will help benefit the area then this could be commissioned in the future.

10.22 There has also been pressure for out-of-centre retail development in this location, which in principle will not be supported. However, the Local Development Plan will encourage leisure uses (such as entertainment, cafes and restaurants) that are considered compatible with the leisure function of the beach.

Policy VC11 – Beach and Leisure

Proposals will be permitted provided they:

- 1: contribute to the range and quality of the existing uses, facilities and activities of the wider beach area;
- 2: are of an appropriate scale;
- 3: do not have an unduly adverse effect on the character of the area, or cause negative visual or environmental impacts or affect the amenities of nearby residents; and
- 4: do not result in the significant generation of car borne journeys, nor additional pressure for car parking.

There is a presumption against retail development in this area.

Retail Development Serving New Development Areas

Policy VC12 – Retail Development Serving New Development Areas

Masterplans for sites allocated for major greenfield residential development will allocate land for retail and community uses at an appropriate scale to serve the convenience shopping and community needs of the expanded local community. Sites should be in accessible locations for, and encourage access by, active travel and public transport. Masterplans should indicate the delivery mechanism and timescale for the provision of uses.

Proposals for development which serves a wider catchment area will be subject to a sequential test and Retail Impact Assessment. When approval is given for large convenience shops a condition may be imposed to restrict the proportion of non-convenience retail floorspace.

In major brownfield residential development areas that are more than 800 metres walking distance from an existing centre, permission may be granted for the establishment of a new second, third or fourth tier centre. Developers may be required to reserve land for this purpose.

11. Delivering Infrastructure, Transport and Accessibility

11.1 The delivery of supporting infrastructure is important in mitigating the impact of development and helping to create balanced, accessible and sustainable communities. This can be delivered either through the direct provision of the required infrastructure, or through financial contributions made by the developer.

11.2 Information relating to infrastructure requirements and developer contributions is set out in three parts:

1. Section 4 of this Plan
2. The Delivery Programme
3. The Masterplans and Supplementary Guidance listed in Appendices 4 and 5.

11.3 The Council works in close partnership with various agencies through the Future Infrastructure Requirements for Services (FIRS) Group to establish the infrastructure requirements to support development. The infrastructure requirements identified are based on the latest evidence available. Developers should account for the likely requirement of a contribution when preparing and costing proposals. We encourage developers to discuss this with us at an early stage as there may be circumstances where development imposes additional pressures and requires more extensive contributions to those identified in the Local Development Plan and Delivery Programme. The Delivery Programme will be updated on an ongoing basis and revised versions will be formally published on the Council's website every two years. The provision of infrastructure is fundamental to the deliverability of a development proposal and in many circumstances, development will not be allowed to proceed if the infrastructure and service improvement requirements cannot be met.

11.4 We will consider whether the provision of necessary infrastructure either on or off-site can be achieved using conditions attached to the grant of planning permission. Where this cannot be achieved, we will seek a fair and proportionate financial contribution towards supporting infrastructure through a planning or other legal agreement. If a planning or other legal agreement is required it will be sought in an appropriate, transparent and equitable manner and will need to be negotiated and agreed in writing with the Council before a decision notice on a planning application can be issued.

11.5 Contributions will be sought, where necessary, for a number of infrastructure assets including (but not limited to): transportation, core paths, education, healthcare, open space including public realm, other community facilities and sports & recreation. Further guidance is provided on how monies are managed and secured, development viability, pre-application discussions and indexation. The following summarises the types of development expected to require obligations:

- Residential Development: All proposals which involve the creation of 5 units or more;
- Commercial Development: All developments where the floorspace exceeds 1,000 square metres or the site area is more than 1 hectare; and
- Other applications where the Officer considers the proposal to be of a scale or type of development appropriate to consult for Developer Obligations.

Policy I1 – Infrastructure Delivery and Planning Obligations

To create sustainable communities, development must be supported by the required infrastructure, services and facilities to deliver the scale and type of developments proposed. Where development either individually or cumulatively will place additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the developer will be required to meet or contribute to the cost of providing or improving such infrastructure or facilities.

Infrastructure requirements relating to Masterplan Zone sites and other allocated sites outwith the Masterplan Zones are set out below. Actions for delivering infrastructure are described in the Local Development Plan Delivery Programme. Infrastructure requirements and the level of contributions will be required to be agreed with the Council in consultation with the accompanying Supplementary Guidance.

The precise level of infrastructure requirements and contributions will be agreed with the Council, and in consultation with other agencies where appropriate. The level of provision or contribution required will relate to the development proposed either directly or to the cumulative impact of development in the area and be commensurate to its scale and impact.

Masterplans will be expected to reflect the infrastructure requirements and contributions identified and should include a Delivery Statement setting out details of how the proposed development and supporting infrastructure will be delivered.

Depending on the scale of development proposed, developers shall have the opportunity to mitigate the impact of their development through the provision of new infrastructure in compliance with other relevant Local Development Plan policies. Otherwise the impact of development shall be mitigated through financial contributions that shall be used by the Council to deliver new or expand existing infrastructure and facilities.

Supplementary Guidance Planning Obligations

Supplementary Guidance (SG) Planning Obligations supports the above policy by outlining the methodology and criteria used to calculate contributions required to mitigate impact that new development places on community facilities or infrastructure. The methodology seeks to ensure that appropriate contributions are secured from developers to support new communities and to make a fair and proportionate contribution to the individual or cumulative impact of development across the city, and where appropriate, the region.

Masterplan Zones

11.6 We have identified seven Masterplan Zones within which developers will be expected to work together to prepare masterplans for each zone, and coordinate the planning and delivery of associated infrastructure requirements. A guide for developers on the masterplanning process will be set out as Aberdeen Planning Guidance. Key infrastructure requirements for greenfield development sites in the Masterplan Zones are set out in Section 4. Other forms of infrastructure may also be required in the Masterplan Zones in order to comply with other relevant policies, such as provision of green and blue infrastructure and community facilities.

11.7 Other allocated sites outwith the Masterplan Zones will also be required to make a fair and appropriate contribution commensurate in scale and kind with the development proposed to mitigate the impact of development. Any development which is not listed will need to provide infrastructure requirements and developer contributions based on the criteria set out in the Supplementary Guidance.

Note – The developments/masterplans in previous Masterplan Zones at Stoneywood, Kingswells, Friarsfield and Oldfold are now sufficiently advanced. Their infrastructure requirements are still listed in Section 4.

Masterplan Zone	Sites included
1 Dubford and Murcar	OP1 Murcar OP2 Cloverhill and OP45 Berryhill OP10 Dubford
2 Grandhome	OP8 East Woodcroft OP9 Grandhome
3 Newhills Expansion and Dyce Drive	OP18 Craibstone North and Walton Farm OP19 Rowett North OP20 Craibstone South OP21 Rowett South OP22 Greenferns Landward
4 Greenferns	OP33 Greenferns
5 Maidencraig	OP31 Maidencraig South East OP32 Maidencraig North East
6 Countesswells	OP38 Countesswells
7 Loirston	OP59 Loirston OP60 Charleston

Transport

11.8 Efficient and sustainable transport connections are essential to the economic prosperity of Aberdeen and the quality of life of people living and working in the city. Aberdeen is the regional centre for the North East of Scotland with a significant number of movements taking place to, from and within the city every day. The oil industry has brought affluence to the North East, meaning that car ownership and usage is high. This has led to significant congestion and unreliable journey times on many of our key corridors and air quality levels which exceed both EU and national targets.

11.9 The policies and proposals in this Plan seek to address the link between land use and transport and to ensure that both existing and future communities are accessible by a comprehensive, safe and effective transport network.

11.20 Nationally, the Plan takes cognisance of the National Transport Strategy (NTS). At a regional level the Nestrans Regional Transport Strategy Refresh (RTS) identifies several strategic infrastructure projects that will improve strategic connectivity in the North East.

11.21 At a local level the Aberdeen Local Transport Strategy (LTS) sets out the Council's vision for transport in Aberdeen which is to develop 'A sustainable transport system that is fit for the 21st

century, accessible to all, supports a vibrant economy, facilitates healthy living and minimises the impact on our environment'. This will be achieved through: increasing modal share for public sustainable and active travel (walking, cycling and public transport use); improving journey time reliability for all modes; improving road safety; improving air quality and the environment; and improving accessibility for all. The LTS is supported by daughter documents including the Active Travel Action Plan and Sustainable Urban Mobility Plan (SUMP).

Land for Transport

11.22 The RTS and LTS identify a range of transport schemes which are required to successfully deliver the spatial strategy in both Aberdeen and Aberdeenshire and to enable both authorities to meet their transportation objectives. These schemes are designed to address existing transport issues and are not subject to developer contributions. This will not preclude developers contributing towards the cost of accelerating the implementation of a scheme or providing an enhanced solution where necessary.

11.23 The Council will support the incorporation of complementary uses within certain transport facilities, such as at Park and Ride sites, where these are appropriate and do not undermine the primary function of the facility.

11.24 Transport infrastructure required to facilitate new development will also be supported in principle, including new and improved walking and cycling facilities, alternative fuel vehicle infrastructure, car clubs, public transport services and roads.

Policy T1 – Land for Transport

Land has been safeguarded for the transport projects listed below and these are highlighted on the Proposals Map. Only development related to the following projects will be accepted in these areas:

- Improved rail services;
- Dyce Railway Station expansion;
- Aberdeen South Harbour and associated infrastructure;
- Berryden Corridor improvements; and
- South College Street improvements

11.25 Concerns regarding transport often focus on current congestion issues, potential congestion arising from development and the ability of new developments to deliver the required infrastructure in a timely manner. The Aberdeen City and Shire Cumulative Transport Appraisal (CTA) demonstrates the impact new development, if fully delivered, across the North East will have on our transport infrastructure. Through detailed testing, modelling and forecasting, a package of transport intervention options (public transport, active travel, road and multimodal) has been identified to mitigate this impact. These are set out below.

Summary of Transport Intervention Options
Enhanced public transport service provision through developing cross city services, bus stop review and optimisation of services including new bus priority infrastructure.
Additional rail station car parking capacity at Dyce, Stonehaven, Portlethen, Laurencekirk and Huntly Rail Stations. Improved interchange at Inverurie Station.

Potential new rail stations to the north and south of Aberdeen, require to be considered through the Scottish Transport Appraisal Guidance (STAG) appraisal process and in accordance with rail station investment guidance.		
Range of active travel infrastructure initiatives improving accessibility.		
Package of behavioural change initiatives encouraging car-sharing, public transport use and active travel.		
Optimisation of the performance of the network and new transport investments following the monitoring and evaluation of post-Aberdeen Western Peripheral Route (AWPR) travel conditions.		
Road traffic signalisation or equivalent capacity enhancement measures at the AWPR Cleanhill, A944, A947 and Kingswells North Intersections, considered following monitoring and evaluation period and through further detailed traffic assessment.		
Road Junction and operational efficiency enhancements	Urban Corridors	Aberdeen City Centre
		Wellington Road, Persley Bridge & Parkway, Parkhill, A96, Dyce Drive, Bridge of Dee corridors
	Rural Corridors	A90 North Toll of Birness/Ellon, A90 South and A947 corridors
		Dualling of the A96 and supporting improvements between the east of Huntly and Aberdeen

11.26 The Transport Intervention Options will require further appropriate appraisal and review but are, at this stage, required to assist the delivery of the Plan's spatial strategy and growth aspirations.

11.27 The Transport Intervention Options which relate to Aberdeen City will be subject to further relevant detailed appraisal and design work which will inform the requirements for planning obligations for their appraisal and/or delivery. Planning obligations should contribute to any Transport Interventions determined as required to deliver the Plan's Spatial Strategy. Aberdeen City's transport network will require regular monitoring, and this will inform the need to bring interventions forward. Regional partnership working will be required to share data, the outcomes of studies and progress intervention options.

11.28 The monitoring, appraisal and ultimate delivery for the Intervention Options is a specific action in the Plan's accompanying Delivery Programme. The Transport Intervention Options will also be considered through Local and Regional Transport Strategies subject to their appropriate appraisal, review, development and programming.

Sustainable Transport

11.29 The location of development can have a significant impact on travel choices, with accessibility to jobs and services one of the key criteria used to determine where development should go.

11.30 The Council has a duty to act in a way considered to be most sustainable and best calculated to deliver reductions in greenhouse gas emissions. We support the development of and trial of

technological advances, such as hydrogen fuel and electric vehicles that will also help to curb carbon emissions from the transport network. Reducing the need to travel, particularly by car, is one of the key ways in which the city can help reduce emissions. Cutting the amount of vehicular traffic on the city's roads can also help reduce congestion, air and water pollution and noise, helping create a better environment for people and business.

11.31 Development proposals must be assessed in terms of their impact on the local transport network, in particular the number of single occupancy vehicle trips that are likely to be generated by the development, as identified by a Transport Assessment. There will be a presumption against new development that is likely to generate a significant number of new car trips onto the network unless suitable mitigation measures are put in place.

11.32 Detailed assessments will require to be undertaken and agreed with the Council and key agencies at the masterplanning, pre-application and planning application stages in order to determine the impact of development and the precise range of transport measures and developer contributions required to support development.

11.33 Opportunities for active and sustainable travel (particularly walking, wheeling, cycling and public transport use) increase the range of transport options available to users, offering a cheaper alternative than car-based travel. Whilst an active travel culture is gradually developing, with a greater number of people choosing to travel into and around the regional centre by sustainable and active modes, the modal share, especially for cycling, remains low and active travel as a commuter and healthy lifestyle choice needs to be encouraged.

Policy T2 – Sustainable Transport

Proportionate to the scale and anticipated impact, new developments must demonstrate that sufficient measures have been taken to minimise traffic generated. New developments must be accessible by a range of transport modes, with an emphasis on active and sustainable transport, and the internal layout of developments must prioritise walking, wheeling, cycling and public transport. Proposals should be designed to allow for public transport penetration which should be available within 400 metres from the centre of the development.

Transport Assessments and Travel Plans will be required where thresholds set out in Aberdeen Planning Guidance are exceeded.

Where sustainable transport links to and from new developments are not in place, developers will be required to provide infrastructure to support such facilities or a suitable contribution towards implementation.

Development of new communities should be accompanied by an increase in local services as well as employment opportunities that reduce the need to travel.

Recognising that there will still be instances in which people will require to travel by car, initiatives such as car sharing, alternative fuel vehicles and Car Clubs will also be supported where appropriate. Existing access rights, including Core Paths, rights of way and paths within the wider network will be protected and enhanced. Where development proposals impact on the access network, the principle of the access must be maintained at all times by the developer through provision of suitable alternative routes approved by the Council.

Further information is contained in the relevant Aberdeen Planning Guidance which should be read in conjunction with this policy.

11.34 The Council recognises that parking is an essential facility for many developments but will ensure that the level of parking complements its commitment to sustainable transport, through reducing emissions and congestion. The Aberdeen City Centre Masterplan and the SUMP aim to fully utilise park and ride sites to reduce the number of vehicles entering the city centre, apply stricter parking standards within the city centre boundary and grow Aberdeen Car Club to remove the need for car ownership.

11.35 The purpose of the Policy T3: Parking, is to ensure any car parking provided as part of development proposals accords with Council standards. Car parking standards set out in Aberdeen Planning Guidance are maximums and the cycle and disabled car parking standards are minimums. However, the Council will consider whether there are any circumstances, related either to the site or the operation of the development, which warrant an alternative level of parking. This assessment should consider issues including the accessibility of the location and the potential for nearby uses to share facilities.

Policy T3 – Parking

City Centre

Within the City Centre boundary – as specified in the Proposals Map – the principle of ‘zero parking’ shall be applied with respect to all new development. Limited vehicle parking will only be permitted when demonstrated as necessary for the servicing/operation of businesses and buildings, and for customer drop off/pick up arrangements. Where possible, such parking should preferably be provided at basement level within buildings and not on ground or street level where this would be at the expense of an active frontage onto a public street, public space or private open space. The needs of disabled people will be considered for all proposals.

Inner and Outer City

In inner city areas, low or no car development will be supported in suitable locations where there is adequate access to active travel and public transport options. Where this is not possible, development shall be required to comply with the parking standards set out in Aberdeen Planning Guidance: Transport and Accessibility. Low car development is encouraged within conservation areas.

Alternative Fuel Vehicle Infrastructure

Where residential parking is permissible, new developments are required to install appropriate electric vehicle charging infrastructure either in the form of active or passive provision. Details of requirements for all parking facilities at non-residential developments should include the provision of charging stations for electric vehicles.

Ratios and requirements for electrical vehicle charging are set out in Aberdeen Planning Guidance: Transport and Accessibility.

Cycle Parking

Developments should include covered and secure cycle parking facilities in accordance with the standards set out in Aberdeen Planning Guidance: Transport and Accessibility.

New Parking

Proposals for car parking that are not directly related to new developments will not be supported.

Aberdeen Planning Guidance

Aberdeen Planning Guidance: Transport and Accessibility supports Policies T2 and T3 by providing guidance on how developments will be expected to assess and demonstrate their compliance with above policies, with regard to the delivery of transportation projects.

11.36 Efficient digital connections are an essential part of Aberdeen's economic and social growth. Aberdeen is the first city in Scotland to benefit from Gigabit-capable full-fibre broadband. The roll-out of high gigabit speed broadband throughout the area is vital for the economy as well as bringing environmental and social benefits.

11.37 The Council is fully supportive of the expansion of the communications infrastructure and acknowledges that this can enhance accessibility to services and contribute to reducing the need to travel, reduce carbon emissions, and allow for more flexible working arrangements. However, new communications infrastructure should be provided sensitively and imaginatively with minimum impact on the natural and built environment.

11.38 Applications for the following development proposals should be accompanied by mapped detail highlighting the status of superfast broadband on site and the location of telecommunications masts within the general vicinity of the application site:

- 5 or more housing units;
- 5,000 square metres or more of commercial space; and
- Sites of 2 or more hectares.

Policy CI1 – Digital Infrastructure

All new commercial development and residential development where five or more units are proposed will be expected to have access to high-speed communications infrastructure.

Telecommunications

11.39 When considering applications for telecommunications development, the Council will have regard to the operational requirements of telecommunications operators and the technical limitations of the technology.

11.40 In general, proposals should not result in:

- the erection of a mast and cabinets which would be detrimental to pedestrian or traffic safety;
- a pavement monopole which would be close to another monopole, lighting column or traffic light column resulting in visual clutter; or
- a monopole sited and designed to appear noticeably different in scale from other street furniture in the vicinity therefore looking out of context.

Policy CI2 – Telecommunications

Proposals for telecommunications development will be permitted provided:

1. the siting and appearance of the proposed apparatus and associated structures does not result in an adverse cumulative impact on visual amenity, character, or appearance of the surrounding area/host building;

2. the proposal does not result in an adverse cumulative impact when considered together with other communication developments present or proposed nearby; and
3. the development will not have an unacceptable effect on areas of ecological interest, landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest.

Where new apparatus is being proposed, it should be demonstrated that all practicable options and alternative sites have been considered, including the possibility of using existing buildings, masts or other structures. Such evidence should accompany a planning application.

12. Supporting Business and Industrial Development

12.1 Maintaining a ready supply of employment land in the right places is vital to Aberdeen retaining its position as a competitive and sustainable business location. ~~The Strategic Development Plan requires a ready supply of employment to be maintained in the city. Therefore, t~~To accord with this, a phased, large allocation of employment land has been identified, to meet the diverse needs of different types and sizes of businesses.

12.2 The North East of Scotland remains one of the most active economies in the UK. The Regional Economic Strategy provides a shared vision and ambition for the future of the Aberdeen city region. It focuses on maximising opportunities in the following key sectors: Oil and Gas, Food, Drink, Agriculture and Fishing, Tourism and Life Sciences.

Why Invest in Aberdeen?

- University of Aberdeen was named Scottish University of the Year in the Times and Sunday Times Good University Guide 2019
- Ranked 4th of all UK cities with high percentage of high qualifications (Centre for Cities 2019)
- 25 of Scotland's top 100 businesses located here (2018)
- The best place in the UK to launch a start-up (2018)
- Aberdeen ranked 5th for economic potential among small European cities
- Home to £180 million Oil & Gas Technology Centre
- Home to world's first floating wind farm, Equinor & Masdar's Hywind Pilot Park
- Home to The Event Complex Aberdeen (TECA), a £333 million state-of-the-art events complex opened in 2019, with the largest fuel cell installation in the UK and on par with the largest in Europe.
- Flights from Aberdeen International Airport to 20 domestic locations more than from any other UK airport
- Top 10 mid-sized & small cities-overall (fDI magazine, Global Cities of the Future 2019)

Taken from Invest Aberdeen, 2019

12.3 In addition to the provision of new sites, it is important to safeguard the supply of existing business and industrial land throughout the city from other development pressures. This is particularly important for sites in strategic locations and those with good accessibility including Aberdeen International Airport, Aberdeen Harbour and the city centre.

12.4 Supporting facilities such as shops, hotels, leisure and sports uses, crèches and children's nurseries can make an important contribution to the city's employment areas. Such facilities are already present on a number of the city's employment areas and the Plan supports the provision of these uses, where appropriate, within employment areas. These facilities should not compromise or conflict with the operation of existing business and industrial uses.

12.5 Low-amenity 'bad neighbour' uses, such as scrapyards, batching plants or the storage and distribution of minerals, provide vital services for the city and its industries. However, they should be sensitively located so that they do not adversely affect the amenity of adjoining users.

12.6 In order to meet the requirements of the Aberdeen City Waste Strategy, sites are required for energy recovery facilities and other waste-related uses. It is considered that business and

industrial sites have the greatest potential to accommodate these facilities, subject to the considerations identified in Policy R3 – New Waste Management Facilities.

Policy B1 – Business and Industrial Land

The Council will, in principle, support the development of the business and industrial land allocations set out in this Plan.

Land zoned for business and industrial uses on the Proposals Map, including already developed land, shall be retained for Class 4 (Business), Class 5 (General Industrial) and Class 6 (Storage and Distribution) uses and safeguarded from other conflicting development types. Other uses which may be suited to a business and industrial location, such as car showrooms and bus depots, shall be treated on their own merits. The expansion of existing uses within these locations will be permitted in principle.

Where business and industrial areas are located beside residential areas, we will restrict new planning permissions to Class 4 (Business). Buffer zones, which are appropriately sized and landscaped, may be required to separate these uses and safeguard residential amenity. Low amenity 'bad neighbour' uses must have regard to surrounding uses and their potential impact on the environment and existing amenity. In all cases, conditions may be imposed restricting levels of noise, hours of operation and external storage.

New business and industrial land proposals shall make provision for areas of recreational and amenity open space, areas of strategic landscaping, areas of wildlife value and footpaths, in accordance with the Open Space Strategy and any approved non-statutory planning guidance, planning briefs or masterplans. Within existing business and industrial areas, there shall be a presumption in favour of retaining green, open and landscaped spaces.

Facilities that directly support business and industrial uses may be permitted where they enhance the attraction and sustainability of the city's business and industrial land. Such facilities should be aimed at meeting the needs of businesses and employees within the business and industrial area rather than the wider area.

Business Zones

12.7 In order to maintain and promote a strong and diverse economy, the Plan identifies a number of Business Zones at Bridge of Don, Hill of Rubislaw, Kingswells and the North Dee Business Quarter. Within these areas, new developments should contribute to the high quality and amenity of their surroundings in order to maintain their attractiveness to inward investment.

Policy B2 – Business Zones

In areas that are identified as Business Zones on the Proposals Map, only Class 4 (Business) uses shall be permitted in order to maintain a high quality environment.

Facilities that directly support business uses may be permitted where they enhance the attraction and sustainability of the Business Zone for investment. Such facilities should be aimed at meeting the needs of businesses and employees within the Business Zone rather than the wider area.

The Entertainment Complex Aberdeen (TECA) site at Dyce is reserved for exhibition and conference centre purposes and uses that support and are compatible with TECA, such as office, leisure uses, and food and drink uses. This excludes large scale retail.

Aberdeen International Airport

12.8 Aberdeen International Airport is a strategic transport hub which is vital to the success of the North East economy. It directly supports thousands of jobs and helps to ensure that Aberdeen remains a competitive, attractive and well-connected location for business.

12.9 To avoid conflict with neighbouring uses, residential development within close proximity to the airport is not acceptable. Planning Advice Note (PAN) 1/2011 and the accompanying Technical Advice Note on the assessment of noise, set out Scottish Government guidance on planning and noise. The Environmental Noise (Scotland) Regulations 2006 provide the basis for minimising noise disturbance at Aberdeen Airport through the Aberdeen Airport Noise Action Plan. In order to preserve the amenity of residents, we will maintain a night-time ban on helicopter movements except for emergency situations.

12.10 Public Safety Zones are areas of land at the end of the airport runway within which development is restricted to control the number of people on the ground at risk in the event of an aircraft accident on take-off or landing. Development near the airport may also be subject to a number of other restrictions in order to maintain the safety and efficiency of airport operations. Aberdeen Planning Guidance (APG) on Land Use Planning and Aberdeen Airport contains the following information:

- Public Safety Zones
- Noise Contours
- Safeguarding Map
- Perwinnes Radar

Policy B3 – Aberdeen International Airport and Perwinnes Radar

The development and enhancement of Aberdeen International Airport will be supported within the airport boundary defined on the Proposals Map.

Compatible Uses

Within the area zoned for the Airport on the Proposals Map, there will be a presumption in favour of compatible uses which are required for the effective and efficient operation of the airport, and which have a functional requirement to be located there. This may include administrative offices, warehousing, distribution facilities, car hire facilities and carparks. Other airport-related uses such as hotels will be treated on their merits.

Public Safety Zones (PSZs)

Public Safety Zones (PSZs) have been established for Aberdeen International Airport (see APG).

There is a general presumption against certain types of development which would result in an increase in the number of people living, working or congregating in these zones. Further details are available in Scottish Government Circular 8/2002.

Safeguarding

Any development falling within safeguarded areas identified on the airport safeguarding map will be subject to consultation with Aberdeen International Airport. Any proposed development must not compromise the safe operation of the airport. Matters such as the height of buildings, external lighting, landscaping, bird hazard management and impact on communication and navigation equipment will be taken into account in assessing any potential impact.

Noise

Applications for residential development in areas where aircraft noise levels are 57dB LAeq (the summer 16-hour dB LAeq measurement) or more as identified in the noise contour map will be refused, due to the inability to create an appropriate level of residential amenity, and the need to safeguard the future operation of Aberdeen International Airport.

Perwinnes Radar

Any development falling within safeguarded areas identified on the Perwinnes Radar safeguarding maps will be subject to consultation with NATS to determine if proposed buildings and structures would have an adverse impact upon the operation of the radar and if mitigation to any impact is possible. If an unacceptable impact and viable mitigation is identified, the developer would be expected to agree with NATS a mitigation package prior to determination of an application.

Note – Aberdeen Airport and Perwinnes Radar are subject to separate safeguarding maps. Where necessary, development proposals will be assessed against both maps.

Aberdeen Harbour

12.11 Aberdeen Harbour plays a critical role in the economy of Aberdeen and Scotland as a whole. It is a gateway for trade linking with over 40 countries, and an important point of access for the offshore energy industry. It is also a major ferry port, providing links with Orkney and Shetland.

12.12 The existing Aberdeen Harbour area is subject to a Development Framework which explores how a greater mix of uses at the harbour can be delivered, without impacting on the operation of the port. It also examines options for creating better linkages between the harbour, the city centre and to the main bus and railway stations.

12.13 The harbour is facing significant pressures for expansion that cannot currently be met within the existing site. Work has commenced on a new Aberdeen South Harbour at Bay of Nigg, which has been identified as a national development. This site is identified in the Local Development Plan as an Opportunity Site for a new harbour development and land to support the new harbour's ongoing operations. In addition, there is now the potential to encourage low-carbon energy development and alternative fuels production, assembly and distribution in association with the harbour. Access to the Aberdeen South harbour will be facilitated by improved external links funded through the City Region Deal.

12.14 A Development Framework has been prepared for the harbour at Bay of Nigg and its surrounding area. This considers how to maximise the opportunities presented by investment in the new harbour, in terms of economic development, regeneration and environmental improvements. It also addresses the co-ordination of essential infrastructure and identifies opportunities for strategic improvements to the road and rail network as well as improved connections for active and

sustainable transport modes between the new harbour and the city. Complementary masterplans will then be prepared to provide further detail.

Policy B4 – Aberdeen Harbours

Within the areas zoned for Aberdeen Harbour on the Proposals Map, there will be a presumption in favour of harbour infrastructure and ancillary uses, which are required for the effective and efficient operation of the harbour and which have a functional requirement to be located there. This may include administrative offices, warehousing and storage (including fuel storage), distribution facilities and car/HGV parking. Other harbour-related uses will be treated on their merits.

Residential and mixed use development within the area surrounding the harbour must take account of the character of the area and avoid undue conflict with adjacent harbour-related land uses. New development must not impinge upon the viability or operational efficiency of the harbour, or of existing businesses within the harbour zoned area. Mitigation measures may be required in order to permit uses which could otherwise give rise to such conflict.

Energy Transition

12.16 Energy transition is the necessary transformation from linear systems of high carbon energy production and consumption (e.g. fossil fuels) towards smart managed systems of low / zero carbon and renewable energy (e.g. wind, biomass, solar, tidal, etc.). Energy transition is part of society's overall pathway towards a carbon neutral future, driven by issues of energy security, market volatility and the globally agreed, urgent need to tackle climate change, including limiting global temperature rises to below 1.5oC.

12.17 The Climate Change (Emissions Reductions Targets) (Scotland) Act 2019 sets a target date for net-zero emissions of Scotland's greenhouse gases by 2045 and supports a transition to low / zero-carbon investment and infrastructure. A major contributor to the journey to net zero will be the rapid delivery of ScotWind and Innovation and Targeted Oil and Gas (INTOG) leasing programmes. ScotWind is the leasing of areas of seabed around Scotland for the development of offshore windfarms with INTOG enabling the decarbonisation of the Oil and Gas extraction process. There is potential for up to 25GW of new generating capacity to be developed over the next 10 years through ScotWind. Such projects offer opportunities within the construction, operation and maintenance, and supply chain sectors generating very significant investment and job opportunities. The Scottish Government estimates that the projects are expected to secure significant funds in supply chain investment for every 1GW of capacity proposed. A considerable number of these projects are within 100 nautical miles of Aberdeen. Aberdeen is ideally placed geographically to capitalise on energy transition opportunities. It also has the skills and workforce to support diversification of the energy sector. Ensuring best use of these regional assets will help to safeguard the city region's economic future. The construction of Aberdeen South Harbour creates the opportunity to accommodate location specific renewable energy transition developments that capitalise on supporting the rapid delivery of offshore developments.

Policy B5 – Energy Transition Zones

Within the areas identified as Energy Transition Zone on the Proposals Map, there will be a presumption in favour of the development, production, assembly, storage and/or distribution of infrastructure required to support renewable energy related industries; this includes offshore wind, tidal, hydrogen and solar.

Infrastructural/transport improvements directly related to the wider Energy Transition Zone will be permitted where they have a functional requirement to be located there. Development proposals will be required to include suitable open space and landscape enhancements for the wellbeing of people and wildlife.

Pipelines, Major Hazards and Explosives Storage Sites

12.18 Within Aberdeen City, there are a number of high-pressure pipelines and sites where hazardous substances or explosives are stored. For each of these sites a consultation zone has been established by the Health and Safety Executive to ensure that only appropriate new or replacement development takes place and that there is no increased risk to public safety.

Policy B6 – Pipelines, Major Hazards and Explosives Storage Sites

Where certain types of new development are proposed within the consultation zones of pipelines, major hazards and explosive storage sites, or within 1 kilometre of an operational quarry, the Council will consult the Health and Safety Executive (HSE) to determine the potential risk to public safety.

The Council will take full account of the advice from the HSE in determining planning applications. In addition to consultation with the HSE, the Council will consult the operators of pipelines where development proposals fall within these zones. Pipeline consultation zones are shown on the Constraints Map.

Glossary

Accessibility

The relative ease, convenience and cost with which a location or service can be accessed. A term used when comparing two or more locations or when considering a change in travel to one particular location or travel by different types of transport to a location.

Active Provision

Fully wired and connected 'ready to use' electric vehicle charge points.

Active Travel

An approach to travel that focuses on physical activity such as walking and cycling.

Active Street Frontage

When a unit frontage creates a level of visual permeability – patrons can see out onto the street and people on the street can see into the unit. It enhances public security and passive surveillance and improves the amenity of the public domain by encouraging pedestrian activity.

Affordable Housing

Housing made available at a cost below full market value, to meet an identified need. It includes social rented housing, subsidised low cost housing for sale (discounted, shared ownership or shared equity) and low-cost housing without subsidy (entry level housing for sale). Private rented accommodation available at lower cost than market rents, (mid- market rent), should also be considered within the affordable housing category.

Air Quality Action Plan

A plan which explores means of reducing levels of air pollution in an Air Quality Management Area.

Air Quality Management Area

An area where the air quality has been assessed and the levels of nitrogen dioxide, a pollutant that occurs from vehicle exhaust emissions, exceed the National Air Quality Objective.

Amenity

The attributes which create and influence the quality of life of individuals or communities.

Amenity Space

Areas of private, or communal shared spaces. This may include gardens, shared private space, balconies and roof terraces or amenity space associated with a specific development not generally used by the public. This differs from Open Space.

Brownfield Land

Brownfield land is defined as land which has previously been developed. The term may include vacant or derelict land; land occupied by redundant or unused buildings; and developed land within the settlement boundary where further intensification of use is considered acceptable. Existing areas of landscaped or amenity urban green space such as private and public gardens, sports and recreation grounds, woodlands etc shall not be considered as brownfield sites for new development.

The grounds of redundant institutions (such as schools or hospitals) shall not be considered as brownfield land.

Bulky Goods

Goods of such a size, weight or shape to require large areas to handle, store or display. Items would normally require to be transported by car, van or by delivery to customers.

Carbon Neutral

Development that limits the amount of energy used and creates as much renewable energy as it uses each year for heating and electrical appliances.

Commercial Centre

A grouping of three or more retail warehouses with associated car parking.

Communications Infrastructure

This broadly covers the following; mobile telecommunications, communications network, telecommunications broadband, digital and telecommunications technologies.

Comparison Goods

Non-food items including clothing, footwear, household goods, furniture and electrical goods which purchasers compare on the basis of price and quality before buying.

Convenience Goods

Goods bought for consumption on a regular basis (e.g. food, drink, newspapers etc).

District Centres

Groups of shops outwith the city centre, usually containing at least one food supermarket or superstore and non-retail services. These may take a variety of forms.

Ecosystems Services

~~As defined in Scottish Planning Policy,~~ These are the benefits people obtain from ecosystems; including provisioning services such as food, water, timber and fibre; regulating services that affect climate, floods, disease, waste and water quality; cultural services with recreational, aesthetic, and spiritual benefits; and supporting services such as soil formation, photosynthesis and nutrient cycling.

Edge-of-Centre

A location within easy walking distance of one of the locations named in the Hierarchy of Centres Aberdeen Planning Guidance. In defining edge-of- centre, regard shall be had to the following:

- an easy walking distance to the principal retail frontage of the retail location (reflecting poor weather and shoppers encumbered with shopping etc);
- the presence of intervening barriers to pedestrian movement, including the need to cross-roads, the presence of over or under passes and significant gradients;
- whether a site is intervisible with part of the principal retail frontage of the retail location; and
- the extent of intervening non-retail uses between the site and the retail location.

In the special case of the Retail Core, 'edge-of- centre' means any part of the city centre (as defined on the Proposals Map) outwith the Retail Core.

Effective Land Supply

Sites which have no constraints and are available for development.

Energetica

Aberdeen City and Shire's flagship concept to consolidate the region as a global all-energy hub, attract new high value investment and support the export drive of indigenous business and industry. Central to Energetica is a 30-mile corridor between Aberdeen and Peterhead which will create a concentration of energy technology companies, housing and leisure facilities and offer a tremendous opportunity for powerful growth, diversification and continued prosperity building on the solid knowledge and technology developed around the oil and gas industry. Source: 'A Future to Look Forward To – An update on the work of ACSEF', June 2010. ACSEF: Aberdeen City & Shire Economic Future.

Expenditure Leakage

When people shop somewhere other than the area they live – the money they spend is going somewhere else rather than being retained in the area they live.

Food-Growing Spaces

Food-growing spaces are typically recognised as communal areas where food may be grown. This could be a spectrum of spaces including; orchards, allotments, gardens, raised beds. The Council's vision and requirements for food-growing spaces are set out in Granite City Growing: Aberdeen Growing Food Together.

Gigabit Broadband

An internet connection that offers a speed of 1 gigabit per second (1Gb) or more. In order to get gigabit speeds, a Fibre To The Premises (FTTP), or Fibre To The Home (FTTH) connection is needed.

Greenhouse Gas Emissions

Greenhouse gas emissions are the gasses produced from human activity, which include carbon dioxide, methane, nitrous oxide and ozone.

Heat Networks

System for distributing heat generated in a centralised location for residential and/or commercial heating requirements such as space heat and water heating.

Historic Asset / Heritage Asset

A physical element of the historic environment – a building, monument, site, place, area or landscape identified as having cultural significance.

Historic environment

The historic environment is the physical evidence for human activity that connects people with place, linked with the associations we can see, feel and understand.

Houses in Multiple Occupation (HMO)

There is no formal definition of an HMO in current planning legislation. These are generally recognised as properties co-habited by several unrelated persons. Further advice on planning and licensing controls for HMOs are set out in Scottish Government Planning Circular 2/2012.

Informal Recreation

Pursuits such as walking, cycling, horse riding, bird watching and picnicking requiring a pathway, countryside or open space land use.

Key Workers

Key Workers are people who are employed but may struggle to afford normal open-market housing in the area. Such roles may include teachers, NHS workers and emergency services. The proposed accommodation may be marketed specifically to this group as a form of 'affordable housing'.

Low and Zero Carbon Generating Technology

Energy-producing equipment provided on-site or integrated into buildings, which use renewable sources, resulting in low or zero carbon impact. Examples include solar panels, heat pumps, and domestic wind turbines.

Low Emission Zone

Low Emission Zones set an environmental limit on certain road spaces, to improve air quality by allowing access to only the cleanest vehicles, particularly at locations where there is public exposure.

National Development

Designated in the National Planning Framework, these are the Scottish Government's priority projects for the development of Scotland.

Neighbourhood Centres

Primarily convenience shopping facilities serving a local catchment area (i.e. the majority of customers living within 800 metres walking distance). Gross floorspace of these developments would normally be in the range of 500-2000 square metres.

Nestrans

The transport partnership for Aberdeen City and Shire. Its Board is made up of Councillors from Aberdeen City and Aberdeenshire Councils, as well as non-Councillor members appointed by the Minister for Transport.

Net Zero Carbon Emissions

Achieving net zero carbon dioxide emissions by balancing carbon emissions with carbon removal or simply eliminating carbon emissions altogether.

Network of Centres

Consists of a Regional Centre (City Centre including Retail Core), Town Centres, District Centres, Neighbourhood Centres and Commercial Centres. The role of each centre is arranged into a hierarchy as set out in the Hierarchy of Centres Aberdeen Planning Guidance. See Policy VC3.

Noise Action Plan

A plan that provides a framework to manage environmental noise and its effects. It also aims to identify Noise Management Areas and to identify and preserve Quiet Areas.

Noise Management Areas

Areas where people are most likely to be affected by noise, in particular transport noise.

Open Space

Open space in the Local Development Plan refers to public, shared spaces. The Council's Open Space Audit sets out typologies and surveys the City's main areas of open space. The Planning Advice Note PAN65: Planning and open space further explains the role of the planning system in protecting and enhancing existing open spaces and providing high quality new spaces.

Out-of-centre

A location that is neither within nor on the edge of any of the locations listed in the network of centres.

Over-provision and Clustering

An inappropriate number and clustering of some non-retail uses, such as betting offices and high interest money lending premises. There should be an appropriate mix of uses in centres.

Park and Choose

Also called Park and Ride. Sites served by either rail services or express bus links to and from city centres and areas of economic activity.

Passive Provision

Provision of the underlying infrastructure (e.g. power supply and cabling) to enable installation and activation of an electrical vehicle charge point in the future.

Public Realm

The parts of the city (whether publicly or privately owned) that are always available for everyone to see and use without charge including streets, squares, parks, green spaces and other outdoor spaces.

Public Transport Nodes

These are areas where the highest concentrations of activity emerge naturally along principle routes or points of convergence.

Placemaking

Placemaking is a creative, collaborative process that includes design, development, renewal or regeneration of our urban or rural built environments. The outcome should be sustainable, well-designed places and homes which meet people's needs.

Quiet Areas

Areas of quiet and tranquillity which provide a range of benefits to health, wellbeing and the environment.

Regional Centre (City Centre) including the Retail Core

The central area of Aberdeen (as defined on the Proposals Map) which provides a broad range of facilities and services that markets and serves a citywide or regional market.

Retail Core

The area containing the highest concentration of shopping floorspace in the city centre.

Regional Economic Strategy

A document that sets out a vision and long-term plan for the for the economic development of the city region for the next 20 years.

Regional Spatial Strategy

A long-term spatial strategy in respect of the strategic development of an area.

Retail Impact Assessment

A study which assesses the likely effect a new development will have on existing shops.

Retail Warehouses

Large single level stores specializing in the sale of household goods (such as carpets, furniture and electrical goods), clothing, leisure goods and bulky DIY items, catering mainly for car-borne customers and often in out-of-centre locations.

Sequential Approach

This applies a sequential town centre first approach to uses that generate significant footfall, followed by edge of town centre, other centres identified in the plan and then accessible out of centre locations. For major shopping or other facilities serving a citywide or regional market the city centre will assume primacy.

Short Term Lets (STLs)

Sometimes also referred to as 'holiday lets'. There is currently no statutory definition of what constitutes a short-term let in Scotland. STLs can however be characterised in three broad ways; Sharing, Swapping, or Secondary Letting. These are usually residential properties that are let for short period at a time to temporary residents, for example tourists.

Small Data Zones

The boundaries selected for the monitoring of HMO overprovision are Small Data Zones. Data zones are the key geography for the dissemination of small area statistics in Scotland and are widely used across the public and private sector. Data zones also represent a relatively stable geography that can be used to analyse change over time, with changes only occurring after a Census.

Soft Routes

Green routes through development sites for the future provision or connection to a heat network.

Strategic Development Plan (SDP)

Statutory requirement of the Planning (Scotland) Act 1997. Prepared for Scotland's city-regions. Provides a long term vision, spatial strategy and associated policies and proposals which set clear parameters for Local Development Plans. Revoked in Planning (Scotland) Act 2019, and no longer part of the statutory development plan to be replaced by Regional Spatial Strategies.

Strategic Infrastructure

This is major investment in large-scale infrastructure. This can include railways or main roads, major junctions, water reservoirs, waste-water treatment works, pumping stations, secondary schools and hospitals.

Strategic Reserve Land

Land that has been reserved for future development beyond the plan period.

Supermarkets

Single level service stores selling mainly food with a trading floorspace of between 500 and 2500 square metres (under 1500 square metres for all supermarkets) with dedicated car parks.

Superstores

Usually single level self-service stores selling mainly food or food and non-food goods, usually with at least 2500 square metres trading floorspace and with dedicated car parking.

Town Centre

Town centres are defined on the proposals map and provide a range of facilities and services that market and serve the town but not a citywide or regional market.

Transport Assessment

An assessment of the amount of traffic and other transport requirements expected to be generated by a proposed development, the impact on the transportation system and measures to mitigate the impact on that system.

Transport Plan

A plan detailing the strategy and actions by which the travel demands of a development are to be reduced particularly as a result of measures not directly covered by other policies in the Local Development Plan such as flexi-time working, subsidies for public transport etc.

Vitality and Viability

Vitality is a reflection of how lively and busy a centre is at different times and in different parts.

Viability is a measure of its capacity to attract on-going investment for maintenance, improvement and adaption to changing needs.

Wellbeing

The state of being comfortable, healthy or happy. It is used to refer to the physical, psychological, spiritual, social and economic state of an individual or group. It constitutes a measure of the quality of life with high levels giving a positive experience while low levels give rise to dissatisfaction.

Wheeling

Refers to travelling by wheelchair

Windfall

A site which becomes available for development during the plan period which was not anticipated when the plan was being prepared

Appendices

Appendix 1 – Brownfield Sites

Brownfield sites with potential for housing from the Brownfield Urban Capacity Study 2019

Site	Size (hectares)
OP35: Summerfield House Eday Road - (99)*	1.1
OP37 Woodend Hospital - (213)*	7.1
OP83 Urquhart Building, City Hospital - (25)*	0.28
96- 126 John St - 38	0.4
OP98 VSA Gallowgate - 8	0.08
Water Lane Granary - (6)*	0.06
1 and 2 Springbank Terrace – 6	0.06
OP78 Frederick Street East - 10	0.1
28-32 Marischal Street - 1	0.01
Former Frederick Street School/Training Centre - 24	0.25
OP7 Aberdeen College, Gordon Centre - (122)*	2.21
OP13 AECC Bridge of Don – (498)*	13.15
OP40 Cults Pumping Station - 38	0.69
OP15 Former Carden School - 20	0.37
Former Dutch School - 10	0.18
OP43 Milltimber Primary School – 102	1.85
Ex-BP Car Park – 283	2.44
OP17 Former Bucksburn Primary School - 52	0.94
OP39 Braeside Infant School - 57	1.04
Former Stoneywood Primary School - 39	0.7
OP73 Balgownie Machine Centre - 15	0.2
OP82 Dunbar Halls of Residence – (92)*	1.23
OP27 Greenfern Infant School – 68	0.91
Logie Place (former shops) – 9	0.12
OP103 Former Torry Nursery School – 45	0.6
OP92 St Peter’s Nursery - 7	0.09
OP97 Victoria Road School - 55	0.67
OP101 Woodside Congregational Church – (5)*	0.07
Abbey Road North - 113	1.51
Greyhope Road sparkling drinks - 49	0.65
45-47 Constitution Street - 3	0.04
Former Beach Court Nursing Home – 13	0.17
Former Matalan – 51	0.68
60 Frederick St - 7	0.07
Former Accommodation Assessment Unit, Bon Accord Street - 5	0.06
Former Accommodation Assessment Unit, Crown Street - 3	0.04
Kittybrewster Depot - 273	3.64
30-64 Bridge Street - 23	0.24
45-47 Holland Street – (7)*	0.07
133 Union Street - 6	0.02
OP5 Balgownie Centre – (171)*	2.25
Burnside Drive – (31)*	0.57

Newton Terrace - 55	1
OP65 Haudagain Triangle - 300	4
OP87 Pittodrie stadium – (450)*	6
1 Western Road – (22)*	0.07
OP74 Broadford Works – (460)*	3.7
1-5 Salisbury Terrace – (23)*	0.3
9 Pittodrie Place - 10	0.03
67 Jute Street - 2	0.02
Bruce Motors – (2)*	0.02
32-36 Fraser Place – (4)*	0.05
Philip Garage Auchmill Road - 92	1.21
Greyfriars House - 140	0.37
OP116 Froghall Terrace – (206)*	2.75
Total	57.95

*Those sites with capacity shown in brackets were identified through the Urban Capacity Study 2020 and as new housing allocations. However there is unresolved uncertainty as to their potential to be deliverable by 2032. ~~Consequently they are not counted as part of the strategic allowance as set out in Chapter 3 of the plan. Nevertheless~~ They are retained in the plan given their urban capacity potential if and when constraints can be resolved.

Appendix 2 Opportunity Sites

Site	Site Name	Site Size	Policy	HRA Required	Other Factors
Bridge of Don & Grandhome					
OP1	Murcar	27.8ha	Land Release Policy and Green Space Network		Strategic Reserve Employment Land for the period 2033-40. This site may be at risk of flooding. Flood Risk Assessment required to accompany development proposals. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP2	Cloverhill	24.8ha	Residential and Green Space Network		Opportunity for 550 homes on former employment land. Primary and secondary education and health capacity issues need to be addressed. Flood Risk Assessment required to accompany future development proposals.
OP45	Berryhill	43.7ha	Business and Industry and Green Space Network		Development Framework approved in 2008 covers this site and land to the north. Land available for development of Use Class 4, 5 and 6. Flood Risk Assessment required to accompany future development proposals. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP3	Findlay Farm, Murcar	16.4ha	Business and Industrial Land		Opportunity to extend the Aberdeen Energy Park. A flood risk assessment will be required. A Drainage Impact Assessment will be required. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP4	North Denmore	1.7ha	Residential		Residential opportunity for up to 30 houses on an

					unused Council owned site.
OP5	Balgownie Centre, Bridge of Don	2.25ha	Residential		Former Aberdeen College building now cleared. Planning Brief available.
OP6	WTR Site at Dubford	0.57ha	Residential and Green Space Network		Brownfield opportunity for residential development that should look to integrate with the neighbouring development at Dubford. A flood risk assessment will be required. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP7	Aberdeen College Gordon Centre	3.1ha	Mixed Use and Green Space Network		Location suitable for residential or mixed-use development. The woodland on site, particularly along the site's boundaries, should be retained. A Drainage Impact Assessment will be required.
OP8	East Woodcroft North	2.2ha	Residential		Council owned site identified for 60 homes. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP9	Grandhome	323ha	Land Release Policy/ Green Space Network		Privately owned site in single ownership identified for 7000 homes and 5 hectares of employment land (Use Class 4 uses). Town Centre identified for Phase 2 of this site. Developers will be required to provide a Flood Risk Assessment in support of any development proposals for this site. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP10	Dubford	4.2ha	Residential and Green Space Network		This is the undeveloped part of the 550 home Dubford development. Any proposal here must comply with the

					<p>Dubford Development Framework.</p> <p>This site may be at risk of flooding. A Flood Risk Assessment will be required to accompany any future development proposals for this site.</p>
OP11	Balgownie Area 4	0.5ha	Residential		<p>Opportunity for residential development of up to 15 houses. A flood risk assessment will be required.</p>
OP12	Silverburn House	4.0ha	Residential		<p>Opportunity for 100 homes on former employment land. Primary and secondary education and health capacity issues need to be addressed. Needs to link into OP2 and OP13 – the AECC site. A flood risk assessment will be required.</p> <p>Ecological surveys to assess the presence of and effects on protected habitats and species will be required.</p>
OP13	AECC Bridge of Don	18.4ha	Mixed Use		<p>Redevelopment opportunity for mixed use development. Masterplan approved. The site will be required to accommodate an expansion of the Park and Choose to 999 spaces and a household waste recycling centre to replace the facility at Scotstown Road. Any residential elements would need to address school capacity issues in the area. This site may be at risk of flooding. A Flood Risk Assessment will be required in order to assess its suitability for redevelopment.</p> <p>Development should respect the landscape setting and amenity of the course of the Royal Aberdeen Golf Club.</p> <p>Ecological surveys to</p>

					assess the presence of and effects on protected habitats and species will be required.
OP75	Denmore Road	4.56ha	Commercial Centre		Opportunity for bulky goods retailing. Pitches lost should be replaced in Bridge of Don by new or upgraded pitches which are of comparable or greater benefit. Drainage Impact Assessment accompanying development proposals should address any surface water flooding issues. A flood risk assessment will be required. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
Dyce, Bucksburn and Woodside					
OP14	Former Cordyce School	7.9ha	Mixed Use and Green Space Network		Site suitable for a number of uses including housing, a garden centre and health and fitness village. Development should avoid harmful impacts on the community orchard. A Flood Risk Assessment is required. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP15	Former Carden School	0.37ha	Residential		Part of Dyce Primary School deemed surplus to requirements.
OP16	Davidsons Papermill, Mugiemoos Road, Bucksburn	29.5ha	Mixed Use		Former paper mill site and adjoining land. Development Framework and Phase 1 Masterplan approved. A Flood Risk Assessment will be required to accompany any future development proposals for this site. Ecological surveys to assess the presence of and effects on protected habitats and species will

					be required.
OP17	Former Bucksburn Primary School	0.94ha	Residential		Former primary school suitable for residential or other uses compatible with a residential area. Ecological surveys to assess the presence of and effects on protected habitats and species will be required. A flood risk assessment will be required.
OP18	Craibstone North and Walton Farm	20.0ha	Land Release Policy/ Green Space Network		Opportunity for development of 1.5ha of employment and 18.5 hectares of Strategic Reserve employment land or a higher education and research institute in the 2033-40 period. Masterplan required. A Flood Risk Assessment will be required to accompany any future development proposals for this site. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP19	Rowett North	63.9ha	Business Zone/Green Space Network/Airport Public Safety Zone		Site for The Event Complex Aberdeen and complimentary employment uses. Masterplan approved. This site may be at risk of flooding. A Flood Risk Assessment will be required to accompany any future development proposals for this site. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP20	Craibstone South	42.6ha	Land Release Policy/ Green Space Network		Opportunity for 1000 homes. Part of approved Newhills Development Framework. Ecological surveys to assess the presence of and effects on protected habitats and species will be required. A flood risk assessment will be

					required.
OP21	Rowett South	106.85ha	Land Release Policy/ Green Space Network/ Residential		Opportunity for 1940 homes of which 240 homes are phased in the period beyond 2032. Part of approved Newhills Development Framework. Town Centre identified for this site comprising of approx. 7,500 square metres total floorspace (4,000 square metres supermarket, 3,500 square metres other comparison and local shops and retail services.) Ecological surveys to assess the presence of and effects on protected habitats and species will be required. A flood risk assessment will be required.
OP22	Greenferns Landward	69.6ha	Land Release Policy		Opportunity for 1500 homes on Council owned land, of which 500 homes are phased for the period beyond 2032. Part of approved Newhills Development Framework. Burnbrae Moss District Wildlife Site lies adjacent to the southern boundary of this site. Ecological surveys to assess the presence of and effects on protected habitats and species will be required. A flood risk assessment will be required.
OP23	Dyce Drive	65ha	Business and Industrial Land /Green Space Network		This site may be at risk of flooding. A Flood Risk Assessment will be required to accompany any future development proposals for this site. The site lies within a pipeline notification zone. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP24	Central Park, Dyce	0.71ha	New Community Sites and Facilities		Site reserved for a new medical centre. Urban Green Space developed

					here should be replaced through the demolition of the existing medical centre north of Dyce shopping centre. Pedestrian access to the shopping centre car park should be provided. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP25	Woodside	19.1ha	Residential/Green Space Network/ Green Belt		Site capable of accommodating up to 300 homes, including affordable housing as per Persley Den/Woodside Masterplan. Parts of the site may have a risk of flooding and development will have to be avoided in those areas. A Flood Risk Assessment will be required to support any development proposals for the site. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP86	Dyce Railway Station	1.1ha	Land for Transport		Opportunity Site for an expanded car park with associated SuDS and landscaping. Access to the Formartine Buchan Way should be retained and enhanced. Drainage Impact Assessment accompanying development proposals should address any surface water flooding issues.
Kingswells & Greenferns					
OP26	Old Skene Road	1.2ha	Residential	✓	Residential opportunity for 14 houses. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this

					process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions.
OP27	Greenfern Infant School	0.91ha	Residential	✓	Brownfield residential opportunity. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions.
OP28	Greenferns	13.6ha	Residential		This is an opportunity to provide 120 homes. Joint Development Framework with OP33 Greenferns approved. Site may be at risk of flooding. Flood Risk Assessment required to accompany future development proposals. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP29	Prime Four Business Park	50.0ha	Business Zone/Green Space Network	✓	Opportunity for development of business land which will attract high quality businesses or be suitable for company headquarters. Masterplans and Development Framework prepared. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this

					process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. A flood risk assessment will be required. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP63	Prime Four Business Park Phase 5 Extension	12.7ha	Business Zone	✓	Expansion to existing allocation. Masterplan approved. A Traffic Impact Assessment will be required. The site lies within a pipeline notification zone. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP30	Kingsford	24.5ha	Green Belt	✓	New stadium and training facilities. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be

					addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP31	Maidencraig South East	29.8ha	Residential/Green Space Network	✓	Opportunity for development of 450 homes. Joint masterplan approved for this site and OP32 Maidencraig North East. This site may be at risk of flooding. Flood Risk Assessment required to accompany development proposals. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP32	Maidencraig North East	22.8ha	Residential/Green Space Network	✓	Opportunity for development of 300 homes. Joint masterplan approved for this site and OP31 Maidencraig South East. Drainage Impact Assessment accompanying development proposals should address any surface water flooding issues. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this

					process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP33	Greenferns	60.4ha	Land Release Policy/ Green Space Network		Opportunity for development of 1350 homes and 10ha of employment land on a Council owned site. 400 of the homes are phased for the period beyond 2032. Joint Development Framework with OP28 Greenferns approved. This site may be at risk of flooding. A flood risk assessment will be required to accompany any future development proposals for this site. Proposals for an extension to Enermec and a new NHS health centre will need to be accommodated on site. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP34	East Arnhall	1.0ha	Land Release Policy	✓	An opportunity for development of 1 hectares of employment land. A masterplan with Aberdeenshire Council involvement would be desirable given that the site borders the Local Authority boundaries. Site may be at risk of flooding. A Flood Risk Assessment will be required to accompany future development proposals Site lies within a pipeline notification zone. This development proposal

					will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP111	Skene Road, Maidencraig	0.9ha	Residential and Green Space Network	✓	Site capable of accommodating around 15 homes. A Flood Risk Assessment will be required to accompany any future development proposals for this site. Development should seek to avoid any adverse impacts on the Den of Maidencraig Local Nature Conservation Site. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
Countresswells					
OP38	Countresswells	165.1ha	Land Release Policy/ Green Space Network	✓	An opportunity for development of 3000 homes and 10 hectares of employment land.

					<p>Development Framework and Phase 1 Masterplan approved. Site may be at risk of flooding. Flood Risk Assessment required to accompany future development proposals. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.</p>
Deeside					
OP39	Braeside Infant School	1.04ha	Residential	✓	<p>Former school site with potential to be redeveloped for residential use in future. Development will have to respect residential amenity within and surrounding the area. The Council will seek the retention of the playpark in its current location to the south of site OP39. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions.</p>

OP40	Cults Pumping Station	0.69ha	Urban Green Space	✓	<p>Brownfield residential opportunity. Development will have to respect green linkages to the west of the site and the retention of the allotments to the east of the site. Development should seek to avoid any adverse impacts on the Cults Den Local Nature Conservation Site. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. A flood risk assessment will be required. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.</p>
OP41	Friarsfield	5.6ha	Residential and Green Space Network	✓	<p>This is the undeveloped part of the 280 home Friarsfield development. Development Framework approved. This site may be at risk of flooding. A Flood Risk Assessment will be required to accompany any future development proposals for this site. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental</p>

					Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP42	Hotel and Equestrian Centre at Hazlehead	9.2ha	Green Belt and Green Space Network	✓	Planning permission granted for a hotel and equestrian centre. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP43	Milltimber Primary School	1.85ha	Residential	✓	Milltimber Primary School is likely to become available in the future due to the development at Oldfold providing a new school. Site may be at risk of flooding. Flood Risk Assessment required to accompany future development proposals. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible

					that this may be addressed subject to planning conditions.
OP44	North Lasts Quarry	8.01ha	Green Belt	✓	Ongoing mineral extraction. Planning Permission granted in February 2017 to continue hard rock extraction. The site lies within a pipeline consultation zone and all development should conform to the terms of Policy B6 – Pipelines, Major Hazards and Explosives Storage Sites. Site may be at risk of flooding. Flood Risk Assessment required to accompany any future development proposals. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP47	Edgehill	4.4ha	Residential/Green Space Network	✓	Opportunity for development of 5 homes. Site may be at risk of flooding. A flood risk assessment may be required. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental

					Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP48	Oldfold	48.9ha	Land Release Policy	✓	<p>Opportunity for development of 550 homes and 5 hectares of employment land. A Development Framework and Masterplan have been approved.</p> <p>Site may be at risk of flooding. Flood Risk Assessment required to accompany future development proposals. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.</p>
OP49	Grove Nursery, Hazlehead	5.9ha	New Community Facilities	✓	<p>Following a Council resolution this site is identified for social enterprises specialising in nursery, horticulture and/or allotments and other associated uses. Site may be at risk of flooding. A flood risk assessment may be required. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order</p>

					to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP50	Skene Road, Hazlehead	49.7ha	Green Belt/ Green Space Network	✓	Land reserved for a phased cemetery development. Site may be at risk of flooding. A flood risk assessment may be required. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP51	Peterculter Burn	7.4ha	Residential and Green Space Network	✓	Site capable of accommodating 19 homes, a hydro-electric scheme, fish pass, football pitch, changing facilities and car parking for Culter Youth Football Club and a new pathway opening up access to existing woodland. A Flood Risk Assessment will be required together with a masterplan giving details of access and

					<p>setting out timescales for implementation of the different stages of the overall development. These matters will be reflected in any grant of planning permission. A planning brief will be required for OP51 setting out specific measures needed to avoid damage to, and enhance the Local Nature Conservation Site. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. The proposal should demonstrate that the Culter Burn is protected. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.</p>
OP52	Malcolm Road Peterculter	1.5ha	Residential	✓	<p>Opportunity for 8 houses. Scots Pine trees on western boundary to be retained. Site (or part of) may be at risk of flooding. Flood Risk Assessment may be required in support of any development proposals for this site. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan</p>

					(CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Supporting ecological survey information, including details of the habitats and protected species present and how these will be safeguarded, will also be required. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP54	Craigton, Peterculter	2.45ha	Residential	✓	Housing opportunity for 10 houses. Flood Risk Assessment required. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP109	Woodend Peterculter	2ha	Residential	✓	Opportunity for 19 houses. Drainage Impact Assessment required to consider protection of potential wet habitats/woodlands adjacent to the site and the potential requirement for a buffer to prevent any increase in drainage of wet habitats/woodlands. Ancient Woodland to the south of the site is

					<p>to be protected. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions.</p> <p>Supporting ecological survey information, including details of the habitats and protected species present and how these will be safeguarded, will also be required. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.</p>
OP112	West of Contlaw Road	12.5ha	Residential	X	<p>Opportunity for 10 houses. Arboricultural and ecological implications studies required. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. A flood risk assessment may be required. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.</p>
OP113	Culter House Road	2.4ha	Residential	✓	<p>Opportunity for 8 houses. This</p>

					development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP114	Milltimber South	11.5ha	Mixed Use and Green Space Network	✓	Mixed use opportunity with an indicative allocation of 60 dwellings and 1225 square metres of ancillary retail/office space. A Flood Risk Assessment and/or Drainage Impact Assessment may be required. Development proposals will require to take account of links to the green network, effects on landscape and presence of features listed on the Sites and Monuments Record. Ecological surveys to assess the presence of and effects on protected habitats and species will be required. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions.

Loirston & Cove					
OP46	Royal Devenick Park	8.36ha	Residential	✓	<p>Housing opportunity for 150 houses. Flood Risk Assessment required. A masterplan is required and proposals should address:</p> <p>i) the definition of the developable area in order to protect woodland, including native woodland, and address the nature conservation interests of the site including the future protection and management of those interests;</p> <p>ii) native planting to establish a new green belt boundary and to reinforce the natural feature of the Leggart Burn; and</p> <p>iii) the detail of how safe and sustainable access and public transport linkages are to be achieved.</p> <p>Ecological surveys will be necessary for this site, including any required mitigation measures relative to the proposals. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions.</p>
OP55	Blackhills Quarry, Cove	32.76ha	Green Belt		<p>Planning permission granted in 2013 to continue hard rock extraction and processing. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.</p>

OP56	St Fittick's Park	18.2ha	Energy Transition Zone, Green Space Network	✓	<p>Energy Transition Zone. This site, along with OP61, will support renewable energy transition related industries in association with Aberdeen South Harbour. Any development at this site must have a functional association with the South Harbour which precludes it being located elsewhere, such as the size of the infrastructure preventing transport from other locations or requiring 'roll on / roll off' level access to the South Harbour.</p> <p>Appropriate environmental assessments will be required, including a Habitats Regulations Appraisal to accompany development proposals in order to avoid adverse effects on the qualifying interests of a range of European sites. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. A Flood Risk Assessment is also required. Other issues which need to be addressed include water quality and habitats associated with the East Tullos Burn, heritage impacts, recreational access, habitat connectivity,</p>
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					<p>compensatory planting and landscape buffering with residential areas.</p> <p>Joint Maste plan needed for Op56, OP61 and OP62. The joint masterplan for OP56, OP61 and OP62 should consider the following matters:</p> <ul style="list-style-type: none"> • The extent of the developable area within the B5 Energy Transition Zone zoning; • Areas which should remain undeveloped and the extent of any buffer zones; • Mitigation measures to ensure the continued viability of linear habitats including the East Tullos Burn, recreation and core path network; • Options for the use of the wastewater treatment plant; • Measures to avoid, minimise, mitigate, and compensate potential impacts on biodiversity / greenspace that will ensure at least no net-loss of biodiversity across the masterplan area. <p>Ecological surveys to assess the presence of and effects on protected habitats and species will be required.</p>
OP57	Craighill Primary School, Kincorth	0.86ha	Residential	✓	<p>Vacant Primary School. Forms part of the Strategic Infrastructure Plan Affordable Housing Programme. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible</p>

					that this may be addressed subject to planning conditions.
OP58	Stationfields, Cove	9.8ha	Residential and Green Space Network		Opportunity for 150 homes. Masterplan required. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP59	Loirston	119.2ha	Land Release Policy/ Green Space Network	✓	<p>Opportunity for development of 1500 homes and 11 hectares of employment land. Potential to accommodate supermarket in a new district centre to meet convenience shopping deficiencies in south Aberdeen.</p> <p>Site may be at risk of flooding. Flood Risk Assessment required to accompany future development proposals. Development Framework approved.</p> <p>Ecological surveys will be necessary for this site, including any required mitigation measures relative to the proposals. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.</p>
OP60	Charleston	20.5ha	Land Release Policy and Green Space Network	✓	Opportunity for development of 20.5 hectares of employment land for

					<p>the period 2033-40. Site may be at risk of flooding. Flood Risk Assessment required to accompany future development proposals. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions.</p>
OP61	Doonies	16.3ha	Energy Transition Zone, Green Space Network	✓	<p>Energy Transition Zone. This area along with OP56 will support renewable energy transition related industries in association with Aberdeen South Harbour. Appropriate environmental assessments will be required, including a Habitats Regulations Appraisal to accompany development proposals in order to avoid adverse effects on the qualifying interests of a range of European sites. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Other issues which need to be addressed</p>

					include landscape impact of development, recreational access and habitat connectivity. Joint Masterplan needed for OP56, OP61 and OP62. A flood risk assessment may be required. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP62	Bay of Nigg	55ha	Aberdeen Harbour, Energy Transition Zone, Green Belt and Green Space Network	✓	Aberdeen Harbour expansion. Bay of Nigg Development Framework approved. Requires Flood Risk Assessment and full Transport Assessment. Appropriate environmental assessments will be required including a Habitats Regulations Appraisal to accompany development proposals in order to avoid adverse effects on the qualifying interests of a range of European sites. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Other issues to be addressed include re-instatement of the coastal path and recreational access. Joint Masterplan needed for OP56, OP61 and OP62.
OP64	Former Ness Tip	20.5ha	Green Belt and Green Space Network	✓	Solar Farm. This development proposal will be subject to a

					Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP10 3	Former Torry Nursery School	0.53ha	Residential	✓	Council owned site surplus to requirements. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions.
OP10 5	Kincorth Academy	3.94ha	Residential	✓	Forms part of the Strategic Infrastructure Plan Affordable Housing Programme. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to

					assess the presence of and effects on protected habitats and species will be required.
OP107	East Tullos Gas Holder	3.12ha	Business and Industrial		Former gas holder site and Council owned recycling centre suitable for an energy from waste facility. Drainage Impact Assessment accompanying development proposals should address any surface water flooding issues.
OP115	34-40 Abbotswell Road	1.03ha	Mixed Use	✓	Suitable for residential use. A noise impact assessment will be required. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
City Centre & Urban Areas					
OP35	Summerfield House, Eday Road	1.1ha	Residential	✓	Brownfield residential opportunity. Drainage Impact Assessment required. School capacity issues would need to be addressed. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan

					(CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP36	Charlie House	1.5ha	Urban Green Space and Green Space Network	✓	Site identified for children's respite centre and interactive garden area. A Flood Risk Assessment is required for this site. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP37	Woodend Hospital	7.1ha	Existing Community Sites and Facilities and Green Space Network	✓	Brownfield residential opportunity on part of the hospital site. Site includes listed buildings, trees and open space which require sensitive treatment. Flood Risk Assessment required. School capacity issues will need to be addressed. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan

					(CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP65	Haudagain Triangle, Middlefield	4.0ha	Mixed use and Land for Transport		Vacant land made available as part of the Haudagain improvements. Site should accommodate a mix of residential, retail, commercial and community uses to support the regeneration of the area. A flood risk assessment will be required.
OP66	Granitehill	4.8ha	Residential		Brownfield opportunity for up to 300 homes which should include a wide range of houses and flats. School capacity issues will need to be addressed. A Drainage Impact Assessment will be required. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP68	1 Western Road	0.07ha	Residential		Capacity for approximately 22 residential units.
OP69	152 Don Street, Old Aberdeen	0.63ha	Residential		Residential opportunity on brownfield site in Old Aberdeen Conservation Area. Drainage Impact Assessment required. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP70	Denburn Valley – City Centre Masterplan Intervention Area	6.5ha	Mixed Use, Urban Green Space, Green Space Network and City Centre Retail Core	✓	New ground floor uses including Use Class 1 (Retail); Use Class 2 (Financial, Professional and other services), Use Class 3 (Food and Drink and Use Class 11 (Assembly and Leisure). New upper floor uses –

				<p>Use Class 9 (houses) – suitable for apartments.</p> <p>Refurbishment of former Woolmanhill hospital buildings for Pavilion, Use Class 7 (Hotels and Hostels) or Use Class 9 (Houses). Other remaining buildings suitable for Use Class 9 (Houses). A Flood Risk Assessment will be required in order to assess its suitability for redevelopment.</p> <p>Refurbishment of Denburn Court.</p> <p>Upgrade and expansion of Union Terrace Gardens including outdoor amphitheatre, new soft landscaping and high level bridge access.</p> <p>This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions.</p>
OP72	Aberdon House	0.64ha	Residential	<p>Cleared site which forms part of the Strategic Infrastructure Plan Affordable Housing Programme. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.</p>
OP73	Balgownie Machine Centre	0.2ha	Mixed Use	<p>Land reserved partially for Berryden Road Improvements. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.</p>

OP74	Broadford Works, Maberley Street	3.6ha	Mixed Use	✓	<p>Consent granted for residential and other uses subject to legal agreement. Site may be at risk of flooding. Flood Risk Assessment required to accompany future development proposals. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.</p>
OP76	Former Raeden Centre	1.48ha	Residential and Green Space Network	✓	<p>The presence of mature trees means that only a small part of the previously developed area may be suitable for sensitive residential redevelopment. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.</p>

OP77	Cornhill Hospital	6.04ha	Existing Community Sites and Facilities	✓	Former hospital site with substantial granite buildings in Rosemount Conservation Area. Redevelopment for mix of uses, residential, office/ business (Use Class 4), community uses. Development underway. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP78	Frederick Street	0.1ha	Mixed Use		Small brownfield opportunity. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP79	Crown House	0.04ha	Mixed Use	✓	City centre location suitable for residential use. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions.
OP80	Mastrick Clinic	0.12ha	Neighbourhood Centre	✓	Uses that would support the Mastrick neighbourhood centre.

					<p>This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions.</p>
OP81	Queen's Square – City Centre Masterplan Intervention Area	5.4ha	Mixed Use		<p>Refurbishment of the eastern annex of Marischal College for Use Class 4 (Offices) and class 11 (Assembly and Leisure).</p> <p>Refurbishment of Greyfriars John Knox Church – appropriate uses include Use Class 3 (Food and Drink); Use Class 4 (Business); Use Class 7 (Hotels and Hostels); Use Class 10 (Non-residential Institutions); Use Class 11 (Assembly and Leisure).</p> <p>New ground floor uses could include Use Class 1 (Retail); Use Class 2 (Financial, Professional and other services) and Use Class 3 (Food and Drink).</p> <p>New upper floor uses could include Use Class 9 (Houses) – suitable for apartments. A Drainage Impact Assessment will be required.</p>
OP82	Dunbar Halls of Residence, Don Street	1.64ha	Residential		<p>Residential or student accommodation opportunity in Old Aberdeen Conservation Area.</p> <p>Ecological surveys will be necessary for this site, including any required mitigation measures relative to the proposals. Ecological</p>

					surveys to assess the presence of and effects on protected habitats and species will be required.
OP83	Urquhart Building, City Hospital	0.28ha	Existing Community Sites and Facilities		Residential opportunity would allow the re-use of this listed building.
OP84	Resource Centre, City Hospital	0.16ha	Existing Community Sites and Facilities		Small scale retail, commercial or office use.
OP85	King Street/ Beach Esplanade	2.0ha	New Community Facilities		Site is identified by Council resolution for a Mosque, community facilities and open space. Until proposals for these uses are progressed, or if a decision is made not to pursue them, the existing open space use will be protected by Policy NE2 Green and Blue Infrastructure (Urban Green Space). Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP87	Pittodrie Park	6.00ha	Residential		Proposed residential development. School capacity issues will need to be addressed. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP88	Shore Porters Warehouse	0.02ha	Mixed Use		Redundant warehouse. Residential will only be considered if suitable amenity can be demonstrated. Noise Impact Assessment required.
OP89	Kaimhill Outdoor Centre	1.5ha	Residential and Green Space Network	✓	Proposal for 35 houses. Play park area should be retained and compensatory recreational provision made in the local community. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order

					to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions.
OP90	St Machar Primary School	1.01ha	Residential		Suitable for education use and/or affordable housing. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP91	Union Street West City Centre Masterplan Intervention Area	15.3ha	City Centre Retail Core, Mixed Use and West End Shops and Cafés	✓	New Aberdeen City Rooms for ground floor cafe, multi-purpose foyer and gallery (Use Class 11) with offices (Use Class 4) above and rooftop restaurant (Use Class 3). Refurbishment of Golden Square. Refurbishment of Bon Accord Square. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. A Drainage Impact Assessment will be required.
OP92	St Peter's Nursery, Spital	0.09ha	Mixed Use	✓	Sensitive residential redevelopment - within a Conservation Area. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to

					consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP93	Former Summerhill Academy	3.3ha	Residential		Residential development. A Habitats Regulations Appraisal is required to accompany development proposals in order to avoid adverse effects on the qualifying interests of the River Dee SAC. As part of this process it is likely a Construction Environmental Management Plan will also be required.
OP94	Tillydrone Primary School	2.11ha	Residential		Site of former Tillydrone Primary School. Site will be used for a new primary school. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP95	Station Gateway City Centre Masterplan Intervention Area	4.0ha	City Centre Retail Core, Mixed Use and Land for Transport	✓	Expanded station concourse across two levels to include Use Class 1 (Retail) and Use Class 3 (Food and Drink). New station hotel above concourse. New Trinity Centre entrance and bridge links. Hotel/serviced apartments on Atholl House site – Use Class 7 (Hotels and Hostels).

					<p>To promote enhanced pedestrian and other linkages to Union Street and the wider City Centre in order to support the objectives of the Aberdeen City Centre Masterplan and Delivery Programme.. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. A flood risk assessment will be required.</p>
OP96	Castlegate and Castlehill City Centre Masterplan Intervention Area	2.6ha	City Centre Retail Core, Mixed Use and Residential		<p>Refurbishment of properties on Castlegate and Justice Street. Appropriate ground floor uses include Use Class 1 (retail); Use Class 3 (Food and Drink); and Use Class 11 (Assembly and Leisure).</p> <p>Appropriate upper floor uses include Use Class 4 (Offices), Use Class 7 (Hotels and Hostels) and Use Class 9 (residential).</p> <p>Refurbishment of Marischal and Virginia Court (Use Class 9) Houses; potential for Use Class 1 (Retail); Use Class 3 (Food and Drink) and Use Class 11 (Assembly and Leisure) at street level.</p> <p>New Residential development of approximately 46 apartments.</p> <p>To promote streetscape improvements at</p>

					Castlegate and Justice Street in order to support the objectives of the Aberdeen City Centre Masterplan and Delivery Programme.
OP97	Victoria Road Primary School	0.67ha	Mixed Use		Former Primary School. The site would be suited for sensitive redevelopment. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP98	VSA Gallowgate	0.08ha	Mixed Use		Residential/Mixed use. Listed building. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP99	Old Torry	6.6ha	Mixed Use		Mixed use development. See also Old Torry Masterplan Study. This site may be at risk of flooding. A Flood Risk Assessment will be required in order to assess its suitability for redevelopment. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP100	North Dee City Centre Masterplan Intervention Area	12.7ha	Business Zone, Mixed Use, Urban Green Space, Green Space Network and Land for Transport	✓	New Urban Quarter with a high quality and imaginative approach to the public realm, creating permeable pedestrian linkages between the city centre and the River Dee. Masterplan required showing an appropriate mix of compatible new uses, including Use Class 1 (Retail), Use Class 2 (Financial, Professional and other services), Use Class 3 (Food and Drink), Use Class 4 (Business, including new office development and a Global Energy Hub if required), and Use Class 9 (Residential).

					<p>Refurbishment of the listed smoke houses.</p> <p>Pedestrian bridge linking into OP106 Torry Waterfront</p> <p>This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. A flood risk assessment may be required.</p>
OP101	Woodside Congregational Church	0.07ha	Residential		Vacant church building.
OP102	George Street / Crooked Lane	0.96ha	City Centre Retail Core	✓	<p>Opportunity for retail development, enhance George Street, link to John Lewis / extend Bon Accord Centre, address accessibility issues through the centre and address public realm issues. Some Listed Buildings.</p> <p>Existing traditional granite buildings on the St Andrew Street and George Street frontages, and upper floor residential uses, to be retained. This site may be at risk of flooding. A Flood Risk Assessment will be required in order to assess its suitability for redevelopment. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this</p>

					process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.
OP10 6	Torry Waterfront City Centre Masterplan Intervention Area	5.0ha	Mixed Use, Urban Green Space and Green Space Network.	✓	<p>New residential development.</p> <p>New ground floor uses including Use Class 1 (Retail) and Use Class 3 (Food and Drink), Hotel Academy (Use Class 7).</p> <p>Pedestrian bridge linking into OP100 North Dee.</p> <p>Consider improvements to the riverside park and promenade.</p> <p>This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. A flood risk assessment may be required.</p>
OP110	Heart of the City – City Centre Masterplan Intervention Area	5.4ha	City Centre Retail Core, Urban Green Space, Green Space Network, Existing Community Sites and Facilities and Mixed Use.	✓	<p>Refurbishment and remodelling of buildings on Union Street.</p> <p>Negligible increase in overall accommodation but increased utilisation of existing floor space. Appropriate uses for ground floors include Use Class 1 (Retail), Use Class 2 (Financial, Professional and other services), and Use Class 3 (Food and</p>

				<p>Drink). Appropriate uses for upper and lower floors include Use Class 4 (Business); Use Class 7 (Hotels and Hostels); Use class 9 (Houses); Use Class 10 (Non-residential Institutions); Use class 11 (Assembly and Leisure).</p> <p>Remodelling of the St Nicholas Centre. Negligible increase in retail floor space but potential for expansion of office accommodation.</p> <p>Refurbishment of Mither Kirk including Use Class 10 (Non-residential Institution) and Use Class 11 (Assembly and Leisure).</p> <p>Redevelopment of Aberdeen Indoor Market for appropriate uses such as Use Class 1 (Retail), Use Class 3 (Food and Drink) and Use Class 11 (Assembly and Leisure), Use Class 9 (Houses) and Use Class 7 (Hotels and Hostels).</p> <p>This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. A flood risk assessment may be required.</p>
OP116	Froghall Terrace	1.7ha	Mixed Use	<p>Cleared depot. Suitable for residential accommodation. A Drainage Impact Assessment will be required.</p>

Appendix 3 – Masterplans and Development Frameworks

Existing masterplans for the larger sites and/or sites in multiple ownership listed below will be taken forward as Aberdeen Planning Guidance as will a guide for developers on the masterplanning process. Where considered appropriate, we would also intend to take forward as Aberdeen Planning Guidance any revisions or further phased masterplans that may emerge for these sites over the lifetime of the Local Development Plan.

- Countesswells Development Framework and Phase 1 Masterplan
- Dubford Development Framework
- Former Davidson’s Mill Development Framework and Masterplan
- Forresterhill Development Framework
- Friarsfield Development Framework
- Grandhome Development Framework
- Greenferns Development Framework and Masterplan
- Kingswells Development Framework and Phase 1 Masterplan (Prime 4)
- Kingswells Prime Four Business Park, Phases Two and Three
- Loirston Development Framework
- Maidencraig Masterplan
- Newhills Development Framework
- Oldfold Development Framework and Masterplan
- Persley Den
- New AECC Site at Rowett North (OP19)
- Existing AECC Site at Bridge of Don (OP13)
- Prime 4 Business Park Phase 5 Extension (OP63)

New Masterplans and/or Development Frameworks for the following developments will be adopted as Aberdeen Planning Guidance.

- City Centre Masterplan and Delivery Programme Intervention Areas
- Joint Masterplan for Aberdeen South Harbour and the Energy Transition Zones at Bay of Nigg (OP56, OP61 and OP62)
- Woodend Hospital (OP37)
- Granitehill (OP66)

Appendix 4 – Aberdeen Planning Policy

Supplementary Guidance

- Planning Obligations

Aberdeen Planning Guidance

The following list of Aberdeen Planning Guidance has been identified in this Plan. However, this list is not exhaustive as it is likely that further topic areas will emerge during the lifetime of the Plan which will need to be dealt with as Aberdeen Planning Guidance.

Health and Wellbeing

- Health Impact Assessments
- Air Quality
- Noise

Transport and Infrastructure

- Transport and Accessibility
- Affordable and Specialist Housing
- Gypsy Traveller Sites

Householder Development

- Householder Development Guide

Townscape and Landscape

- New Development
- Landscape
- Windows and Doors
- Stone Cleaning
- Shops and Signs
- Big Buildings
- Temporary Buildings
- Energetica
- Houses in Multiple Occupation Overprovision

Business

- Harmony of Uses
- Serviced Apartments
- Hierarchy of Centres
- Children's Nurseries

Natural Environment

- Natural Heritage
- Open Space and Green Infrastructure
- Trees and Woodland
- Flooding, Drainage and Water Quality

Resources

- Waste Management Requirements for New Development
- Resources for New Development
- Wind Turbine Development
- Heat Networks and Energy Mapping

Business and Industrial Development

- Aberdeen International Airport

Masterplanning

- A guide for developers on the masterplanning process

Appendix 5 – Schedule of Land Owned by the Local Authority

The following table outlines land in the ownership of the planning authority, as required by Section 15(3) of the Planning etc. (Scotland) Act 2006, which is affected by policies and proposals for development in the Aberdeen Local Development Plan.

All site sizes are approximate. Sites shown on Proposals Map. Details in Appendix 2.

Description of land owned by the planning authority.	OP Site Reference
Proposed Greenfield Development under Aberdeen City Council ownership	
Aberdeen Harbour South. Nigg Bay. Aberdeen City Council's ownership extends to around 50 hectares. Grid Reference NJ964046	OP62
Dyce Railway Station. Land north of Station Road, Dyce. Aberdeen City Council's ownership extends to 1.1 hectares. Grid Reference NJ884128.	OP86
Central Park Dyce. To the south of the shopping centre, Aberdeen City Council owns the whole site covering 0.8 hectares. Grid Reference NJ894125.	OP24
East Woodcroft. Land North-East of Middleton Park. Western perimeter of the site meets Jesmond Drive, with the B997 meeting the East of the site. Aberdeen City Council's ownership of the site extends to 2.85 hectares. Grid Reference NJ928121.	OP8
Greenferns Landward. Land at Newhills, to the West of Bucksburn and approximately 800 metres North West of Bucksburn House. Aberdeen City Council's ownership of the site extends to 70 hectares. Grid Reference NJ880091.	OP22
Greenferns. Land at Greenferns. Site is West of Northfield (Davidson Drive), North of Sheddocksley playing fields and South of Bucksburn House. Aberdeen City Council's ownership site extends to 74 hectares; this does not include land at Bucksburn House. Grid Reference NJ892082 Reference NJ894083.	OP33 and OP28
Grove Nursery, Hazlehead. Land north of Hazledene Road. Aberdeen City Council's ownership extends the whole site, 5.9 hectares. Grid Reference NJ899054.	OP49
Rowett North. Land north of the A96 Aberdeen City Council own the whole site of 63.9 hectares. Grid Reference NJ885105.	OP19
Loirston. Land near Lochside Academy. Site is to the south of Lochside Academy. Aberdeen City Council's ownership of the site extends to 5.7 hectares. Grid Reference NJ935012.	OP59
Maidencraig North. Land at Sheddocksley/Maidencraig. Site is West of Sheddocksley (Lewis Road) and North of the Lang Stracht. The site extends 500 metres West of Lewis Road and Aberdeen City Council's ownership is 5.98 hectares in total. Grid Reference NJ886071.	OP32
Rowett South. Land between Christie Grange and Newhills Parish Church. Aberdeen City council ownership extends to 1.66 hectares. Grid Reference NJ 875095	OP21
Skene Road Hazlehead. Land between Skene Road and the	OP50

crematorium. Aberdeen City Council's ownership extends to 49.7 hectares. Grid Reference NJ884058.	
Woodside. Site identified for 400 residential homes and sports facilities. Aberdeen City Council's ownership is bounded by the railway to the south, an unnamed access road to the north, electricity sub-station to the east and as far as the sports pavilion to the west. The total ownership extends to 3.92 hectares. Grid Reference is NJ915092.	OP25
St Fittick's Park. Site identified as an Energy Transition Zone. The site extends to 18.3ha and the Council owns that part of it outwith the waste water treatment works.	OP56
Doonies. Site identified as an Energy Transition Zone. The Council owns all of the 16.1ha site.	OP61
Proposed Brownfield Development under Aberdeen City Council ownership	
Aberdeen Exhibition and Conference Centre. East of Ellon Road. Aberdeen City Council's ownership extends to the whole site, 18.4 hectares. Grid Reference NJ 948105	OP13
Aberdon House. Former Elderly persons home on Coningham Road, Tillydrone. Aberdeen City Council's ownership extends to 0.64 hectares. Grid Reference NJ934088.	OP72
Balgownie Machine Centre. Derelict land and buildings on Great Northern Road. The site is west of, and beside the Kittybrewster Depot. Aberdeen City Council's ownership extends to 0.20 hectares. Grid Reference NJ931078.	OP73
Braeside Infant School on Braeside Place. Aberdeen City Council's ownership extends to 1.04 hectares. Grid Reference NJ911041.	OP39
Cordyce. Former school. Aberdeen City Council's ownership extends to 7.9 hectares. Grid Reference NJ89101.	OP14
Craighill Primary School, Kincorth bordered by Hetherwick Road, Gardner Road and Gardner Drive. Aberdeen City Council's ownership extends to 0.86 hectares. Grid Reference NJ930029.	OP57
Cults Pumping Station. Aberdeen City Council own the eastern part (allotments and car park) of the site to the north of the Cults Hotel and south of the Tennis Club. Ownership extends to 0.26 hectares. Grid Reference NJ895031.	OP40
North Denmore. Aberdeen City Council ownership extends over the whole site, 1.7 hectares. Grid Reference NJ941120	OP4
Denmore Road Parcel of land to the east of Denmore Road. Aberdeen City Council's ownership extends to the whole site, 4.56 hectares. Grid Reference NJ945115.	OP75
Former Bucksburn Primary School. Aberdeen City Council owns the whole site, 0.94 hectares. Grid Ref NJ896095	OP17
Former Carden School situated on Gordon Terrace, Dyce. Aberdeen City Council's ownership extends to 0.37 hectares. Grid Reference NJ890127.	OP15
Former East Tullos Gas Holder. Greenwell Road. Aberdeen City Council's ownership extends to 3.12 hectares. Grid Reference NJ954040	OP107

Former Kincorth Academy, located on Kincorth Circle. Aberdeen City Council's ownership extends to the whole site, 3.94 hectares. Grid reference NJ395031	OP105
Former Ness Tip. Part of area between the Coast Road and East Tullos Industrial Estate. Aberdeen City Council's ownership extends to 20.5 hectares. Grid Reference NJ961040.	OP64
Former Torry Nursery School, located on Oscar Road. Aberdeen City Council's ownership extends to the whole site, 0.53 hectares. Grid Reference NJ946048	OP103
Former St Peter's Nursery, Spital. Aberdeen City Council's ownership extends to 0.09 hectares. Grid Reference NJ939077.	OP92
Former Summerhill Academy site on Stronsay Drive. Aberdeen City Council's ownership extends to 3.3 hectares. Grid Reference NJ902066.	OP93
Granitehill. Cleared site west of Granitehill Road. Aberdeen City Council's ownership extends over the southern half of the site, 2.5ha. Grid Reference NJ906084	OP66
Greenfern Infants School. Springhill Road meets the perimeter of the site to the east, Maidencraig Place to the south and Sheddocksley Road to the West. Aberdeen City Council's ownership extends to 0.91 hectares. Grid Reference NJ897069.	OP27
Haudagain Triangle. Land for road improvements and proposed mixed use. Aberdeen City Council's ownership extends to, 4 hectares. Grid Reference is NJ912090.	OP65
Kaimhill Outdoor Centre. Ramsay Gardens Garthdee. Aberdeen city Council own the whole site, 1.5 hectares. Grid Reference NJ917034	OP89
King Street/Beach Esplanade Site is south of the River Don. Aberdeen City Council's ownership extends to 2 hectares. Grid Reference is NJ946092.	OP85
Milltimber Primary School, located in Monearn Gardens. Aberdeen City Council's ownership extends to the whole site, 1.85 hectares. Grid Reference NJ862018	OP43
Pittodrie Park. Part of Aberdeen Football Club's car park, north of Pittodrie. Aberdeen City Council's ownership extends to 0.19 hectares. Grid Reference NJ946077.	OP87
Raeden. Aberdeen City Council owns the whole site, 1.48 hectares. Grid Reference NJ915066.	OP76
St Machar Primary School, former primary school located on Coningham Road, Tillydrone. Aberdeen City Council's ownership extends to 1.01 hectares. Grid Reference NJ934087.	OP90
Stationfields, Cove. Aberdeen City Council owns a small parcel of land located to the East of Coast Road. Grid Reference NJ953015.	OP58
Tillydrone Primary School (site of). Land is now vacant and is located on Harris Drive, Tillydrone. Aberdeen City Council's ownership extends to 2.11 hectares. Grid Reference NJ933087.	OP94
The Waterfront, Torry. Aberdeen City Council's site ownership extends to 1.74 hectares. Grid Reference NJ954052.	OP99

Torry Waterfront City Centre Masterplan Area (CCMP). Aberdeen City Council owns two parts of the site covering 0.46 hectares. Grid Reference NJ946052.	OP106
Denburn Valley CCMP Area. Aberdeen City Council own parts of the site, including the library, HMT and Union Terrace Gardens covering 1.6 hectares. Grid Reference NJ937064.	OP70
Heart of the City CCMP Area. Aberdeen City Council own parts of the site including the Kirkyard and St Nicholas Centre covering 1.83 hectares. Grid Reference NJ941062.	OP110
Queens Square CCMP Area. Aberdeen City Council owns several parts of the site including the Arts Centre, Lemon Tree, Town House and Archibald Simpson House, covering 0.78 hectares. Grid Reference NJ943064.	OP81
Union Street West CCMP Area. Aberdeen City Council owns several parts of this area including Golden Square, the Music Hall and Bon Accord Baths, covering 1.05 hectares. Grid Reference NJ936059.	OP91
Station Gateway CCMP Area. Aberdeen City Council owns 3 very small pockets of land in this area covering around 0.1 hectare. Grid Reference NJ940060.	OP95
Castlehill CCMP Area. Aberdeen City Council owns parts of this area, mainly at the Castlegate, covering 0.47 hectares. Grid Reference NJ945063.	OP96
North Dee CCMP Area. Aberdeen City Council owns parts of this area covering 0.58 hectares. Grid Reference NJ943055.	OP100

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ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	14 June 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Scheme of Governance Review - 2023
REPORT NUMBER	COM/23/162
DIRECTOR	Gale Beattie, Director of Commissioning
CHIEF OFFICER	Vikki Cuthbert, Interim Chief Officer - Governance (Assurance)
REPORT AUTHOR	Martyn Orchard
TERMS OF REFERENCE	17

1. PURPOSE OF REPORT

- 1.1 This report meets the Council's instruction to report on the operation of the Scheme of Governance annually and makes recommendations for improvement.

2. RECOMMENDATIONS

That Council:-

- 2.1 approves Appendix C, Committee Terms of Reference, with effect from 19 June 2023;
- 2.2 approves Appendix D, Powers Delegated to Officers, with effect from 19 June 2023, and delegates authority to the Interim Chief Officer - Governance (Assurance) to make any further changes to Appendix 1 of that document which are necessary to reflect such approval;
- 2.3 approves Appendix E, Standing Orders for Council, Committee and Sub Committee Meetings, with effect from 19 June 2023;
- 2.4 approves Appendix F, Financial Regulations, with effect from 19 June 2023;
- 2.5 approves Appendix G, Procurement Regulations, with effect from 19 June 2023;
- 2.6 approves Appendix H, Member Officer Relations Protocol, with effect from 19 June 2023;
- 2.7 notes that there are no changes to the Local Code of Corporate Governance;
- 2.8 notes the draft minutes of the Governance Reference Group of 27 April, 9 May and 1 June 2023;

- 2.9 approves Appendix I, the Budget Protocol, with immediate effect, and instructs the Chief Officer - Finance to carry out a formal review of the Protocol following approval of the Council's budget for 2024/25, and report back to Council on any lessons learned;
- 2.10 instructs the Chief Officer - Early Intervention and Community Empowerment to review the Integrated Impact Assessment (IIA) template and related process and make any changes necessary, and thereafter arrange training for officers and elected members, including a focus on giving due regard to protected characteristics;
- 2.11 instructs the Interim Chief Officer - Governance (Assurance) to, following consultation with the Co-Leaders, make all other amendments to the Scheme of Governance which are necessary to reflect the decisions taken by the Council at this meeting in relation to this report; and also instructs that Chief Officer to review the use of the term "customer" within the Scheme of Governance and, in that regard, make changes to that Scheme as appropriate;
- 2.12 notes the resignations referred to in paragraph 6.1 and appoints a Convener of the Planning Development Management Committee and Vice Convener of the Communities, Housing and Public Protection Committee with immediate effect;
- 2.13 appoints an Older People's Champion; and
- 2.14 agrees to cease membership of KIMO UK, and by extension KIMO International, at the end of this financial year in line with paragraphs 7.2 and 7.3 of the report.

3. CURRENT SITUATION

- 3.1 On 5 March 2018, Council approved the Scheme of Governance and instructed the Chief Officer - Governance to report back to Council within 12 months on the operation of the Scheme of Governance documents. The Scheme of Governance documents are as follows:-
 - a) Introduction to the Scheme of Governance
 - b) Aberdeen City Council Committee Terms of Reference
 - c) Powers Delegated to Officers
 - d) Standing Orders for Council, Committee and Sub Committee Meetings
 - e) Financial Regulations
 - f) Procurement Regulations
 - g) Member - Officer Relations Protocol
 - h) Local Code of Corporate Governance
- 3.2 On 4 March 2019, Council considered its first review of the Scheme of Governance and further reviews were considered by Council in March 2020, March 2021 and February 2022. This year's review took place a little later than originally scheduled given that the committee structure was revised in August 2022 and did not become operational until October 2022.

- 3.3 The proposals recommended for approval have been subject to discussion with Chief Officers and other relevant officers across the organisation. Meetings of the Governance Reference Group (GRG) took place on 27 April, 9 May and 1 June 2023, where elected members were provided with an update on progress with the review. The minutes of the GRG meetings are included as Appendix A to the report by way of background.
- 3.4 The changes proposed to the Scheme of Governance are not particularly extensive. This has been anticipated as the Scheme of Governance has had the opportunity to bed in and many of the proposed changes are matters which have evolved over the course of time.
- 3.5 Each document comprising the Scheme of Governance is appended to the report with track changes indicating the proposed changes/additions. These are preceded by an overarching document (Appendix B) which details the slightly more material changes across the Scheme of Governance with accompanying rationale.

4. SCHEME OF GOVERNANCE

4.1 Committee Terms of Reference

- 4.1.1 Officers have reviewed the Terms of Reference to ensure that they are reflective of the general operation of all committees over the past year. Proposed changes/additions are mostly minor in nature, with the most significant change proposed to remove all references to the Council approving commissioning activity in excess of £1million and for this to transfer to the Finance and Resources Committee, which already oversees other procurement activity.

4.2 Powers Delegated to Officers

- 4.2.1 The Powers Delegated to Officers have been reviewed to ensure that the document is reflective of current and pending legislation, as well as operational practice. The review also identified any additional changes that would enable operation of the respective areas to be undertaken in a more effective manner and improve the operational delivery to internal customers and citizens. The changes proposed are slightly more extensive than for most of the other documents within the Scheme of Governance, however they can largely be regarded as fine-tuning.

4.3 Standing Orders for Council, Committee and Sub Committee Meetings

- 4.3.1 The Standing Orders have been reviewed to ensure that any areas for clarification raised at, or in relation to, meetings since February 2022 have been considered, the relevant Standing Order updated, or a new Standing Order added. Other, more proactive, changes include the introduction of a proposed deadline for submission of motions/amendments (Standing Order 29.1), however this remains on a *should* rather than *must* basis and when reasonably practicable to adhere to. The deadline associated with submission of

motions/amendments in respect of the budget (Standing Order 29.2) is proposed to be changed from *should* to *must*, and these will be required by mid-February depending on the date of the budget meeting. This is in accordance with the proposed Budget Protocol which it is proposed will form a further appendix to the Standing Orders. Further detail is at paragraph 5.1 below.

4.4 Financial Regulations

4.4.1 The Financial Regulations have been reviewed in the context of revisions to other parts of the Scheme of Governance. Most of the proposed changes are minor in nature.

4.5 Procurement Regulations

4.5.1 The Procurement Regulations have been reviewed in the context of revisions to other parts of the Scheme of Governance and to ensure that the Regulations are in line with the Procurement Manual, relevant legislation and operational practices.

4.6 Member - Officer Relations Protocol

4.6.1 The Member - Officer Relations Protocol has been reviewed, however no changes of significance are proposed, with only minor changes recommended. These clarify the role of the Monitoring Officer when a potential breach of the protocol has occurred.

4.7 Local Code of Corporate Governance

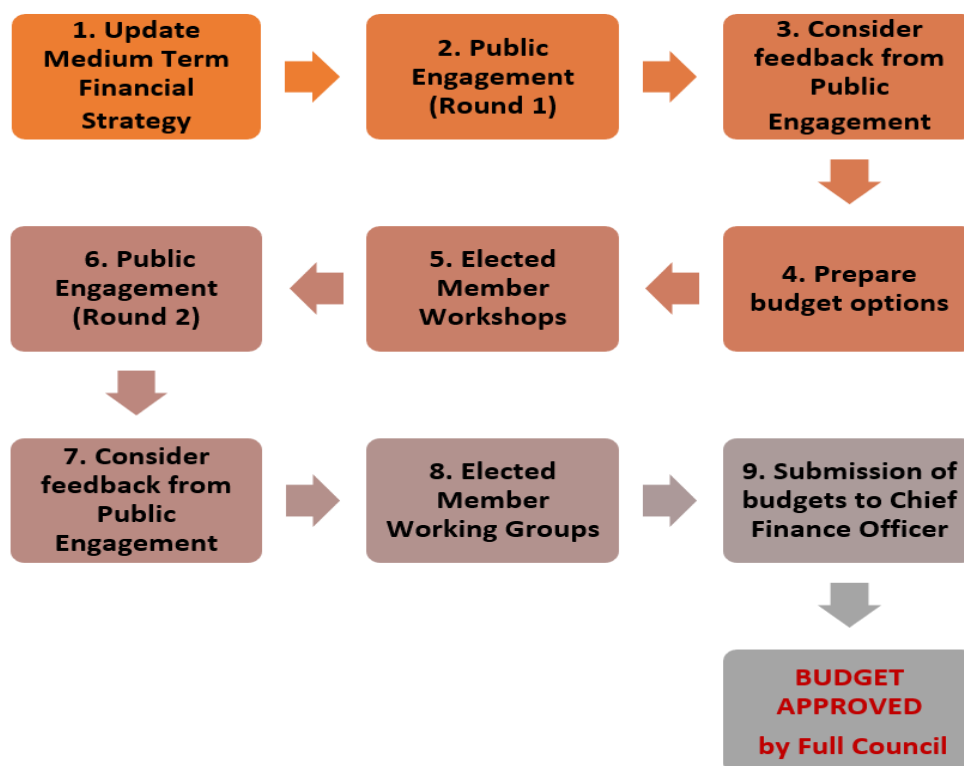
4.7.1 The Council last reviewed the [Local Code of Corporate Governance](#) in February 2022. This sets the framework for our governance arrangements, which are in accordance with the SOLACE (the Society of Local Authority Chief Executives) and CIPFA (the Chartered Institute of Public Finance and Accountancy) principles for “Delivering Good Governance in Local Government”.

4.7.2 Annually, the Council reports publicly on the effectiveness of its governance in the year previous, and on planned changes for the year ahead, relying on the primary sources of assurance set out in the Code. This is firstly reported to the Audit, Risk and Scrutiny Committee in the Annual Governance Statement as part of the unaudited annual accounts. It is a self-assessment of our system of internal control which is reviewed by the Committee before public sign off by the Chief Executive and Council Leader. The Code has been reviewed and no changes are proposed.

5. BUDGET PROTOCOL

5.1 Appendix I contains a Budget Protocol which identifies the key steps for the preparation of the Medium-Term Financial Strategy and Annual Budget to be subject to public engagement and to ensure that elected members comply with the Council’s statutory duties under the Equality Act 2010 within the Council’s statutory budget setting meeting of Council. The protocol provides clarity on the roles and responsibilities of elected members, Council officers and the public,

as well as improving the governance around determining budget options, and requiring the earlier submission of draft budgets to the Chief Officer - Finance for the support required to finalise. Below is summary of the stages in the process, set out in full in the Budget Protocol:



6. SENIOR COUNCILLOR APPOINTMENTS

- 6.1 Councillor Henrickson has indicated that he wishes to resign as Convener of the Planning Development Management Committee with effect from 14 June 2023. Councillor McRae has indicated that he wishes to resign as Vice Convener of the Communities, Housing and Public Protection Committee with effect from 14 June 2023. The Council is therefore requested to consider making appointments to fill these Senior Councillor roles.

7. MISCELLANEOUS APPOINTMENTS

- 7.1 At the Council meeting of 29 June 2022, the Council appointed various Spokespersons and Champions. A request has since been made for the Council to appoint an Older People's Champion.
- 7.2 At the same Council meeting, the Council appointed one member (Councillor Yuill) to KIMO Kommunernes International Miljøorganisation (Local Authorities International Environmental Organisation). Officers have carried out a review of the Council's membership of KIMO UK, and by extension KIMO International, and are recommending that the Council cease membership at the end of this financial year. This is driven by an assessment of the costs/benefits of membership to the Council. The cost of KIMO UK & International Membership for 2022/23 is £3,359.23 and will increase annually. In addition, there are travel, accommodation and subsistence costs associated with an elected member and

supporting officer attending KIMO UK Board meetings and the KIMO International AGM each year. These costs vary depending on meeting locations and can be anywhere between £1,500 to £4,000 per year. In total this increases the direct costs of membership to over £5,000 per year, not including member and officer time, resulting in further indirect costs.

- 7.3 KIMO UK, of which Aberdeen City Council was a founder member, works to raise the profile of marine environmental issues and lobby government and others for change. One of KIMO UK's main projects is 'Fishing For Litter' which works to remove litter from the ocean in partnership with fishing vessels. However, this scheme does not operate out of Aberdeen. KIMO International also operates to raise the profile, lobby governments and international bodies, and conduct research into marine environmental issues. Through its position on the KIMO International Board, KIMO UK has a voice and decision-making role within the wider organisation. Under the KIMO UK constitution, three months' notice is required to cease membership of KIMO UK. Cessation of membership during the financial year does not entitle the member to any refund of fees already paid for the year of cessation.

8. FINANCIAL IMPLICATIONS

- 8.1 Approving the recommendations in this report will have no direct financial implications during the current financial year but will help improve the robust governance framework required to support organisational changes and achieve budget targets. Adhering to the terms of the Financial Regulations, an integral part of the stewardship of Council funds, will ensure that all the Council's transactions are conducted in a manner demonstrating openness, integrity and transparency.

9. LEGAL IMPLICATIONS

- 9.1 The Scheme of Governance is designed to assist the Council in complying with its statutory duties and functions whilst also being consistent with the CIPFA principles of good governance against which the Council must provide an Annual Governance Statement as part of its annual accounts. The Scheme of Governance also supports the Council's CIPFA Governance Mark of Excellence accreditation.
- 9.2 The legislative bases for the various documents comprising the Scheme of Governance are set out below.
- 9.3 Section 56 of the Local Government (Scotland) Act 1973 provides that the Council may arrange for the discharge of any functions, subject to some exceptions, by a committee or sub committee. These are set out in the Committee Terms of Reference.
- 9.4 The same section also provides that the Council may arrange for the discharge of any of its functions, subject to some exceptions, by an officer of the Council. These delegations are contained within the Powers Delegated to Officers.

Section 43 of the Town and Country Planning (Scotland) Act 1997 also requires the Council to publish a scheme of delegation setting out how certain planning applications are to be dealt with by officers.

- 9.5 Section 62 of, and Schedule 7 to, the Local Government (Scotland) Act 1973 empowers the Council to make, vary or revoke standing orders for meetings of Council, committees and sub committees.
- 9.6 Legislation requires the Council to adhere to stringent financial controls and practices. The Financial Regulations are integral to this requirement.
- 9.7 The Procurement Reform (Scotland) Act 2014 must be complied with, and the Procurement Regulations achieve this whilst empowering staff and promoting Best Value.
- 9.8 The Council is required under Section 27 of the Police and Fire Reform (Scotland) Act 2012 and Section 41E of the Fire (Scotland) Act 2005 to scrutinise local police plans and local fire and rescue plans respectively. This is undertaken through the terms of reference of the Communities, Housing and Public Protection Committee.
- 9.9 The Council has a general duty under section 149 of the Equality Act 2010 (the 2010 Act) to have due regard to the need to:
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act (the 2010 Act);
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Council also has a specific duty under Regulation 5 of the [Equality Act 2010 \(Specific Duties\) \(Scotland\) Regulations 2012](#) to assess the impact of applying a proposed new or revised policy or practice against the needs mentioned in section 149 of the 2010 Act.

10. ENVIRONMENTAL IMPLICATIONS

- 10.1 There are no direct environmental implications associated with the report.

11. RISK

- 11.1 The assessment of risk contained within the table below is considered to be consistent with the Council's Risk Appetite Statement.

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H)	*Does Target Risk Level Match
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			*taking into account controls/control actions	Appetite Set?
Strategic Risk	No direct risks	N/A	L	Yes
Compliance	Failure to update the Scheme of Governance and implement the necessary changes could expose the Council to risk in terms of complying with the law and relevant regulations.	Approval of the proposals and adherence to the specified legislation ensures accountability	L	Yes
Operational	No direct risk	Adherence to the Scheme of Governance protects employees in undertaking their roles, as well as the organisation's buildings, plant and equipment.	L	Yes
Financial	No direct risks	The Scheme of Governance itself mitigates against the risk of poor financial management, poor value for money, fraud and financial loss.	L	Yes
Reputational	Failure to update the Scheme of Governance and make other necessary changes could	Consultation has been undertaken with officers and elected members and recommended proposals have regard to that process	L	Yes

	present a reputational risk to the Council.			
Environment / Climate	No direct risks		L	Yes

12. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2023-2024</u>	
	Impact of Report
Aberdeen City Council Policy Statement <u>Working in Partnership for Aberdeen</u>	The proposals in the report have no direct impact on the Policy Statement
<u>Aberdeen City Local Outcome Improvement Plan 2016-26</u>	
The proposals in the report have no direct impact on the LOIP stretch outcomes.	
Regional and City Strategies	The proposals in the report have no direct impact on Regional and City Strategies.

13. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Not required
Data Protection Impact Assessment	Not required
Other	None

14. BACKGROUND PAPERS

None

15. APPENDICES

- A. Minutes of meetings of Governance Reference Group of 27 April, 9 May and 1 June 2023
- B. Scheme of Governance Review - Summary of Proposed Changes
- C. Committee Terms of Reference
- D. Powers Delegated to Officers
- E. Standing Orders for Council, Committees and Sub Committees
- F. Financial Regulations
- G. Procurement Regulations
- H. Member - Officer Relations Protocol
- I. Budget Protocol

15. REPORT AUTHOR CONTACT DETAILS

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Appendix A

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GOVERNANCE REFERENCE GROUP

MINUTE OF MEETING OF 27 APRIL 2023

In attendance: Councillors McLellan, Malik (as substitute for Councillor Crockett), Massey (as substitute for Councillor Houghton), Nicoll, Radley and Yuill.

Apologies: Councillor Mrs Stewart.

Officers in attendance: Vikki Cuthbert, Steven Inglis, Gogo Okafor, Martyn Orchard, Michele Pittendreigh and Helen Sherrit.

No.	Agenda Item	Notes of Discussion/Decisions	Action	By Whom
1.	Appointment of Chairperson	<p>The Group was requested to appoint a Chairperson.</p> <p><u>The Group resolved:-</u> to appoint Councillor Radley as Chairperson.</p>		
2.	Minute of Previous Meeting of 20 January 2022	<p>The Group had before it the minute of its previous meeting of 20 January 2022.</p> <p><u>The Group resolved:-</u> to approve the minute.</p>		
3.	Scheme of Governance Review	<p>The Group received a verbal update from Vikki Cuthbert, Interim Chief Officer - Governance (Assurance), on progress with the Scheme of Governance review. Vikki advised that colleagues had been keeping a log of issues and had created a document setting out proposals to form the basis of the review, which was currently subject to consultation with Chief Officers and other colleagues.</p> <p>The Group then received a presentation from Vikki, Martyn Orchard, Steven Inglis, Michele Pittendreigh and Helen Sherrit which (a) detailed the timeline for the Scheme of Governance review, culminating in a report being submitted to Council on 14 June 2023; and (b) contained a short summary of proposed changes being contemplated in relation to the Committee Terms of Reference,</p>		

No.	Agenda Item	Notes of Discussion/Decisions	Action	By Whom
		<p>Standing Orders, Powers Delegated to Officers, Procurement Regulations, Member-Officer Relations Protocol and Financial Regulations.</p> <p>With regard to the possible change to Standing Orders to insert a deadline for submission of draft motions/amendments for review by officers (on a should rather than must basis), there was support from some members of the Group, and Councillors Malik and Massey were requested to raise the matter with their Group Leaders for their feedback. It was noted that there could be a limited number of working days between publication of the agenda and any new deadline for submission of motions/amendments, however officers emphasised that this was just for draft proposals to allow officers the opportunity to review - they did not need to be fully developed or finalised.</p> <p>In terms of the matter raised at the Council meeting the previous day about wording of Notices of Motion not being listed in the agenda front sheet but instead attached as documents within the agenda, officers explained that this was simply a formatting issue due to the length of Notices of Motion and how they were processed by the committee management system, however they would look into the matter.</p> <p>Councillor Yuill highlighted that Councillors were increasingly raising Points of Order at meetings and quoting Standing Order 27; however Standing Order 27 only allowed them to raise a Point of Order and they were required to state which Standing Order, law or section of the Councillors' Code of Conduct had been breached. Officers responded that they were currently looking to develop a guide with regard to meeting protocol and etiquette and it would cover such matters.</p> <p>With regard to the proposal within the Procurement Regulations to increase the remit of officers to approve social care business cases to 'light touch threshold', Councillor Nicoll sought assurance that sufficient checks and balances would be in place. Officers responded that they would run the proposal past auditors and other proposals more generally.</p>		

No.	Agenda Item	Notes of Discussion/Decisions	Action	By Whom
		<p>It was highlighted that the agenda contained a feedback form which members were encouraged to complete and return if they had any specific feedback on the Scheme of Governance. It was noted that the next meeting of the Group was scheduled for 9 May and more detailed proposals would be circulated in advance of the meeting.</p> <p><u>The Group resolved:-</u> to note the update and that proposals would be circulated in due course.</p>		

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GOVERNANCE REFERENCE GROUP

MINUTE OF MEETING OF 9 MAY 2023

In attendance: Councillor Radley (Chairperson); and Councillors Crockett, Delaney (as substitute for Councillor Yuill), Houghton, McLellan and Nicoll.

Apologies: Councillor Mrs Stewart.

Officers in attendance: Vikki Cuthbert, Steven Inglis, Gogo Okafor, Martyn Orchard, Michele Pittendreigh and Helen Sherrit.

No.	Agenda Item	Notes of Discussion/Decisions	Action	By Whom
1.	Minute of Previous Meeting of 27 April 2023	<p>The Group had before it the minute of its previous meeting of 27 April 2023.</p> <p><u>The Group resolved:-</u> to approve the minute.</p>		
2.	Scheme of Governance Review - proposed changes working document	<p>The Group had before it a summary document which set out the proposed changes to the various documents which comprised the Scheme of Governance. Vikki Cuthbert, Interim Chief Officer - Governance (Assurance) emphasised that the document was a moving feast and that the documents and proposed changes were continuously being reviewed and refined.</p> <p>Councillor Houghton referred to the previous meeting which he had been unable to attend and noted that there was nothing in the minute with regard to the allocation of committee places which had been referred to the Group by the Council on 26 April. Martyn Orchard explained that it had been touched upon very briefly, however it had not been minuted. He explained that at the Statutory Council meeting in May 2022, the motion which had been approved allocated committee places to the Partnership as a whole and therefore subsequent references had simply reiterated that allocation which had been approved by the Council.</p>		

No.	Agenda Item	Notes of Discussion/Decisions	Action	By Whom
		<p>Councillor Houghton referred to Standing Order 7.3 which allowed the Convener to cancel, advance or postpone meetings and felt that it should be tweaked to ensure that the reason was explained to the membership. The Group agreed that this was a worthwhile suggestion and should be incorporated.</p> <p>With regard to the proposed change to Standing Order 29.1 to insert a deadline of two working days prior to the meeting for submission of draft motions/amendments, the Group discussed the matter and felt that the deadline needed to be shortened. Officers agreed to revisit the matter with a view to finding a compromise.</p> <p>In terms of Standing Order 29.4 and the proposed addition that the Convener would have the prior right to the motion at any special meeting called in terms of Standing Order 8.2, there was extended discussion and the Group felt it needed to be looked at again. Steven Inglis advised that the Council was not bound by any legislation on this point and that they could agree to add an additional exception.</p> <p>Councillor Nicoll raised a point under any other business regarding people being required to sign in and out of the Town House in the evenings and weekends and reminded members of this requirement. It was noted that a communication had recently been issued in this regard. Councillor Crockett suggested that consideration be given to the completion of an electronic form rather than a hard copy. Vikki Cuthbert undertook to liaise with Lee Taylor in Facilities on the matter.</p> <p>The Group noted that a further meeting may be required to consider some of the above and that this would be confirmed in due course.</p> <p><u>The Group resolved:-</u></p> <p>(i) to request officers to revisit the proposals contained within Standing Orders 7.3, 29.1 and 29.4, as outlined above, and report back to the Group if required; and</p> <p>(ii) to otherwise note the summary document and the updates from officers.</p>	<p>Matter to be raised with Facilities</p> <p>To revisit Standing Orders 7.3, 29.1 and 29.4</p>	<p>Vikki Cuthbert with Lee Taylor</p> <p>Vikki Cuthbert/ Martyn Orchard/ Steven Inglis</p>

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GOVERNANCE REFERENCE GROUP
MINUTE OF MEETING OF 1 JUNE 2023

In attendance: Councillor Radley (Chairperson); and Councillors Allard, Crockett, McLellan, Massey (as substitute for Councillor Houghton) and Yuill.

Apologies: Councillor Mrs Stewart.

Officers in attendance: Vikki Cuthbert, Steven Inglis, Gogo Okafor, Martyn Orchard, Michele Pittendreigh and Helen Sherrit.

No.	Agenda Item	Notes of Discussion/Decisions	Action	By Whom
1.	Minute of Previous Meeting of 9 May 2023	<p>The Group had before it the minute of its previous meeting of 9 May 2023.</p> <p><u>The Group resolved:-</u> to approve the minute.</p>		
2.	Standing Orders follow-up and Draft Budget Protocol	<p>The Group had before it a document which set out proposed changes to Standing Orders 7.3, 29.1 and 29.4, which had been discussed at the previous meeting, and provided a draft Budget Protocol.</p> <p>Vikki Cuthbert, Interim Chief Officer - Governance (Assurance), advised that Standing Order 29.3 had been further refined as follows:-</p> <p>Where a motion and amendments are proposed prior to a Council, Committee or Sub Committee meeting, Members should provide a copy of the proposed wording to the Clerk as soon as reasonably practicable and, if possible, before the meeting commences by 12 noon on the working day prior to the meeting.</p> <p>In terms of the Budget Protocol, Vikki explained the rationale with regard to public engagement and advised that a meeting had taken place earlier in the day in terms of what that public engagement might</p>		

No.	Agenda Item	Notes of Discussion/Decisions	Action	By Whom
		look like. The Group resolved:- to note the information and the updates provided.		

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Appendix B

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SCHEME OF GOVERNANCE REVIEW
PROPOSED CHANGES FOR JUNE 2023

Proposed amendments and additions shown below (deletions and new wording in red)

POWERS DELEGATED TO OFFICERS

	REFERENCE	CHANGE	RATIONALE
1	Definitions	Chief Officers means:- (vi) the Chief Operating Officer of the Aberdeen City Health and Social Care Partnership.	So that the COO also benefits from relevant General Delegations to Chief Officers.
2	Principle 4	Any delegation made to an officer under this Powers Delegated to Officers document shall not prevent the Council or relevant Committee or Sub Committee or the Integration Joint Board from exercising the power so delegated provided that the matter in question has not already been determined.	To account for the IJB.
3	Principle 5	This Powers Delegated to Officers document does not permit delegation to an officer of a power which is reserved to the Council or one of its Committees or Sub-Committees or the Integration Joint Board.	To account for the IJB.
4	Principle 6	The Council shall exercise all its powers and duties in accordance with the law and the Council's constitutional documents. In particular, the exercise of any power contained within this Powers Delegated to Officers document shall be in accordance with the provisions of the Scheme of Governance and shall be subject to there being sufficient funding available to cover the costs of exercising that power. In exercising such a power, the relevant officers shall have due regard to relevant Council and relevant Integration Joint Board policy.	To account for the IJB.

	REFERENCE	CHANGE	RATIONALE
		
5	Principle 7	Except where prohibited by law, Chief Officers may sub-delegate any of their delegated powers (including powers delegated by Full Council, Committee or Sub-Committee and not listed in this Powers Delegated to Officers document) to their deputies or such other officer(s) as they may consider appropriate.....	Clarification of the original meaning.
6	Principle 10	The Council's Risk Appetite Statement and, where relevant, the Aberdeen City Integration Joint Board (IJB) Risk Appetite Statement, which sets out how the Council balances the risks and opportunities in pursuit of delivering the outcomes set out within the Local Outcome Improvement Plan (LOIP) and associated strategies, should provide guidance to officers when making decisions under this Powers Delegated to Officers document.	To account for the IJB.
7	Interpretation 8	For the avoidance of any doubt, references to the North East Scotland Pension Fund include references to the Aberdeen City Council Transport Fund.	To reflect the merger of NESPF and the Transport Fund into what is now simply known as the NESPF.
8	General Delegation 17	To make changes to job titles where there are no changes material to the post.	To offer greater flexibility when there are no material changes to the post in question.
9	General Delegation 22	To implement Council and Integration Joint Board decisions and policies	To account for the IJB
10	General Delegation 25	To approve applications for grant funding and, following consultation with the Convener of the Finance and Resources Committee, to authorise the acceptance of grant funding (whether or not it was applied for) and to sign any	Clarification

	REFERENCE	CHANGE	RATIONALE
		documentation relating to the such grant funding, provided that any terms and conditions of such funding have been approved by the Chief Officer - Finance and the Head of Commercial and Procurement. Expenditure of such funding is subject to compliance with the ACC Procurement Regulations where applicable.	
11	General Delegation 26	To approve the making of: <ul style="list-style-type: none"> a. grants (each with a maximum value of £15,000 £30,000) to organisations; and b. grants, awards or prizes (each with a maximum value of £10,000 2,500) to individuals, following consultation with the Chief Officer – Finance, and provided that sufficient budgetary provision exists and the grant, award or prize is made subject to terms and conditions approved by the Head of Commercial and Procurement.	The increase in values will speed up the grant process and avoid the need to take lower value matters to committee. Chief Officers are already following the public pound and these increased figures are in line with their remit in the Procurement Regulations
12	General Delegation 47	Following consultation with the Chief Officer - Finance, to: <ul style="list-style-type: none"> a. accept gifts, endowments, bequests and donations (of money and property, other than land or buildings) which relate to a function or matter within their remit or area of responsibility as Chief Officer and to take or instruct any actions which they deem appropriate in relation to such acceptance, subject to the ACC Financial Regulations and ACC Procurement Regulations; and b. approve the sale or other use of such property in accordance with any terms applying to the gift, endowment, bequest or donation, subject to the ACC Financial Regulations; and to approve the expenditure of a monetary gift, endowment, bequest or donation, or of money realised from the sale or other use of property which is the subject of a gift, endowment, bequest or donation, is subject to compliance 	Clarification

	REFERENCE	CHANGE	RATIONALE
		with the ACC Procurement Regulations where applicable and in accordance with any terms applying to the gift, endowment, bequest or donation.	
13	CO – Early Intervention and Community Empowerment 25	Following consultation with the Chief Officer of the Aberdeen City Health and Social Care Partnership, the Chief Officer – Education and the Chief Officer – Integrated Children’s and Family Services, To undertake and report to Committee on the Council’s Child Poverty Action Plans and Local Child Poverty Action Reports.	Clarification.
14	CO – Operations and Protective Services 44	To authorise officers under section 7 of the Smoking, Health and Social Care (Scotland) Act 2005 to exercise the powers contained in section 7 and also in schedule 1 to the 2005 Act and to authorise officers to exercise powers under the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016.	To include express reference to additional legislation.
15	CO – Operations and Protective Services 46	To enforce and exercise powers, and authorise officers to enforce and exercise powers, under the appropriate provisions of the following legislation:- a. Animal Boarding Establishments Act 1963; b. Animal Health Act 1981; c. Animal Health and Welfare (Scotland) Act 2006; d. Breeding of Dogs Act 1973; e. Breeding and Sale of Dogs (Welfare) Act 1999; f.d. Dangerous Wild Animals Act 1976; g. Licensing of Animal Dealers (Young Cats and Young Dogs) (Scotland) Regulations 2009; h.e. Performing Animals (Regulation) Act 1925; i. Pet Animals Act 1951; j.f. Riding Establishments Act 1964 and Riding Establishments Act 1970;	To include express reference to additional legislation and delete reference to repealed legislation.

	REFERENCE	CHANGE	RATIONALE
		<p>k.g. Zoo Licensing Act 1981;</p> <p>h. Animal By-Products (Scotland) Regulations 2003; and</p> <p>i. Animal By-Products (Scotland) (Enforcement) Regulations 2013;.</p> <p>j. Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974</p> <p>k. Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021;</p> <p>l. Trade in Animals and Related Products (Scotland) Regulations 2012;</p> <p>m. Official Food and Feed Controls (Scotland) Regulations 2009;</p> <p>n. Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (Retained EU Legislation); and</p> <p>o. any other relevant legislation relating to animals.</p>	
16	CO – Operations and Protective Services 53	To authorise officers of the Environmental Health and Trading Standards Services to enforce the Single Use Carrier Bags (Scotland) Regulations 2014 and to authorise officers to exercise powers under the Environmental Protection (Single-use Plastic Products) (Scotland) Regulations 2021.	To include reference to new legislation
17	CO – Operations and Protective Services 54	To authorise officers of Trading Standards Scotland to carry out specific trading standards and consumer protection enforcement work within Aberdeen City Council's jurisdiction	No longer required as Trading Standards Scotland staff are now authorised by Glasgow City Council and can use Schedule 5 of the Consumer Rights Act 2015 to act across Scottish local authorities' boundaries.

	REFERENCE	CHANGE	RATIONALE
18	CO - Governance 1	Following consultation with the Co-Leaders, to amend the Council's Scheme of Governance documentation in order to: <ul style="list-style-type: none"> • correct obvious, technical or clerical errors; • reflect the law (including changes to the law), government guidance, regulators' guidance, codes of conduct, codes of practice and Council policies and decisions; and • alter the sequencing of provisions and add, remove or amend headings. 	To permit the making of minor changes intended to support ease of use of the documentation.
19	CO - Gov 53	In relation to the Council's crests and the coat of arms of Aberdeen, to take any actions which the Chief Officer – Governance considers to be in the interests of the Council, including authorising the use of same or taking action against unauthorised use.	This reflects the current position which is that the Chief Officer will write to person/persons using the crest or coat of arms to request that they stop doing so.
20	CO - Gov 17	To appoint officers as Designated Senior Officers Approved Rank Officers , under the Council's Use of Investigatory Powers Policy and the Investigatory Powers Act 2016, to confirm and authorise the acquisition and use of Communications Data, subject to any such appointee having already undertaken appropriate training.	To reflect the changes to roles under the arrangements with NAFN (National Anti Fraud Network).
20A	CO-Finance - 12	To approve the purchase of second hand goods up to a value of £50,000.	For consistency – there is already a General Delegation to Chief Officers regarding second hand goods and the Chief Officer – Finance can utilise that.
21	CO - Finance – new power which is already written into the PO&D powers.	To approve (jointly with the Chief Officer – People and Organisational Development) the staff resources and recruitment matters which are stated within this Powers	For completeness and to ensure that these delegations are captured in both Chief Officer lists of delegated powers.

	REFERENCE	CHANGE	RATIONALE
		Delegated to Officers document as requiring the approval of both that Chief Officer and the Chief Officer – Finance.	
22	CO - Aberdeen City IJB 1	To facilitate and implement Directions issued to Aberdeen City Council from the Aberdeen City Integration Joint Board, on the instruction of the Chief Executive of Aberdeen City Council and in accordance with the requirements of the ACC Procurement Regulations.	To reflect practice.
23	CO - Aberdeen City IJB 3	To take all necessary steps to comply with the ‘Duty of local authority to assess needs’. Legislative Reference: section 12(A) Social Work (Scotland) Act 1968, and amended under the National Health Service and Community Care Act 1990.	Amended as read more like a requirement rather than the delegation of a decision-making power.
24	CO - Aberdeen City IJB 13	To assess the ability of carers to provide care needs and thereafter provide, or secure the provision of, community care services. Legislative Reference: section 12A of the Social Work (Scotland) Act 1968.	To clarify and accurately reflect the duty as it exists under the 1968 Act.
25	CO - Aberdeen City IJB 15	To oversee the general functions under the Adults with Incapacity (Scotland) Act 2000 including:	To make clear the list is not exhaustive.
26	CO - Aberdeen City IJB 38	Subject to future designation of the Aberdeen City Integration Joint Board as a Category 1 Responder under the Civil Contingencies Act 2004, To direct and ensure that coordinated and appropriate arrangements are in place to discharge the requirements of that Act the Civil Contingencies Act 2004 and other relevant legislation	To update the power after legislation has become effective.
27	Appendix 1 Proper Officers and Statutory Appointees	For the entry relating to “Representation of the People Act 1983 Sections 25, 41”: <ul style="list-style-type: none"> In the Function column, below “Returning Officer”, add: “The returning officer appointed under section 41 is also the constituency returning officer for Scottish Parliament elections (see article 14 of the Scottish Parliament (Elections etc.) Order 2015). They are also the regional returning officer for the North East Scotland region for Scottish Parliament 	Clarification and update to reflect that the Chief Executive will be the Returning Officer.

	REFERENCE	CHANGE	RATIONALE
		<p>elections (see the Scottish Parliament Elections (Regional Returning Officers and Constituency Returning Officers) Order 2016)".</p> <ul style="list-style-type: none"> replace "Chief Officer – Governance" with "Chief Executive". 	
28	General Delegation – additional power	<p>Following consultation with the Convener of the Finance and Resources Committee and the Chief Officer - Governance, to provide advice and assistance to a body engaged outside the United Kingdom in the carrying on of any of the activities of local government, subject to the requirements of the Local Government (Overseas Assistance) Act 1993. Such assistance may not take the form of a grant, loan, guarantee, indemnity or investment.</p>	To expressly permit officers to provide (non-financial) advice and assistance to overseas local government bodies, most likely in emergency situations.
29	General Delegation – additional power	<p>Chief Officers of the Aberdeen City Integration Joint Board only: When acting as Duty Emergency Response Coordinator (DERC): take, or arrange for the taking of, any action on behalf of the Aberdeen City Integration Joint Board which s/he considers necessary in the event of:</p> <ul style="list-style-type: none"> an emergency (as "emergency" is defined in the Civil Contingencies Act 2004); and/or any incident or situation that requires the implementation of special arrangements in order to: <ul style="list-style-type: none"> a. maintain statutory services at an appropriate level; b. support the emergency services and other organisations involved in the immediate response; c. provide support services for the community and others affected by the incident; d. enable the community to recover and return to normality as quickly as possible; and/or e. provide aid to other bodies, 	To account for the IJB.

	REFERENCE	CHANGE	RATIONALE
		with any such action being reported to a future meeting of the IJB or its relevant committee as an item on the agenda.	
30	CO - City Growth – additional power	Following consultation with the City Region Deal Programme Board, to make any reports (mandatory or otherwise) to the UK and/or Scottish Governments, which are requested or required in relation to City Region Deal Projects.	To strengthen governance for these reporting arrangements.
31	CO - City Growth – additional power	To make, following consultation with the Head of Commercial and Procurement, subsidy schemes in terms of section 10 of the Subsidy Control Act 2022.	To support the implementation of Council or committee decisions which have subsidy control implications.
32	CO - Gov – additional power	To contact the appropriate authorities and submit SARs (Suspicious Activity Reports) in relation to suspected money laundering activity.	To reflect ACC's existing Anti-Money Laundering Policy.
33	CO - Gov – additional power	To determine whether petitions to the Council are competent in terms of the Council's petitions criteria, following consultation with the relevant Convener and relevant Chief Officers.	For clarity around governance in relation to determining competence in advance of being added to an agenda.
34	CO - Gov – additional power	To take (or arrange for the taking of) any action in relation to public inquiries involving or affecting the Council, including applying for leave to appear at inquiry hearings or applying for core participant status.	For clarity around governance to make sure that this process does not rely on a committee decision (given that public inquiries can move at pace).
35	CO - Gov – additional power	To act as the Council's Senior Information Risk Owner (SIRO), in terms of the Council's Corporate Information Policy and otherwise.	To reflect ACC's existing Corporate Information Policy.
36	CO – Gov – additional power	To recall the suspension of a taxi driver's licence or private hire car driver's licence imposed on the grounds that the licence holder failed to meet the necessary medical standards where the licence holder produces evidence from a medical	To allow the recall of suspension on purely factual grounds where no subjectivity is involved - without the need to call a Licensing Sub-Committee.

	REFERENCE	CHANGE	RATIONALE
		professional that states that he or she now meets the required standards.	
37	CO – Gov – additional power	To recall the suspension of a street trader's licence imposed on the grounds that the licence holder did not have a valid Food Hygiene Certificate where the licence holder produces a valid Certificate.	To allow the recall of suspension on purely factual grounds where no subjectivity is involved - without the need to call a Licensing Sub-Committee.

STANDING ORDERS

REFERENCE	CHANGE	RATIONALE
2.6	The Convener and Vice Convener of the Audit, Risk and Scrutiny Committee must be a members of the opposition unless the opposition choose not to nominate members to either or both of those roles.	Correction, and to make provision for where the opposition choose not to nominate.
7.3	It will be within the discretion of the Convener of the Council, a Committee or Sub Committee to cancel, or advance or postpone to another date, an ordinary meeting if in his/her opinion, acting reasonably, there is a good reason for so doing and provided that this reason is communicated to the relevant membership as soon as reasonably practicable.	To ensure that members are promptly provided with an explanation for changes to the meeting schedule.
8.2.2	The written request must set out should specify the business of proposed to be transacted at the meeting and must be signed by at least a quarter of the Members of the Council, Committee or Sub Committee. If the written request does not specify the business of the meeting, then the Members must, at least three clear days before the meeting, provide the Chief Officer – Governance with a notice signed by those Members which specifies the business proposed to be transacted at the meeting.	To address the situation where the written request does not specify the business (see Schedule 7 to the Local Government (Scotland) Act 1973).
12.2.1	The Clerk will then be responsible for collating the views of the relevant Director(s), Chief Officer - Governance, Chief Officer - Finance and any other relevant Chief Officer(s) or external partner(s), in terms of competency and any other relevant feedback , and presenting these to the Member	To make it clear why the views of those individuals are being sought with regard to Notices of Motion
12.6	12.6 A Notice of Motion will be determined incompetent if:- 12.6.1 The judgement of the relevant Director(s) or Chief Officer(s) is that the matter is already being pursued. In such circumstances, the Member may only resubmit the motion after a period of six months from the date of submission of the Notice of Motion; 12.6.2 The terms of the motion could would, in the opinion of the Chief Officer - Governance, be likely to result in a breach in law;	To provide further guidance to Conveners when making a determination. Competency is not about feasibility/desirability/sensibility, but whether it is a decision which officers can legally and finally give effect to, if agreed. To make clear that loss of income also applies in terms of why a Notice of Motion could be

REFERENCE	CHANGE	RATIONALE
	<p>12.6.3 The motion proposes expenditure or would lead to the loss of income and does not identify a source of funding; or</p> <p>12.6.4 A motion in similar terms has already been submitted for the same meeting by another Member,</p> <p>but will not be determined incompetent solely on the ground of not complying with a Standing Order if it is seeking suspension of that Standing Order.</p>	incompetent, as any lost income would affect the balancing of the budget
12.9	A Notice of Motion submitted to the Clerk outwith the deadlines referred to in Standing Orders 12.2 and 12.3 above, can only be accepted onto the agenda at the discretion of the Convener, whether prior to, or at the meeting of the Council, Committee or Sub Committee.	Minor clarification
12.16	A Member can make minor alterations to their motion at the meeting , with the consent of the Convener.	Makes clear that this is a final opportunity to make an alteration at the meeting, not prior to publication.
12.17	12.17 Any motion proposing a nomination for Freedom of the City must be signed by at least 23 Members of the Council. As regards the decision itself, section 206(1) of the Local Government (Scotland) Act 1973 states that "A local authority may, by resolution passed by <u>not less than two-thirds</u> of the members voting thereon at a meeting of the authority the notice of which specifies the proposed admission as an item of business, admit to be honorary freemen of their area persons of distinction and any persons who have rendered eminent service to their area".	Helpful explanation which references the legislation within the Standing Order.
24.2	24.2 To promote the effective management of the meeting, Members should seek clarification or advice on any points from officers, and submit questions , in advance of the meeting.	Introducing an encouragement for questions to officers to be submitted in advance in order that officers are fully prepared to answer questions.

REFERENCE	CHANGE	RATIONALE
26.3	Advisers to the Staff Governance Committee and external advisers to the Anti-Poverty and Inequality Committee will be entitled to raise a Point of Order, ask questions and participate in any debate, but will not be entitled to move or second a motion or amendment, nor participate in any vote.	For consistency between the two Committees. Possibly change to “any committee which has advisers”.
29.1	Where a motion and amendments are proposed prior to a Council, Committee or Sub Committee meeting, Members should provide a copy of the proposed wording to the Clerk as soon as reasonably practicable and, if possible, before the meeting commences by 12 noon on the working day prior to the meeting.	To give officers more time to review motions/amendments and provide meaningful feedback. The wording is should rather than must as it is accepted that it will not always be possible and Members shouldn't be prohibited from putting forward a motion/amendment during a meeting, for example if new information has come to light.
29.2	Any motion or amendment in respect of the budget should must be submitted to the Chief Officer – Finance, by 10am on the third last Working Day before the meeting takes place in accordance with the Budget Protocol. to enable the Chief Officer – Finance to consider any financial implications. For example, if the budget meeting is on Tuesday then any amendment should be submitted to the Chief Officer – Finance, by 10am the Thursday before. Such motion or amendment should detail the cost of the proposal(s) being advanced or the savings proposed to be achieved and the consequential impact of that cost or those savings on the annual budget and any associated commissioning intentions and service standards.	This is supported by a Budget Protocol as per recommendation 2.9 in cover report.
29.3	29.3 The Clerk will then be responsible for collating the views of the following officers, in terms of competency and any other relevant feedback , and presenting these to the Member: 29.3.1 the relevant Director(s); 29.3.2 Chief Officer – Governance; 29.3.3 Chief Officer – Finance; and 29.3.4 other relevant Chief Officer(s) or external partner(s).	To make it clear why the views of those individuals are being sought with regard to motions and amendments

REFERENCE	CHANGE	RATIONALE
29.4	<p>29.4 The Convener will have the prior right to the motion, except:-</p> <p>29.4.1 where he/she waives this right and allows another Member to have the prior right to the motion;</p> <p>29.4.2 where a written Notice of Motion submitted by a Member is moved;</p> <p>or</p> <p>29.4.3 where the Council is meeting to consider its annual revenue budget, in which case the Convener of the Finance and Resources Committee will have the prior right to the motion. Following the moving of each budget, the spokesperson of the biggest Opposition Group will have the right to propose an amendment; or</p> <p>29.4.4 where a special meeting is called by at least a quarter of the Members of the Council, Committee or Sub Committee under Standing Order 8.2, but only where the Convener was not among those Members calling that meeting and the motion was submitted to the Clerk in writing 24 hours before that meeting.</p>	In response to feedback from the Governance Reference Group.
29.9	A motion or amendment is incompetent if it would require the incurring of expenditure or would lead to the loss of income and the source of funding is not identified.	To make clear that loss of income also applies, as any lost income would affect the balancing of the budget.
New 29.11 (with subsequent provisions of SO29 re-numbered accordingly)	A motion or amendment is incompetent if its terms would, in the opinion of the Chief Officer - Governance, be likely to result in a breach in law.	For consistency with SO12 (Notices of Motion).
42.2.1	where a Notice of Motion to that effect has been submitted, of which appropriate prior notice has been given in terms of Standing Order 12 and is set out in the published agenda;	Clarification. The key point is that only Notices of Motion which appear in the published agenda should be exempt from the “6 month rule” of SO 42.1.
Glossary	<u>Convener</u>	To make it clear that the Vice Convener or Depute Provost is authorised to make

REFERENCE	CHANGE	RATIONALE
	<p>The Chair of the Committee. Where 'Convener' is referred to in this document, this will also include the Lord Provost. It will also include the Vice Convener, or Depute Provost (for meetings of the full Council), where the Convener or Lord Provost is unavailable.</p>	<p>decisions, in certain circumstances, when the Convener/Lord Provost is unavailable – for example in determining the competency of Notices of Motion or deputation requests.</p>

TERMS OF REFERENCE

REFERENCE	CHANGE	RATIONALE
Introduction, para 4	Under s56(1) of the 1973 Act, the Council is permitted to delegate the discharge of functions to officers. The Committee terms of reference should be read in the context of the Powers Delegated to Officers and are without prejudice to the Powers Delegated to Officers . Any delegation made to an officer shall not prevent the Council, relevant committee or sub committee from exercising the power so delegated.	Clarification
Introduction, para 13v	consider the experience of customers and take such action to ensure to ensure that services meet customers’ needs	Correction
Aberdeen City Council - 19	The approval of the Schemes of for the Establishment of Community Councils and the review or amendment of such Schemes in terms of sections 52 and 53 of the Local Government (Scotland) Act 1973; and the revocation of such Schemes (or amended Schemes) and the making of new Schemes in accordance with section 22 of the Local Government etc. (Scotland) Act 1994.	To clarify that these other decisions relating to Schemes should also be determined by Full Council.
Aberdeen City Council - 21	To consider any matter which the Council has previously considered and agreed to receive a further report on .	Correction
Aberdeen City Council – 24	Remove all references to the Council approving procurement activity in excess of £1m.	To transfer approvals above £1m in value to the Finance and Resources Committee along with all other procurement activity. It is felt that scrutiny of procurement business cases at Council is being sacrificed due to the size of Council agendas and the length of the meetings, with the meetings being a lot more political in nature. The Finance and Resources Committee is better suited to scrutinise

		procurement business cases and does so more effectively for activity of less than £1m at present.
General Delegations 8.2	approve appointments and nominations to outside bodies relevant to its remit;	Correction.
Various	Insert the following at the foot of each Committee's Terms of Reference (except those of the Urgent Business Committee): Please refer also, as applicable and appropriate, to the "General Delegations to Committees" and the "Exclusions from Delegation to Committees".	Helpful reminder
Finance and Resources 1.1.5	Approve all non-capital programme procurement activity below £1m, and capital programme procurement activity irrespective of value, including Procurement Business Cases submitted in accordance with the Procurement Regulations;	See rationale above at Aberdeen City Council 24
Finance and Resources 1.1.12	receive Moody's formal credit rating reassessments;	To make the remit more generic and not specific to one agency.
Anti-Poverty and Inequality 1.3	Seek the views and involvement of those experiencing poverty and inequality and those with knowledge or expertise in relation to these issues;	To more expressly cover the input of external advisers.
Anti-Poverty and Inequality	Replace existing 2.1 and 2.2 with: 2.1 approve for publication Local Child Poverty Action Reports in terms of the Child Poverty (Scotland) Act 2017 and Child Poverty Action Plans. 2.2 approve for publication the Council's: i. reports on its progress on mainstreaming the equality duty, ii. sets of equality outcomes, and	To make the remits clearer and more comprehensive

	<p>iii. reports on the progress made to achieve the equality outcomes, all in terms of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012; and</p>	
Anti-Poverty and Inequality – new remit	<p>3.1 In undertaking the aspects at 1 and 2, the Committee will ensure that it is acting within the budget set by Council and is supporting the delivery of the Council’s agreed outcomes, commissioning intentions and service standards.</p> <p>3.2 The Committee may make recommendations to the appropriate Committee(s) or Sub Committee(s) on matters affecting its remit where the authority to approve sits within the remit of another Committee or Sub Committee.</p>	For consistency with the Terms of Reference of the following Committees: Communities, Housing and Public Protection; Net Zero, Environment and Transport; and Education and Children’s Services.
Pensions Committee	<p>6. Outside Bodies The Committee shall determine appointments and nominations to the Local Authority Pension Fund Forum (LAPFF) and other outside bodies relevant to its remit.</p>	This was previously a determination made by the Convener and should be a decision of the Committee. The General Delegations to Committees do already state that committees will approve appointments to outside bodies relevant to their remit, but this makes it even more explicit.

PROCUREMENT REGULATIONS

REFERENCE	CHANGE	RATIONALE
3.9 (e)	Any contract which relates to the appointment by the Council of advocates, solicitors or barristers or expert witnesses in any legal proceedings (whether such proceedings are underway or in contemplation) subject to Procurement Regulation 4.1.1.3;	Not an excluded contract under reg 11 PC(S)R 2015. Would need to be appointment without prior competition due to extreme urgency (reg 33 PC(S)R 2015 or Reg 6 P(S)R 2016), so 3.10 memo mechanism more appropriate.
3.9 (f)	the Head of Commercial and Procurement shall be notified as soon as reasonably practicable; and	Delete repetition
3.10	The Procurement Regulations may be suspended either in whole or in part by: Full Council, The Finance and Resources Committee, or the Director of Commissioning and the Head of Commercial and Procurement in writing, in respect of an award of any contract where the award of that contract is urgently required to meet the exigencies of the Function/Cluster.	clarification
3.11	Where the Director of Commissioning and the Head of Commercial and Procurement have decided that the criteria for suspension of Procurement Regulations are fulfilled, then a contract may be awarded to the preferred supplier or contractor as appropriate and the reason(s) must be noted in the Contracts Register. A	Correcting typo
4.1.1.4		Delete return after iv. (drafting correction)
4.1.1.5	4.1.1.5 Expenditure Approved by the Integration Joint Board Notwithstanding Procurement Regulation 4.1.1.2, the Director of Commissioning can approve (or nominate a person as having authority to approve) any procurement or contract, as a result of a Direction from the Integration Joint Board to the Council and/or a relevant business case, where the Contract Value of the contract is above £50,000 (supplies/services) or £250,000 (works) or £4.5m	Amended "Integrated" to "Integration"

	(concessions), subject to the approval of the Chief Officer – Finance and the Head of Commercial and Procurement without the need for the approval of any other Committee	
4.1.1.8	<p>Expenditure of grant funding, gifts, endowments, monetary bequest or donation received by the Council</p> <p>i. Expenditure of grant funding, gifts, endowments, monetary bequest of donation received by the Council must always be in accordance with the terms and conditions of the grant, gift, endowment, monetary bequest or donation (if any).</p> <p>ii. Where a tender is to be invited or contract entered into that is in excess of £50,000 (supplies/services) £250,000 (works) and 100% of the Contract Value is to be met from grant funding, gift, endowment, monetary bequest or donation</p>	To reflect the changes made to PDO GD 47
4.1.1.8 (iii)	£50,000	drafting
8.3.3	<p>Grants</p> <p>Where it is envisaged that there may be any procurement or subsidy control (formerly state aid) in the award of grants,</p>	Update re terminology post Brexit legislation
12.1	Sstandstill Pperiod	Drafting (not a defined term)
15.4	<p>Justification of Direct Awards</p> <p>15.4.1</p> <p>Justification for making a direct award in relation to Threshold (ii), including call off contracts directly awarded from Framework Agreements, may include the following: -</p> <p>a. Where the relevant Chief Officer is satisfied that the requirement of the contract is unique or, after research, only one suitable source of supply can be identified;</p> <p>b. When, for reasons of extreme urgency or risk to life or health and wellbeing, the other procurement procedures cannot be complied with;</p> <p>c. Where, for example, in the case of certain residential or supported living services, there are only limited places available for a specific type of care and/or support and those places only become available occasionally and/or at short notice;</p>	<p>Tidying drafting by moving above Threshold (iii) (Light Touch Regime £663k) from para. g to new para 15.4.2 which now includes clarification that any direct award requires to comply with Procurement legislation. Italicised writing applies only to threshold (ii) (up to LTR) and not above</p> <p>Deleted red wording moved to final paragraph, new wording highlighted in yellow.</p>

	<p>d. Where the Council is instructed by a Children’s Hearing or Educational Tribunal to place a child in a particular setting;</p> <p>e. Where the individual has a right to choose and direct their own accommodation and/or support;</p> <p>f. Where the Relevant Chief Officer is satisfied that the risk to service user(s) outweighs the benefits of advertising the requirement and awarding the contract or framework following competition; or</p> <p>In exceptional circumstances, a direct award may be made in relation to Threshold (iii), for example in relation to residential care homes, where the provider owns the property and delivers the service and we have no ability to re-tender to change the provider. <i>In accordance with the Scottish Government’s Best Practice Guidance: A public body should decide, on a case-by-case basis, whether or not to advertise the requirement and award a contract or framework agreement by competition. A number of factors should be taken into account, including application of the procurement legislation, procurement policy and risk of legal challenge; application of local financial regulations and standing orders; and benefits and risks to people who use services and service delivery.</i></p> <p>15.4.2g- <i>In exceptional circumstances, where permitted by Regulations 33 or 72 of the Public Contracts (Scotland) Regulations 2015, a direct award may be made in relation to Threshold (iii), for example in relation to residential care homes, where the provider owns the property and delivers the service and we have no ability to re-tender to change the provider.</i></p>	
15.5.1.1	<p>In relation to Thresholds (i) and (ii) – Approval by the relevant Chief Officer. In respect of Threshold (ii) approval is to be in consultation with the relevant committee convenor or chair of the IJB and submission of a report on the matter to the next relevant committee or IJB;</p>	<p>To give Chief Officer approval beyond current £50k up to the Light Touch Regime (‘LTR’) threshold (£663,540) (provided for in public procurement regs) the rationale being that >1/3 care and support services fall into this category and this would mirror Aberdeenshire financial regs. Any contracts put in place would be reported back to the next available Committee/IJB. For care services, this would</p>

		mean that the approval limit of CO could be up to LTR which is (£660k approx.). There will continue to be a level scrutiny in the subsequent reporting to committee/IJB.
15.5.1.3	In relation to Threshold (ii) – £50,000 up to the LTR Threshold and Threshold (iii) and (iv): - The submission of a business case by the relevant Chief Officer to the IJB or, if applicable, the Council or Finance and Resources Committee, or Education and Children’s Services Committee in the case of children’s services , in advance of the contract being awarded	To reflect proposed change to 15.5.1.1 above so that approval of business cases to direct award contracts up to LTR (c£660k) fall into CO remit
	[Replace References to state aid with subsidy control]	

FINANCIAL REGULATIONS

REFERENCE	CHANGE	RATIONALE
4.5	<p data-bbox="521 331 1003 363"><u>Following the Public Pound Policy (FtPP)</u></p> <p data-bbox="521 403 1440 619">The FtPP Code requires that supporting documentation must be obtained to determine if an organisation has adequate financial and governance arrangements in place before a grant is approved and issued. A detailed list of the requirements of the financial assessments (such as annual accounts, income and expenditure statements) are given in the policy by the relevant Tier and there is a summary checklist at the end of the guidance.</p> <p data-bbox="521 659 880 691">The following conditions are:</p> <ul data-bbox="544 699 1440 1385" style="list-style-type: none"> <li data-bbox="544 699 1440 834">• Functions should ensure that all grants are assessed for subsidy control to determine if the grant award is a subsidy. Assessment forms should be completed and sent to subsidycontrol@aberdeencity.gov.uk <li data-bbox="544 842 1440 946">• Functions should ensure financial assessments are completed and recorded in line with the Council's FtPP Code prior to awarding any related grant. <li data-bbox="544 954 1440 1169">• Operational assessments – include risk assessments, organisational objectives, and adequacy of governance arrangements. The Budget Holder undertaking the operational capability assessment must document their findings, together with their recommendation as to whether the organisation is fit and proper to be considered for funding. <li data-bbox="544 1177 1440 1241">• Functions must conduct operational assessments and record the findings prior to awarding grants to external organisations. <li data-bbox="544 1249 1440 1385">• Debt checks must be undertaken to ensure the organisation concerned has no outstanding debt with the Council. This can be done by contacting the debt team at rbrecovery@aberdeencity.gov.uk. They will advise whether there 	Following Internal Audit report on Following the Public Pound emphasis on the requirements of the code. Updated SharePoint site link added.

	<p>is any debt relating to Council Tax, Non- Domestic Rates, and sundry debts.</p> <ul style="list-style-type: none"> • Funding agreements must be established and signed by the grant recipient prior to any grants being paid. • A grant schedule must be drawn up and signed by the grant recipient. Payments should be in no fewer than four instalments per financial year. • Supporting documentation must be obtained on an annual basis and this must also be held in the folder. This paperwork will prove that all checks have been undertaken correctly. <p>Link added for the SharePoint site and previous link removed.</p>	
4.6	Treasury Management Policy updated	New policy approved on 22 February 23
4.11	Added in ICT Access Control Policy	Previously not included
4.11	<p>ICT Acceptable Use and Security</p> <p><u>Under the terms of the lease of the devices a user must return their leased device in the same or in a reasonable condition based on age, if repairs are required, during or at the end of the lease period, the cost would be either be reimbursed by insurance or the employee where appropriate, which will be determined by the relevant Chief Officer, in consultation with the Chief Officer - Digital & Technology.</u></p>	Device refresh to happen in 2023, we want to make people aware that people should be returning their device in a reasonable condition.
5.14.2	His Majesty's Revenue and Customs (HMRC).	To reflect the change in the name of the organisation following the death of the Queen
5.14.2	<p>R Standard Rate – PECOS orders</p> <p>C Outside Scope</p> <p>F Reduced Rate (currently 5%)</p> <p>Z Zero Rated</p> <p>E Exempt</p> <p>M3 – foreign services</p> <p>M4 – domestic reverse charge</p> <p>M5 – postponed import VAT</p>	To reflect the changes which have already occurred

5.15.3	<p><u>Grant Offers and Claims</u> <u>This is required where the grant is above the value of £15,000, grants below this value acceptance should be obtained from a Finance Partner responsible for the relevant service.</u></p>	Require to set a de minimis as large number of smaller grants especially in areas such as Education which can be approved by the Finance Partner who has knowledge of the service.
5.15.4	<p><u>Subsidy Control Act 2022</u></p> <p>The Subsidy Control Act 2022 provides a new framework for the provision of subsidies within the United Kingdom which will build on the provisions in the subsidy control chapters of the Trade and Co-operation Agreement, which have applied since the UK's exit from the EU.</p> <p>The aim of the guidance is to explain the legal obligations on public authorities under the domestic subsidy control regime. It provides a framework for designing and awarding subsidies in a way which is consistent with the Subsidy Control Act 2022 (the Act). This guidance is designed to help public authorities award subsidies in a way which minimises any negative impacts to competition and investment, as well as promoting the effective and efficient use of public money.</p> <p>The Council's External Funding Team has put in place the necessary arrangements to access and provide notifications to the UK subsidy database and to make subsidy schemes.</p>	Subsidy Control Act 2022, statutory guidance come into law since previous Finance Regulations were in place.
5.18	If, there is evidence of Financial irregularities this could led to further investigations under the Council's Disciplinary Procedures	To ensure it is clear that if there are financial irregularities it could lead to a further investigation under the Council's Disciplinary Procedure
5.2.1	Fees & Charges - Added in Finance & Resources Convenor	Previously missing
5.2.10	Purchase Cards	To make the usage of Purchase Card clear

	All purchases made with a Council purchase card must be subsequently reviewed and approved within the relevant system by appropriate members of staff. Any issues with system usage or access should be raised with eps-development@aberdeencity.gov.uk or via your primary finance contact.	
5.20	Trust Funds – Reference to Powers Delegated to Officers	For sign posting if further information is required
5.3.1	<u>Monies Owed to the Council</u> and Low Emission Zone Fines.	New Source of income to the council
5.3.2	No debtors invoice should be raised for a value less than £30 (excluding VAT),	Increased to £30 from £25 to reflect increase in fees and charges and inflation.
5.3.4	Uncollectable/Bad Debt and Write Off of Debt The Chief Officer - Finance has authority to write off debts up to £50,000.	Increased from £25,000 to £50,000 to reflect the impact of inflation
8.3.2	The Chief Officer – Finance will issue quarterly Highlights Reports to the Chief Officers, who must confirm that they are in agreement with the outturns detailed in the reports.	Added in to reflect the recommendations of the Budget Monitoring Internal Audit recommendations.
8.4.4	<u>Revenue Budget Management</u> The Chief Officer – Finance must be notified of forecasts for all budgets quarterly.	Amended from monthly to reflect the cycle of monitoring.
10.2	<u>Finance and Resources Committee</u> The Capital Programme Sub Committee will oversee and scrutinise the Council’s capital programme, making recommendations to the Finance and Resources Committee on whether business cases should be approved for inclusion in the capital plan.	Deleted as no longer relevant
Various	<u>11. NORTH EAST SCOTLAND PENSION FUNDS</u> Local Government Pension Scheme (Scotland) Regulations 2018,	Amended all references in the North East Scotland Pension Fund from 2014 to 2018, omission from previous updates.

Various	Aberdeen City Council Transport Fund (ACCTF) - reference removed	Amended to reflect only known as The North East Scotland Pension Fund (NESPF).
Various	The Fund's. Also amended Funds to Fund where appropriate	
12.4.2	take reasonable steps for the prevention and detection of fraud and other irregularities.	Replaced deletion with detection, this is more appropriate wording.
12.4.8	The Senior Pensions Officer (Benefits) will review and authorise all payments and transfers processed through the Pension Fund benefit administration system. All payments and transfers processed through the Pension Fund's Benefit Administration System must follow the principles stated in Section 5.1 Internal Check (Risk Management and Control of Resources	Deletion of first sentence & replaced with sentence in red, more appropriate wording.

MEMBER-OFFICER RELATIONS PROTOCOL

REFERENCE	CHANGE	RATIONALE
Structure	Document realigned to the Guiding Principles and Capability Framework and to the triangle in the delivery plan which includes behaviour.	Document currently aligned to previous “core behaviours” and needs to align to the CF and GP which will help deliver TOM 1.2
Role of Monitoring Officer	Emphasise the role of the MO and the possible escalation routes for both officers and members who breach the protocol.	Clarity on current position.

Appendix C

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Aberdeen City Council Committee Terms Of Reference



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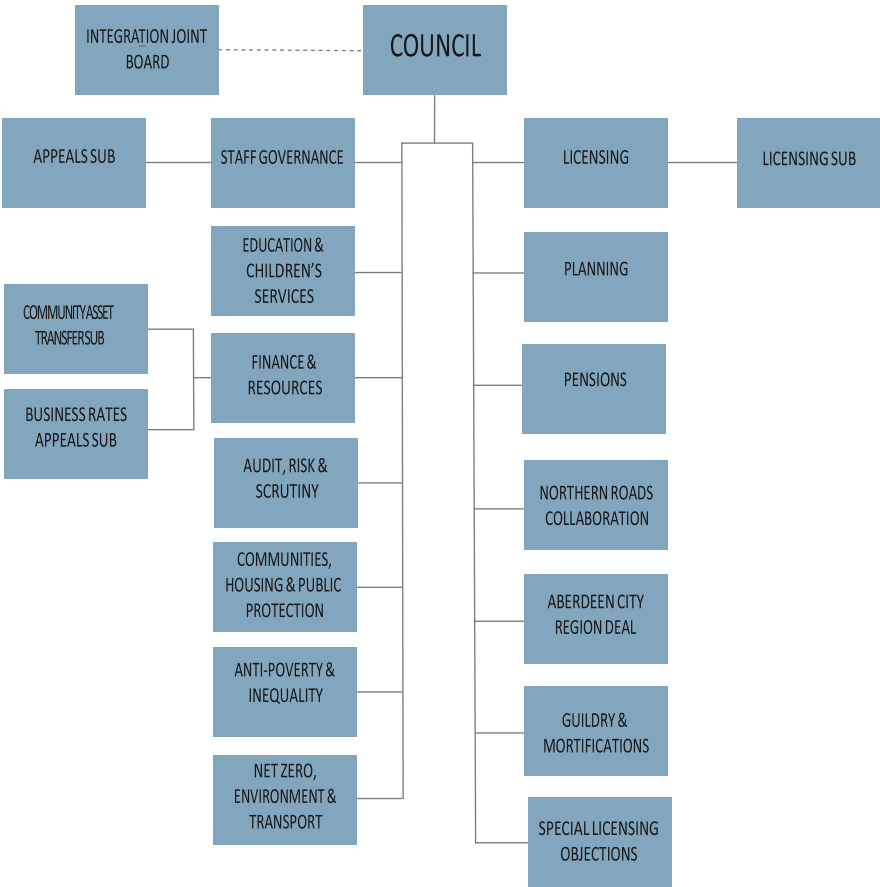
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Version	4.0
Effective From	14 October 2022
To be Reviewed	February 2023
Application of Policy	Council-wide
Policy Author	Martyn Orchard, Committee Lead

Commented [MO1]: Please disregard any formatting/layout issues like the Contents page. By converting the PDF to a Word document to show track changes, it does knock out the formatting to an extent. This will not be an issue for the final PDF version which will be updated once approved.

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INTRODUCTION



INTRODUCTION

1. The Council derives its authority from the Local Government (Scotland) Act 1973 and subsequent legislation. In exercising all of its functions and undertaking its responsibilities it must comply with the law.
2. Under s57 of the 1973 Act, the Council is permitted to appoint committees, or with other Councils, joint committees, to discharge functions which the Council could itself discharge, other than as set out in legislation.
3. A committee can appoint sub committees to exercise any function delegated to it.
4. Under s56(1) of the 1973 Act, the Council is permitted to delegate the discharge of functions to officers. The Committee terms of reference should be read in the context of the Powers Delegated to Officers [and are without prejudice to the Powers Delegated to Officers](#). Any delegation made to an officer shall not prevent the Council, relevant committee or sub committee from exercising the power so delegated.
5. The Council has also delegated powers to the Integration Joint Board of the Aberdeen City Health and Social Care Partnership under the Public Bodies (Joint Working) (Scotland) Act 2014.
6. In accordance with Standing Order 47.7, Council can determine any matter which would otherwise fall to be determined by a committee or sub committee; and under Standing Order 47.8, a committee can determine any matter which would otherwise fall to be determined by one of its sub committees.
7. A committee can at any time refer or make a recommendation on any matter delegated to it to Council, and a sub committee can refer or make a recommendation on any matter delegated to it to Council or to its parent committee.
8. Any decision taken by a committee or sub committee is deemed to be a decision of Council itself.
9. These committee and sub committee terms of reference may be amended only after consideration of a report to Council or the appropriate parent committee by the Chief Officer – Governance.
10. Non material amendments to these committee and sub committee terms of reference can be made by the Chief Officer - Governance, following consultation with the Co-Leaders, without the requirement to report to Council or the appropriate parent committee.
11. Any non material amendments made by the Chief Officer – Governance will be notified to members once completed.
12. The Terms of Reference will be reviewed annually by the Chief Officer – Governance as part of the review of the Scheme of Governance.
13. In exercising their functions, the Council, its committees and sub committees should:
 - i. meet their equalities obligations and take full account of their responsibilities to those customers and citizens with protected characteristics;

- ii. in accordance with Unicef’s Child Friendly Cities and Communities Programme, ensure, so far as possible, that children are allowed a voice in decisions which affect both them and their City;
- iii. work with outside bodies and partners in the emerging civic leadership forums;
- iv. work with outside bodies and partner organisations, locally and nationally, to oversee strategic economic development and its governance in the city and civic leadership forums;
- v. consider the experience of customers and take such action to ensure ~~to ensure~~ that services meet customers’ needs; and
- vi. have regard to the Council’s Risk Appetite Statement in balancing any risks and opportunities in pursuit of delivering the outcomes set out within the Local Outcome Improvement Plan (LOIP) and associated strategies.

JOINT WORKING WITH COMMITTEES AND NON COUNCIL BODIES

It is recognised that the Council and each committee will maintain an awareness of key issues through the work of other committees, through lead officers, Conveners and Vice Conveners working together. In addition, key issues will be considered following engagement with external organisations and communities, through appropriate forums.

1. ABERDEEN CITY COUNCIL

The Council 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, including the approval of commissioning intentions and service standards.
3. The approval of the capital programme.
4. The borrowing of money as provided for in s56(6)(d) of the Local Government (Scotland) Act 1973.
5. 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.
6. The approval of the Council's Treasury Management Policy and Strategy.
7. The appointment of committees, including external members, and the number and allocation of committee places, 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 election of members to the Licensing Board.
9. The review of polling districts and polling places.
10. Subject to the Powers Delegated to Officers, the administration of trusts in respect of which the Council is sole trustee or the only trustees are elected members of the Council.
11. The approval of the Local Development Plan.
12. The approval of an Administration's political priorities.
13. The consideration of the Council's Delivery Plan.
14. The consideration of its annual report of its effectiveness and each committee's annual report of its effectiveness.
15. 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.
16. The establishment of the Appointment Panel in accordance with the Standing Orders for Council, Committees and Sub Committees.
17. The approval of the Council's Scheme of Governance.
18. The approval of the Council/Committee Diary.
19. The approval of ~~the Schemes of for the~~ Establishment for Community Councils [and the review or amendment of such Schemes in terms of sections 52 and 53 of the Local Government \(Scotland\) Act 1973; and the revocation of such Schemes \(or amended Schemes\) and the making of new Schemes in accordance with section 22 of the Local Government etc. \(Scotland\) Act 1994.](#)
20. The establishment of Working Groups.

21. To consider any matter which the Council has previously considered and agreed to receive a further report [on](#).
22. To consider Monitoring Officer reports under Section 5 of the Local Government and Housing Act 1989.
23. Making schemes for the reorganisation of educational endowments under section 112(2) or 112(3) of the Education (Scotland) Act 1980.
24. To approve internal and external commissioning activity by the Council where the estimated contract value is in excess of £1m (with the exception of procurement relating to the Capital Programme which may be approved by the Finance and Resources Committee) and in this regard:

Commented [MO2]: Transfer to Finance and Resources Committee

Analysis

- 24.1 to receive a bi-annual Population Needs Assessment to understand the needs which public bodies must address;
- 24.2 to receive, as appropriate, 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
- 24.3 to receive, as appropriate, 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.

Planning

- 24.4 to endorse the refresh of the Local Outcome Improvement Plan (LOIP) including recommending any changes which may be required; and
- 24.5 to approve annual procurement workplans, reflecting the LOIP, the Population Needs Assessment, the Council's commissioning intentions, the Council's service standards, the views of customers and citizens, and the best evidence of effective interventions to ensure a preventative focus on demand reduction.

Doing

24.6 to approve all procurement activity by the Council where the estimated contract value is in excess of £1m (with the exception of procurement relating to the Capital Programme which may be approved by the Finance and Resources Committee) including Procurement Business Cases submitted in accordance with Procurement Regulations;

24.7 when approving procurement activity, the Council will:

24.7.1 promote investment in the prevention, early intervention and reduction in the demand for services; consider the experience of customers and take such action to ensure that services to be commissioned are co-designed to meet customers' needs;

24.7.2 ensure that commissioned services are focused on delivering the Council's agreed commissioning intentions and contribution to the LOIP; and

24.7.3 identify potential efficiencies and improvements in quality, including across partner organisations and promote the strategic allocation of resources.

Commented [MO3]: Transfer to Finance and Resources Committee

- 24.8 to establish Arm's Length External Organisations (ALEOs) where it is determined that services should not be provided in-house;
- 24.9 to decommission services, including ALEOs, that do not meet the Council's commissioning intentions and outcomes;
- 24.10 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; and
- 24.11 to approve the Strategy Framework to facilitate the delivery of agreed outcomes.

Reviewing

- 24.12 to approve amendments to the Council's Performance Management Framework (PMF);
- 24.13 to receive annual reports on the LOIP and Locality Partnership Plans;
- 24.14 to consider and monitor performance associated with the Council's agreed commissioning intentions and ultimate contribution to the LOIP outcomes;
- 24.15 to receive annual reports from each of the council's ALEOs to enable scrutiny of performance;
- 24.16 to receive an annual procurement performance report to enable scrutiny of performance; and
- 24.17 to receive reports on any changes in legislative requirements, policy and population needs which may facilitate opportunities to work differently to improve outcomes or may require revisions to existing commissioning intentions and outcomes.

~~However procurement relating to the Capital Programme may be approved by the Finance and Resources Committee.~~

For the avoidance of any doubt, this reservation 24 does not affect the Terms of Reference of the Pensions Committee, Aberdeen City Region Deal Joint Committee or Aberdeen City Integration Joint Board, and it does not prevent the exercise of delegated powers where authority is delegated to officers under the Powers Delegated to Officers, Procurement Regulations or otherwise.

Executive Leads: Chief Executive and Chief Officer – Governance

2. GENERAL DELEGATIONS TO COMMITTEES

1. Each committee can settle claims against the Council arising out of the functions supervised by the committee, irrespective of value so long as the amount can be met from an approved budget, except where an officer has exercised a delegated power.
2. Each committee can vire within those functions in its remit, to the extent set out in the Financial Regulations.
3. Each committee and sub committee can determine any applications for loans, grants, donations and subscriptions except where an officer has exercised a delegated power.
4. Each committee can appoint up to five members, consistent with the principles of political balance, to attend any meeting or conference relevant to the interests of the committee subject to the following provisions:
 - 4.1 no more than two members will be appointed to attend a conference outwith the European Union without the approval of the Finance and Resources Committee;
 - 4.2 in the case of a meeting or conference of interest to more than one committee, no more than six members and officers will be appointed without the approval of the Finance and Resources Committee; and
 - 4.3 in the event of a disagreement among committees, the matter will be determined by the Finance and Resources Committee.
5. Each committee will, as required, approve programmes of foreign travel for the financial year ahead as they relate to its remit, in accordance with the Travel Policy.
6. Each committee will consider and respond to petitions addressed to the Council as they relate to its remit, in accordance with the petitions procedure.
7. Except where an officer has chosen to exercise a delegated power, each committee can approve bids to awards programmes or for external funding relative to the remit which it oversees, subject to budget provision.
8. Each committee will, where appropriate:
 - 8.1 approve Council policies and strategies (including partnership strategies) relative to its remit and determine applications and requests in terms of such policies and strategies (**Note: for the avoidance of any doubt, this committee delegation does not prevent an officer determining such an application or request where they have a delegated power to do so**);
 - 8.2 approve appointments [and nominations](#) to outside bodies [relative-relevant](#) to its remit;
 - 8.3 meet the requirement to achieve Best Value in performing its role;
 - 8.4 receive the cluster risk registers relative to its remit and scrutinise to ensure assurance;
 - 8.5 monitor performance relevant to its purpose and remit;
 - 8.6 receive its own committee planner; and
 - 8.7 receive reports, as required, concerning any matter relative to its remit including reports on the implications of proposed draft legislation and evidencing the Council's readiness to comply with the new legal obligations and/or discretionary powers concerning the functions relative to its remit.

3. EXCLUSIONS FROM DELEGATION TO COMMITTEES

1. Incurring revenue expenditure for which no provision or insufficient provision has been made in the revenue budget, except with the approval of the Finance and Resources Committee.
2. Acquiring or disposing of any land or buildings or associated interests, except with the approval of the Finance and Resources Committee.
3. Making representations to or appointing a deputation to meet any Government Minister or Government Department in relation to the financing of the Council or any of its services, except following consultation with the Convener of the Finance and Resources Committee. For the avoidance of any doubt, a Committee may instruct the making of such representations or the appointing of such a deputation, but said Convener must be consulted prior to such representations or appointments being made.

4. URGENT BUSINESS COMMITTEE

PURPOSE OF COMMITTEE

Subject to relevant legislation, to deal with items of business of an urgent nature that cannot wait for the next meeting of Council or the appropriate committee or sub committee.

REMIT OF COMMITTEE

1. Subject to 1.5 below, to exercise all functions of the Council, or the committee or sub committee which would otherwise have dealt with the matter.

PROCESS

- 1.1 A meeting of the Committee will be called by the Chief Officer - Governance on the instruction of the Chief Executive where the Chief Executive and the Convener are satisfied that the relevant business is urgent.
- 1.2 The Chief Officer - Governance may subject to the Convener's approval add further matters to the agenda of a meeting already called only where the Chief Executive and the Convener are satisfied that the matters are urgent.
- 1.3 Before considering any item of business, the Committee will determine whether the item is urgent and requires to be considered, and if it does, the special circumstances will be specified in the minute.
- 1.4 If the Committee resolves not to consider the matter, the item of business will be placed on the agenda for the next scheduled meeting of the Council, Committee or Sub Committee as appropriate.
- 1.5 The Committee cannot consider, in terms of Standing Order 5.3, any business relating to the removal of a member from office.

Executive Lead: Chief Executive

5. COMMUNITIES, HOUSING AND PUBLIC PROTECTION COMMITTEE

PURPOSE OF COMMITTEE:

To monitor and oversee the delivery of:

- services provided by the Customer Function;
- services provided by the Operations Function (excluding services within the remit of the Net Zero, Environment and Transport Committee and the Education and Children's Services Committee); and
- all other Council housing functions (with the exception of capital building programmes).

To promote the health and wellbeing of the residents of Aberdeen and inclusive, equal communities.

To receive assurance on the statutory and regulatory duties placed on the Council for public protection in relation to:

- Adult Support and Protection;
- Protective Services;
- 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. Service Delivery and Performance

- 1.1. The Committee will, for the Customer Function, the Operations Function (subject to the exclusions noted above) and the Council housing functions described above:
 - 1.1.1 oversee, and make decisions relating to, service delivery;
 - 1.1.2 approve options to improve/transform service delivery;
 - 1.1.3 scrutinise operational performance and service standards in line with the Performance Management Framework and consider recommendations for improvements where required (including in relation to the Housing Revenue Account);
 - 1.1.4 receive risk registers relative to its remit and scrutinise to ensure assurance of the controls in place;
 - 1.1.5 approve all policies and strategies relative to its remit; and
 - 1.1.6 receive reports on inspections and peer reviews in order to ensure best practice and note any actions arising from those inspections and reviews.
- 1.2 In undertaking the aspects at 1.1, the Committee will ensure that it is acting within the budget set by Council and is supporting the delivery of the Council's agreed outcomes, commissioning intentions and service standards.

- 1.3 The Committee may make recommendations to the appropriate Committee(s) or Sub Committee(s) on matters affecting its remit where the authority to approve sits within the remit of another Committee or Sub Committee.
- 1.4 In particular, the Committee will:
 - 1.4.1 consider and determine Asset Transfer Requests made under the Community Empowerment (Scotland) Act 2015;
 - 1.4.2 review and oversee the management of council-managed open spaces, and oversee the development and operation of a Community Environmental Improvement Fund;
 - 1.4.3 monitor the work of leased community centres and work with the management committees of these community centres to enhance the important services and activities they provide with their allocated budget; and
 - 1.4.4 monitor the establishment and operation of Citizens' Assemblies, receiving a report on each Assembly meeting (noting that any such Assembly related to Poverty or Inequality comes under the responsibility of the Anti-Poverty and Inequality Committee); and

PUBLIC PROTECTION

2. The Committee will receive, amongst other reports relating to the Council's statutory and regulatory duties for public protection, reports:
 - 2.1 providing assurance on the Council's duty to deliver an effective adult justice service as determined by statutory inspections;
 - 2.2 summarising 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;
 - 2.3 providing assurance in respect of the Council's performance in relation to Trading Standards, Environmental Health (including the Public Mortuary) and Scientific Services, including external inspection and audit reports relating to these services;
 - 2.4 to monitor compliance with the Council's duties relating to the provision of mortuary facilities and their adequacy for responding to mass fatalities;
 - 2.5 on any work taken to tackle underage sales in the city;
 - 2.6 on major incidents and fatal accident inquiries and any resulting impact and responsibilities placed on the Council;
 - 2.7 outlining activity by Building Standards in relation to public safety and dangerous buildings;
 - 2.8 outlining activity by Building Standards in relation to public safety and unauthorised building work and the unauthorised occupation of buildings;
 - 2.9 providing assurance from the Adult Protection Committee on the impact and effectiveness of adult support and protection improvement initiatives, including: delivery of national initiatives and local implications;

- learning from learning reviews;
 - quality assurance;
 - training and development;
 - local evidence-based initiatives;
 - effective working on adult protection; and
 - statistics relating to the Adult Protection Register (whilst noting that it has no remit to challenge entries);
- 2.10 relating to the Chief Social Work Officer's Annual Report insofar as it relates to adult services, for assurance purposes;
- 2.11 on the nature of institutional and systemic discrimination in the City of Aberdeen, and the steps required to eradicate such discrimination;
- 2.12 to monitor compliance with the Council's duties relating to resilience and local emergencies;
- 2.13 concerning relevant local, regional and national 'lessons learnt' reports and recommendations in respect of civil contingency matters and monitor their implementation;
- 2.14 to monitor the Council's preparedness in relation to the National CONTEST strategy and associated plans relating to Counter Terrorism;
- 2.15 to 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, in terms of the Police and Fire Reform (Scotland) Act 2012 and the Fire (Scotland) Act 2005 respectively;
- 2.16 to respond to consultations by the Chief Constable on the designation of local commanders and by the Scottish Fire and Rescue Service on the designation of local senior officers;
- 2.17 to 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;
- 2.18 to specify policing measures the Council wishes the local commander to include in a Local Police Plan;
- 2.19 to approve a Local Police Plan submitted by the local commander and approve a Local Fire and Rescue Plan (including a revised plan) submitted by the Scottish Fire and Rescue Service;
- 2.20 on police and fire and rescue service provision and delivery in Aberdeen and provide feedback to the local commander and the local senior officer;
- 2.21 to 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;

- 2.22 to agree, with the local commander, modifications to an approved Local Police Plan at any time;
- 2.23 to 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; and
- 2.24 on the establishment and operation of a Road Safety Fund, in order to agree and monitor the implementation of measures funded (note: decisions on transport are reserved to the Net Zero, Environment and Transport Committee).

Executive Leads:- Director of Customer Services and Chief Officer – Early Intervention and Community Empowerment

[Please refer also, as applicable and appropriate, to the “General Delegations to Committees” and the “Exclusions from Delegation to Committees”.](#)

6. FINANCE AND RESOURCES COMMITTEE

PURPOSE OF COMMITTEE

To approve and monitor financial strategies, budgets and financial performance in light of available funding, including the development and delivery of the Council's capital programme as well as monitoring the development of the Local Development Plan. The Committee will also consider:

- strategies to support the city's economic growth;
- additions to the Capital Programme; and
- recommendations regarding the Council's property and estates portfolio.

The Committee monitors the delivery of all services provided by the Resources Function (with the exception of those within the remit of the Communities, Housing and Public Protection Committee and the Education and Children's Services and the Commissioning Functions). It scrutinises performance and approves options to improve services within those Functions, set budgets to ensure best value and delivery of the Council's agreed outcomes.

REMIT OF COMMITTEE 1. Budgets

The Committee will:

- 1.1 approve recommendations regarding the Council's resources including finance, staffing structures and property; and monitor all Council budgets including all Useable Reserves, and in particular:
 - 1.1.1 scrutinise function budget monitoring reports and make decisions to ensure that Council spending is delivered on budget;
 - 1.1.2 hold budget holders to account for the proper control of the budget for which they are responsible;
 - 1.1.3 approve changes to the budget including vire between function budgets where this is in excess of the amount delegated to officers in the Financial Regulations and Powers Delegated to Officers;
 - 1.1.4 consider and approve Outline and Full Business Cases for projects added to the Capital Programme outwith the budget process;
 - 1.1.5 approve all non-capital programme procurement activity below £1m, and capital programme procurement activity irrespective of value, including Procurement Business Cases submitted in accordance with the Procurement Regulations;
 - 1.1.6 approve annual procurement workplans in respect of the Capital Programme;
 - 1.1.7 approve Procurement Business Cases in respect of projects added to the Capital Programme outwith the budget process, submitted in accordance with Procurement Regulations;
 - 1.1.8 approve the allocation of additional funding to, or removal of funding from, existing projects, both capital and revenue;
 - 1.1.9 approve the addition of new projects to the Capital Programme outwith the budget process;

Commented [MO4]: See Council - transfer of the relevant parts of 24

- 1.1.10 approve use of the Council's Useable Reserves;
- 1.1.11 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;
- 1.1.12 receive [Moody's](#) formal credit rating reassessment;
- 1.1.13 approve financial guarantees, including requests received from relevant Admitted Bodies of the Pension Fund;
- 1.1.14 consider numbers and values of Council Tax, Non-Domestic Rates, Housing Benefit overpayments and Rent made unrecoverable, as required in terms of the Financial Regulations, and approve Non-Domestic Rates write-offs;
- 1.1.15 scrutinise the progress and delivery of capital projects against the approved business cases;
- 1.1.16 review progress in the delivery of the benefits of the Capital Programme, including through the receipt and scrutiny of Post Project Evaluations (PPEs) and Post Occupancy Evaluations (POEs); and
- 1.1.17 request a report to allow for the detailed consideration of any project which is of particular concern or interest.

2. Service Delivery

- 2.1 The Committee will, for the Resources Function and the Commissioning Function:-
 - 2.1.1 oversee and make decisions relating to service delivery;
 - 2.1.2 approve options to improve/transform service delivery;
 - 2.1.3 scrutinise operational performance and service standards in line with the Performance Management Framework and consider recommendations for improvements where required;
 - 2.1.4 receive the cluster risk registers relative to its remit and scrutinise to ensure assurance that efficient controls are in place;
 - 2.1.5 approve all policies and strategies relative to its remit; and
 - 2.1.6 receive reports on inspections and peer reviews in order to ensure best practice and note any actions arising from those inspections and reviews.
- 2.2 In undertaking the aspects at 2.1, the Committee will ensure that it is acting within the budget set by Council and overseen by this Committee and in accordance with best value and supporting delivery of the Council's agreed outcomes, commissioning intentions, service specifications and service standards.

3. City Growth and Strategic Place Planning

The Committee will:

- 3.1 approve reports to support the annual re-assessment of the Council's credit rating;

- 3.2 approve the Council's actions for city growth and place planning except in relation to major infrastructural planning ;
- 3.3 oversee and approve the preparation of the Local Development Plan, subject to final approval thereon being given by Council; and
- 3.4 approve key actions required by the Council to facilitate the delivery of strategies (including partnership strategies) and the Inward Investment Plan to support city growth and place planning. 4. **Property and Estates** The Committee will:
 - 4.1 approve recommendations regarding the Council's assets, property and estates;
 - 4.2 hear and determine requests for review under s86(10) of the Community Empowerment (Scotland) Act 2015 of decisions taken in respect of community asset transfer requests;
 - 4.3 approve the procedure for the Community Asset Transfer Review Sub Committee; and
 - 4.4 approve the acquisition and disposal of land and property.

Executive Leads: Directors of Resources and Commissioning and Chief Officer - Finance

[Please refer also, as applicable and appropriate, to the "General Delegations to Committees" and the "Exclusions from Delegation to Committees".](#)

7. BUSINESS RATES APPEALS SUB COMMITTEE

PURPOSE OF SUB COMMITTEE

To hear appeals against rating liability under s238 of the Local Government (Scotland) Act 1947.

REMIT OF SUB COMMITTEE

1. To determine all requests for appeal against the identification of an individual as being responsible for the payment of business rates.
2. The Sub Committee shall operate in terms of the agreed procedure, which shall comply with s238 of the Local Government (Scotland) Act 1947.
3. The Sub Committee shall comprise five elected members and the quorum shall be three.

Executive Lead: Chief Officer - Finance

8. COMMUNITY ASSET TRANSFER REVIEW SUB COMMITTEE

PURPOSE OF SUB COMMITTEE

To act as the review body in respect of decisions relating to Asset Transfer Requests, as defined in s86(10) of the Community Empowerment (Scotland) Act 2015, which states that a review must be carried out by Councillors.

REMIT OF SUB COMMITTEE

1. To determine all requests for a review of the decision taken by officers or the Finance and Resources Committee in respect of Community Asset Transfers.
2. The Sub Committee shall operate in terms of the agreed procedure, which shall comply with the Asset Transfer Request (Review Procedure) (Scotland) Regulations 2016.
3. The Sub Committee shall comprise five elected members who have not participated in the original decision at Finance and Resources Committee and the quorum shall be three.

Executive Lead: Chief Officer - Finance

9. NET ZERO, ENVIRONMENT AND TRANSPORT COMMITTEE

PURPOSE OF COMMITTEE

To monitor the delivery of all services and functions relating to net zero, the environment and transport; to scrutinise performance and approve options within set budgets to ensure best value and delivery of the Council's agreed outcomes; and to ensure that the Council has robust arrangements for the delivery of the Council's environmental targets and the meeting of its related statutory obligations.

The Pupil Climate Support Champion will be invited to attend one meeting a year as a non-voting contributor.

REMIT OF COMMITTEE

The Committee will:

1. Monitor the Council's compliance with its environmental targets, including its carbon budget, and statutory obligations, and any charters or memorandums of understanding which it enters, in relation to matters such as net zero, climate change, environmental sustainability, food growing and biodiversity.
2. Approve the annual Climate Change Report for submission to the Scottish Government.
3. Approve the Council's Climate Change Plan and monitor its delivery.
4. Approve the Council's Biodiversity Duty Report.
5. Monitor key performance indicators in relation to, and progress towards, the Council's decarbonisation pathway, climate adaption and the 2045 target for zero carbon.
6. Consider environmental evidence and advice from the widest possible range of sources.
7. Oversee, and make decisions relating to, service delivery in respect of transport and roads matters, and approve options to improve/transform service delivery. This includes scrutiny of operational performance and service standards in line with the Performance Management Framework and considering recommendations for improvements where required.
8. Approve and oversee all transport and roads related policies, strategies, programmes, and projects.
9. Receive risk registers relative to its remit and scrutinise to ensure assurance of the controls in place.
10. Receive reports on inspections and peer reviews in order to ensure best practice and note any actions arising from those inspections and reviews.
11. Make recommendations to the appropriate Committee(s) or Sub Committee(s) on matters affecting its remit where the authority to approve sits within the remit of another Committee or Sub Committee.
12. In undertaking its remit, ensure that it is acting within the budget set by Council and is supporting the delivery of the Council's agreed outcomes, commissioning intentions and service standards.

Executive Leads: Director of Commissioning and Chief Officer – Strategic Place Planning

Please refer also, as applicable and appropriate, to the “General Delegations to Committees” and the “Exclusions from Delegation to Committees”.

10. ANTI-POVERTY AND INEQUALITY COMMITTEE

PURPOSE OF COMMITTEE

To monitor and determine the Council's contribution to alleviating and mitigating all forms of poverty and inequality in the city.

The Committee will develop an Anti-Poverty Strategy.

REMIT OF COMMITTEE

1. The Committee will, in respect of poverty and inequality issues in the city:
 - 1.1 Consider the impact of poverty on the city as a whole and targeted population levels, including on key groups such as children, minority ethnic communities and those of pensionable age who are known to be particularly disadvantaged by poverty;
 - 1.2 Consider the evidence from Citizen's Assemblies on poverty and inequality matters;
 - 1.3 Seek the views and involvement of those experiencing poverty and inequality [and those with knowledge or expertise in relation to these issues](#);
 - 1.4 Consider the effect of In-work Poverty and the Living Wage, including by receiving reports on Living Wage accreditation rates;
 - 1.5 Consider evidence of "what's worked" in combating poverty and inequality;
 - 1.6 Consider the impact of ongoing Welfare Reform measures, including by receiving reports on benefit access and uptake;
 - 1.7 Consider the impact of poverty on Employability and Youth Employment, including by receiving reports on employment rates and positive destinations;
 - 1.8 Consider the impact of Food Insecurity and Fuel Poverty, including by receiving reports on community food provision and energy cost impacts;
 - 1.9 Consider the impact of stigma and discrimination on those experiencing poverty;
 - 1.10 Consider the impact of poverty on the health and wellbeing of those experiencing it;
 - 1.11 Monitor the progress of research relevant to poverty and inequality, including in relation to health determinants;
 - 1.12 Consider matters relating to the provision of Credit Unions, fair and affordable banking and advice services;
 - 1.13 Examine the nature of institutional and systemic discrimination in Aberdeen, and consider the steps required to eradicate such discrimination;
 - 1.14 Monitor the performance of Council-funded community programmes and projects which seek to address poverty or inequality.
2. The Committee will:
 - 2.1 [agree the submission of Child Poverty Action Plans and Reports to the Scottish Government](#) [approve for publication Local Child Poverty Action Reports in terms of the Child Poverty \(Scotland\) Act 2017 and Child Poverty Action Plans](#);

- 2.2 [agree the submission of the Council's Equalities Mainstreaming Outcomes Reports to the Scottish Government](#) [approve for publication the Council's](#)
- i. [reports on its progress on mainstreaming the equality duty,](#)
 - ii. [sets of equality outcomes, and](#)
 - iii. [reports on the progress made to achieve the equality outcomes,](#)
- [all in terms of the Equality Act 2010 \(Specific Duties\) \(Scotland\) Regulations 2012; and](#)
- 2.3 monitor the Memorandum of Understanding between the Council and the Department for Work and Pensions through receipt of an annual report.

[3.1 In undertaking the aspects at 1 and 2, the Committee will ensure that it is acting within the budget set by Council and is supporting the delivery of the Council's agreed outcomes, commissioning intentions and service standards.](#)

[3.2 The Committee may make recommendations to the appropriate Committee\(s\) or Sub Committee\(s\) on matters affecting its remit where the authority to approve sits within the remit of another Committee or Sub Committee.](#)

External advisers:

Emphasising the close links with Community Planning Aberdeen's Anti-Poverty Group, the Committee will appoint advisers who are not members of the Council. These external advisers will be appointed by the Council at its statutory meeting (or other meeting as appropriate) as follows:

- 1 resident of Aberdeen with lived experience of poverty;
- Up to 2 people representing the charitable sector in Aberdeen;
- 1 person representing higher and further education in Aberdeen;
- 1 person representing key interest groups in Aberdeen (that may be appointed for a defined period of time); and
- 1 public health professional/practitioner who works in Aberdeen.

Executive Leads:- Director of Customer Services and Chief Officer - Early Intervention and Community Empowerment

[Please refer also, as applicable and appropriate, to the "General Delegations to Committees" and the "Exclusions from Delegation to Committees".](#)

11. EDUCATION AND CHILDREN'S SERVICES COMMITTEE

PURPOSE OF COMMITTEE

To advise on and discharge the Council's functions as:

- an education authority as set out in the Education (Scotland) Act 1980 and all other relevant legislation and regulations where not otherwise delegated; and
- a social work authority as set out in the Social Work (Scotland) Act 1968 and all other relevant legislation and regulations where not otherwise delegated, in relation to children.

The Committee will also:

- monitor the delivery of educational services undertaken as education authority (including community learning and development) and children's services provided by Integrated Children's and Family Services;
- receive assurance on the statutory and regulatory duties placed on the Council for Child Protection and Corporate Parenting;
- make recommendations in respect of school property matters to the Finance and Resources Committee;
- scrutinise performance; and
- agree changes such as school zoning arrangements (within set budgets), or make recommendations to another committee, for improvements to functions related to education in order to ensure best value and delivery of the Council's agreed outcomes, commissioning intentions, service specifications and service standards.

REMIT OF COMMITTEE 1. Service Delivery and Performance

- 1.1 The Committee will, in respect of educational services (early years, schools and community learning and development) and children's services provided by Integrated Children's and Family Services and services delivered within the school estate:-
 - 1.1.1 oversee, and make decisions relating to, service delivery (such decisions including those relating to population changes);
 - 1.1.2 approve options to improve/transform service delivery relative to the functions of the Council as education authority and social work authority;

- 1.1.3 scrutinise operational performance and service standards in line with the Performance Management Frameworks and consider recommendations for improvements where required;
 - 1.1.4 receive the cluster risk registers relative to its remit and scrutinise to ensure assurance of the controls in place;
 - 1.1.5 approve all policies and strategies relative to its remit; and
 - 1.1.6 receive reports on school inspections and peer reviews in order to ensure best practice and note any resultant improvement actions arising from those inspections and reviews.
- 1.2 In undertaking the aspects at 1.1, the Committee will ensure that it is acting within the budget set by Council and is supporting the delivery of the Council's agreed outcomes, commissioning intentions and service standards.
- 1.3 The Committee may make recommendations to the appropriate committee(s) or sub committee(s) on matters affecting its remit where the authority to approve sits within the remit of another committee or sub committee.

2. Child Protection

The Committee will receive assurance from the Child Protection Committee and the Children's Services Board on:

- 2.1 Services delivered to children and young people in need of care and protection including care experienced young people, including:
 - 2.1.1 delivery of national initiatives and local implications;
 - 2.1.2 learning from learning reviews;
 - 2.1.3 quality assurance;
 - 2.1.4 training and development; and
 - 2.1.5 local evidence-based initiatives;
- 2.2 effective working across child protection; and
- 2.3 statistics relating to the Child Protection Register and children and young people for whom the Council has Corporate Parenting responsibilities, whilst noting that it has no remit to challenge entries.

The Committee will also:

- 2.4 receive assurance on the Council's compliance with statutory duties in respect of child poverty; and
- 2.5 consider the Chief Social Work Officer's Annual Report

EXTERNAL MEMBERSHIP

- 3. The Committee's membership will include seven persons who are not members of the Council but who have full membership of the Committee and voting rights in connection with advising on and discharging the functions of the Council as Education Authority only. The seven external members

will be appointed by the Council at its statutory meeting (or other meeting as appropriate) as follows:-

- 3.1 three persons representing religious bodies in accordance with the requirements of s124(4) of the Local Government (Scotland) Act 1973; and
- 3.2 in accordance with the discretion conferred by s124(3) of the Local Government (Scotland) Act 1973:
 - 3.2.1 two teachers employed in educational establishments managed by the Council and nominated by the Teachers' Consultative Forum, comprising one representative from primary (including nursery) and one representative from secondary; and
 - 3.2.2 two parent representatives, selected by the Aberdeen City Parent Council Forum from within its own membership, comprising one representative from primary (including nursery) and one representative from secondary.

Executive Leads: Chief Executive, Chief Officer - Education and Chief Officer – Integrated Children's and Family Services

[Please refer also, as applicable and appropriate, to the "General Delegations to Committees" and the "Exclusions from Delegation to Committees".](#)

12. AUDIT, RISK AND SCRUTINY COMMITTEE

PURPOSE OF COMMITTEE

To ensure that the Council has robust arrangements for:

- Good governance including information governance, surveillance, fraud, bribery and corruption;
- Maintaining an effective control environment through an effective approach to risk management; and
- Reporting on financial and performance reporting.

The Committee will also monitor the effectiveness of the Internal Audit function and the Council's implementation of its recommendations, as well as the implementation of the recommendations of its external auditors.

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 assurance that services are maintaining and reviewing Business Continuity Plans in accordance with the priorities allocated to them;
- 1.3 monitor the implementation of the Council's ALEO Assurance Framework by receiving reports from the ALEO Assurance Hub on the monitoring and mitigation of risks to the Council associated with its ALEOs;
- 1.4 receive an annual report in respect of the Council's information governance; and
- 1.5 approve all relevant policies.

2. Internal Audit

The Committee will:

- 2.1 approve the Internal Audit Annual Plan;
- 2.2 consider reports prepared by Internal Audit (with the exception of reports related to Pensions);
- 2.3 monitor compliance with Internal Audit recommendations (with the exception of reports related to Pensions); and
- 2.4 monitor the performance of Internal Audit.

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. Governance, Accounts and Finance

The Committee will:

- 4.1 approve the Council's Annual Report and Annual Accounts;
- 4.2 approve the annual governance statement;
- 4.3 approve and monitor the Council's Code of Corporate Governance and approve such action as appropriate; and
- 4.4 monitor the integrity of financial reporting, and governance processes and internal control functions and approve such action as appropriate.

5. Legal obligations

The Committee will:

- 5.1 consider reports in respect of the whistle blowing policy; and
- 5.2 monitor 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 once a matter, process or practice has been the subject of a report to Council or committee (including internal and external audits) and the consideration of the matter concluded by Council or said committee action (with the exception of quasi judicial matters and the Appeals, Business Rates Appeals and Community Asset Transfer Review Sub Committees), the committee, to ensure good practice, can determine that further consideration is required. It will not prevent, or alter, 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;
- 6.2 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;
- 6.3 request, where appropriate and in terms of any contract or agreement, representatives of external organisations to attend and contribute to meetings; and
- 6.4 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.

Executive Leads: Director of Commissioning and Chief Officer – Governance

[Please refer also, as applicable and appropriate, to the "General Delegations to Committees" and the "Exclusions from Delegation to Committees".](#)

13. STAFF GOVERNANCE COMMITTEE

PURPOSE OF COMMITTEE

To act as a consultative forum for discussion between management, elected members and trade unions, on matters relating to staff in the pursuit of a workplace culture that reflect the requirements of a 21st Century public sector organisation.

Through partnership working the committee will support the Council becoming an employer of choice by promoting positive values, behaviours, training and recruitment and ways of working.

The Committee also acts as safety committee within s2(7) of the Health and Safety at Work etc Act 1974 and keeps under review measures taken to ensure the health and safety at work of employees. The committee provides a channel of communication, co-operation and involvement between the Council and trade union representatives on all relevant health and safety matters.

REMIT OF COMMITTEE

1. Partnership approach arrangements The

Committee will:

- 1.1 seek to maintain good relationships and model a partnership approach between the Council and trade unions;
- 1.2 provide a decision making forum, for the resolution of staffing matters that cannot be resolved through normal processes including but not restricted to conditions of service (except teachers¹); and
- 1.3 consider reports by the Chief Officer – People and Organisational Development on matters following a request by a trade union advisor provided always that the Chief Officer – People and 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.

Strategic Workforce Plans and Policies The Committee will:

- 2.1 approve the Framework Agreement for Industrial Relations (the FAIR agreement);
- 2.2 approve strategic workforce plans which reflect the requirements of a 21st Century Council in terms of staff, skills and attributes;
- 2.3 approve framework documentation in relation to workforce culture;
- 2.4 approve strategic training and development plans for the whole organisation;

¹ Teacher conditions of service are not agreed locally – they are agreed at national level, and therefore the Staff Governance Committee would have no locus to make any decisions on teaching terms and conditions.

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

2.5 approve all staff policies, these being policies where the predominant factor affects the expected behaviour and actions of staff;

2.7 receive people performance data to enable the monitoring of the wellbeing of our staff including but not limited to absence data. 3. **Health, Safety & Wellbeing of Staff** The Committee will:

3.1 approve health, safety and wellbeing policies

3.2 monitor performance and compliance across all functions of the Council in respect of

i. Health and safety legislation ii. Health, safety and wellbeing policies

iii. Health and safety recommendations, including those from external inspection bodies

4. **Employment Appeals and Disputes** The

Committee will:

4.1 approve the procedure for the Appeals Sub Committee.

MEMBERSHIP

Elected members

Local trades union representatives as advisers – two named advisers from each of the following trades unions:

- Unison
- Unite
- GMB
- Educational Institute of Scotland (EIS)
- Scottish Secondary Teachers' Association (SSTA); and
- VOICE

Executive Lead: Chief Officer – People and Organisational Development

[Please refer also, as applicable and appropriate, to the "General Delegations to Committees" and the "Exclusions from Delegation to Committees".](#)

14. APPEALS SUB COMMITTEE

PURPOSE OF THE SUB COMMITTEE

To determine all delegated staff employment issues raised in accordance with Council policy where provision exists for an appeal to this Sub Committee.

REMIT OF THE SUB COMMITTEE

1. The Sub Committee will:
 - 1.1 determine appeals raised in accordance with Council policy where a right to appeal exists against dismissal or final written warning arising from hearings where the right of appeal exists; and
 - 1.2 determine disputes notified by Trades Unions in accordance with the Council's disputes resolution procedures.
3. The Sub Committee will operate in terms of the agreed procedure.
4. The Sub Committee will comprise five elected members drawn from the pool of membership of the Staff Governance Committee and the quorum will be three.

Executive Lead: Chief Officer – People and Organisational Development

15. PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

PURPOSE OF COMMITTEE

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;
2. visit application sites where agreed;
3. make Orders and issue Notices;
4. approve development briefs and masterplans;
5. adopt non-statutory planning management guidance;
6. conduct pre-determination hearings in pursuance of the provisions contained within s38A of the Town and Country Planning (Scotland) Act 1997; and
7. determine an application for planning permission for a development where a pre determination hearing is held in terms of s38A of the Town and Country Planning (Scotland) Act 1997.

Executive Lead: Chief Officer – Strategic Place Planning

[Please refer also, as applicable and appropriate, to the “General Delegations to Committees” and the “Exclusions from Delegation to Committees”.](#)

16. 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 Mandatory and Discretionary Licences under Civic Government (Scotland) Act 1982; and Miscellaneous Licences under other Legislation.

Mandatory Licences	
<ul style="list-style-type: none"> Metal Dealer Licences 	<ul style="list-style-type: none"> Houses in Multiple Occupation Licences
<ul style="list-style-type: none"> Indoor Sports Entertainment Licences 	<ul style="list-style-type: none"> Knife Dealer Licences
<ul style="list-style-type: none"> Skin Piercing and Tattoo Licences 	<ul style="list-style-type: none"> Taxi Booking Office Licences
<ul style="list-style-type: none"> Short-Term Lets Licences 	
Discretionary Licences	
<ul style="list-style-type: none"> Taxi and Private Hire Car Licences 	<ul style="list-style-type: none"> Public Entertainment Licences
<ul style="list-style-type: none"> Taxi and Private Hire Car Driver Licences 	<ul style="list-style-type: none"> Late Hours Catering Licences
<ul style="list-style-type: none"> Second Hand Dealer Licences 	<ul style="list-style-type: none"> Window Cleaner Licences
<ul style="list-style-type: none"> Boat Hire Licences 	<ul style="list-style-type: none"> Sex Shop Licences
<ul style="list-style-type: none"> Street Trader Licences 	<ul style="list-style-type: none"> Permission to organisations for public charitable collections and public processions
<ul style="list-style-type: none"> Market Operator Licences 	
Miscellaneous Licences under other Legislation	
<ul style="list-style-type: none"> Houses in Multiple Occupation - Housing (Scotland) Act 2006 	
<ul style="list-style-type: none"> Registration of Private Landlords - Antisocial Behaviour etc. (Scotland) Act 2004 	
<ul style="list-style-type: none"> Theatre Licence – Theatres Act 1968 	
<ul style="list-style-type: none"> Cinema Licence - Cinemas Act 1985 	
<ul style="list-style-type: none"> Safety in Sports Grounds - Safety in Sports Grounds Act 1975 	

REMIT OF COMMITTEE

The Committee will:

- determine applications for the grant, renewal, revocation, variation or suspension of any licence as appropriate;
- determine 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 Communities, Housing and Public Protection Committee);

3. determine 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. determine landlord registration applications under the Antisocial Behaviour Etc (Scotland) Act 2004;
6. determine film classifications under the Cinemas Act 1985;
7. determine theatre licences under the Theatres Act 1968; and
8. determine 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.

[Please refer also, as applicable and appropriate, to the "General Delegations to Committees" and the "Exclusions from Delegation to Committees".](#)

17. LICENSING SUB COMMITTEE

PURPOSE OF THE SUB COMMITTEE

To act as the Licensing Committee in respect of applications referred by the Licensing Committee, or where there are items of urgent business to be determined.

REMIT OF THE SUB COMMITTEE

The Sub Committee will:

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

Members of the Sub Committee will be members of the Licensing Committee and the quorum will be 3 members.

Executive Lead: Chief Officer – Governance

18. PENSIONS COMMITTEE

PURPOSE OF COMMITTEE

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.

The Committee will work alongside the Fund's Local Pension Board to consider any pension compliance matters raised.

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. Finance and Risk Management The

Committee will:

- 1.1 approve the Funding Strategy Statement, produced in light of the Fund's assets and liabilities, and appoint or remove Fund Managers or new financial vehicles in furtherance of the strategy;
- 1.2 approve the budget and expenditure in connection with the administration of the Fund;
- 1.3 ensure that an effective system of internal financial control is maintained through scrutinising financial information presented to Committee;
- 1.4 ensure effective risk management of the Fund through monitoring of adherence to the Fund Risk Management Policy and regular scrutiny of the Fund risk register; and
- 1.5 determine applications for Admitted Body Status. **2. Internal and External Audit The**
Committee will:
 - 2.1 approve the annual audit plans in relation to the Fund; and
 - 2.2 consider all reports prepared by the Council's Internal and External Auditors in relation to the Fund.

3. Annual Report and Accounts The

Committee will:

- 3.1 approve the Annual Report and Accounts, including the Annual Governance 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 and approve the administration of the Local Government Pension Scheme (LGPS) in accordance with the LGPS (Scotland) Regulations 2018 and other relevant legislation; and
- 5.2 scrutinise the performance of Fund Managers, including in relation to environmental, social and governance (ESG) and voting matters, through regular performance reports to Committee.

6. Outside Bodies

The Committee shall determine appointments and nominations to the Local Authority Pension Fund Forum (LAPFF) and other outside bodies relevant to its remit.

Executive Lead: Chief Officer – Finance

Please refer also, as applicable and appropriate, to the “General Delegations to Committees” and the “Exclusions from Delegation to Committees”.

19. GUILDRY AND MORTIFICATION FUNDS COMMITTEE

PURPOSE OF COMMITTEE

To consider applications for payments from certain charitable funds held by the Council which fall into two categories, the Guildry Funds and the Mortification Funds.

REMIT OF COMMITTEE

The Committee will:

- 1.1 consider applications for payments and make recommendations on the appropriate level of allowance to be made.
- 1.2 receive reports from the Lord Dean of Guild in respect of Burgess activity and business.

Executive Lead: Chief Officer – Finance

20. ABERDEEN CITY REGION DEAL JOINT COMMITTEE

The Aberdeen City Region Deal Joint Committee is a Joint Committee established by Aberdeen City Council and Aberdeenshire Council (the “Constituent Authorities”) under s56 and s57 of the Local Government (Scotland) Act 1973.

The creation of the Joint Committee represents the joint commitment of the Constituent Authorities and Opportunity North East (“ONE”) to support and oversee the implementation of the Aberdeen City Region Deal.

In particular it shall have the power to:

1. Approve Business Cases for City Region Deal projects and any other related documentation with the exception of those where approval is reserved to either or both of the Constituent Authorities.
2. Make recommendations to the Constituent Authorities and ONE in respect of projects within the City Region Deal Strategic and Policy plans.
3. Monitor the effectiveness of the implementation and the delivery of the City Region Deal and to report to the Constituent Authorities on progress.
4. Receive updates from the United Kingdom and Scottish Governments in connection with any aspect of the City Region Deal, projects relating to the Memorandum of Understanding signed by the United Kingdom and Scottish Governments and the Constituent Authorities or additional United Kingdom and Scottish Government investment and any related projects.
5. Approve (i) the overall programme funding for the City Region Deal; and (ii) the detailed breakdown and use of the Constituent Authorities’ financial contributions to the City Region Deal in relation to such overall programme funding for the City Region Deal where this relates to programme funding already committed and approved by the relevant Constituent Authority.
6. Approve operational expenditure within agreed Aberdeen City Region Deal Joint Committee budgets allocated by the Constituent Authorities and/or ONE in order to further the aims of the City Region Deal.
7. Provide feedback to the United Kingdom Government and Scottish Government on the implementation of the City Region Deal and any strategic, economic or infrastructure activities associated with the City Region Deal.
8. Appoint three representatives and three named substitutes of ONE to the membership of the Joint Committee.

These terms of reference will be kept under review by the Constituent Authorities, ONE and the Joint Committee throughout the implementation of the City Region Deal to ensure sufficient accountability of public funds provided through City Region Deal funding.

Executive Lead for the Council: Chief Officer – City Growth

21. NORTHERN ROADS COLLABORATION JOINT COMMITTEE

The Northern Roads Collaboration Joint Committee is a Joint Committee established by Aberdeen City Council, Aberdeenshire Council, Angus Council, Argyll and Bute Council, Comhairle nan Eilean Siar, The Highland Council, The Moray Council and The Orkney Islands Council (the “Constituent Authorities”) under s56 and s57 of the Local Government (Scotland) Act 1973.

The Joint Committee undertakes to appoint two named representatives from each Constituent Authority to its membership.

The creation of the Joint Committee represents the joint commitment of the Constituent Authorities to work collaboratively for the joint discharge of road and road-related functions, including ports and harbours (the “Roads Collaboration”).

In particular it shall have the following powers:

1. To identify suitable projects and initiatives for Roads Collaboration and to make recommendations to Constituent Authorities.
2. To make recommendations to Constituent Authorities in respect of resource contribution, funding arrangements and budget setting for projects and initiatives for Roads Collaboration.
3. To manage resources and approve operational expenditure within agreed Joint Committee budgets for Roads Collaboration.
4. To monitor the effectiveness of the Roads Collaboration and to identify potential improvements and efficiencies.
5. To approve an annual performance report and financial statement for the reporting year on Roads Collaboration.
6. To approve and amend Standing Orders for the Joint Committee and any of its SubCommittees.
7. To appoint the Chair and Vice Chair of the Joint Committee and any of its Sub-Committees.
8. To make arrangements for the provision of business support services for the Joint Committee and any of its Sub-Committees.

Executive Lead for the Council: Chief Officer – Operations

22. SPECIAL LICENSING OBJECTIONS COMMITTEE

PURPOSE OF COMMITTEE

To consider whether the committee should submit an objection or representation to an application for a premises licence or occasional licence.

REMIT OF COMMITTEE

The Committee will hear from elected members who wish for an objection or representation to be lodged against any application for a premises licence or an occasional licence.

PROCESS

- 1.1 A meeting of the Committee will be called by the Chief Officer - Governance on the instruction of the Convener, if the Convener is satisfied that the request by an elected member for the Committee to be convened is competent. A request will be deemed competent if the proposed objection or representation relates to the sale of alcohol and is based on one of the licensing objectives.
- 1.2 Where practicable, Members of the Committee will be invited to attend a short training session on licensing objectives prior to the commencement of the Committee.
- 1.3 The elected member who asked for the Committee to be called will set out their reasons for the proposed objection or representation, which should be based on licensing objectives.
- 1.4 If the Committee determines to submit an objection or representation to a premises or occasional licence, this will be lodged in the name of the Convener of the Committee, unless the Convener determines otherwise, in which case it will be lodged in the name of the elected member who requested for the Committee to be convened.

Executive Lead: Chief Officer - Governance



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Appendix D

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Powers Delegated

tTo Officers

Approved by Council 14 June 2023
(with effect from 19 June 2023)~~28~~
~~February 2022~~



POWERS DELEGATED TO OFFICERS

DEFINITIONS, PRINCIPLES AND INTERPRETATION

DEFINITIONS

The Council means Aberdeen City Council.

ACC Procurement Regulations means the Aberdeen City Council Procurement Regulations.

ACC Financial Regulations means Aberdeen City Council's Financial Regulations.

Chief Officers means:-

- (i) the Chief Executive and Directors of the Council;
- (ii) Council officers whose job titles include the term "Chief Officer";
- (iii) the Council's Head of Commercial and Procurement;
- (iv) the Chief Officer of the Aberdeen City Health and Social Care Partnership; ~~and~~
- ~~(v)~~ (v) the Chief Finance Officer of the Aberdeen City Health and Social Care Partnership; ~~and~~;
- ~~(v)~~ (vi) the Chief Operating Officer of the Aberdeen City Health and Social Care Partnership.

Scheme of Governance means the Council's Scheme of Governance, comprising the Committee Terms of Reference; Powers Delegated to Officers; Standing Orders for Council, Committee and Sub Committee Meetings; ACC Financial Regulations; ACC Procurement Regulations; and Member Officer Relations Protocol.

PRINCIPLES

1. This Powers Delegated to Officers document applies from 19 June 2023 ~~1 April 2022~~ and sets out the powers delegated by the Council to officers, pursuant to the Local Government (Scotland) Act 1973. This Powers Delegated to Officers document is intended to facilitate the efficient conduct of Council business by clearly setting out the nature and extent of the powers delegated to officers by the Council.
2. The powers delegated to officers in terms of this Powers Delegated to Officers document are subject to change by decision of the Council in accordance with the Scheme of Governance.
3. The Local Government (Scotland) Act 1973 requires the Council to maintain a list specifying those powers which are exercisable by officers and stating the titles of those officers. This Powers Delegated to Officers document is produced in compliance with that duty.
4. Any delegation made to an officer under this Powers Delegated to Officers document shall not prevent the Council or relevant Committee or Sub Committee or the Integration Joint Board from exercising the power so delegated provided that the matter in question has not already been determined.
5. This Powers Delegated to Officers document does not permit delegation to an officer of a power which is reserved to the Council or one of its Committees or Sub-Committees or the Integration Joint Board.
6. The Council shall exercise all its powers and duties in accordance with the law and the Council's constitutional documents. In particular, the exercise of any power contained within this Powers Delegated to Officers document shall be in accordance with the provisions of the Scheme of Governance and shall be subject to there being sufficient funding available to cover the costs of exercising that power. In exercising such a power, the relevant officers shall have due regard to relevant Council and relevant Integration Joint Board policy. ~~policy.~~

In exercising such a power, the relevant officers should be mindful of the potential for political sensitivity or controversy and, where appropriate, should consider consulting with elected members

or referring the matter to Council or one of its Committees or Sub Committees. Some of the powers contained herein expressly require consultation with elected members.

7. Except where prohibited by law, Chief Officers may sub-delegate any of their delegated powers ([including powers delegated by Full Council, Committee or Sub-Committee and not listed in this Powers Delegated to Officers document](#)) to their deputies or such other officer(s) as they may consider appropriate. Any such sub-delegations shall be made in writing or confirmed in writing as soon as reasonably practicable. Chief Officers will remain accountable for decisions taken by their sub-delegates. Section 50G of the Local Government (Scotland) Act 1973, regarding maintenance of a list of powers exercisable by officers, shall be complied with.
8. An interim Chief Officer, or an individual formally acting up as a Chief Officer, shall be treated as a Chief Officer for the purposes of this Powers Delegated to Officers document.
9. In the event that a Chief Officer is unavailable, his/her deputy, the Chief Executive (including his/her nominee) or the relevant Director of the Council will have delegated authority to take urgent decisions in the absence of the Chief Officer in question.
10. The Council's Risk Appetite Statement, [and, where relevant, the Aberdeen City Integration Joint Board \(IJB\) Risk Appetite Statement](#), which sets out how the Council balances the risks and opportunities in pursuit of delivering the outcomes set out within the Local Outcome Improvement Plan (LOIP) and associated strategies, should provide guidance to officers when making decisions under this Powers Delegated to Officers document.

INTERPRETATION

1. References to any legislation, circulars, directions, plans, policies, procedures, regulations and guidance include reference to those things as re-named, amended, replaced or superseded and are to be taken as referring to the nearest equivalent as may exist from time to time. References to any legislation include all subordinate legislation made under that legislation from time to time.
2. References to any committees, departments, services and officer titles include reference to those things as re-named, amended, replaced or superseded and are to be taken as referring to the nearest equivalent as may exist from time to time.
3. All references to the doing of any thing or the taking of any action, step or measure, except where the context otherwise requires, include reference to the instructing of or arranging for same.
4. All references to the signing, serving, giving or issuing of any notice or other document include reference to any and all of those actions (and instructing or arranging for such serving, giving or issuing).
5. References to "officers", "staff" and "employees" mean those of the Council, except where the context otherwise requires. References to the Lord Provost, the Leader ([or Co-Leaders](#)) of the Council, Conveners and other elected members include references to their nominees. For the avoidance of any doubt, such nominees must be elected members of the Council.
6. References to "including" (and "include" and any variation thereof) mean including without limiting the generality of any description preceding such term.
7. In the event of any conflict or inconsistency between this Powers Delegated to Officers document and any legislation or rule of law, that legislation or rule of law shall prevail. In the event of any incorrect citation of, or reference to, legislation in this Powers Delegated to Officers document, the relevant provision(s) of this Powers Delegated to Officers document shall be read as referring to the correct legislation.
- ~~8. For the avoidance of any doubt, references to the North East Scotland Pension Fund include references to the Aberdeen City Council Transport Fund.~~

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Chief Officer - City Growth

Head of Commercial and Procurement

Chief Officer - Governance

Chief Officer - Strategic Place Planning

5. **Chief Operating Officer**

Chief Officer - Education

1. GENERAL DELEGATIONS TO CHIEF OFFICERS

The following General Delegations may be exercised by any Chief Officer - but **only in relation to a function or matter which falls within their remit or area of responsibility**. This is subject to any express restriction of the exercise of the power to certain Chief Officers only.

1. To exercise any powers conferred on Council officers by any Management Rules or Byelaws made under the Civic Government (Scotland) Act 1982 or Local Government (Scotland) Act 1973 respectively.
2. To authorise officers within their function or service to exercise all or any of the statutory powers which have been allocated by the Council to their function or service, with any such authorisations being documented.
3. To sign, give, issue and serve:
 - a. statutory notices, statutory orders and other statutory documents, and
 - b. other notices, orders and documents of a legal nature (except, unless otherwise authorised in terms of this Powers Delegated to Officers document, deeds and contracts),
 and to exercise any powers pursuant to any such notices, orders and documents.
4. To offer services of staff to other local authorities, public bodies or statutory bodies in emergencies where the protection of the public is at risk or where such services are otherwise deemed by the Chief Executive to be essential in the circumstances and thereafter report the matter to a future meeting of committee detailing the costs and circumstances of such action.
5. To make visits and attend events, meetings, conferences, courses and seminars (and to authorise members of staff to so visit and attend) within the United Kingdom, where s/he considers this to be in the interests of the Council and sufficient budgetary provision exists to cover the cost.
6. To authorise settlement or repudiation of any claim made against the Council (whether by litigation or otherwise), following consultation with the Chief Officer - Governance, and provided that sufficient budgetary provision exists to cover any payment to be made in settlement.
7. To instruct the raising by the Council of any court or tribunal proceedings, or the taking by the Council of any other legal action, and to instruct the enforcement of any orders or decrees obtained thereby.
8. To instruct the defence by the Council of any court or tribunal proceedings, or other legal action, raised or taken against the Council.
9. To approve expenditure under the Council's Relocation Policy provided that sufficient budgetary provision exists to cover such expenditure.
10. To accept gifts on behalf of the Council and to record such gifts in accordance with the Council's policy on gifts and hospitality.
11. To incur expenditure not exceeding £500 on any one occasion on the provision of appropriate hospitality to members and officers of national government, local authorities or public authorities visiting the city, or to consultants or others assisting or co-operating with officers of the Council in carrying out any of the Council's functions provided that the expenditure can be met from existing budgets.
12. To exercise all powers delegated to him/her as a Chief Officer in terms of the ACC Procurement Regulations.

13. To exercise all powers delegated to him/her as a Chief Officer in terms of the Inter-Authority Agreement 3 relating to the NESS Energy Project.
14. To approve changes in hours for existing posts, provided that sufficient budgetary provision exists.
15. To approve termination of service on medical or capability grounds where such a course of action is supported by a recommendation by the Council's occupational health provider; and to approve termination of service on grounds of trust or confidence or on any other lawful grounds.
16. To take all decisions regarding employment, retirement, dismissal and training of staff in terms of the Council's Conditions of Service and the Council's employment policies.
17. To make changes to job titles where there are no changes material to the post.
18. To submit requests to the Chief Officer – People and Organisational Development and the Chief Officer – Finance for their approval:
 - through normal agreed processes, of changes in respect of staff resources including proposed restructuring, establishing/disestablishing posts, converting or making changes to posts and making changes to jobs; and
 - of recruitment to fixed term and permanent posts within the existing Functional structure.
19. To make appointments to all posts below the level of Chief Officer and to any Chief Officer posts which are below second tier level.
20. To agree to acquire second hand goods up to a value of £50,000 without a competitive quotation being obtained, provided that he/she obtains in writing (including e-mail) the prior agreement of the Head of Commercial and Procurement before effecting the purchase and that the ACC Procurement Regulations are otherwise complied with.
21. To create and amend procedures, protocols and guidance.
22. To implement Council and Integration Joint Board decisions and policies.
23. To authorise, following consultation with the Head of Commercial and Procurement, the entering into, variation, extension or termination of any:
 - a. non-disclosure agreements in relation to commercial matters; or
 - b. confidentiality agreements in relation to commercial matters.
24. To authorise, following consultation with the Chief Officer – Data and Insights:
 - a. the entering into, variation, extension or termination of any contract, agreement, protocol, memorandum of understanding or other document relating wholly or mainly to the sharing or processing of information; and
 - b. the entering into of any variation to any contract, agreement, protocol, memorandum of understanding or other document where that variation relates wholly or mainly to the sharing or processing of information.
25. To approve applications for grant funding and, following consultation with the Convener of the Finance and Resources Committee, to authorise the acceptance of grant funding (whether or not it was applied for) and to sign any documentation relating to such grant funding, provided that any terms and conditions of such funding have been approved by the Chief Officer - Finance and the Head of Commercial and Procurement. Expenditure of such funding is subject to compliance with the ACC Procurement Regulations where applicable.

26. To approve the making of:
- a. grants (each with a maximum value of ~~£30,15,000~~) to organisations; and
 - b. grants, awards or prizes (each with a maximum value of ~~£10,0002,500~~) to individuals,
- following consultation with the Chief Officer - Finance, and provided that sufficient budgetary provision exists and the grant, award or prize is made subject to terms and conditions approved by the Head of Commercial and Procurement.
27. To approve the terms and conditions for grants approved as part of the budget process, following consultation with the Head of Commercial and Procurement.
28. To approve purchase orders and authorise payments; and to approve officer signatory lists and officer authorisation levels in relation to the raising and approval of purchase orders and the authorisation of payments.
29. Following consultation with the Chief Officer - Governance or the Head of Commercial and Procurement as appropriate, to approve the entering into of any contractual, legal or other documentation which may be necessary or expedient in connection with the proper exercise of any power, or the proper taking of any decision, by the Chief Officer in question which has been hereby delegated, and in compliance with the ACC Procurement Regulations.
30. To purchase equipment, goods and services where the expenditure has been approved by the Council, in compliance with the ACC Procurement Regulations and ACC Financial Regulations.
31. To approve responses to requests for information made under the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004 and to take any other action in connection with such requests; and to authorise other officers to approve such responses or take such action.
32. To approve responses to complaints made to the Council and to take any other reasonable and proportionate action in relation to such complaints and to authorise other officers to approve such responses or take such action, all in terms of the Complaints Handling Procedure.
33. To take action under the Council's Unacceptable Actions Policy and authorise other officers to take such action.
34. To appoint persons (i) as interim Chief Officers; or (ii) to act up as Chief Officers.
35. To produce, publish and issue reports required or requested of the Council by legislation, the UK or Scottish governments, regulatory bodies or other external bodies and notify the relevant Convener.
36. Following consultation with the Chief Officer - Governance, and notification or consultation with Trade Unions in accordance with the Trade Union Consultation protocol where appropriate, to make:
- amendments to Council policy in order to reflect the law, Council or committee decisions, government guidance, regulators' guidance and other Council policies; and
 - minor or inconsequential amendments to Council policies including, but not limited to, the correction of obvious, technical or clerical errors and taking account of changes to any names or titles.
37. When acting as Duty Emergency Response Coordinator (DERC): take, or arrange for the taking of, any action on behalf of the Council which s/he considers necessary in the event of:

- an emergency (as “emergency” is defined in the Civil Contingencies Act 2004); and/or
- any incident or situation that requires the implementation of special arrangements in order to:
 - a. maintain statutory services at an appropriate level;
 - b. support the emergency services and other organisations involved in the immediate response;
 - c. provide support services for the community and others affected by the incident;
 - d. enable the community to recover and return to normality as quickly as possible; and/or
 - e. provide aid to other local authorities,

with any such action being reported to a future meeting of the Council or relevant committee or sub committee as an item on the agenda

38. When acting as DERC, to implement, or arrange for the implementation of, the provisions of the Civil Contingencies Act 2004 and the Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005.
39. To determine Participation Requests (requests by community participation bodies to participate in outcome improvement processes) under the Community Empowerment (Scotland) Act 2015; and to inform the Co-Leaders, and members of affected wards, of the receipt and determination of any such requests.
40. To order the cessation of any work which is in breach of health and safety legislation or which otherwise poses an unacceptable risk of harm or loss.
41. To operate the Scheme of Virement as set out within the ACC Financial Regulations.
42. To provide a Council response to an external consultation, thereafter to make a copy of the response available to all elected members. A response to an external consultation on a strategic matter can only be submitted following consultation with the Leader of the Council.
43. **Chief Executive and Directors only:** To transfer or reallocate staff, activities, responsibilities and functions within the Council’s Functional Structure, whether on an interim or permanent basis. For the avoidance of any doubt, this delegated power does not cover such transfers to outside organisations.
44. To waive fees where the Chief Officer considers this to be appropriate.
45. To provide references or testimonials for current or former service providers, contractors or consultants of the Council.
46. To approve the making of payments from the funds of trusts in respect of which:
 - a. the Council is sole trustee or the only trustees are elected members of the Council, and
 - b. that Chief Officer is the lead Council officer,

following consultation with the Chief Officer – Finance and provided always that such payments are in accordance with the relevant trust deeds.
47. Following consultation with the Chief Officer - Finance, to:

- a. accept gifts, endowments, bequests and donations (of money and property, other than land or buildings) which relate to a function or matter within their remit or area of responsibility as Chief Officer and to take or instruct any actions which they deem appropriate in relation to such acceptance, subject to the ACC Financial Regulations and ACC Procurement Regulations; and
 - b. approve the sale or other use of such property in accordance with any terms applying to the gift, endowment, bequest or donation, subject to the ACC Financial Regulations; and to approve the ~~E~~expenditure of a monetary gift, endowment, bequest or donation, or of money realised from the sale or other use of property which is the subject of a gift, endowment, bequest or donation, ~~is~~ subject to compliance with the ACC Procurement Regulations where applicable and in accordance with any terms applying to the gift, endowment, bequest or donation.
48. Following consultation with the relevant Convener and the Chief Executive, to authorise the Chief Officer – Early Intervention and Community Empowerment, Chief Officer – Governance and Chief Officer – Strategic Place Planning to determine any matter on behalf of Licensing Committee, Licensing Sub-Committee or Planning Development Management Committee in exceptional circumstances. Any such action to be notified to members of the relevant committee or sub-committee.
49. To approve the use, subject to appropriate conditions, by other persons or organisations of photographs or other visual, audio or written material owned by the Council. Where no charge is to be made for such use, the conditions must be approved by the Chief Officer – Governance. Where a charge is to be made for such use, the conditions must be approved by the Head of Commercial and Procurement.

This power:

- does not include use of the Council’s crests and the coat of arms of Aberdeen, in respect of which the Chief Officer – Governance has a delegated power; and
 - is subject to Standing Order 39 (Filming, Photographing and Recording of Meetings) of the Council’s Standing Orders for Council, Committee and Sub Committee Meetings.
50. To undertake Trade Union and staff consultation on all matters within delegated authority in line with our statutory duties, employment law and the FAIR agreement.
51. To approve, following consultation with the Chief Officer – Governance, the appointment of any officer within the relevant Chief Officer’s function or cluster as a trustee of a trust following upon a request by another party that the officer (by reason of the Council office they hold) should become such a trustee.
52. Following consultation with the Convener of the Finance and Resources Committee and the Chief Officer - Governance, to provide advice and assistance to a body engaged outside the United Kingdom in the carrying on of any of the activities of local government, subject to the requirements of the Local Government (Overseas Assistance) Act 1993. Such assistance may not take the form of a grant, loan, guarantee, indemnity or investment.
53. ~~For~~ Chief Officers of the Aberdeen City Integration~~ed~~ Joint Board only: ~~–37–~~When acting as Duty Emergency Response Coordinator (DERC): take, or arrange for the taking of, any action on behalf of the Aberdeen City Integrati~~oned~~ Joint Board which s/he considers necessary in the event of:
- an emergency (as “emergency” is defined in the Civil Contingencies Act 2004); and/or
 - any incident or situation that requires the implementation of special arrangements in order to:

a. maintain statutory services at an appropriate level;

b. support the emergency services and other organisations involved in the immediate response;

c. provide support services for the community and others affected by the incident;

d. enable the community to recover and return to normality as quickly as possible; and/or

e. provide aid to other bodies,

with any such action being reported to a future meeting of the IJB or its relevant committee as an item on the agenda.

2. CHIEF EXECUTIVE

1. To take, or arrange for the taking of, any action on behalf of the Council which s/he considers necessary in the event of:
 - an emergency (as “emergency” is defined in the Civil Contingencies Act 2004), and/or
 - any incident or situation that requires the implementation of special arrangements in order to:
 - a. maintain statutory services at an appropriate level;
 - b. support the emergency services and other organisations involved in the immediate response;
 - c. provide support services for the community and others affected by the incident;
 - d. enable the community to recover and return to normality as quickly as possible; and/or
 - e. provide aid to other local authorities,

with any such action being reported to a future meeting of the Council or relevant committee or sub committee as an item on the agenda.
2. To implement, or arrange for the implementation of, the provisions of the Civil Contingencies Act 2004 and the Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005.
3. Following consultation with the Chief Officer - Governance and the Chief Officer – People and Organisational Development, to authorise a settlement agreement with an employee below Chief Officer level, including in relation to his/her leaving the Council’s employment.
4. Following consultation with the Chief Officer – Governance, the Chief Officer – People and Organisational Development and the Leader of the Council, to authorise a settlement agreement with an employee of Chief Officer level, including in relation to his/her leaving the Council’s employment.

3. DIRECTOR OF CUSTOMER

CHIEF OFFICER - CUSTOMER EXPERIENCE

Revenues and Benefits

1. To administer, collect, pursue and enforce recovery of council tax and non-domestic rates in accordance with appropriate regulations, legislation and council policy.
2. To assess and determine housing benefit claims, council tax reduction applications and the scheme for discretionary housing payments, grant benefit and reductions in accordance with appropriate regulations and determine appeals on such applications and claims.
3. To administer the Scottish Welfare Fund in accordance with the terms of the Welfare Funds (Scotland) Act 2015 and associated delegated legislation.
4. To write off debt in accordance with the ACC Financial Regulations.
5. To enforce recovery of Housing Benefit Overpayments and unpaid Penalty Charges and Bus Lane Charges in accordance with appropriate regulations, legislation and Council policy.
6. To issue employment permits and otherwise discharge the Council's duties in relation to the employment of children under the Aberdeen City Council Byelaws on the Employment of Children 2015, in accordance with the Children and Young Persons (Scotland) Act 1937 and other legislation relating to the employment of children.
7. To license stage or theatrical performances by children, and to amend or revoke such licences whether issued by the Council or by another local authority, in accordance with the Children and Young Persons (Scotland) Act 1937, the Children and Young Persons Act 1963 and associated regulations.
8. To award Education Maintenance Allowances (section 73(f) of the Education (Scotland) Act 1980) in accordance with criteria and limits set by the Scottish Government
9. To administer and award School Clothing Grants (section 23 of the Education (Scotland) Act 2016) which amends the Education Scotland Act 1980
10. To administer the Blue Badge Scheme in accordance with the Chronically Sick and Disabled Persons Act 1970 and associated regulations.

Payroll

11. To administer the Council's payroll system.

Finance

12. To collect, pursue and enforce recovery of all service income due to the Council in accordance with appropriate regulations and legislation.
13. To collect, pursue and enforce recovery of Council house unpaid rent in accordance with legislation.
14. To sign and to serve (and to authorise officers to sign and to serve) Notices of Proceedings for Recovery of Possession of Council houses, in terms of the Housing (Scotland) Act 2001.

15. To instruct the raising on behalf of the Council of proceedings for recovery of possession of Council houses on any of the grounds specified in Part 1 of schedule 2 to the Housing (Scotland) Act 2001 or otherwise in terms of that Act or on any other lawful grounds.

Appeals - Parking, Bus Lanes and other Enforcement Activity

16. To undertake, arrange to be undertaken, authorise and instruct, and to appoint and authorise officers in the Parking and Bus Lane Appeals Team and other officers to undertake, arrange to be undertaken, authorise and instruct, all activity relating to parking enforcement in terms of (where applicable) the Road Traffic Act 1991, Road Traffic (Permitted Parking Area and Special Parking Area) (Aberdeen City Council) Designation Order 2003, Road Traffic Regulation Act 1984 and any other relevant legislation. This delegated power includes (but is not limited to):
 - a. issuing, and authorising officers in the Parking and Bus Lane Appeals Team and other officers to issue, Notices to Owner, Notices of Rejection and Charge Certificates; and
 - b. taking, and authorising officers in the Parking and Bus Lane Appeals Team and other officers to take or arrange to be taken, any appropriate actions in relation to Notices to Owner, Notices of Rejection and Charge Certificates (such actions including, but not being limited to, considering and responding to representations, responding to the Parking and Bus Lane Tribunal for Scotland and instructing recovery action in relation to unpaid charges).
17. To undertake, arrange to be undertaken, authorise and instruct, and to authorise officers in the Parking and Bus Lane Appeals Team and other officers to undertake, arrange to be undertaken, authorise and instruct, all activity relating to bus lane enforcement in terms of (where applicable) the Road Traffic Regulation Act 1984, the Aberdeen City Council (Bus Lanes in Aberdeen) (Amendment) Order 2009, the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011 and any other relevant legislation. This delegated power includes (but is not limited to):
 - a. issuing, and authorising officers in the Parking and Bus Lane Appeals Team and other officers to issue, Charge Certificates; and
 - b. taking, and authorising officers in the Parking and Bus Lane Appeals Team and other officers to take or arrange to be taken, any appropriate actions in relation to Charge Notices and Charge Certificates (such actions including, but not being limited to, considering and responding to representations, responding to the Parking and Bus Lane Tribunal for Scotland and instructing recovery action in relation to unpaid charges).
18. To undertake, authorise and instruct, and to appoint and authorise officers in the Parking and Bus Lane Appeals Team (and other officers) to undertake, all activity relating to the processing and issue of parking permits in terms of (where applicable) the Road Traffic Act 1991, Road Traffic (Permitted Parking Area and Special Parking Area) (Aberdeen City Council) Designation Order 2003, Road Traffic Regulation Act 1984 and any other relevant legislation.

This delegated power includes (but is not limited to) issuing, and approving and rejecting applications for:

- contractor parking permits;
- permits for NHS medical staff (e.g. Doctors/GPs);
- permits for contractor NHS care staff; • monthly permits for off street car parks; and

- permits for Aberdeen City Council staff.

and authorising officers in the Parking and Bus Lane Appeals Team and other officers to issue such permits and approve or reject applications for such permits.

Freedom of Information (FOI)/Environmental Information Regulations (EIR) Reviews

19. To create, implement and amend procedures concerning review by the Council of its actions and decisions in relation to requests for information made under the Freedom of Information (Scotland) Act 2002 and the Environmental information (Scotland) Regulations 2004 and to take any actions or decisions in relation to such procedures, including:

- a. determining whether a requirement for review is valid, seeking clarification from applicants where necessary and closing off requirements where sufficient clarification has not been timeously provided;
- b. determining the type of review to be undertaken in each case; and approval of officers to be members of review panels; and to authorise officers to take any such actions or decisions.

CHIEF OFFICER – DATA AND INSIGHTS

1. To put in place an appropriate framework and internal controls across all functions which provide assurance of effective and efficient organisational performance against the Council's outcomes.
2. To put in place an appropriate control environment and effective internal controls which provide assurance of adherence with the requirements of Statutory Performance Indicators for the statutory duty of Public Performance Reporting.
3. To appoint a Data Protection Officer for the Council and to approve, implement and amend procedures relating to data protection.
4. To update and maintain Locality Improvement Plans.

CHIEF OFFICER - DIGITAL AND TECHNOLOGY

1. To determine the specification and implementation of all hardware and software digital solutions adopted for use within the Council.
2. To secure the Council's digital infrastructure and information assets, including the application or removal of restrictions and tools to balance the needs of business against the risk of cyber attack.
3. To engage with potential suppliers and to pilot new digital technologies, subject to the ACC Procurement Regulations.
4. To alter ICT service hours and availability of ICT support.

CHIEF OFFICER - EARLY INTERVENTION AND COMMUNITY EMPOWERMENT

Libraries

1. To exercise statutory powers to provide and manage public libraries; to provide and manage the Council's library and information service.
2. To prescribe loan periods for articles borrowed from the Council's libraries and collections; and to make charges for the borrowing of items, other than books or periodicals from the Council's collections or the provision of any service provided at libraries.
3. To grant permission for the reproduction of photographs, documents or books and to impose appropriate charges.
4. To grant applications for permission to use accommodation within the Central Library or any community library on the usual terms, conditions and charges applying thereto.

Community Learning

5. To attend to the general management of community centres and community learning centres within the Council's ownership and, following determination of funding provision by Full Council, to issue funding letters to the relevant organisations.
6. To manage the Creative Learning Programme.
7. To provide programmes of adult education.
8. To create and deliver the Community Learning and Development Plan

Housing Allocations

9. To allocate Council homes in accordance with the Council's letting and allocation policies.

Housing Tenancies

10. To manage Council tenancies and housing estates in line with service policies, tenancy agreements and relevant legislation including, but not limited to, the various Housing (Scotland) Acts; and to sign, and authorise officers to sign, tenancy agreements relating to Council houses.
11. To sign and to serve (and to authorise officers to sign and to serve) Notices of Proceedings for Recovery of Possession of Council houses, in terms of the Housing (Scotland) Act 2001.
12. To instruct the raising on behalf of the Council of proceedings for recovery of possession of Council houses on any of the grounds specified in Part 1 of schedule 2 to the Housing (Scotland) Act 2001 or otherwise in terms of that Act or on any other lawful grounds.
13. To deal with cases of unauthorised or irregular occupation of Council houses by persons other than the tenant and to instruct the raising on behalf of the Council of proceedings for recovery of possession of such Council houses.
14. To make decisions, and take or instruct all necessary action, in relation to succession to Council house tenancies and vacancy and abandonment of Council houses.
15. To authorise home loss and discretionary payments under the provisions of the Land Compensation (Scotland) Act 1973, schedule 2 of the Housing (Scotland) Act 2001 and related legislation, regulations and guidance.

16. To authorise Area Housing Managers to either terminate or continue within the various categories of tenancy and to grant or decline future applications from organisations to lease Council-owned HRA properties.
17. To collect, pursue and enforce recovery of Council house unpaid rent in accordance with legislation.

Housing Revenue Account

18. To collect, pursue and enforce recovery of Council house unpaid rent in accordance with legislation.
19. To maintain a current Housing Revenue Account Business Plan.
20. To write off, following consultation with the Chief Officer – Customer Experience, Former Tenants' Arrears and associated housing debts in accordance with the ACC Financial Regulations, reporting any such instances to Finance and Resources Committee.

Property Factoring

21. To act as the Responsible Person for the purposes of section 3 of the Property Factors (Scotland) Act 2011.

Communities

22. To administer funding, develop and maintain appropriate governance arrangements for the Fairer Aberdeen Fund and the Common Good Fund.
23. To deliver participatory budgeting, following consultation with the Convener of the Finance and Resources Committee and the Chief Officer - Finance, provided that sufficient budgetary provision exists for the purpose for which the participatory budgeting process is being delivered.
24. Following consultation with the Chief Officer - Governance, to create, amend and implement procedures concerning the Community Empowerment (Scotland) Act 2015, including in relation to Participation Requests, all in accordance with Council policy.
25. [Following consultation with the Chief Officer of the Aberdeen City Health and Social Care Partnership, the Chief Officer – Education and the Chief Officer – Integrated Children's and Family Services](#), to undertake and report to Committee on the Council's Child Poverty Action Plans and [Local Child Poverty Action Reports](#).

Homelessness

26. To undertake the Council's statutory responsibilities in terms of the Prevention of Homelessness and Homelessness provision in line with the Housing (Scotland) Acts.
27. To create and monitor the implementation of the Council's Rapid Rehousing Transition Plan.
28. To provide out of hours emergency services for homeless persons, including the carrying out of urgent repairs.
29. To assess homeless applications and provide a range of temporary and permanent accommodation in accordance with the Housing (Scotland) Acts and Homelessness (Scotland) Act 2003.
30. To administer a homelessness prevention fund in order to prevent and reduce instances of homelessness.

31. To increase the relative priority of homeless families and couples where the short-term supply and demand for housing is impacting on the Council's statutory duty to offer appropriate permanent housing.
32. To write off debts, following consultation with the Chief Officer – Customer Experience, in relation to homelessness in accordance with the ACC Financial Regulations.

Antisocial Behaviour

33. To prepare and review a Local Antisocial Behaviour Strategy, in consultation with the Chief Constable of the Police Service of Scotland, as required by Part 1 of the Antisocial Behaviour etc. (Scotland) Act 2004.
34. To authorise relevant officers to implement Part 5 of the Antisocial Behaviour etc. (Scotland) Act 2004.
35. To authorise applications for Antisocial Behaviour Orders (ASBOs) and interim ASBOs, to revoke or extend ASBOs, and the taking of other legal actions or measures under the Crime and Disorder Act 1998 and the Antisocial Behaviour etc. (Scotland) Act 2004.
36. To authorise action under Part 7 (Housing: Antisocial behaviour notices) of the Antisocial Behaviour etc. (Scotland) Act 2004.

Equalities

37. To manage and support encampments of Gypsy and Travelling Community to ensure that the needs of both the Gypsy and Travelling Community and the settled community are being met and liaise with the Chief Officer - Governance in cases of unauthorised encampments in considering whether to seek legal action for eviction on Council owned land.
38. To provide services to travelling persons including, but not limited to, the management and maintenance of a site for travelling persons.
39. To ensure that the Council complies with the Equality Act 2010 and its public sector general equality duty and specific equalities duties.
40. To engage with marginalised and seldom heard equality and communities of interest groups so that their issues and needs can be identified and addressed where appropriate in Council policy, plans and strategies.
41. To develop, publish, support, monitor and review the Council's Gaelic Action Plan.
42. To develop, publish, support, monitor and review the Council's BSL (British Sign Language) Action Plan.

Parking, Bus Lanes and other Enforcement Activity

43. To undertake, arrange to be undertaken, authorise and instruct, and to appoint and authorise officers (whether City Wardens, officers in the Parking and Bus Lane Appeals Team or other officers) to undertake, arrange to be undertaken, authorise and instruct, all activity relating to parking enforcement in terms of (where applicable) the Road Traffic Act 1991, Road Traffic (Permitted Parking Area and Special Parking Area) (Aberdeen City Council) Designation Order 2003, Road Traffic Regulation Act 1984 and any other relevant legislation.
44. This delegated power includes (but is not limited to):
 - a. appointing and authorising City Wardens and other officers to be parking attendants and to issue Penalty Charge Notices; and

- b. taking, and authorising officers in the Parking and Bus Lane Appeals Team and other officers to take or arrange to be taken, any appropriate actions in relation to the immobilisation, removal, storage and disposal of vehicles.
45. To undertake, arrange to be undertaken, authorise and instruct, and to authorise officers (whether City Wardens or other officers) to undertake, arrange to be undertaken, authorise and instruct, all activity relating to bus lane enforcement in terms of (where applicable) the Road Traffic Regulation Act 1984, the Aberdeen City Council (Bus Lanes in Aberdeen) (Amendment) Order 2009, the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011 and any other relevant legislation. This delegated power includes (but is not limited to) issuing, and authorising City Wardens and other officers to issue, Charge Notices.
46. To instruct, and to authorise City Wardens and other officers to undertake, environmental enforcement activity in terms of the Environmental Protection Act 1990, Refuse Disposal (Amenity) Act 1978, Road Traffic (Vehicle Emissions) (Fixed Penalty) (Scotland) Regulations 2003, Smoking, Health and Social Care (Scotland) Act 2005 and any other legislation relevant to public health.
47. To authorise City Wardens and other officers to issue fixed penalty notices in terms of the Dog Fouling (Scotland) Act 2003.

Private Sector Housing

48. To:
- a. Implement all aspects of the Scheme of Assistance under the Housing (Scotland) Act 2006 and the Tenements (Scotland) Act 2004;
 - b. Make third party applications to the Housing and Property Chamber First-Tier Tribunal for Scotland, under Chapter 4, Housing (Scotland) Act 2006; and
 - c. Where instructed in writing by the Chief Officer of the Aberdeen City Integration Joint Board, to provide aids and adaptations for the homes of people with disabilities, where authorised within the Integration Joint Board approved budget available for the purpose and in accordance with approved policies.
49. To:-
- a. Approve Houses in Multiple Occupation (HMO) Licence applications subject to the standard conditions, where there are no objections, concerns or contentious issues;
 - b. Add additional conditions to HMO Licences, where such conditions are agreed by all parties under section 133, Part 5, Housing (Scotland) Act 2006;
 - c. Refuse to consider HMO licence applications under section 129A, Part 5, Housing (Scotland) Act 2006;
 - d. Grant applications for variation of HMO licences from licence holders under section 138, Part 5, Housing (Scotland) Act 2006, where the invitation to make oral representations has been declined by the enforcing authority (the fire authority) and the Chief Constable on being served notice of the application, and they have each made no representations;
 - e. Grant temporary exemption orders and extensions to same under sections 142 and 143, Part 5, Housing (Scotland) Act 2006;
 - f. Make orders for the suspension of rent, etc. under section 144, Part 5, Housing (Scotland) Act 2006;

- g. Make requirements to require rectification of breach of HMO Licence conditions, under section 145, Part 5, Housing (Scotland) Act 2006; and
- h. Sign and serve (or arrange for or instruct the service of) HMO amenity notices and all notices of the above types of decision and take, or arrange for or instruct the taking of, any action necessary in connection with doing any of the foregoing, all in terms of the provisions of sections 146-153, Part 5, Housing (Scotland) Act 2006.

50. To:-

- a. Approve applications for Landlord Registration where applicants are considered to be 'fit and proper' and where there are no objections from Police Scotland in terms of spent or unspent criminal convictions and no other concerns about the applicant, all in terms of section 84, Part 8, Antisocial Behaviour etc. (Scotland) Act 2004;
 - b. Sign and serve (or arrange for or instruct the service of) Rent Penalty Notices under section 94, Part 8, Antisocial Behaviour etc. (Scotland) Act 2004; and
 - c. Waive Late Application Fees in relation to Landlord Registration when considered appropriate to do so.
51. To authorise the Private Sector Housing Strategy Officer to instruct the Chief Officer - Governance to prepare and sign "Notice of Potential Liability for Costs" as and when required.
52. To serve Closing Orders on vacant Below Tolerable Standard dwellings (as defined by the Housing Scotland Act (2006)) as may be instructed by the Director of Resources.
53. To serve on the owners concerned, on the instruction of the Director of Resources, Demolition Orders, Revocation of Demolition Orders or Closing Orders in circumstances where properties have not been restored to the tolerable standard.
54. To remove and dispose of abandoned vehicles in terms of the Refuse Disposal (Amenity) Act 1978.
55. To approve Short-Term Let Licence applications subject to the standard conditions, where there are no objections, concerns or contentious issues.

4. DIRECTOR OF COMMISSIONING

1. To exercise all powers delegated to him/her in terms of the ACC Procurement Regulations.
2. To approve (or to nominate a person as having authority to approve) any procurement or contract, as a result of a Direction from the Integration Joint Board to the Council and/or a relevant business case, where the estimated value of the contract is of or above £50,000 (supplies/services) or £250,000 (works) or the turnover from the contract is estimated to be £4.5m or more (concessions), subject to the approval of the Chief Officer - Finance and the Head of Commercial and Procurement.

CHIEF OFFICER - CITY GROWTH

Culture

1. To purchase any works of art or museum exhibits within any such financial limits as may be set by the Council.
2. To authorise international travel of officers to accompany works of art to and from overseas venues - where such works of art are being loaned to such venues and where all costs are covered by the borrower.
3. To make bookings for exhibitions, recitals, festivals, concerts, races and other events within the city within any such financial limits as may be set by the Council, providing that, where the events are procured, the ACC Procurement Regulations shall apply .
4. To grant permission to reproduce works of art in approved publications and to impose an appropriate charge.
5. Following consultation with the Head of Commercial and Procurement, to grant loans of items from the collections held by the Council to outside bodies and to accept loans of items from collections held by outside bodies.
6. To apply for any and all necessary licenses to ensure the delivery of catering and hospitality services (alcohol, public entertainment) under the relevant licensing legislation.
7. Following consultation with the Chief Officer - Finance, to set charges for museums and galleries.
8. To refuse applications, following consultation with Convener of the Finance and Resources Committee, for commemorative plaques if they do not meet the Council's criteria.
9. To cancel or postpone any exhibitions, recitals, festivals, concerts, races and other events within the city, following consultation with the Leader and the Lord Provost.
10. To
 - a. deliver events which Council, committee or sub-committee has previously approved;
 - b. take all actions which may be necessary or expedient in connection with such delivery; and
 - c. following consultation with the Leader and the Lord Provost, alter the size, scope, duration or other particulars of such events where the Chief Officer – City Growth deems this to be necessary, providing that, where events are procured, the ACC Procurement Regulations shall apply.
11. Following consultation with the Leader and the Lord Provost, to determine that events shall take place and/or to deliver or approve events (and to take all actions which may be necessary or expedient in connection with such events) where it is not reasonably practicable to seek prior Council, committee or sub-committee approval.

Economic Development

12. To negotiate on behalf of the Council with existing and prospective investors in relation to all forms of economic activity in the city.
13. To investigate and secure sources of external funding and negotiate appropriate partnerships where required.
14. To identify and develop partnerships with other bodies and companies who can contribute to the city's economic development.

15. Following consultation with the Head of Commercial and Procurement, to make a financial contribution to the activities described in powers 10 to 12 immediately above by way of loans or grants, in accordance with any criteria approved by the relevant committee.
16. To negotiate on behalf of the Council with prospective events, conference organisers and third party funders in relation to attracting events/conferences to the city that contribute to the Council's economic priorities.
17. Following consultation with the Chief Officer - Finance and the Head of Commercial and Procurement, to approve an application for assistance from the subvention fund for an amount equal to the balance of the subvention fund to support the venue operator appointed by Aberdeen City Council to attract business to P&J Live, as per the contractual agreements in place.
18. Following consultation with the City Region Deal Programme Board, to agree any change requests requested or required in relation to City Region Deal Projects.
19. To make representations on the Council's behalf to the Chief Officer - Strategic Place Planning for submission to the Planning Development Management Committee, in situations where notice has been served on the Council as a party having a notifiable interest in neighbouring land which is subject to a planning application.
20. To make applications for planning and other statutory consent for sites and heritable property where such consent is required to deliver an approved Council initiative or project following consultation with the Chief Officer – Capital
21. 1To provide work experience for pupils who are eligible (section 123 of the Education (Scotland) Act 1980.
22. Following consultation with the City Region Deal Programme Board, to make any reports (mandatory or otherwise) to the UK and/or Scottish Governments, which are requested or required in relation to City Region Deal Projects.
- 21.23. To make, following consultation with the Head of Commercial and Procurement, subsidy schemes in terms of section 10 of the Subsidy Control Act 2022.

HEAD OF COMMERCIAL AND PROCUREMENT

1. To have overall responsibility for creating and amending procurement procedures in terms of the ACC Procurement Regulations and in accordance with Council policy.
2. To ensure that the Procurement Manual is in place and that necessary revisions are made to it on a regular basis to reflect changes in legislation, Council policy or good practice, in terms of the ACC Procurement Regulations.
3. To exercise all responsibilities and powers delegated to him/her under the ACC Procurement Regulations.
4. To sub-delegate his/her responsibilities and powers under the ACC Procurement Regulations to managers and team leaders within his/her Service.
5. To approve the entering into, variation, extension or termination of any contract or agreement in circumstances where, following consultation with the relevant Chief Officer (or his/ her deputy or nominee), he/she is satisfied that it is competent and in the interests of the Council to do so.
6. To sign (and to authorise officers to sign) deeds, contracts, agreements, notices, orders and other documents to which the Council is a party.
7. To authorise the entering into of an agreement with any person (including another local authority) for:
 - a. the supply by the Council to that person of any goods or materials;
 - b. the provision by the Council for that person of any services;
 - c. the use by that person of any property belonging to or facilities under the control of the Council and, without prejudice to paragraph (b) above, the placing at the disposal of that person of the services of any person employed in connection with the property or facility in question;
 - d. the carrying out by the Council of works of maintenance in connection with land or buildings for the maintenance of which the person is responsible;

subject to compliance with the Local Authorities (Goods and Services) Act 1970 and any other relevant legislation, and Aberdeen City Council keeping trading accounts for the relevant trading operation in accordance with proper accounting practices.
8. To arrange and effect, and to authorise the Insurance Officer to arrange and effect, all insurance cover on behalf of the Council.
9. To settle or repudiate, and to authorise the Insurance Officer and other officers to settle or repudiate, all claims made against the Council which involve the Council's insurers. Such settlement or repudiation shall follow consultation with other officers where necessary.
10. To agree minor amendments to the Memorandum, Articles of Association and any other constitutional document of Arm's Length External Organisations (ALEOs) of the Council where those amendments do not alter the extent of the Council's control over that ALEO, and to execute written resolutions or vote at a general meeting of an ALEO on behalf of the Council in relation thereto; and to act on behalf of the Council on any other matters arising in respect of such ALEOs provided always that such actions do not alter the extent of the Council's control over such ALEOs.

CHIEF OFFICER - GOVERNANCE

General Legal/Governance

1. Following consultation with the Co-Leaders, to amend the Council's Scheme of Governance documentation in order to:
 - correct obvious, technical or clerical errors;
 - reflect the law (including changes to the law), government guidance, regulators' guidance, codes of conduct, codes of practice and Council policies and decisions; and
 - alter the sequencing of provisions and add, remove or amend headings.
2. To maintain, amend and update the Council's lists of proper officers and statutory appointees as contained in Appendix 1.
3. To designate any Manager, Team Leader or Solicitor within the Governance function to perform appropriate functions of the Chief Officer - Governance.
4. To act as Monitoring Officer and nominate a Deputy Monitoring Officer, in terms of section 5 of the Local Government and Housing Act 1989.
5. To engage, instruct or appoint external legal advisers (including, but not limited to, private firms, counsel and solicitor advocates) and expert witnesses.
6. To raise, defend, conduct, enter into, appear in, withdraw or abandon any court, tribunal or other legal proceedings on behalf of the Council, the Licensing Board and such other bodies as the Council may from time to time determine and otherwise attend to the interests of the Council, the Licensing Board or the body in question in relation to any such proceedings (whether such proceedings are underway or in contemplation), with the authority to:
 - settle or compromise any such proceedings;
 - instruct the enforcement of any orders or decrees obtained in any such proceedings;
 - accept service of any document in connection with any such proceedings; and
 - take any other action in relation to any such proceedings as s/he considers appropriate.

For the avoidance of any doubt, such proceedings include (but are not restricted to) those relating to any pension fund for which the Council is administering authority or to which the Council is otherwise connected.
7. To take (or arrange for the taking of) any action in relation to public inquiries involving or affecting the Council, including applying for leave to appear at inquiry hearings or applying for core participant status.
8. To finalise the membership of committees and sub committees, where compositions have been agreed by Council or committee, upon notification of names from members or external bodies; this shall include making changes to the membership of committees and sub committees upon notification from members or external bodies providing the agreed composition does not change.
9. To finalise appointments to outside bodies, where compositions have been agreed by Council or committee, upon notification of names from members, and notify outside bodies accordingly; this shall include making changes to appointments to outside bodies upon notification from members providing the agreed composition does not change. This shall not apply where named appointments are required to be made by Council.

10. To arrange meetings of the Appointment Panel in accordance with the Protocol for Appointment of Chief Officers (Appendix 3 to Standing Orders).
11. To maintain the Council's Register of Outside Bodies.
12. To make minor amendments to the Constitution for Community Councils and amend the population figures for Community Council areas on an annual basis.
13. To exercise all powers assigned to the Monitoring Officer under any Council policy or procedure.
14. To be responsible for the safe custody of the title deeds of all land and property in the ownership of the Council, the Minutes and other records of the proceedings of the Council, its committees and sub committees and all other records belonging or relating to the Council which are not more appropriately retained by another Chief Officer. This responsibility may be exercised by arrangement with any other local authority or authorities.
15. To refer matters to external bodies, including (but not limited to) Police Scotland and the Crown Office and Procurator Fiscal Service, where he/she considers it appropriate to do so.
16. To appoint authorising officers in terms of the Regulation of Investigatory Powers (Scotland) Act 2000 ("RIPSA"), subject always to the terms of the Regulation of Investigatory Powers (Prescription of Offices, etc. and Specification of Public Authorities) (Scotland) Order 2010 and any such appointee having already undertaken RIPSA training.
17. To appoint officers as ~~Designated Senior Officers~~ [Approved Rank Officers](#), under the Council's Use of Investigatory Powers Policy and the Investigatory Powers Act 2016, to confirm and authorise the acquisition and use of Communications Data, subject to any such appointee having already undertaken appropriate training.
18. To authorise in writing persons to exercise the powers in section 21(4BA) and (4D) of the Chronically Sick and Disabled Persons Act 1970 and so to act as enforcement officers under that section.
19. To appoint as officers of the council, persons who are not council employees.
20. To approve any arrangements concerning elected member family leave, acting-up and allowances in accordance with legislation (including the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007) and ~~COSLA~~ [COSLA](#) guidance.
21. To monitor and review Byelaws and Management Rules in terms of the Local Government (Scotland) Act 1973 and Civic Government (Scotland) Act 1982 respectively and make recommendations to Full Council, or the relevant committee or sub committee as appropriate; and to maintain registers of Byelaws and Management Rules.
22. To create, maintain and amend civil contingency plans (whether or not in relation to emergencies) and associated procedures, protocols and guidance, all in terms of the Civil Contingencies Act 2004 and the Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005 where applicable.
23. To approve the entering into or signing of any pledge or declaration or similar document (or to arrange for any of these things to be done) in circumstances where, following consultation with the relevant Chief Officer (or their deputy or nominee) and the Council Leader, the Chief Officer – Governance is satisfied that it is in the interests of the Council to do so.

- 24.** Following consultation with the Chief Officer – City Growth and the Head of Commercial and Procurement, to give notice to the Secretary of State in terms of the National Security and Investment Act 2021 and to take any other appropriate action in terms of that legislation.
- 25.** To contact the appropriate authorities and submit SARs (Suspicious Activity Reports) in relation to suspected money laundering activity.
- 26.** To determine whether petitions to the Council are competent in terms of the Council’s petitions criteria, following consultation with the relevant Convener and relevant Chief Officers.
- 27.** To act as the Council’s Senior Information Risk Owner (SIRO), in terms of the Council’s Corporate Information Policy and otherwise.

Pensions

24-28. To sign (and to authorise officers to sign), on behalf of the Council, any agreement or other document concerning the administration of the North East Scotland Pension Fund, including but not limited to:

- investment management agreements;
- limited partnership agreements;
- admission agreements;
- bond documentation;
- tender documentation;
- side letters;
- powers of attorney;
- forms of adherence;
- forms of due diligence; and
- tax documentation

where the entering into of such an agreement or document has been approved by the Chief Officer - Finance or an officer nominated by the Chief Officer - Finance for this purpose.

25-29. Following consultation with the Chief Officer - Finance, to make amendments to the Authorised Signatory List as required by changes in personnel subject to the positions as listed remaining the same.

26-30. To act as the Appointed Person for the purposes of the North East Scotland Pension Fund’s Internal Dispute Resolution Procedure, in terms of the Local Government Pension Scheme (Scotland) Regulations 2018 and any other relevant legislation.

Licences, Civic Government (Scotland) Act 1982 etc.

27-31. To act as, or appoint, a Clerk to the Licensing Board; and to appoint a Depute Clerk to the Licensing Board to exercise the powers of the Clerk to the Licensing Board.

28.32. To authorise officers to exercise the powers (including, but not limited to, entry and inspection) contained within section 5 of the Civic Government (Scotland) Act 1982 and paragraph 20 of Schedule 2 to the Civic Government (Scotland) Act 1982.

29.33. In relation to applications for the grant, variation or renewal of licences, orders, permits and registrations under the Civic Government (Scotland) Act 1982 and its associated regulations, the Cinemas Act 1985 and the Deer (Scotland) Act 1996, to:

- i. determine such applications;
- ii. refuse to accept incompetent applications; and
- iii. impose conditions which are non-contentious and agreed by all parties,

except where valid objections or representations in respect of the application have been received and have not, in the opinion of the Chief Officer - Governance, been withdrawn or satisfactorily addressed or resolved.

30.34. To deem an application for the renewal of a licence under Part II of the Civic Government (Scotland) Act 1982 made up to 28 days after the expiry of the licence to be an application made before the date of expiry.

31.35. To authorise officers to inspect and test vehicles and taximeters in terms of section 11 of the Civic Government (Scotland) Act 1982.

32.36. To authorise officers to carry out inspection and enforcement functions in relation to knife dealers' licences in terms of sections 27E, 27F and 27G of the Civic Government (Scotland) Act 1982.

37. To authorise the immediate temporary suspension of licences under the Civic Government (Scotland) Act 1982 without a hearing where there is or is likely to be a serious threat to public order or public safety.

38. To recall the suspension of a taxi driver's licence or private hire car driver's licence imposed on the grounds that the licence holder failed to meet the necessary medical standards where the licence holder produces evidence from a medical professional that states that he or she now meets the required standards.

33.39. To recall the suspension of a street trader's licence imposed on the grounds that the licence holder did not have a valid Food Hygiene Certificate where the licence holder produces a valid Certificate.

34.40. To approve vehicles which comply with the specification for licensing as wheelchair accessible taxis.

35.41. To authorise officers to exercise powers of entry to, and inspection of, sports grounds as defined by section 11 of the Safety of Sports Grounds Act 1975.

36.42. To determine requests for film classification under the Cinemas Act 1985 where a U or PG certificate is sought.

Stock Exchange Bonds

37.43. To develop and maintain Insider Lists in connection with any stock exchange bonds issued by the Council.

38-44. To take or instruct any other actions which may be required in order to ensure the Council's compliance with any law, regulations, guidance, codes or stock exchange requirements relating to any stock exchange bonds issued by the Council.

Schools/Education

39-45. To make arrangements for the clerking of the School Placings and Exclusions Appeals Committee.

40-46. To reject school placing appeals and exclusion appeals which s/he considers are not competent.

41-47. To appoint external members to the pool of members for the School Placings and Exclusions Appeals Committee who fall into the following categories, subject to their attendance at a relevant training session and a clear PVG check being returned:

- parents of children of school age;
- people who, in the opinion of the Chief Officer - Governance, have experience in education; or
- people who, in the opinion of the Chief Officer - Governance, are acquainted with the educational conditions in the area of the Council.

42-48. To institute proceedings on behalf of the Council as Education Authority in terms of section 43 of the Education (Scotland) Act 1980.

Legal Documentation

43-49. To sign (and to authorise officers to sign) deeds, contracts, agreements, notices, orders and other documents to which the Council is a party.

44-50. To approve the entering into, variation, extension or termination of any contract, agreement, protocol, memorandum of understanding or other legal document (or to arrange for any of these things to be done) in circumstances where, following consultation with the relevant Chief Officer (or his/her deputy or nominee), he/she is satisfied that it is in the interests of the Council to do so.

45-51. Following consultation with the Director of Resources, to undertake any necessary actions or procedures, and to sign any documentation, on behalf of the Council in order to finalise any director appointments to Bon Accord Care Ltd and/or Bon Accord Support Services Ltd.

Civic Administration

46-52. To authorise the Lord Provost (or, as appropriate, the Depute Provost) to incur expenditure to meet the expenses of his/her office in relation to the provision of reasonable hospitality, whether within or outwith the city, to representatives of other authorities or organisations, members of the Council or others.

47-53. In relation to the Council's crests and the coat of arms of Aberdeen, to take any actions which the Chief Officer – Governance considers to be in the interests of the Council, including authorising the use of same or taking action against unauthorised use. ,~~include authorising the use of same.~~

Company Administration

48-54. ~~48-~~In relation to any company or entity (existing or prospective) of which the Council is, or is proposed to be, a member or shareholder (other than an Arm's Length External Organisation

(ALEO) of the Council), to agree minor amendments to the Memorandum, Articles of Association and any other constitutional document of such a body and to execute written resolutions or vote at a meeting of such a body on behalf of the Council in relation thereto and to act on behalf of the Council on any other matters arising in respect of such bodies.

CHIEF OFFICER - STRATEGIC PLACE PLANNING

The powers delegated below take account of the fact that all planning applications which come within the category of “Local Development”, as defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, are dealt with under a separate Scheme of Delegation prepared in accordance with the provisions of section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) - this is contained at Appendix 2.

The Chief Officer - Strategic Place Planning or any appropriate person nominated by him/her for the purpose (and where appropriate, that Chief Officer and any such appropriate person hereinafter referred to as the “Appointed Officer”) has the following delegated powers:

Major and National Applications

1. To determine:

- applications for the requisite approval of matters specified by condition(s) imposed on a grant of planning permission in principle under section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended); and
- planning applications for modification of conditions under section 42 of the Town and Country Planning (Scotland) Act 1997 (as amended),

all in respect of applications falling within the categories of National and Major

Development as defined in the Town and Country Planning (Hierarchy of Developments)

(Scotland) Regulations 2009 **except** where that application: i. has been made by or on behalf of;

- a. an elected member of the Council or a member of staff employed within the Strategic Place Planning function of the planning authority or
- b. the Chief Executive or any other member of the Corporate Management Team of the planning authority,
- all as determined from the contents of the application form;
- ii. requires to be the subject of formal notification to the Scottish Ministers as defined in the Schedule to the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 (or any other Scottish Government Direction);
- iii. is an Environmental Impact Assessment (EIA) application for which a validated EIA has been submitted;
- iv. is being recommended for approval and has been the subject of formal timeous objection by the local Community Council within whose area the application site falls;
- v. has been the subject of six or more timeous letters of representation² (following advertisement and/or notification) that express objection or concern about the proposal;
- vi. is being recommended for approval and has been the subject of formal objection from the Roads Authority or the Council’s Environmental Health service;
- vii. is being recommended for approval and is considered by the Appointed Officer to be contrary to the adopted development plan strategy.

2. To determine applications for the approval of consent, agreement or approval required by a condition(s) imposed on a grant of planning permission under section 37 of the Town and Country Planning (Scotland) Act 1997 (as amended).
3. Under the terms of section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended) and section 69 of the Local Government (Scotland) Act 1973, and following consultation with the Chief Officer - Governance, to:
 - a. negotiate and conclude legal agreements related to planning and other applications;
 - b. determine applications for Modifications or Discharge of Planning Obligations under section 75A in relation to planning application; and
 - c. to participate in the promotion and development of Good Neighbour Agreements under section 75D.

provided the Appointed Officer considers such agreements to be in accordance with the original decision on the application.

4. To determine planning and other applications given a willingness to approve and for which legal agreements are not completed within 6 months of the date on which a willingness to approve was agreed by the Planning Authority.
5. To determine requests for non-material variation of major and national planning applications in terms of section 64 of the Town and Country Planning (Scotland) Act 1997 (as amended).

General Delegations

6. To determine following consultation with the Chief Officer - Governance, the Convener of the Planning Development Management Committee and the Co-Leaders, whether to appeal a decision of the Scottish Ministers which overturned or modified a decision of the Council and thereafter, if applicable, to instruct the making of such an appeal.
7. To determine applications for Listed Building consent and Conservation Area consent subject to any of the applicable exceptions contained in paragraph 1 above and provided that the Scottish Ministers, if notified, have either made no observations or where observations have been made which can competently be made the subject of appropriate planning conditions, to determine these applications with those conditions attached.
8. To determine Hazardous Substance Consent applications under the Planning (Hazardous Substances) (Scotland) Act 1997 and the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015.
9. To determine whether planning or other applications that have been lodged or preapplication proposals require planning or other consent
10. To issue decisions on all types of consent where Full Council or any relevant committee of the Council are minded to grant a development and the Scottish Ministers, having been notified, indicate no objections or intention to intervene, or the period for so indicating has expired.
11. To deal with Proposal of Application Notices in terms of section 35B of the Town and Country Planning (Scotland) Act 1997 (as amended) and Pre-Application Screening Notices in terms of section 35A(3) of that Act.
12. To determine applications for advertisement consent under the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

13. To appoint Officers to participate in mediation in terms of Section 268A of the Town and Country Planning (Scotland) Act 1997 (as amended).
14. To prepare and publish an Open Space Strategy.
15. To prepare and publish an annual obligations report detailing the following:
 - a. the number of planning obligations: entered into that year; entered into in a previous year and not yet expired; and, entered into in a previous year and not yet complied with;
 - b. the development to which each planning obligation relates; and
 - c. the name of the person who has entered into the agreement
16. To determine, in accordance with the applicable Environmental Impact Assessment Regulations, whether a particular planning application requires to be supported by an Environmental Statement (Screening Opinion) and the scope of any such Statement (Scoping Opinion) and to determine the scope of any such Statement (Scoping Opinion) and whether the information submitted with any EIA report is sufficient to reaching a reasoned conclusion on the significant effects of the development on the environment or whether supplementary information is required and the scope of any such information all in accordance with Section 40 of the Town and Country Planning (Scotland) Act 1997 (as amended) and as required by Section 40 A of the Planning (Scotland) Act 2019 when it comes into force.
17. To provide the following information to assist with the preparation of the National Planning Framework if required to do so by the Scottish Ministers and to work with any other Planning Authority to provide the information if required to do so by the Scottish Ministers:
 - a. Physical, cultural, economic, social, built heritage and environmental characteristics;
 - b. Principle purposes for which land in the area is used;
 - c. Size, composition and distribution of population;
 - d. Housing needs;
 - e. Capacity of education services;
 - f. Capacity of health services;
 - g. Health needs;
 - h. Housing needs of older and disabled people;
 - i. Whether land should be allocated for resettlement;
 - j. Infrastructure (communications, transport, drainage, water supply, energy (including land / facilities for renewables));
 - k. Any change expecting in anything listed above; and
 - l. Any other matter as prescribed
18. To instruct the registration and/or discharge of Charging Orders in terms of section 158 of the Town and Country Planning (Scotland) Act 1997 (as amended) in order to reclaim the costs of carrying out enforcement action.

19. To determine, in accordance with the applicable Environmental Impact Assessment Regulations, whether a particular planning application requires to be supported by an Environmental Statement (Screening Opinion) and the scope of any such Statement (Scoping Opinion).
20. To determine whether the information submitted with any Environmental Impact Assessment report is sufficient to reaching a reasoned conclusion on the significant effects of the development on the environment or whether supplementary information is required and the scope of any such information.
21. To determine applications related to Prior Notification or Prior Approval made under the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 Schedule 1 for the following:
 - i. Part 1A - Class 6G: Free standing wind turbine within the residential curtilage; ii.
Part 1B - Class 6K and 6L: Biomass facilities on agricultural or forestry land; iii.
Part 6 - Class 18: Agricultural buildings; iv. Part 7 - Class 22: Forestry buildings and operations;
 - v. Part 13 - Class 39 and 40: Public gas transporters and electricity undertakings; vi.
Part 20 - Class 67: Development by electronic communications code operators; vii.
Part 23 - Class 70: Demolition of buildings; viii. Part 24 - Class 71: Toll road facilities;
 - ix. Any other types of prior notification or prior approval that might come forward in future amendments to the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 Schedule 1.
22. To determine Certificates of Lawfulness under the Town and Country Planning (Scotland) Act 1997 (as amended) where, in the opinion of the Appointed Officer, there is no reasonable doubt that the use or development is or would be:-
 - lawful without further planning approval; or
 - unlawful
23. To give, serve, issue and sign the following notices, all under the Town and Country Planning (Scotland) Act 1997 (as amended), following consultation with the Chief Officer – Governance with an annual report to the Planning Development Management Committee detailing all action authorised under the below:
 - Enforcement Notices under Section 123
 - Notices under section 33A requiring an Application for Planning Permission for a Development already carried out;
 - Planning Contravention Notices under section 125;
 - Stop Notices under section 140;
 - Temporary Stop Notices under section 144A;
 - Breach of Condition Notices under section 145;
 - Fixed Penalty Notices under section 136A;

- Completion Notices under section 61 and as amended by Section 33 of the Planning (Scotland) Act 2019;
 - Notices in terms of Land Adversely Affecting the Amenity of Neighbourhood under section 179
24. To instruct applications for interdict in terms of section 146 of the Town and Country Planning (Scotland) Act 1997 (as amended) in order to restrain breaches of planning control.
 25. To develop and maintain a Development Management Charter and Enforcement Charter under section 158A of the Town and Country Planning (Scotland) Act 1997 (as amended).
 26. To take, following consultation with the Chief Officer - Governance, any necessary enforcement action in respect of unauthorised advertisements, poster panels (hoardings) or fly posting.
 27. To make an order to revoke or modify planning permission where all owners, lessees or occupiers of land affected, or such other person who in the opinion of the Appointed Person will be affected by the order, have notified the planning authority in writing that they do not object to the order under sections 65 and 67 of the Town and Country Planning (Scotland) Act 1997 (as amended).
 28. To determine all applications for Certificates of Appropriate Alternative Development under section 25 of the Land Compensation (Scotland) Act 1963.
 29. To decline to determine an application under section 39 of the Town and Country Planning (Scotland) Act 1997 (as amended).
 30. To grant or refuse applications for proposed works to trees protected by Tree Preservation Orders or by virtue of their inclusion within Conservation Areas.
 31. To approve the making, signing, serving, confirmation and revocation of provisional Tree Preservation Orders.
 32. To authorise officers to enter any land for purposes connected with the exercise or proposed exercise of any of the authority's functions under Sections 159 to 163 and 167 to 170 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006 and the Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulations 2010 (SSI 2010/434).
 33. To determine applications for the serving of High Hedge notices, to vary or revoke such notices and to take enforcement action to ensure compliance with such notices.
 34. To make observations on behalf of the planning authority on routine proposals by statutory undertakers.
 35. To make observations on behalf of the planning authority to consultation requests from Aberdeenshire Council in respect of applications for development in Aberdeenshire.
 36. To make observations on behalf of the planning authority on consultation requests from Marine Scotland in respect of development applications.
 37. To prepare Habitat Regulation Appraisals (HRAs) as required under the EU Habitats Directives.
 38. To prepare, maintain and publish a list of persons who have registered interest with the intention of acquiring land for the purpose of self build housing under Section 16E of the Town and Country Planning (Scotland) Act 1997 (as amended) and as required by the Planning (Scotland) Act 2019 when it comes into force.

39. To invite local communities to prepare Local Place Plans, to prepare and maintain a register of Local Place Plans and to report to the Scottish Ministers when required to under Section 15A of the Town and Country Planning (Scotland) Act 1997 (as amended) and as required by the Planning (Scotland) Act 2019 when it comes into force.
40. To make minor amendments to the Regional Spatial Strategy where those changes are drafting or technical matters or other matters of a minor nature which do not materially affect the substance or effect of the Strategy.
41. To take all decisions and steps necessary or expedient to discharge the Council's operational duties or exercise its powers under the Planning (Scotland) Act 2019 (the "2019 Act"). For the avoidance of doubt, strategic decisions required by the 2019 Act shall be reserved to the appropriate Committee or Full Council.
42. To make any necessary changes to the wording of the development plan, prior to adoption, where those changes are drafting matters or other matters of a minor nature which do not materially affect any policy or proposal in the plan.
43. To make any necessary changes to the wording of supplementary and/or non statutory planning guidance, where those changes are drafting or technical matters or other matters of a minor nature which do not materially affect the substance or effect of the guidance.

Transportation

44. To prepare a Local Transport Strategy (LTS) and related Costed Action and Delivery Plan in accordance with Scottish Government Guidance, and to monitor, review and update this at appropriate intervals, subject to the relevant approvals.
45. To make any necessary changes to the wording of the LTS, prior to approval, where those changes are drafting matters or other matters of a minor nature which do not materially affect any policy, action or proposal in the strategy.
46. To prepare supplementary transport action plans, policies and programmes as may be required to support the delivery and monitoring of the LTS.
47. To make any necessary changes to the wording of supplementary transport action plans, policies and programmes, where those changes are drafting or technical matters or other matters of a minor nature which do not materially affect the substance or effect of the information.
48. To implement the LTS following consultation with the Chief Operating Officer and the Director of Resources and external partners.
49. To promote the construction of new roads and infrastructure schemes where the scheme is included in the Regional Transport Strategy, Local Transport Strategy, Strategic Development Plan/ Regional Spatial Strategy (as applicable) and Local Development Plan and associated budget.
50. To approve the allocation of external and internal funding and earmarked reserves to individual projects.
51. To, so far as possible, perform transport functions which relate to or which affect or are affected by transport consistently with the transport strategy of the Regional Transport Partnership Nestrans.
52. To pay the net expenses of the Regional Transport Partnership Nestrans for each financial year.

Building Standards

53. To act as verifier for the purposes of the Building (Scotland) Act 2003 and to exercise the following functions of the Council under that Act:
- i. Building Warrant Applications; ii.
Accept/Reject Completion Submissions;
- and
- iii. To grant extensions to life of building warrants and to the periods of use of buildings intended to have a limited life provided such requests are reasonable.
54. To act as local authority for the purposes of the Building (Scotland) Act 2003 and to exercise the following functions of the Council under the Act:
- i. Dangerous Building Notices; ii. Defective Building Notices; and iii. Enforcement Notices.
55. To determine Raised Structures applications under section 89 of the Civic Government (Scotland) Act 1982.
56. To determine Planning & Building Standards Certificates under section 50 of the Licensing (Scotland) Act 2005.
57. To comment on behalf of the Council on Notices of Requirements served by the Firemaster under the Fire (Scotland) Act 2005.

Roads, Outdoor Access and Street Names

58. To authorise officers to enter any land for purposes connected with the exercise or proposed exercise of any of the authority's functions under Section 26(1) of the Land Reform (Scotland) Act 2003.
59. To initiate Temporary and Permanent Stopping Up Orders and Right of Way Diversion Order procedures under the Town and Country Planning (Scotland) Act 1997 and the Countryside (Scotland) Act 1967.
60. To approve the making, signing and serving of any notices and orders in relation to public rights of outdoor access in terms of the Land Reform (Scotland) Act 2003 and other relevant legislation.
61. To maintain a list of core paths and review that list when appropriate, as the Appointed Officer sees fit.
62. To construct, widen, improve, renew or maintain core paths within approved budgets.
63. To allocate funds to projects funded by developer contributions, following consultation with the Chief Officer - Finance.
64. Following consultation with the Convener of the Net Zero, Environment and Transport Committee and relevant ward members, to carry out the functions of the Council under section 97 of the Civic Government (Scotland) Act 1982, including naming any street or road, altering an existing name and giving each of the premises in it such distinguishing number as thought fit, subject to the Chief Officer - Strategic Place Planning being satisfied that any proposed name is not contentious.

65. To agree with the Scottish Government replacement projects from the approved Strategic Housing Investment Plan (SHIP) to the Strategic Local Programme Agreements.

Note

In accordance with Principle 4, the Appointed Officer and Chief Officer - Strategic Place Planning, following consultation with the Convener of the Planning Development Management Committee may decide, for whatever reason, that the particular circumstances of an application which would in terms of this Scheme fall to be determined by the Appointed Officer are such that the application should be determined by the Planning Development Management Committee. The final decision lies with the Chief Officer - Strategic Place Planning.

Definitions

1. A ***“timeous objection”*** from the Community Council means any written representation - stating explicitly that it is objecting - received from the Community Council within whose area the application is located no later than the time period specified for representations following the date of notification or, if applicable, the time period allowed for advertisement of the application (whichever is the later) or any later date agreed in writing with the planning case officer prior to the expiry of the aforementioned time period(s)..
2. A ***“timeous letter of representation”*** means any written representation no later than the expiry of the time period specified by the Planning Authority for representations to be made following the date of notification or, if applicable, advertisement of the application (whichever is the later).
3. ***“Letter of representation”*** is to be construed in light of the following:
 - if more than one representation is submitted from a single individual or a single e-mail address, this only counts as one representation
 - a single letter with a number of signatures from one postal address counts as only one representation
 - a petition (i.e. the same comment or letter submitted on behalf of and signed by multiple individuals from the same or different addresses) is counted as one representation
 - a representation will only be counted if it is from a specified e-mail address or street address and from a specified individual(s)

5. CHIEF OPERATING OFFICER

CHIEF OFFICER - EDUCATION

1. To approve, in consultation with the Early Learning and Childcare Programme Board, specific grants from the Partner Providers Grant Funding Scheme, to individual Early Learning and Childcare Providers, to support infrastructure projects and increase quality provision for the delivery of Early Learning and Childcare.
2. To discharge the duty of the Council, as education authority, to secure adequate and efficient provision of school education (including pre-school education), and in doing so:
 - a. having regard to the duty to ensure that education is directed to the development of the personality, talents and mental and physical abilities of children and young people (section 2 of the Standards in Scotland's Schools etc. Act 2000);
 - b. endeavouring to ensure that schools managed by them promote the physical, social, mental and emotional health and well-being of pupils (section 2A of that Act); and
 - c. raising standards in Scotland's schools (section 3D of that Act).
3. To prepare an accessibility strategy under the Education (Disability Strategies and Pupil's Educational Records) (Scotland) Act 2002.
4. To operate cross border arrangements for pupils from outside the Council's area (sections 23 and 24 of the Education (Scotland) Act 1980).
5. To make decisions as to determining the capacity of schools, the management of roll capping and the reservation of school places in both primary and secondary school.
6. To set school commencement dates for primary schools (section 32 of the Education (Scotland) Act 1980).
7. To make decisions on requests for deferred entry to schools.
8. To admit children to pre-school education (Children and Young People (Scotland) Act 2014).
9. To administer the Council's scheme of Devolved School Management.
10. To consider applications for early entry to school.
11. To make decisions on placing requests, including the publishing of information on arrangements in accordance with the provisions of sections 28A and 28B, and representing the Council at any placing appeal committee in accordance with sections 28C or 28E, of the Education (Scotland) Act 1980.
12. To make decisions on placing requests under schedule 2 to the Education (Additional Support for Learning) (Scotland) Act 2004 and represent the Council at any placing appeal committee or First-tier Tribunal.
13. To agree or refuse requests for access to pupil educational records in accordance with the Pupils' Educational Records (Scotland) Regulations 2003.
14. To enforce attendance at school, including the serving of notices, making and issuing Attendance Orders and instructing proceedings against parents in respect of children's nonattendance (sections 36, 37, 38, 39 and 43(2) of the Education (Scotland) Act 1980).
15. To allow pupils to miss school (section 34 of the Education (Scotland) Act 1980).

16. To exclude pupils from school (regulation 4 of the Schools General (Scotland) Regulations 1975) and represent the Council at any exclusions appeal committee in accordance with section 28H of the Education (Scotland) Act 1980 or at the First-Tier Tribunal.
17. To promote the involvement of the parents of pupils in attendance at schools in the education provided to those pupils (section 1 of the Scottish Schools (Parental Involvement) Act 2006).
18. To provide support and guidance to Parent Councils (Scottish Schools (Parental Involvement) Act 2006).
19. To consider applications and award bursaries (section 49 of the Education (Scotland) Act 1980).
20. Following consultation with the Chief Officer - People and Organisational Development, to sign agreements reached by the Local Negotiating Committee for Teachers.
21. To provide or arrange in-service training for staff.
22. To provide the education authority's representatives on the Appointment Committees for all Statutory Appointments.
23. To endorse applications for staff requiring registration with the Scottish Social Services Council (SSSC).
24. To consult on, prepare and publish plans biannually for the provision of early learning and childcare under section 1(2B) of the Education (Scotland) Act 1980.
25. To provide early learning and childcare under section 27 of the Children (Scotland) Act 1995.
26. To submit a proposal which affects or relates to denominational schools to the Scottish Ministers for their consent in accordance with the Schools (Consultation) (Scotland) Act 2010.
27. To implement the duties and exercise the powers set out in the Education (Additional Support for Learning) (Scotland) Act 2004.
28. To implement the duties and exercise the powers set out in the Education (Scotland) Act 2016.
29. To consent to the withdrawal of children from school in terms of the Education (Scotland) Act 1980.
30. To authorise the approval of early retirement requests from teachers and non-teaching staff within the function in accordance with agreed policy.
31. To offer recruitment and retention incentive payments for hard to fill professional teaching posts.
32. To sign and date co-ordinated support plans in accordance with the Education (Additional Support for Learning) (Scotland) Act 2004 and the Education (Co-ordinated Support Plan) (Scotland) Regulations 2005.
33. To provide transport for pupils and students (section 51 of the Education (Scotland) Act 1980).
34. To provide child guidance services (section 4 of the Education (Scotland) Act 1980).
35. To make decisions about the provision of other food and drink to pupils who are eligible for free school meals e.g. breakfast and the provision of school food and drink for noneligible children and whether or not to charge for such provision (section 53 of the Education (Scotland) Act 1980).
36. To provide clothing (section 54 of the Education (Scotland) Act 1980).

- 37.** In relation to any schools (whether nursery, primary, secondary or special schools) under the management of the Council, to decide to temporarily:
- close such schools or parts of such schools;
 - cease providing early learning and childcare to particular year groups; and/or
 - cease providing school education on school premises to particular year groups and make alternative provision of such education to them;

where, following consultation with the Convener of the Education and Children's Services Committee where reasonably practicable, the Chief Officer considers that such action is necessary due to exceptional circumstances.

- 38.** To consult on, prepare and publish 2-year plans for day care and out of school care in terms of section 27 of the Children (Scotland) Act 1995.

CHIEF OFFICER - INTEGRATED CHILDREN'S AND FAMILY SERVICES

Children's Social Work

1. To delegate the Chief Social Work Officer role to Lead Service Managers when the Chief Officer - Integrated Children's and Family Services is absent or as otherwise required. Any such delegation shall be made in writing.
2. To take necessary steps to discharge the Council's duties under the Social Work (Scotland) Act 1968, the Children (Scotland) Act 1995, the Children's Hearings (Scotland) Act 2011, the Social Care (Self-directed Support) (Scotland) Act 2013, the Children and Young People (Scotland) Act 2014, the Adoption and Children (Scotland) Act 2007, the Looked After Children (Scotland) Regulations 2009, the Adoption Agencies (Scotland) Regulations 2009 and other legislation relating to children's social work matters.
3. Where the carer of a person over 18 years of age is a child under 18 years of age, to assist Health and Social Care staff to assess the carer's needs and provide information about the assessment in terms of sections 12A, 12AA and 12AB of the Social Work (Scotland) Act 1968 and the Carers (Scotland) Act 2016.
4. To make direct payments to individuals to allow them to purchase community care services or, if they are disabled, to assist them to care for their children (aged up to 18 years) under the Social Care (Self-directed Support) (Scotland) Act 2013.
5. To make direct payments to 16 and 17 year olds with a disability and to parents of children under 18 with a disability to allow them to pay for children's services under the Social Care (Self-directed Support) (Scotland) Act 2013.
6. To bury or cremate any child or young person who was in the care of, or receiving help from, the Council immediately before their death in terms of section 28 of the Social Work (Scotland) Act 1968.
7. To decide whether to pay the expenses of parents, relatives etc. visiting people (including looked after children) who are being cared for or maintained in accommodation by the Council, or in attending funerals, in terms of section 20 of the Social Work (Scotland) Act 1968.
8. To provide and maintain whatever residential and other establishments are needed for the Council's functions under Part II of the Children (Scotland) Act 1995.
9. To recover from other local authorities any costs for services provided to people ordinarily resident in the areas of those authorities under the Social Work (Scotland) Act 1968, in terms of section 86 of that Act.
10. To authorise the following finance-related matters in accordance with ACC Financial Regulations and Council policies:
 - a. reimbursing carers and substitute carers for loss or damage (ex gratia) of up to £1000,
 - b. reimbursing staff for loss or damage (ex gratia) of up to £1000;
 - c. making payments to staff for emergency expenses (ex gratia) of up to £50; and
 - d. reimbursing neighbours and/or relatives of departmental carers for damage caused by service users (ex gratia), where it would be in the interests of the Council to maintain goodwill.

11. To provide reports and information to the courts in private law proceedings in terms of section 11 of the Matrimonial Proceedings (Children) Act 1958 and section 11 of the Children (Scotland) Act 1995.
12. To assess and recover contributions for “maintainable” children looked after by the Council in terms of sections 78 to 82 of the Social Work (Scotland) Act 1968.
13. Where there is an assessed need, to pay allowances to people who have children and young people residing with them in terms of section 50 of the Children Act 1975.
14. To provide an adoption service in accordance with section 1 of the Adoption and Children (Scotland) Act 2007.
15. To supervise and provide reports to the court in respect of non-agency adoptions in terms of sections 18 and 19 of the Adoption and Children (Scotland) Act 2007.
16. To take necessary or facilitative steps to implement arrangements for the adoption of children.
17. To provide adoption support plans under section 45 of the Adoption and Children (Scotland) Act 2007.
18. To approve and pay adoption allowances in terms of section 71 of the Adoption and Children (Scotland) Act 2007.
19. To secure the welfare of all foster children, receiving and assessing notifications, inspecting premises, imposing requirements and removing children from unsuitable premises (sections 3, 5, 6, 8, 9, 10 and 12 of the Foster Children (Scotland) Act 1984).
20. To publish information about services for children in terms of section 20 of the Children (Scotland) Act 1995.
21. To safeguard and promote the welfare of children looked after by the Council and give them the opportunity to fulfil their potential in terms of section 17 of the Children (Scotland) Act 1995.
22. To safeguard and promote the welfare of children in need, giving help “in kind or in cash” in terms of section 22 of the Children (Scotland) Act 1995.
23. To minimise the effect of disability on children, assessing the needs of children with or affected by disability, assessing the ability of their carers to meet those needs and providing information assessment in terms of sections 23, 24, and 24A of the Children (Scotland) Act 1995 and the Social Care (Self-directed Support) (Scotland) Act 2013.
24. To provide accommodation for children and young people when lost or abandoned or when no-one with parental responsibility can do it, in terms of section 25 of the Children (Scotland) Act 1995.
25. To provide accommodation in terms of section 25 of the Children (Scotland) Act 1995.
26. To provide accommodation and maintenance for children looked after by the Council in terms of section 26 of the Children (Scotland) Act 1995.
27. To provide after-care for children (under 26 years of age) who were previously looked after by a local authority in terms of section 29 of the Children (Scotland) Act 1995 and continuing care under section 26A of the Children (Scotland) Act 1995.

28. To provide financial help towards maintaining, educating or training for young people who were looked after by the Council at the time of leaving school age in terms of section 30 of the Children (Scotland) Act 1995.
29. To review cases of children looked after by the Council in terms of section 31 of the Children (Scotland) Act 1995.
30. To remove children from residential establishments in terms of section 32 of the Children (Scotland) Act 1995.
31. To accept responsibility for orders made in respect of children in other parts of the United Kingdom where the child is now ordinarily resident in Aberdeen in terms of section 33 of the Children (Scotland) Act 1995.
32. To provide short-term refuges where a child may be at risk of harm in terms of section 38 of the Children (Scotland) Act 1995.
33. To make enquiries and provide information to the Principal Reporter to the Children's Panel where children may need compulsory measures of care in terms of section 60 of the Children's Hearings (Scotland) Act 2011.
34. Where a child may be at risk of significant harm, to investigate the matter and if need be apply for the following orders:
 - Child Assessment Order (under section 35 of the Children's Hearings (Scotland) Act 2011);
 - Child Protection Order (under sections 37 to 39 of the Children's Hearings (Scotland) Act 2011);
 - Emergency Child Protection Order to a Justice of the Peace (under section 55 of the Children's Hearings (Scotland) Act 2011); and
 - Exclusion Order (under sections 76 to 80 of the Children (Scotland) Act 1995).
35. To provide reports on children and their social background for a Children's Hearing in terms of section 66 of the Children's Hearings (Scotland) Act 2011.
36. To implement the measures contained in Orders made by a Children's Hearing under the Children's Hearings (Scotland) Act 2011.
37. To recommend that a Compulsory Supervision Order is reviewed by a Children's Hearing under the Children's Hearings (Scotland) Act 2011.
38. Where assessed as necessary, to apply to a court for a Permanence Order, or Permanence Order with authority to adopt, under sections 80-83 of the Adoption and Children (Scotland) Act 2007.
39. To apply for variation or revocation of a Permanence Order when there has been a material change of circumstances under section 99 of the Adoption and Children (Scotland) Act 2007
40. To provide information to the Courts and arrange accommodation for the detention of children being prosecuted for, or convicted of, criminal offences in terms of sections 42, 43, 44 and 51 of the Criminal Procedure (Scotland) Act 1995.
41. To make purchases, outside the central purchasing arrangements, of necessary food, clothing and other essential items for children in care of the Council and living within the Council's residential establishments for young people.

42. To offer recruitment and retention incentive payments for hard to fill professional social work posts.
43. To endorse applications for staff requiring registration with the Scottish Social Services Council (SSSC).
44. To assess and approve foster carers in accordance with the provisions of the Looked After Children (Scotland) Regulations 2009.
45. To place a child in foster placement in accordance with the provisions of the Looked After Children (Scotland) Regulations 2009.
46. To establish a fostering panel in terms of Regulation 17 of the Looked After Children (Scotland) Regulations 2009.

CHIEF OFFICER - OPERATIONS AND PROTECTIVE SERVICES

Roads and Infrastructure Services

1. To maintain a list of public roads including classification of roads network.
2. To manage and maintain all roads on a list of public roads including power to reconstruct, alter, widen, improve or renew any such road within approved budgets.
3. To exercise the control of road occupations, reporting to the next relevant committee if any member objects to the proposed decision.
4. To manage and implement the requirements of the New Roads and Street Works Act 1991.
5. To implement arrangements for both temporary and permanent traffic management and related street furniture.
6. To commence and complete the statutory procedure set out in the Local Authorities' Traffic Order (Procedure) (Scotland) Regulations 1999 and undertake all necessary preparation prior to making orders under the Road Traffic Regulation Act 1984, sections 1, 2 and 4 (traffic regulation orders), only bringing the matter before the Net Zero, Environment and Transport Committee where, following consultation with such members as the Chief Officer deems appropriate, an objection is received or where there are unresolved outstanding objections arising from the statutory consultation process.
7. To commence and complete the statutory procedure set out in the Local Authorities' Traffic Order (Procedure) (Scotland) Regulations 1999 and undertake all necessary preparation prior to making orders under the Road Traffic Regulation Act 1984, sections 9 and 10 (experimental traffic regulation orders – "ETRO") and thereafter to make and sign experimental traffic regulation orders and implement them; only bringing the matter before the Net Zero, Environment and Transport Committee where either or both of the following applies:
 - 7.1 prior to or following implementation of the ETRO, the Chief Officer consults with such members as the Chief Officer deems appropriate, and an objection is received from such members (excepting where the ETRO has been instructed for implementation by a Committee of the Council); or
 - 7.2 the ETRO states that the Council will consider making the order permanent, and the Chief Officer proposes to make the ETRO permanent, and there are unresolved outstanding objections arising from the statutory consultation process following implementation of the ETRO.
8. To make and sign permanent traffic regulation orders (including orders which have been converted from ETROs) and implement them where the statutory consultation process yields no objections or, where objections have been received, the orders have gained the appropriate committee approval; and to authorise officers to make and sign and implement such orders in these circumstances.
9. To commence and complete the statutory procedure set out in the Stopping Up of Roads and Private Accesses and the Redetermination of Public Rights of Passage (Procedure) (Scotland) Regulations 1986 and undertake all necessary preparation prior to making orders under the Roads (Scotland) Act 1984, sections 68, 69 ("Stopping Up" orders), only bringing the matter before the Net Zero, Environment and Transport Committee where, following consultation with such members as the Chief Officer deems appropriate, an objection is received or where there are unresolved outstanding objections arising from the statutory consultation process.

10. To redetermining the means by which the public right of passage over, or any part of, any public road, may be exercised by an order under the Roads (Scotland) Act 1984, section 152(2) (“Redetermination Orders”) and to commence and complete the statutory procedure set out in the Stopping Up of Roads and Private Accesses and the Redetermination of Public Rights of Passage (Procedure) (Scotland) Regulations 1986 for making such orders, only bringing the matter before the Net Zero, Environment and Transport Committee where, following consultation with such members as the Chief Officer deems appropriate, an objection is received.

To make and sign, and to authorise officers to make and sign, Stopping Up orders, Redetermination Orders and temporary traffic orders under Section 14 of the Road Traffic Regulation Act 1984.

11. To commence and complete the statutory procedure set out in the Road Humps (Scotland) Regulations 1998 and undertake all necessary preparation prior to making orders under the Roads (Scotland) Act 1984 relating to road humps, only bringing the matter before the Net Zero, Environment and Transport Committee where, following consultation with members (whether all members or simply ward members), objection is received or where there are outstanding objections arising from the statutory/public consultation process.
12. To commence and complete the statutory procedure set out in the Stopping Up of Roads and Private Accesses and the Redetermination of Public Rights of Passage (Procedure) (Scotland) Regulations 1986 and undertake all necessary preparation prior to making orders under the Roads (Scotland) Act 1984 relating to stopping up and redetermination, only bringing the matter before the Net Zero, Environment and Transport Committee where, following consultation with members (whether all members or simply ward members), objection is received or where there are outstanding objections arising from the statutory/public consultation process.
13. To exercise operational management of “on-street” and “off-street” parking facilities.
14. To authorise the removal of private vehicles which have unpaid Penalty Charges recorded against them in accordance with the Road Traffic Regulation Act 1984, Road Traffic Act 1991, Road Traffic (Permitted Parking Area and Special Parking Area) (Aberdeen City Council) Designation Order 2003 and the Removal and Disposal of Vehicles Regulations 1986 and any other relevant legislation.
15. To represent the Council’s interests with regard to coast protection and flood prevention matters including the development of the Flood Risk Management Plan.
16. To lodge objections or to make representations on the Council’s behalf on applications for licences and the renewal and variation of licences, to the Council’s Licensing Committee in cases where the Council are permitted by statute to object to such applications.
17. To grant construction consent for new private roads, to determine the value of security to be lodged and arrange for their adoption in terms of the appropriate legislation; and, in the event that construction proceeds in the absence of such security, to instruct enforcement action.
18. To grant or refuse applications in terms of the Council’s Driveway Regulations.

Environmental Services

19. In accordance with the Burial and Cremation (Scotland) Act 2016, the Public Health etc. (Scotland) Act 2008 and associated legislation::
- following consultation with the Chief Officer - Finance, to accept bequests requiring provision by the Council for the upkeep and maintenance in perpetuity of individual graves and tomb stones in cemeteries under the control of the Council in such cases where the amount of the bequest is sufficient to cover the cost of maintenance and

upkeep of the grave and of any tombstone, in accordance with the ACC Financial Regulations and ACC Procurement Regulations;

- to act as Registrar of Burials and Cremations and to act as the keyholder for crematorium buildings;
 - to ensure the proper disposal of the deceased while taking into account requests of the bereaved;
 - to operate the Council's crematorium and to maintain, renew and repair the crematorium buildings;
 - to provide facilities for and make available memorials to the deceased;
 - to manage arrangements for appointments and statutory paperwork for disposal of the deceased, including implementing, monitoring and maintaining systems and records of any disposal of the deceased and issuing any extracts of such records;
 - to maintain identification of the remains throughout the process of cremating the deceased; and
 - to arrange for the supervision of exhumations.
20. To carry out the Council's duties in regards to the Wildlife and Natural Environment (Scotland) Act 2011.
21. Following consultation with the Chief Officer - Governance, to negotiate, authorise and sign agreement(s) with NHS Grampian and their associated funeral service provider(s) to bury or cremate pregnancy loss provided by NHS Grampian, all in accordance with Scottish Government guidance and best practice.
22. To approve and execute allotment site regulations, make minor amendments to such regulations and administer and manage allotments, including granting, varying and terminating allotment leases and maintaining a list of individuals who request allotments, all in terms of the Community Empowerment (Scotland) Act 2015 and other relevant legislation.

Waste Services

23. To set commercial waste charges.
24. To enforce, and authorise officers to enforce, the provisions of the Environmental Protection Act 1990, the Waste (Scotland) Regulations 2005, the Waste (Scotland) Regulations 2011, the Waste (Scotland) Regulations 2012 and other relevant legislation relating to waste.
25. To authorise officers to remove, store and return to any owner any bin blocking a street.
26. Following consultation with the Chief Officer - Finance, the Head of Commercial and Procurement, and the Convener of the Finance and Resources Committee, to approve expenditure on repairs and maintenance to sites owned by the Council, that are procured by the Altens East Plant operator on behalf of the Council, provided that the Altens East Plant operator conducts the procurement in accordance with the ACC Procurement Regulations and that the expenditure is capable of being met from existing budgets.
27. Following consultation with the Chief Officer - Finance, the Head of Commercial and Procurement and the Convener of the Net Zero, Environment and Transport Committee, to negotiate and agree non material variations or supplemental agreements to the Waste Service Contract, including but not limited to, or as a consequence of:-

- variations necessitated due to a change in taxation and/or any applicable legislation or subordinate legislative provision, EU regulation or directive having direct effect, provision of common law or other binding law, requirement of any authorisation, licence, permission, consent or permit or rule of any court of competent jurisdiction and any local, national or supranational agency, inspectorate, minister, ministry, official or public or statutory person (whether autonomous or not), or of the government of the United Kingdom or the European Union, which exists at any time during the life of the contract;
 - the approval of fixed term waste trials;
 - amendments to reporting requirements;
 - changes in the price index used for the indexation of elements of the contract prices; and
 - the approval of repairs and maintenance of sites owned by the Council that are serviced by the Altens East Plant operator under the Waste Management Services contract (for example Ness Farm, Hill of Tramaud).
28. Following consultation with the Chief Officer - Finance, the Head of Commercial and Procurement and the Convener of the Net Zero, Environment and Transport Committee, to negotiate and agree variations to the Waste Management Services Contract following a decision of the Council to:-
- a. change its waste collection operations;
 - b. change the opening hours of Council sites serviced by the Altens East Plant operator under the Waste Services Contract;
 - c. close council owned facilities currently serviced by the Altens East Plant operator under the Waste Services Contract.
 - d. add new facilities to be serviced by the Altens East Plant operator under the Waste Services Contract.
29. Following consultation with the Chief Officer - Finance, the Head of Commercial and Procurement and the Convener of the Net Zero, Environment and Transport Committee, to negotiate and conclude the variations necessary to the Waste Management Services Contract in relation to the acceptance of third party recycle and/or residual waste at Altens East Plant provided that the nature of those variations results in a net reduction of the Council's operational costs of the Altens East Plant.
30. Following consultation with the Chief Officer - Finance, the Head of Commercial and Procurement and the Convener of the Net Zero, Environment and Transport Committee, to give Suez consent to bid for:-
- a. the inclusion of the Altens East Plant on framework agreements for waste and recycling services; and
 - b. individual contracts to provide waste and recycling services to third parties (i.e. other local authorities or commercial entities) using the Altens East Plant to process the waste and/or recycle, as and when such opportunities arise, contingent upon the variation to the Waste Services Contract in number 25 above having been concluded.

Protective Services

31. To authorise officers as required in respect of the rights of entry and inspection contained in section 5 of Part I of the Civic Government (Scotland) Act 1982.

32. To authorise the issue of Certificates under section 39(4) of the Civic Government (Scotland) Act 1982 regarding the compliance of vehicles, kiosks or moveable stalls with relevant regulations made under section 1(3) of the Food Safety Act 1990.
33. To authorise the issue of Certificates under section 50 of the Licensing (Scotland) Act 2005 regarding the compliance of premises with regulations made under section 1(3) of the Food Safety Act 1990 relating to construction, layout, drainage, ventilation, lighting and water supply or concerned with the provision of sanitary and washing facilities.
34. To take such action as is necessary with regard to the administrative arrangements under Part 1 of the Food and Environmental Protection Act 1985.
35. To authorise persons, under section 5 of the Food Safety Act 1990, to act in matters arising under the said Act.
36. To appoint, under Regulation 5(6) of the Food Hygiene (Scotland) Regulations 2006, authorised officers for the purpose of enforcing the said Regulations.
37. To designate, under section 5 of the Public Health etc. (Scotland) Act 2008, an appropriate number of competent persons for exercising, on behalf of the Council, the functions relating to protection of public health contained in the Act.
38. To:
 - i. enforce and ensure compliance with (and authorise officers to enforce and ensure compliance with) the Health and Safety at Work etc. Act 1974; and
 - ii. appoint as inspectors under section 19 of that Act such persons as he/she considers necessary for carrying into effect the provisions of that Act and other relevant statutory provisions and, in each case, delegate to those persons the powers to be exercised by them.
39. To take, or arrange for the taking of, any action necessary to comply with health and safety legislation and to appoint officers to undertake health and safety functions.
40. To undertake Port Health duties under the Public Health (Scotland) Act 1945 and the Airports Authority Act 1965.
41. To enforce and ensure compliance with (and to authorise officers to enforce and ensure compliance with) the relevant environmental health and public health provisions of the following legislation:
 - a. Prevention of Damage by Pests Act 1949;
 - b. Public Health (Scotland) Act 2008;
 - c. Caravan Sites and Control of Development Act 1960;
 - d. Private Water Supplies (Scotland) Regulations 2006;
 - e. Water Supply (Water Quality) (Scotland) Regulations 2000;
 - f. Housing (Scotland) Act 1987;
 - g. Housing (Scotland) Act 2006;
 - h. Housing (Scotland) Act 2001;
 - i. Control of Pollution Act 1974;

- j. Noise and Statutory Nuisance Act 1998;
 - k. The Clean Air Act 1993;
 - l. Civic Government (Scotland) Act 1982;
 - m. Dog Fouling (Scotland) Act 2003 (pursuing recovery of unpaid fixed penalties and notifying the Procurator Fiscal of requests for hearings);
 - n. Environmental Protection Act 1990;
 - o. Control of Dogs (Scotland) Act 2010;
 - p. any legislation relating to hazardous substances or radiation; and
 - q. any other legislation relating to environmental health or public health matters.
42. To grant, manage and revoke licences under the Caravan Sites and Control of Development Act 1990 (as amended).
43. To engage, as required, temporary staff in the event of an emergency mortuary being required for use, having regard to the scale of the emergency.
44. To authorise officers under section 7 of the Smoking, Health and Social Care (Scotland) Act 2005 to exercise the powers contained in section 7 and also in schedule 1 to the 2005 Act and to authorise officers to exercise powers under the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016.
45. To appoint and authorise Licensing Standards Officers to exercise powers in terms of section 13 of the Licensing (Scotland) Act 2005.
46. To enforce and exercise powers, and authorise officers to enforce and exercise powers, under the appropriate provisions of the following legislation:-
- a. Animal Boarding Establishments Act 1963;
 - b. Animal Health Act 1981;
 - c. Animal Health and Welfare (Scotland) Act 2006;
 - ~~d. Breeding of Dogs Act 1973;~~
 - ~~Breeding and Sale of Dogs (Welfare) Act 1999;~~
 - e.d. Dangerous Wild Animals Act 1976;
 - ~~f. Licensing of Animal Dealers (Young Cats and Young Dogs) (Scotland) Regulations 2009;~~
 - g.e. Performing Animals (Regulation) Act 1925;
 - ~~Pet Animals Act 1951;~~
 - h.f. Riding Establishments Act 1964 and Riding Establishments Act 1970;
 - i.g. Zoo Licensing Act 1981;
 - j.h. Animal By-Products (Scotland) Regulations 2003; ~~and~~
 - i. Animal By-Products (Scotland) (Enforcement) Regulations 2013;~~;~~

- j. Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974;
- k. Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021;
- l. Trade in Animals and Related Products (Scotland) Regulations 2012;
- m. Official Food and Feed Controls (Scotland) Regulations 2009;
- n. Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (Retained EU Legislation); and
- o. any other relevant legislation relating to animals.

47. To authorise any official veterinary surgeon, acting for the Council, for any of the statutory purposes for which an official veterinary surgeon is required.
48. To appoint a chief inspector of weights and measures and authorise appropriately qualified officers to exercise the statutory functions of the Council as a local weights and measures authority.
49. To authorise the chief inspector of weights and measures to exercise the powers conferred on the Council, in its capacity as the local weights and measures authority, by consumer protection and trading standards legislation.
50. To exercise the Council's power to grant and refuse, renew, vary, or revoke a petroleum storage certificate or a petroleum storage licence in terms of the Petroleum (Consolidation) Regulation 2014.
51. To authorise officers of the Trading Standards Service to issue, vary and revoke product safety notices under section 14 of the Consumer Protection Act 1987 and regulations 11 to 15 of the General Product Safety Regulations 2005.
52. To authorise officers of the Trading Standards Service to exercise the powers contained in the Tobacco and Primary Medical Services (Scotland) Act 2010.
53. To authorise officers of the Environmental Health and Trading Standards Services to enforce the Single Use Carrier Bags (Scotland) Regulations 2014 and to authorise officers to exercise powers under the Environmental Protection (Single-use Plastic Products) (Scotland) Regulations 2021.
- ~~54. To authorise officers of Trading Standards Scotland to carry out specific trading standards and consumer protection enforcement work within Aberdeen City Council's jurisdiction.~~
- ~~55-54.~~ To lodge objections or to make representations on the Council's behalf on applications for licences and the renewal and variation of licences, to the Council's Licensing Committee in cases where the Council are permitted by statute to object to such applications.
- ~~56-55.~~ To appoint a public analyst and Food Examiner to perform the duties detailed in the relevant sections of the Food Safety Act 1990.
- ~~57-56.~~ To appoint an Agriculture Analyst under section 67 of the Agriculture Act 1970.
- ~~58-57.~~ To exercise the Council's power to grant, renew or amend an Explosives Licence in terms of the Explosives Regulations 2014.
- ~~59-58.~~ To exercise the Council's power to refuse to issue, or to revoke, an Explosives Licence in terms of the Explosives Regulations 2014.

60-59. To exercise the Council's power to issue or refuse assent for an Explosives Licence, where the application is made to another relevant licensing authority in terms of the Explosives Regulations 2014.

61-60. To exercise the Council's power to issue or to refuse to issue or to revoke a licence to supply fireworks outwith the restricted dates in terms of the Fireworks Regulations 2004.

Facilities Management

62. To deliver free school meals to eligible school pupils (section 53 of the Education (Scotland) Act 1980).

6. DIRECTOR OF RESOURCES

1. To approve (or to nominate a person as having authority to approve) any procurement, contract and/or business case for the inclusion of a project onto the Council's Capital Programme, as a result of a decision of the Aberdeen City Region Deal Joint Committee and/ or a relevant business case, where the estimate value of the contract is of or above £50,000 (supplies/services) or £250,000 (works), or the turnover from the contract is estimated to be £4.5m or more (concessions), following consultation with the Chief Officer - Finance and the Head of Commercial and Procurement. To approve (or to nominate a person as having authority to approve) any procurement or contract, as a result of a decision of the Pensions Committee and/or a relevant procurement business case, where the estimated value of the contract is of or above £50,000 (supplies/services) or £250,000 (works), or turnover from the contract is £4.5m or more (concessions) following consultation with the Chief Officer - Finance and the Head of Commercial and Procurement.
2. To approve outline, full and procurement business cases for all capital projects approved as part of the budget process for the purposes of capital processes and the ACC Procurement Regulations, following consultation with the Chief Officer – Capital, Head of Commercial and Procurement and the Co-Leaders or Conveners of ~~the Capital Programme Committee and~~ the Finance and Resources Committee and undertake all necessary procurement exercises for each of these capital projects within budget allocated, following consultation with the Head of Commercial and Procurement, and thereafter to authorise the entering into any necessary contracts.

CHIEF OFFICER - FINANCE

General Powers delegated to the Chief Officer - Finance as Proper Officer

1. To act as Proper Officer for the purposes of section 95 of the Local Government (Scotland) Act 1973 and to administer the financial affairs of the Council and take any necessary actions or decisions in accordance with the ACC Financial Regulations.
2. To delegate the role of Proper Officer for the purposes of section 95 of the Local Government (Scotland) Act 1973 to Service Managers when the Chief Officer - Finance is absent or as otherwise required. Any such delegation shall be made in writing.
3. To sub-delegate his/her responsibilities and powers under the ACC Financial Regulations to managers within his/her Service.
4. To provide the financial administration of the Common Good Fund, Registered Charities, Trusts, Companies and any other funds managed by the Council.
5. To ensure the proper and safe custody of all funds administered by the Council.
6. To approve new permitted investment instruments under the Council's Investment Strategy, reporting the approval to the Finance and Resources Committee as soon as practicably possible thereafter.
7. To enquire into the financial standing of any organisation wanting to provide services with or to the Council in relation to any tender or contract.
8. To authorise the signature of cheques and other appropriate documentation on behalf of the Council.
9. To sign bank indemnities.
10. To approve monthly PPP unitary charge invoices to a value of £2million.
11. In respect of the Council's Arms-Length External Organisations, to make banking arrangements and provide letters of comfort, where appropriate.
- ~~12. To approve the purchase of second hand goods up to a value of £50,000.~~
- ~~13.12.~~ To write off debt in accordance with the ACC Financial Regulations.
- ~~14.13.~~ To approve notifications to the London Stock Exchange through a Regulatory Information Service
- ~~15.14.~~ To make arrangements to collect sums due to the Council under the Council's "Contributing to your Care" charging policy for non-residential care services.
- ~~16.15.~~ To make arrangements to collect sums due to the Council under the national "Charging for Residential Care" scheme.
- ~~17.16.~~ To administer payments in cash or in kind in accordance with section 12 of the Social Work (Scotland) Act 1968.
- ~~18.17.~~ To make payments due to social care providers, foster carers, kinship carers and adopters.
- ~~19.18.~~ Following consultation with the relevant Chief Officer and the Convener of the Finance and Resources Committee, to set fees and charges outside of the budget meeting.

20.19. To allocate funding, following consultation with the Convener of the Finance and Resources Committee, from the Transformation Fund on a savings/cost reduction return for investment basis and subject to the ACC Procurement Regulations.

21.20. To lead and act in respect of the Council's Counter fraud response.

Accounting

22. To put in place an appropriate control environment and effective internal controls which provide assurance of effective and efficient operations, financial stewardship, probity and compliance with Council policy, legislation and codes of practice in accordance with the ACC Financial Regulations.
23. To produce and continuously review the ACC Financial Regulations and any related financial procedures, policies or codes of practice.
24. To provide financial services to other bodies, organisations etc. subject to a charge being made where appropriate.
25. To manage the Council's treasury management, including all borrowing and investment activities and banking arrangements.
26. To secure arrangements for the administration and accounting of VAT, payment of salaries and wages, receipt of monies, purchase cards, credit cards, match funding and imprest accounts.
27. To develop the budget preparation strategy and financial monitoring procedures, including reporting on progress with Council approved savings targets, for both the revenue budget and capital plan, including annual budgets, medium term financial plan and longer term financial planning.
28. To amend service budgets for new monies received or subsequent approvals during the year, with all such changes being recorded in the monitoring statements.
29. To prepare the Council's Annual Accounts in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom (CIPFA/LASAAC) for each financial year ending 31 March.
30. To select suitable accounting policies for the Council and ensure that they are consistently applied to the Council's accounts relating to each financial year.
31. To take appropriate action as part of the annual final accounts process to maximise the financial benefit to the Council within appropriate legislation, policies and regulations.
32. To be the primary point of contact for the Council's external auditors.
33. To submit all financial returns on behalf of the Council.
34. To authorise disposal or write off of obsolete or excess stock, scrap materials, stores differences and equipment that is obsolete or beyond economic repair, where the value does not exceed £10,000, all in accordance with the ACC Financial Regulations.
35. To administer the residual housing advances scheme, to implement amendments to interest rates for such loans and to take appropriate action to recover any arrears.
36. To approve leasing arrangements, and arrange finance and operational leases, in relation to equipment and capital assets.
37. To authorise arrangements for electronic funds transfers.

38. Following consultation with the Chief Executive, Directors and the Head of Commercial and Procurement, to put in place a scheme of delegated financial limits.
39. To arrange for suitable independent audit of European Union funding claims to be carried out.
40. To determine the retention period for all books, forms and records related to financial matters.

Pensions Administration

41. To administer the North East Scotland Pension Fund in accordance with the Local Government Pension Regulations.
42. To implement investment arrangements for the North East Scotland Pension Fund in accordance with the Local Government Pension Regulations, including sourcing and appointment of investment fund managers within the approved strategy.
43. To appoint member representatives to serve on the Pension Board of the North East Scotland Pension Fund.
44. Following consultation with the Chief Officer - Governance, to agree participation by the North East Scotland Pension Fund in securities litigation.
45. To write off debt related to the North East Scotland Pension Fund, in accordance with the ACC Financial Regulations.
46. To approve (or nominate officers to approve) the Council's entering into of any agreement or other document concerning the administration of the North East Scotland Pension Fund as described in the power relating to "Pensions" delegated herein to the Chief Officer – Governance.
47. Following consultation with the Chief Officer – Governance, to sign (and to authorise officers to sign) any agreement or other document concerning the administration of the North East Scotland Pension Fund as described in the power relating to "Pensions" delegated herein to the Chief Officer – Governance, where that agreement or document entails the signatory certifying or declaring matters which fall within the remit of the Chief Officer – Finance.

Staffing and Recruitment

48. To approve (jointly with the Chief Officer – People and Organisational Development) the staff resources and recruitment matters which are stated within this Powers Delegated to Officers document as requiring the approval of both that Chief Officer and the Chief Officer – Finance.

CHIEF OFFICER - CAPITAL

1. To deliver the Council's Capital Programme ("the Capital Programme"), including the Council's General Fund Capital Programme (GFCP) and the Council's Housing Capital Programme (HCP).
2. To maintain and oversee a governance structure for the delivery of the Capital Programme.
3. To ensure a governance framework is in place through which all projects in the Capital Programme will be evaluated and prioritised for development and delivery, subject to any appropriate Council or committee approval.
4. To ensure appropriate resources are in place to deliver the Capital Programme and, where necessary, to commit resources as required for such delivery.
5. Following consultation with the Chief Officer - Finance, the Leader of the Council and the Convener of the Finance and Resources Committee, to allocate funds from the Construction Inflation budget for project management and other costs relating to the Capital Programme.
6. Following consultation with the Chief Officer – Corporate Landlord, to make any necessary financial, legal and technical decisions in relation to construction projects, following the receipt of professional advice where appropriate and provided that the ACC Procurement Regulations are complied with and sufficient budgetary provision exists to cover any cost involved. .
7. To audit, assess and review the progress, quality and management of projects within the Capital Programme.
8. To report progress on the Capital Programme to the Corporate Management Team (CMT), elected members and the relevant committee, as appropriate.
9. Following consultation with the Director of Resources and Chief Officer - Finance, to approve or reject Strategic Outline Business Cases and where approved, to authorise the development of Outline Business Cases for potential capital projects.
10. Following consultation with the Director of Resources and Chief Officer - Finance, to approve the Outline/Full Business Cases in principle for capital projects recommended for addition to the capital programme outwith the budget meeting, for onward submission to the relevant committee.

11. Following consultation with the Director of Resources, to consider and approve project change requests and authorise consequent amendments to key project criteria provided that sufficient budgetary provision exists to cover any cost involved.
12. To approve the allocation of external funding to individual projects.

CHIEF OFFICER – PEOPLE AND ORGANISATIONAL DEVELOPMENT

1. To take action to ensure the Council is compliant with relevant employment law.
2. To undertake Trade Union and staff consultation on all matters within delegated authority in line with our statutory duties, employment law and the FAIR agreement.
3. To act as the representative of the Council when in negotiation with, and in statutory consultation with, trade unions.
4. To approve and arrange for the application or implementation of all matters which conform to the national conditions of service and local conditions of service of all categories of employees of the Council or, in the opinion of the Chief Officer – People and Organisational Development, are minor variations acceptable to management, the employees and trade unions as appropriate.
5. To approve (jointly with the Chief Officer - Finance) through normal agreed processes changes in respect of staff resources including proposed restructuring, establishing/ disestablishing posts, converting or making changes to posts and making changes to jobs.
6. To approve (jointly with the Chief Officer – Finance) recruitment to fixed term and permanent posts within the existing Functional structure.
7. To give effect to the outcome of evaluation review in line with the Scottish Joint Council for Local Government Employees Job Evaluation Scheme and the SNCT Teachers Job Sizing Scheme.
8. To put in place arrangements for the appointment of Headteachers and Depute Headteachers in accordance with Council policy and the Parental Involvement in Headteacher and Deputy Headteacher Appointments (Scotland) Regulations 2007.
9. To approve requests for the extension of either full or half sickness allowance, including in relation to teachers, in exceptional circumstances following consultation with the relevant Chief Officer.
10. Following consultation with the Chief Executive, to approve applications for Voluntary Severance and Early Retirement for officers below Chief Officer level. Applications from Chief Officers should only be approved following consultation with the Chief Executive and the Leader of the Council.
11. To implement pay awards, and to make temporary or one-off amendments to pay.
12. To take any required action to give effect to the Council's employee benefits scheme.

13. To approve, following consultation with the Convener of the Finance and Resources Committee, minor changes to the equal pay and modernisation scheme or the buy-out of existing protected terms and conditions on the basis that any such change would be within budget.
14. Following consultation with the Chief Executive and Chief Officer - Governance, to authorise a settlement agreement with an employee below Chief Officer level, including in relation to their leaving the Council's employment. Settlement agreements with Chief Officers can only be authorised following consultation with the Chief Executive, Chief Officer - Governance and the Leader of the Council. This does not apply to settlement agreements reached in the Employment Tribunal involving the Advisory, Conciliation and Arbitration Service (ACAS).
- ~~14. Following consultation with the Chief Officer – Education, to determine additional public holidays for Council employees.~~

CHIEF OFFICER - CORPORATE LANDLORD

Assistance to Local Industry

1. To discuss and negotiate, on a without prejudice basis, proposals and developments in terms of land transactions, premises and finance (following consultation with the Chief Officer - Finance) by way of assistance to local industry.

Proposals for Council-owned Property

2. To discuss and negotiate, on a without prejudice basis, proposals and developments for Council-owned property.
3. Following consultation with the Chief Officer - Governance, to make arrangements for the referral of compensation disputes to arbitration or the Lands Tribunal.
4. To declare property surplus to the requirements of the Council following consultation with service users.
5. Following consultation with the Convener of the Finance and Resources Committee, to decline offers to purchase Council land or property and offers to sell land or property to the Council.
6. Following consultation with the Convener of the Finance and Resources Committee, to instruct the Chief Officer - Governance to acquire or sell or take any other interest in heritable property or land where the consideration is less than £250,000 provided that such sale or acquisition represents the land or property's market value.
7. To authorise the granting of standard securities and charges in favour of the Council and the discharge of such standard securities and charges.
8. To instruct the Chief Officer – Governance to grant wayleaves and servitudes over any Council-owned property or enter into any such agreements over land to protect the Council's wider interests.
9. To pay statutory disturbance and home loss payments where appropriate in terms of the Land Compensation (Scotland) Acts.
10. To provide, maintain and equip schools and other buildings (section 17 of the Education (Scotland) Act 1980).
11. Following consultation with the Chief Officer – Capital, to make the necessary financial, legal and technical decisions based on professional advice in relation to capital and revenue based building

and refurbishment projects and provided that the ACC Procurement Regulations are complied with and sufficient budgetary provision exists to cover any cost involved,.

12. To oversee budgets associated with the Council's scheme of Devolved School Management.
13. To name Council-owned property and facilities following consultation with the Convener of the Finance and Resources Committee.
14. To carry out the consultation processes required by the Schools (Consultation) (Scotland) Act 2010.

Lease/Building Occupation Management (General Services Account and Common Good Properties)

15. To grant or decline applications for landlord's consent on terms and conditions reflecting market practice and the Council's interest including the charging of fees for the granting of landlord's consent.
16. To instruct the Chief Officer - Governance to pursue the irritancy of leases provided that the Chief Officer - Governance is satisfied that there are grounds for doing so.
17. To approve assignments or sub-leases either in whole or in part incorporating terms as necessary to protect the Council's interest.
18. To approve the grant of new leases and extensions and variations of existing leases, to agree rent reviews and terminations in respect of such leases (where these are agreed at Market Rental Value) and otherwise to attend to the general management of land and property in the Council's ownership, including the advertising of property for sale or lease.
19. To make arrangements for referral of a disputed revised rent or other dispute to arbitration in accordance with the terms of the lease in question.
20. To approve new leases to the Council from third parties and extensions and variations of existing leases from third parties, to agree rent reviews and terminations in respect of such leases, and to otherwise attend to the general management of land and property leased to the Council.
21. To grant or refuse any application for a let of Education or other Council property including the use of educational premises for licenced functions.
22. Following consultation with the Chief Officer - Governance, to alter/waive (in whole or in part) commercial rents in response to economic downturn subject to the Disposal of Land by Local Authorities (Scotland) Regulations 2010 and to report any use of this power by way of service update.
23. To establish, hold, manage, regulate and administer markets in accordance with section 27 of the Local Government and Planning (Scotland) Act 1982, to otherwise exercise all powers under section 27 in relation to those markets (except the power to make byelaws) and to take all decisions relating to the day-to-day administration of those markets.

Adoption of Amenity Areas

24. Following consultation with the Chief Officer - Operations and Protective Services, to refuse to adopt or adopt amenity areas subject to the areas being brought up to a standard suitable for adoption and the owners paying the Council a capitalised maintenance charge.

Rateable Values

25. To make representations on, negotiate and agree Rateable Values for properties where there is a Council interest as proprietor, tenant or occupier, in relation to any Valuation Notice served on the Council.

Planning Representations

26. To make representations on the Council's behalf to the Chief Officer - Strategic Place Planning for submission to the Planning Development Management Committee, in situations where notice has been served on the Council as a party having a notifiable interest in neighbouring land which is subject to a planning application.
27. To make applications for planning and other statutory consent for sites and heritable property where such consent is required to deliver an approved Council initiative or project following consultation with the Chief Officer - Capital.

Properties held on the Housing Revenue Account (HRA) - Asset Management and Repairs

28. To approve or decline applications from tenants of Council houses for:
- a. erection of lock-up garages;
 - b. installation of car runways;
 - c. erection of boundary enclosures including walls, fences, gates, etc.;
 - d. erection of outbuildings including, but not limited to, garden sheds, greenhouses and pigeon lofts;
 - e. external alterations and additions to houses including, but not limited to, enclosures of verandas, erection of satellite dishes, replacement of external doors and replacement windows;
 - f. internal alterations and additions to houses including, but not limited to, replacement of sink units, kitchen fitments and bathroom suites, installation of bathroom showers, central heating, removal of internal coal cellars, removal of coal fires and installation of alternative forms of heating, and electrical rewiring and upgrading; and
 - g. retrospective Landlord's consent in relation to work carried out by a tenant in connection with section 28 of the Housing (Scotland) Act 2001, but on condition that all other statutory consents and approvals are retrospectively obtained.
29. To arrange for payments to be made in terms of section 29 of the Housing (Scotland) Act 2001 to Council tenants at the termination of a Scottish secure tenancy in respect of improvements carried out by them, including the construction of garages, during the currency of the tenancy, with the consent of the Council, in terms of Council policy.
30. To determine, following consultation with the Chief Officer - Finance, such annual increase, if any, as may be required in licence fees, registration fees, and the other charges as may be determined by the appropriate committee.
31. To arrange for payments to be made in terms of section 234 of the Housing (Scotland) Act 1987 where a tenant is required to remove from their house in order to facilitate the carrying out of repairs or where the Chief Officer - Corporate Landlord in the exercise of his/ her delegated powers arranged for the provision of temporary or permanent re-housing to tenants in houses which are affected by a modernisation scheme.

32. To instruct the carrying out at the Council's expense of works necessary to comply with notices and orders served by the Council in terms of the Housing (Scotland) Act 1987 and the Housing (Scotland) Act 2006 and to take appropriate action to recover the costs from the parties concerned.
33. Following consultation with the Convener of the Finance and Resources Committee, to instruct the Chief Officer - Governance to dispose of or purchase individual properties following a value for money appraisal where this option is considered by the Chief Officer - Corporate Landlord to be the most appropriate for the Housing Revenue Account, subject to (a) market value being achieved or paid; and (b) consultation with ward members on the proposals, with referral to the Finance and Resources Committee if any ward member does not agree.
34. Relative to the sale of Council houses under the Housing (Scotland) Act 1987, to decide whether to pursue recovery of any proportion of discount remaining repayable, following the sale of the house by a creditor following upon the default of the borrower.

Community Empowerment (Scotland) Act 2015

35. To administer the Council's Common Good Register as required under the Community Empowerment (Scotland) Act 2015.
36. To process applications under the Community Empowerment (Scotland) Act 2015 to purchase or lease land owned by the Council, subject always to the duty to carry out a review of a case under section 86(2) being discharged by the relevant committee.

7. HEALTH AND SOCIAL CARE PARTNERSHIP

CHIEF OFFICER OF THE ABERDEEN CITY INTEGRATION JOINT BOARD

(also referred to and known as the Chief Officer of the Aberdeen Health and Social Care Partnership)

1. —To facilitate and implement Directions issued to Aberdeen City Council from the Aberdeen City Integration Joint Board, ~~on the instruction of the Chief Executive of Aberdeen City~~
1. Council and in accordance with the requirements of the ACC Procurement Regulations.
2. To take necessary steps to discharge the Council's duties under the following legislation: Social Work (Scotland) Act 1968, the Children (Scotland) Act 1995, the Social Care (Selfdirected Support) (Scotland) Act 2013, the Children and Young People (Scotland) Act 2014, The Mental Health (Care and Treatment) (Scotland) Act 2003, the Adult Support and Protection (Scotland) Act 2007, the Carers (Scotland) Act 2016, the Community Care and Health (Scotland) Act 2002 and the Adults with Incapacity (Scotland) Act 2000.
3. To take all necessary steps to comply with the 'Duty of local authority to assess needs'. Legislative Reference: section 12(A) Social Work (Scotland) Act 1968, and amended under the National Health Service and Community Care Act 1990.
4. To arrange for the protection of property of people who have gone into hospital or care. Legislative reference: section 48 of National Assistance Act 1948.
5. To provide domiciliary services where assessed as required. Legislative Reference: section 14 of the Social Work (Scotland) Act 1968 [NB term domiciliary services replaced 'home help' within NHS & Community Care Act 1990].
6. To bury or cremate any person over the age of 18 who was in the care of or receiving help from the Council immediately before their death. Legislative Reference: section 28 of the Social Work (Scotland) Act 1968.
7. To recover expenses from the estate of the deceased person or from any person who was liable to maintain the deceased person immediately before their death expenses incurred. Legislative Reference: section 28 of the Social Work (Scotland) Act 1968.
8. To make expenses payments to parents, relatives or other connected persons in respect of visiting a person, in the care of the authority or receiving assistance from the authority, and in the same financial circumstances to assist persons to attend the funeral of a person in the care of the authority. Legislative Reference: section 29 of the Social Work (Scotland) Act 1968 as amended by paragraph 15(13) of Schedule 4 of the Children (Scotland) Act 1995.

9. To recover or impose any charges for services provided. Legislative Reference: section 87 and section 78A of the Social Work (Scotland) Act 1968, or under and by virtue of section 16, section 18 of the Social Care (Self-directed Support) (Scotland) Act 2013, or under and by virtue of section 28 of the Mental Health (Care and Treatment) (Scotland) Act 2003.
10. To make arrangements with voluntary or other organisations or persons for residential accommodation where nursing is provided for people who appear to need such accommodation. Legislative Reference: section 13A of the Social Work (Scotland) Act 1968 as inserted by section 56 of the National Health Service and Community Care Act 1990.
11. To provide information on Adult Social Care services and any relevant services of other authorities or organisations. Legislative Reference: section 1 of the Chronically Sick and Disabled Persons Act 1970.
12. To provide services to chronically sick and disabled persons. Legislative Reference: section 2 of the Chronically Sick and Disabled Persons Act 1970.
13. To assess- ~~needs and thereafter provide, or secure the provision of, community care services~~ ~~needs and thereafter, provide or secure the provision of, community care services~~ the ability of carers to provide care. Legislative Reference: section 12A of the Social Work (Scotland) Act 1968.
14. To have the power to enact the 'Options for Self-Directed Support', including make Direct Payments. Legislative Reference: Social Care (Self-directed Support) (Scotland) Act 2013.
15. To oversee the general functions under the Adults with Incapacity (Scotland) Act 2000 including:
 - a. to supervise a guardian appointed with functions relating to the personal welfare of an adult in the exercise of those functions;
 - b. to consult the Public Guardian and the Mental Welfare Commission on cases or matters relating to the exercise of functions under this Act in which there is, or appears to be, a common interest;
 - c. to receive and investigate any complaints relating to the exercise of functions relating to the personal welfare of an adult made -
 - i. in relation to welfare attorneys;
 - ii. in relation to guardians or persons authorised under intervention orders;
 - d. to investigate any circumstances made known to them in which the personal welfare of an adult seems to them to be at risk;
 - e. to provide a guardian, welfare attorney or person authorised under an intervention order, when requested to do so, with information and advice in connection with the performance of his functions in relation to personal welfare under this Act.
16. To make arrangements for the provision, equipping and maintenance of residential accommodation and the care of the person for the time being resident in accommodation. Legislative Reference: section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003.
17. To make arrangements for the exercise by the Council of its functions in respect of persons subject to guardianship. Legislative Reference: Adults with Incapacity (Scotland) Act 2000.
18. To make arrangements for the provision of any ancillary or supplementary services. Legislative Reference: Mental Health (Care and Treatment) (Scotland) Act 2003.

19. To make arrangements for the supervision of persons suffering from mental handicap who are neither liable to detention in a hospital nor subject to guardianship. Legislative Reference: Mental Health (Scotland) Act 1984.
20. To appoint Mental Health Officers. Legislative Reference: section 32 of the Mental Health (Care and Treatment) (Scotland) Act 2003.
21. To receive patients who have attained the age of 16 years into guardianship. Legislative Reference: section 57 of the Adults with Incapacity (Scotland) Act 2000.
22. To provide or secure the provision of suitable training and occupation for persons suffering from mental handicap who are over school age. Legislative Reference: Education (Scotland) Act 1980 in terms of the Mental Health (Scotland) Act 1984.
23. To authorise Mental Health Officers to enter and inspect premises and to provide information for the purpose of the issue of a warrant to search for and remove patients. Legislative Reference: sections 33 and 35 of the Mental Health (Care and Treatment) (Scotland) Act 2003.
24. To make arrangements for the exercise by the Council of its functions in respect of persons under the Mental Health (Care and Treatment) (Scotland) Act 2003 and the Adults with Incapacity (Scotland) Act 2000 including:
 - a. to make arrangements for the provision, equipping and maintenance of residential accommodation and the care of the person for the time being resident in accommodation so provided;
 - b. to apply for and implement welfare and financial guardianships or intervention orders and any other ancillary or supplementary services or orders under the Adults with Incapacity (Scotland) Act 2000;
 - c. to make arrangements for the supervision and provision of services for people who are the subject of Compulsory Treatment Orders whether community or hospital based; and
 - d. to make arrangements for provision of any ancillary or supplementary services.
25. To apply for orders for the purpose of removing people in need of care and attention to suitable premises. Legislative Reference: section 35 of the Mental Health (Care and Treatment) (Scotland) Act 2003 and section 14 of the Adult Support and Protection (Scotland) Act 2007.
26. To make provision for the safeguarding of vulnerable adults. Legislative Reference: Adult Support and Protection (Scotland) Act 2007.
27. To supervise persons subject to a Community Payback Order, Unpaid Work Order, or release from prison related Order and to provide the necessary social background reports and other reports to the Court. Legislative Reference: The Management of Offenders etc. (Scotland) Act 2005.
28. To provide supervision for the purpose of assisting and advising an offender in regard to payment of a fine. Legislative Reference: section 217 of the Criminal Procedure (Scotland) Act 1995.
29. To supervise people placed on a Supervised Attendance Order for default of a fine. Legislative Reference: section 235, 236 or 237 of the Criminal Procedure (Scotland) Act 1995.
30. To supervise people placed on a Drug Treatment and Testing Order. Legislative Reference: sections 89-95 of the Crime and Disorder Act 1998.

31. To jointly establish arrangements with other Responsible Authorities for the assessment and management of the risks posted by certain high risk offenders. Legislative Reference: section 10 of the Management of Offenders etc. (Scotland) Act 2005.
32. To provide a throughcare service to prisoners during their period of imprisonment and who will be subject to supervision following release. Legislative Reference: section 71 of the Criminal Justice (Scotland) Act 2003.
33. To jointly, with Scottish Ministers, establish arrangements for the assessment of management of the risks posed by custody and community prisoners. Legislative Reference: section 9 of the Custodial Sentences and Weapons (Scotland) Act 2007.
34. Following consultation with the Director of Commissioning, to monitor the performance of any contract for the provision of Health and Social Care facilities services, or both, on the Council's behalf.
35. To authorise the provision of aids and adaptations for the homes of people with disabilities within the approved budget available for the purpose and in accordance with approved policies.
36. To take, or arrange for the taking of, any action necessary to comply with health and safety legislation and to appoint officers to undertake health and safety functions.
37. To provide Appropriate Adult support services to vulnerable persons under section 42 of the Criminal Justice (Scotland) Act 2016.
38. ~~Subject to future designation of the Aberdeen City Integration Joint Board as a Category 1 Responder under the Civil Contingencies Act 2004, t~~To direct and ensure that coordinated and appropriate arrangements are in place to discharge the requirements of ~~that Act~~ the Civil Contingencies Act 2004 and other relevant legislation.

APPENDIX 1

PROPER OFFICERS AND STATUTORY APPOINTEES

PROPER OFFICERS - The undernoted officers are Proper Officers for the following purposes:

<u>Legislation</u>	<u>Function</u>	<u>Officer</u>
Any other legislation (not included in the below list) which requires certain functions to be exercised by a Proper Officer		<ul style="list-style-type: none"> • Chief Executive

<u>Local Government (Scotland) Act 1973</u> <u>Section 33A</u>	Councillors' declaration of acceptance of office	<ul style="list-style-type: none"> • Chief Executive • Chief Officer - Governance • Legal Services Manager • Assurance Manager
Section 34	Receipt of Councillors' resignations	<ul style="list-style-type: none"> • Chief Executive • Chief Officer - Governance
Section 43 and Schedule 7 paragraph 1(4)	Receipt of requisition for special Council meeting	<ul style="list-style-type: none"> • Chief Officer - Governance • Legal Services Manager • Assurance Manager
Section 43 and Schedule 7 paragraph 2(1)	Signing summons to attend Council meeting	<ul style="list-style-type: none"> • Chief Executive • Chief Officer - Governance • Legal Services Manager • Assurance Manager
Section 43 and Schedule 7 paragraph 2(2)	Receipt of notice by Councillor of alternative address:	<ul style="list-style-type: none"> • Chief Officer - Governance • Legal Services Manager • Assurance Manager
Section 50B	Excluding reports containing exempt information from public, and providing documents to the press	<ul style="list-style-type: none"> • Chief Officer - Governance • Legal Services Manager • Assurance Manager
Section 50C	Providing a written summary of the proceedings where minutes are excluded from public, without disclosing the exempt information.	<ul style="list-style-type: none"> • Chief Executive • Chief Officer - Governance
Section 50D	Compiling a list of background papers to a report to be open to inspection by members of the public	<ul style="list-style-type: none"> • Assurance Manager
Section 50F	Determining documents which are not open to inspection and would disclose exempt information.	<ul style="list-style-type: none"> • Chief Executive • Chief Officer - Governance

<u>Legislation</u>	<u>Function</u>	<u>Officer</u>
Section 92	Dealing with the transfer of securities	<ul style="list-style-type: none"> • Director of Resources Chief • Officer - Finance
Section 95	Administration of the Council's financial affairs	<ul style="list-style-type: none"> • Chief Officer - Finance
Section 128	Educational Endowments	<ul style="list-style-type: none"> • Chief Officer - Governance
Section 145	Ordnance Survey applications sent to the proper officer of the local authority.	<ul style="list-style-type: none"> • Chief Officer - Early Intervention and Community Empowerment

Section 189	Instituting, defending or appearing in legal proceedings	<ul style="list-style-type: none"> Chief Officer - Governance Legal Services Manager
Section 190	Service of legal proceedings, notices, etc., will be duly served on the authority if served on the proper officer of the authority	<ul style="list-style-type: none"> Chief Officer - Governance Legal Services Manager
Section 191	Signing any claim on behalf of the Council in any sequestration, liquidation or other such proceedings in which the Council is entitled to make a claim and may act on behalf of the Council in connection with that claim in all respects.	<ul style="list-style-type: none"> Chief Officer - Governance Legal Services Manager
Section 193	Signing notices, orders, authenticating documents etc.	<ul style="list-style-type: none"> Chief Officer with responsibility for the relevant function to which the notice, order etc. relates Other officers as authorised in terms of the Powers Delegated to Officers
Section 197	Inspection and deposit of documents	<ul style="list-style-type: none"> Chief Officer - Governance
Section 202	Authenticating byelaws	<ul style="list-style-type: none"> Chief Officer - Governance
Section 202B	Certifying a true copy of an entry in register of byelaws	<ul style="list-style-type: none"> Chief Officer - Governance
Section 204	Evidence of byelaws - copy of a byelaw purporting to be made by the Council upon which is endorsed a certificate purporting to be signed by the proper officer.	<ul style="list-style-type: none"> Chief Officer - Governance

<u>Legislation</u>	<u>Function</u>	<u>Officer</u>
Section 206	The admission of honorary freemen and keeping a roll containing the names of persons admitted to be freemen.	<ul style="list-style-type: none"> Chief Officer - Governance

Section 231	Application to sheriff in cases of difficulty - making application to the sheriff on questions arising from the Local Government (Scotland) Act 1973	<ul style="list-style-type: none"> Chief Officer - Governance
Civic Government (Scotland) Act 1982 Section 112	Execution of management rules	<ul style="list-style-type: none"> Chief Officer - Governance
Section 113	Evidence of management rules	<ul style="list-style-type: none"> Chief Officer - Governance
Local Government and Housing Act 1989 Section 2	Lists of politically restricted posts – proper officer to maintain a list of politically restricted posts	<ul style="list-style-type: none"> Director of Resources Chief Officer - People and Organisational Development
Local Government (Scotland) Acts 1973 and 1975, Local Government Finance Act 1992 and associated delegated legislation	All administrative functions, including preparation of the Assessment Roll, preparation and issue of rates notices, collection of rates, receiving and settling claims for exemption from rates, handling objections to rates levels and the abatement, remission or repayment of rates under the relevant rating provisions	<ul style="list-style-type: none"> Director of Resources Chief Officer - Finance
Local Government Finance Act 1992 and associated delegated legislation	All administrative functions, including preparation and issue of council tax notices, collection of council tax, handling of objections to assessments and the exemption, abatement or remission of charges	<ul style="list-style-type: none"> Director of Resources Chief Officer - Finance Chief Officer - Customer Experience
Local Government etc (Scotland) Act 1994 Section 16	Property held in trust	<ul style="list-style-type: none"> Director of Resources Chief Officer - Governance Chief Officer - Finance
Requirements of Writing (Scotland) Act 1995 Schedule 2, paragraph 4(1)	Signing of documents	<ul style="list-style-type: none"> Officers as authorised in terms of the Powers Delegated to Officers
<u>Legislation</u>	<u>Function</u>	<u>Officer</u>

<p>Local Authorities (Contracts) (Scotland) Regulations 1997 Regulation 4</p>	<p>Signing of Certificates</p>	<ul style="list-style-type: none"> • Chief Officer - Governance • Chief Officer - Finance • Legal Services Manager • Head of Commercial and Procurement • Relevant Delegated Procurers
<p>Ethical Standards in Public Life etc (Scotland) Act 2000 (Register of Interests) Regulations 2003 Regulations 3-7</p>	<p>To set up, maintain and make available for public inspection the register of interests. This record will consist of the date of receipt of that notice, the name of the responsible person who gave that notice and a statement of the information contained in, or a copy of, that notice. The proper officer shall maintain that record in respect of any person until five years after the date that person ceases to be a responsible person.</p>	<ul style="list-style-type: none"> • Legal Services Manager • Assurance Manager • Chief Officer - Governance
<p><u>Scottish Local Government Elections Order 2011</u></p>	<p>Retention of documents following an election</p>	<ul style="list-style-type: none"> • Chief Executive • Chief Officer - Governance
<p>Community Empowerment (Scotland) Act 2015 Part 9 Section 116 *not yet in force - date to be appointed*</p>	<p>This section provides for the execution of allotment site regulation by proper officers. These regulations cover allotment allocation, rent, cultivation of allotments, maintenance of allotments, buildings or structures, keeping of livestock, access, sale or surplus produce etc.</p>	<ul style="list-style-type: none"> • Chief Officer – Operations and Protective Services
<p>Housing (Scotland) Act 2006 Section 140</p>	<p>A licence holder who requests the local authority to provide a certified copy of the HMO (Houses In Multiple Occupation) licence is, if the request is reasonable, entitled to be given such a certified copy. Section 140(4) provides that any such copy HMO licence which purports to be certified by a proper officer of the local authority is sufficient evidence of the terms of the HMO licence</p>	<ul style="list-style-type: none"> • Such officers as may be (or have already been) appointed by the Council in this respect

<u>Legislation</u>	<u>Function</u>	<u>Officer</u>
Section 160	Certifying a HMO licence for entry in the HMO register	<ul style="list-style-type: none"> Such officers as may be (or have already been) appointed by the Council in this respect
Environmental Protection Act 1990 Section 33A (11)(a)	Signing a certificate for proceedings in relation to fixed penalty notices for contraventions of section 33(1)(a) and (c) (this is to be done by a proper officer with the responsibility mentioned in Section 95 of the Local Government (Scotland) Act 1973)	<ul style="list-style-type: none"> Chief Officer - Finance
<u>Animal Health Act 1981</u>	Inspectors and officers necessary for the execution and enforcement of this Act.	Such officers as may be (or have already been) appointed by the Council in this respect
Local Electoral Administration and Registration Services (Scotland) Act 2006 Sections 5,6 & 7	Section 5 imposes requirements on the proper officer to make relevant election documents available for inspection by members of the public. The proper officer must, on the request of any registered party or a person who was a candidate at the election, supply them with a copy of the marked copies of the register, the postal voters list, the list of proxies and the proxy postal voters list relating to the election.	<ul style="list-style-type: none"> Chief Officer - Governance
Discretionary Housing Payments (Grants) Order 2001 Part 3(3)	Signature of Claims (by the proper officer pursuant to section 95 of the Local Government (Scotland) Act 1973.)	<ul style="list-style-type: none"> Chief Officer - Finance

STATUTORY APPOINTEES

The undernoted officers are statutory appointees in terms of the undernoted legislation:

<u>Legislation</u>	<u>Function</u>	<u>Officer</u>
Local Government Pension Scheme (Scotland) Regulations 2018, Regulations 68 and 69	Appointed Person	<ul style="list-style-type: none"> Chief Officer - Governance
Social Work (Scotland) Act 1968 Section 3	Chief Social Work Officer	<ul style="list-style-type: none"> Chief Officer - Integrated Children's and Family Services
Representation of the People Act 1983 Sections 25, 41	Returning Officer <u>The returning officer appointed under section 41 is also the constituency returning officer for Scottish Parliament elections (see article 14 of the Scottish Parliament (Elections etc.) Order 2015). They are also the regional returning officer for the North East Scotland region for Scottish Parliament elections (see the Scottish Parliament Elections (Regional Returning Officers and Constituency Returning Officers) Order 2016).</u>	<ul style="list-style-type: none"> Chief Officer – Governance Chief Executive
Representation of the People Act 1983 Section 5, s6b	The proper officer is to prepare a list of rooms in schools and meeting rooms which candidates in the constituency are entitled to use	<ul style="list-style-type: none"> Such officers as may be (or have already been) appointed by the Council in this respect
Weights and Measures Act 1985 Section 72(1)(a)	Chief Inspector of Weights and Measures	<ul style="list-style-type: none"> Trading Standards Manager
Local Government and Housing Act 1989 Section 4	Head of Paid Service	<ul style="list-style-type: none"> Chief Executive
Section 5	Monitoring Officer	<ul style="list-style-type: none"> Chief Officer - Governance
Environmental Protection Act 1990 Section 149(1)	Officer appointed for the purposes of discharging the functions imposed or conferred on the Council for dealing with stray dogs in its area	<ul style="list-style-type: none"> Environmental Health Manager

<p>Regulation of Investigatory Powers (Scotland) Act 2000 (i) Sections 6 and 7</p>	<p>Authorising Officers</p>	<ul style="list-style-type: none"> • Chief Executive (where required by statute) • Protective Services Manager • Revenues and Benefits Manager • Housing Manager • Other officers as appointed by Chief Officer - Governance
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<u>Legislation</u>	<u>Function</u>	<u>Officer</u>
<p>Regulation of Investigatory Powers Act 2000</p>	<p>Designated Persons</p>	<ul style="list-style-type: none"> • Protective Services Manager • Other officers as appointed by Chief Officer - Governance
<p>Licensing (Scotland) Act 2005 (i) Schedule 1, Paragraph 8</p>	<p>Clerk of the Licensing Board</p>	<ul style="list-style-type: none"> • Chief Officer - Governance
<p>Valuation Joint Boards (Scotland) Order 1995 Schedule 2, Section 4</p>	<p>To act as the Treasurer of Grampian Valuation Board</p>	<ul style="list-style-type: none"> • Chief Officer - Finance
<p>Education (Scotland) Act 2016 Section 25</p>	<p>All education authorities must appoint a Chief Education Officer to advise the authority on carrying out the authority's legislative functions under this Act and other education Acts. The Chief Education Officer must be appropriately experienced, as determined by the authority.</p>	<ul style="list-style-type: none"> • To be appointed. Section 25 is not yet in force.
<p>Registration of Births, Deaths and Marriages (Scotland) Act 1965 Section 7</p>	<p>District registrars/senior registrars.</p>	<ul style="list-style-type: none"> • Registrars
<p>Local Government (Scotland) Act 1973 Section 95</p>	<p>Administration of the Council's financial affairs</p>	<ul style="list-style-type: none"> • Chief Officer - Finance
<p>Local Government etc. (Scotland) Act 1994 Section 27</p>	<p>Assessor</p>	<ul style="list-style-type: none"> • Such officers as may be (or have already been) appointed by the Council in this respect

Mental Health (Care and Treatment) (Scotland) Act 2003 Section 32	Mental Health Officers	<ul style="list-style-type: none"> Mental Health Officers
Food Safety Act 1990 Section 27	Analysts	<ul style="list-style-type: none"> Such officers as may be (or have already been) appointed by the Council in this respect

<u>Legislation</u>	<u>Function</u>	<u>Officer</u>
Agriculture Act 1970 Section 67(3)	Agricultural Analyst/Depute Agricultural Analyst	<ul style="list-style-type: none"> Such officers as may be (or have already been) appointed by the Council in this respect
United Kingdom General Data Protection Regulation (UKGDPR), Article 37 Data Protection Act 2018 Section 69	Data Protection Officer	<ul style="list-style-type: none"> Data Protection Officer
Town and Country Planning (Scotland) Act 1997 Section 43A	To determine any application for planning permission for a development within the category of local developments or any application for consent, agreement or approval required by a condition imposed on a grant of planning permission for a development within that category.	<ul style="list-style-type: none"> Chief Officer - Strategic Place Planning and any appropriate person nominated by him/her for the purpose
Town and Country Planning (Scotland) Act 1997 Section 1A when it comes into force	Each Planning Authority must have a chief planning officer (CPO). The role of CPO is to advise the Planning Authority on the carrying out of functions conferred on them by virtue of the planning Acts and, and functions conferred on them by any other relevant enactment.	<ul style="list-style-type: none"> Chief Planning Officer – to be appointed – guidance from Scottish Ministers on the role awaited.

APPENDIX 2

Scheme of Delegation for dealing with ~~P~~lanning ~~A~~pplications for Local Developments

[Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended)]

The Chief Officer - Strategic Place Planning or any appropriate person nominated by him/her for the purpose (that Chief Officer or any such appropriate person hereinafter referred to as the “Appointed Officer”) has the following delegated powers:

1. To determine applications for:

- the requisite approval of matters specified in condition(s) imposed on a grant of planning permission in principle under section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended);
- planning permission (including planning permission in principle);
- applications for the approval of consent, agreement or approval required by a condition imposed on a grant of planning permission or planning permission in principle; and
- planning applications for modification of conditions under section 42 of the Town and Country Planning (Scotland) Act 1997 (as amended).

all in respect of applications falling within the category of “local development” as defined within the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and as required by Section 28 of the Planning (Scotland) Act 2019, in respect of planning permission for a development within the category of local developments, (when it comes into force) except where that application:-

- i. has been made by or on behalf of;
 - a. an elected member of the Council or a member of staff employed within the Place Planning function of the planning authority; or
 - b. the Chief Executive or any other member of the Corporate Management Team of the planning authority,
 - all as determined from the contents of the application form.
 - ii. requires to be the subject of formal notification to the Scottish Ministers as defined in the Schedule to the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 (or any other Scottish Government Direction);
 - iii. is an Environmental Impact Assessment (EIA) application for which a validated EIA has been submitted;
 - iv. is being recommended for approval and has been the subject of formal timeous objection by the local Community Council within whose area the application site falls;
 - v. is being recommended for approval and has been the subject of six or more timeous letters of representation (following advertisement and/or notification) that express objection or concern about the proposal;
 - vi. is being recommended for approval and has been the subject of formal objection from the Roads Authority or the Council’s Environmental Health service;
 - vii. is being recommended for approval and is considered by the Appointed Officer to be contrary to the adopted development plan strategy;
 - viii. has been subject to a Public Hearing under section 38A(4) of The Town and Country Planning (Scotland) Act 1997.
2. To determine applications for the approval of consent, agreement or approval required by a condition(s), imposed on a grant of planning permission under section 37 of the Town and Country Planning (Scotland) Act 1997 (as amended).

3. To determine applications for any approval of the planning authority required under a development order as required by Section 28 of the Planning (Scotland) Act 2019 when it comes into force.
4. To determine applications for certificates of lawfulness of existing use or development under Section 150 of the Town and Country Planning (Scotland) Act 1997 (as amended) and as required by Section 28 of the Planning (Scotland) Act 2019 when it comes into force.
5. To determine applications for certificates of lawfulness of proposed use or development under Section 151 of the Town and Country Planning (Scotland) Act 1997 (as amended) and as required by Section 28 of the Planning (Scotland) Act 2019 when it comes into force.
6. To determine applications for advertisement consent required by virtue of regulations made under Section 182 of the Town and Country Planning (Scotland) Act 1997 (as amended) and as required by Section 28 of the Planning (Scotland) Act 2019 when it comes into force. Under the terms of section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended) and section 69 of the Local Government (Scotland) Act 1973, and following consultation with the Chief Officer - Governance, to:
 - a. negotiate and conclude legal agreements related to planning and other related applications;
 - b. determine applications for Modifications or Discharge of Planning Obligations under section 75A in relation to planning applications;
 - c. to participate in the promotion and development of Good Neighbour Agreements under section 75D.

provided the Appointed Officer considers such agreements to be in accordance with the original decision on the application.

7. To determine planning and other applications given a willingness to approve and for which legal agreements are not completed within 6 months of the date on which a willingness to approve was agreed by the Planning Authority.
8. To determine applications for Listed Building consent and Conservation Area consent subject to any of the applicable exceptions contained in paragraph 2 above and provided that the Scottish Ministers, if notified, have either made no observations or, where observations have been made which can competently be made the subject of appropriate planning conditions, to determine these applications with those conditions attached.



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Appendix E

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Standing Orders For Council, Committee and Sub Committee Meetings



Approved by Council ~~1425 August-June 2023~~

Aberdeen City Council Standing Orders For Council, Committee and Sub Committee Meetings

The Council will exercise all its powers and duties in accordance with the law and the Council's Scheme of Governance.

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

Version	56.0
Effective From	26 August 2022 19 June 2023
To be Reviewed	February 2023 2024
Application of Policy	Council-wide
Policy Author	Lynsey McBain, Committee Services Officer

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FIRST COUNCIL MEETING FOLLOWING AN ELECTION

THE STATUTORY MEETING

1. Calling of Statutory Meeting

- 1.1 In a local government election year, the Council will hold its first meeting within 21 days of the election, on a date set by the Chief Officer - Governance.

2. Terms of Business

- 2.1 The Returning Officer, whom failing such Councillor as the meeting may select, will chair the meeting until the Lord Provost is elected. 2.2 The agenda will include the following business:
- 2.2.1 Receipt of notice of election of Councillors;
- 2.2.2 Election of Lord Provost, Depute Provost, Leader or Co-Leaders, and Depute Leader of the Council;
- 2.2.3 Appointment of a Convener and Vice Convener(s) for Committees of the Council;
- 2.2.4 Appointment of Members to Committees;
- 2.2.5 Nomination or appointment as the case may be of representatives to Boards, Joint Committees and Outside Bodies; and
- 2.2.6 Approval of Senior Councillor allowances.
- 2.3 Where Standing Orders refer to the Leader of the Council, this will include reference at all times to Co-Leaders, if appointed.
- 2.4 Where any function in terms of the Standing Orders is attributed to the Leader of the Council, the Co-Leaders will determine who will undertake it and notify the Chief Executive on request.
- 2.5 There will be no more than one appointment made to the roles of:
- Lord Provost;
 - Depute Provost;
 - Depute Leader (if appointed); and
 - Convener.
- 2.6 The Convener and Vice Convener of the Audit, Risk and Scrutiny Committee must be a member of the opposition [unless the opposition choose not to nominate members to either or both of those roles](#).
- 2.7 Any External Member appointed by Council to any Committee or Sub Committee will have full voting rights on all matters considered relevant by the Council, Committee or Sub Committee, unless otherwise agreed by Council.
- 2.8 An External Member will remain as a member of the Committee or Sub Committee until the next ordinary election of Councillors, subject to their right to resign or their removal by the nominating body.

- 2.9 An External Member will be expected to comply with the Councillors' Code of Conduct.

3. Nominations and Appointments

3.1 General Procedures

- 3.1.1 When nominating or appointing Members to any office or position where there are a greater number of candidates than vacancies, the decision will be taken by a vote.
- 3.1.2 A Member will be entitled to vote for as many candidates as there are vacancies.
- 3.1.3 A Member must not vote more than once for any one candidate in any ballot.
- 3.1.4 In addition to the nominator and seconder, Members may speak in support of their own candidacy for a maximum of 5 minutes.

3.2 Voting in the Case of One Vacancy

- 3.2.1 Where only one vacancy requires to be filled and one candidate has an absolute majority of votes cast, that candidate will be declared elected, nominated or appointed, as the case may be.
- 3.2.2 Where only one vacancy requires to be filled and there are only two candidates and the vote results in a tie, the candidate to be removed will be determined by lot, using a method decided upon by the Clerk.
- 3.2.3 Where there are more than two candidates and the first vote does not produce an absolute majority in favour of any candidate, the candidate with fewest votes will be removed, and a fresh vote will take place between the remaining candidates.
- 3.2.4 This process will continue until one candidate has a majority of votes cast.
- 3.2.5 Where there is an equal number of votes for the candidates with fewest votes, an extra vote will be taken between those candidates.
- 3.2.5.1 The name of the candidate with the fewest votes will be removed from the process.
- 3.2.5.2 If an equal number of votes remains, the candidate to be removed will be determined by lot using a method decided upon by the Clerk.

3.3 Voting in the Case of Two or More Vacancies

- 3.3.1 Where there is more than one vacancy and the number of candidates exceeds the number of vacancies, the following method of voting shall apply:-
- 3.3.1.1 The number of candidates matching the number of vacancies that receive the highest number of votes cast will be duly elected, nominated or appointed, as the case may be.
- 3.3.1.2 Where there is an equal number of votes between two or more candidates, and where their respective proportion of the votes cast does not allow them to automatically take up a vacancy, an extra vote will be taken between those candidates. The candidate(s) receiving the highest

number of votes cast will be duly elected, nominated or appointed, as the case may be.

- 3.3.2 In the event that Standing Order 3.3.1.2 still produces an equality of votes, the decision will be by lot using a method decided upon by the Clerk.
 - 3.3.2.1 The first named candidate drawn will be elected, nominated or appointed, as the case may be, followed by the second named candidate, should there be more than two candidates with an equality of votes.
 - 3.3.2.2 This process will continue until the number of candidates amounts to the same number of vacancies.

4. Duration of Appointments

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

5. Removal from Office

- 5.1 Any Member elected or appointed as Lord Provost, Depute Provost, Leader or Co-Leaders of the Council, Depute Leader of the Council, or as Convener or Vice Convener can only be removed from office by a resolution by Full Council following a Notice of Motion submitted at least three weeks prior to the Council meeting in accordance with Standing Order 12. For the avoidance of any doubt, for the purposes of this Standing Order 5, such removal of a Member means removal against the wishes of that Member.
- 5.2 Any such Notice of Motion will form the first item of business at the next Full Council meeting.
- 5.3 Any such Notice of Motion can only be heard by Full Council and, for the avoidance of doubt, not by the Urgent Business Committee.
- 5.4 Following debate, a proposal as to whether to remove from office the office bearers detailed at Standing Order 5.1 will be voted on and decided by simple majority.
- 5.5 For the avoidance of doubt, there will be a casting vote in the event of there being no overall majority.
- 5.6 Where the Council agrees to remove a Co-Leader from their role, the removal from office will only apply to the named Member.
 - 5.6.1 The remaining Co-Leader will be determined to be the Leader of the Council, unless Council appoints a replacement Co-Leader.

6. Appointment and Employment of Chief Officers

- 6.1 The processes which apply to the appointment and employment of Chief Officers are set out at Appendix 3 to this document.

COUNCIL AND COMMITTEE MEETINGS

7. Ordinary Meetings

- 7.1 Meetings of the Council, its Committees and Sub Committees will be held in line with the meeting timetable as approved by the Council.
- 7.2 No meetings will be held on a Saturday or Sunday or on public holidays observed by the Council.
- 7.3 It will be within the discretion of the Convener of the Council, a Committee or Sub Committee to cancel, or advance or postpone to another date, an ordinary meeting if in his/her opinion, acting reasonably, there is a good reason for so doing [and provided that this reason is communicated to the relevant membership as soon as reasonably practicable](#).

8. Special Meetings

- 8.1 A special meeting of the Council, a Committee or Sub Committee may be called at any time by its Convener, subject to Standing Order 10.1.
- 8.2 A special meeting may also be called by at least a quarter of the Members of the Council, Committee or Sub Committee.
- 8.2.1 In such instances a special meeting will be held within fourteen days of a written request being received by the Chief Officer - Governance.
- 8.2.2 The written request ~~must set out~~ [should specify](#) the business [proposed to be transacted](#) ~~of at~~ the meeting and [must](#) be signed by at least a quarter of the Members of the Council, Committee or Sub Committee. [If the written request does not specify the business of the meeting, then the Members must, at least three clear days before the meeting, provide the Chief Officer – Governance with a notice signed by those Members which specifies the business proposed to be transacted at the meeting.](#)

9. Place of Meetings

- 9.1 All meetings of the Council, its Committees and Sub Committees will, unless otherwise determined by the Chief Officer - Governance in consultation with the Convener, take place in the Town House.

10. Notice of Meetings

- 10.1 At least five Clear Days before a meeting of the Council, Committee or Sub Committee, the time and place of the meeting will be published at the Council's offices.
- 10.1.1 Standing Order 10.1 does not apply to the Urgent Business Committee nor the Licensing Sub Committee.

- 10.2 A Summons to attend the meeting including the list of business to be transacted at the meeting will be delivered:-
- 10.2.1 by post to a Member's normal place of residence;
 - 10.2.2 to such other address as a Member may specify; or
 - 10.2.3 by email to an address provided by the Council.
- 10.3 If a Summons is not sent to or received by any Member, the meeting will still be valid.

11. Order of Business

11.1 Council Meetings

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

- 11.1.1.1 Admission of Burgesses
- 11.1.1.2 Notification of Urgent Business
- 11.1.1.3 Determination of Exempt Business
- 11.1.1.4 Declarations of Interest and Transparency Statements
- 11.1.1.5 Deputations
- 11.1.1.6 Minutes of Previous Meeting(s) of Council
- 11.1.1.7 Referrals from Committees
- 11.1.1.8 Business Planner
- 11.1.1.9 Council Business
- 11.1.1.10 Notices of Motion
- 11.1.1.11 Exempt / Confidential Business

11.2 Committee and Sub Committee Meetings

11.2.1 At an ordinary Committee or Sub Committee meeting, the business shown on the agenda will usually (unless otherwise determined by the Convener) proceed in the following order:

- 11.2.1.1 Notification of Urgent Business

- 11.2.1.2 Determination of Exempt Business
- 11.2.1.3 Declarations of Interest and Transparency Statements
- 11.2.1.4 Deputations
- 11.2.1.5 Minutes of Previous Meeting
- 11.2.1.6 Committee Planner
- 11.2.1.7 Notices of Motion
- 11.2.1.8 Referrals from Council, Committees and Sub Committees

11.2.1.9 Committee Business (to be set out as per Committee Terms of Reference)

11.2.1.10 Exempt / Confidential Business

OPERATION OF COUNCIL, COMMITTEE AND SUB COMMITTEE MEETINGS

12. Notices of Motion

- 12.1 A Member can submit a Notice of Motion to Council, a Committee or Sub Committee.
- 12.2 Notices of Motion should be submitted to the Clerk in writing at least three weeks prior to the meeting.
- 12.2.1 The Clerk will then be responsible for collating the views of the relevant Director(s), Chief Officer - Governance, Chief Officer - Finance and any other relevant Chief Officer(s) or external partner(s), [in terms of competency and any other relevant feedback](#) and presenting these to the Member.
- 12.3 Following the conclusion of the consultation set out in Standing Orders 12.1 and 12.2, the final written motion must be submitted by the Member to the Clerk by 12 noon two weeks prior to the meeting, along with any relevant correspondence.
- 12.4 Precise deadlines for all Council, Committee and Sub Committee meetings will be made available to Members on the internal website.
- 12.5 Prior to a Notice of Motion appearing on an agenda, the Convener will determine competency.
- 12.6 A Notice of Motion will be determined incompetent if:-
- 12.6.1 The judgement of the relevant Director(s) or Chief Officer(s) is that the matter is already being pursued. In such circumstances, the Member may only resubmit the motion after a period of six months from the date of submission of the Notice of Motion;
- 12.6.2 The terms of the motion [would, in the opinion of the Chief Officer – Governance, be likely to](#) result in a breach in law;
- 12.6.3 The motion proposes expenditure [or would lead to the loss of income](#) and does not identify a source of funding; or
- 12.6.4 A motion in similar terms has already been submitted for the same meeting by another Member
- but will not be determined incompetent solely on the ground of not complying with a Standing Order if it is seeking suspension of that Standing Order.
- 12.7 If the Convener rules the motion incompetent, it will not appear on the agenda for the meeting.

- 12.8 If the motion is ruled incompetent, the Member may submit a revised version, subject to adhering to the process outlined in Standing Orders 12.1, 12.2 and 12.3 above.
- 12.9 A Notice of Motion submitted to the Clerk outwith the deadlines referred to [in Standing Orders 12.2 and 12.3](#) above, can only be accepted onto the agenda at the discretion of the Convener, [whether](#) prior to, or at the meeting of the Council, Committee or Sub Committee.
- 12.10 Standing Order 12.9 does not apply to any Notice of Motion submitted under Standing Order 5.1 (Removal of Office of Lord Provost, Depute Provost, Leader or CoLeaders, Depute Leader of the Council or Convener or Vice Convener).
- 12.11 When submitting a Notice of Motion, outwith the deadlines referred to above, the Member will be required to specify why the motion should be considered as a matter of urgency.
- 12.12 If a Member who has submitted a Notice of Motion is absent from the meeting when the motion is due to be considered, the motion will not be considered at that meeting but will be put on the agenda for the next meeting.
- 12.13 If the Member is absent on the second occasion, the motion will fall.
- 12.14 If a Member is not a member of the Committee or Sub Committee where their motion is to be considered, they will be invited to the meeting to move or speak to the motion and sum up; however they will not be entitled to vote on the matter.
- 12.15 Members are permitted to submit joint notices of motion, however the 10 minute time limit for moving the motion will remain unchanged, which can be split between any or all of the Members who submit the joint motion.
- 12.16 A Member can make minor alterations to their motion [at the meeting](#), with the consent of the Convener.
- 12.17 Any motion proposing a nomination for Freedom of the City must be signed by at least 23 Members of the Council. [As regards the decision itself, section 206\(1\) of the Local Government \(Scotland\) Act 1973 states that "A local authority may, by resolution passed by not less than two-thirds of the members voting thereon at a meeting of the authority the notice of which specifies the proposed admission as an item of business, admit to be honorary freemen of their area persons of distinction and any persons who have rendered eminent service to their area".](#)

13. Reports by Officers

- 13.1 Reports to the Council, Committees or Sub Committees will be in the name of the Chief Executive, Directors, Statutory and Chief Officers or by the Council's Internal or External Auditors; or by a representative of Police Scotland or the Scottish Fire and Rescue Service.
- 13.2 Reports must be provided in draft to the following for consultation in accordance with the published timetable:
 - 13.2.1 Chief Officer - Finance
 - 13.2.2 Chief Officer - Governance
 - 13.2.3 Chief Officer – Strategic Place Planning

- 13.2.4 Chief Executive
- 13.2.5 Clerk
- 13.2.6 Co-Leaders (for reports to Council and the Finance and Resources Committee only)
- 13.2.7 Convener of the Finance and Resources Committee
- 13.2.8 Convener and Vice Convener of Council or the relevant Committee or Sub Committee
- 13.2.9 Executive Lead for their respective committee
- 13.3 Reports must also be provided in draft to the following officers for consultation, in cases where the report contains matters within their professional remit:-
 - 13.3.1 Chief Officer – Integrated Children’s and Family Services
 - 13.3.2 Chief Officer – People and Organisation Development
 - 13.3.3 Head of Commercial and Procurement
 - 13.3.4 Chief Officer – Corporate Landlord
 - 13.3.5 Chief Officer – City Growth
- 13.4 Standing Orders 13.2 and 13.3 do not apply to planning or licensing applications where there are no draft reports and separate statutory consultation procedures apply.
- 13.5 A report author must consult the local Members of a ward where the report contains proposals which if implemented, would have a significant local impact on that particular ward.
- 13.6 Where an initial report is prepared as a result of a Notice of Motion having been considered, the report author must consult the Member(s) who submitted the Notice of Motion.
- 13.7 A report will only be submitted for consideration by the Council, Committee or Sub Committee where the Clerk, Chief Officer – Finance and the Chief Officer – Governance have responded to the consultation on that report.
- 13.8 Subject to Standing Orders 13.9 to 13.12 below, final reports to be included on an agenda for a meeting of the Council, Committee or Sub Committee must be submitted to the Clerk as specified in the timetable published by the Chief Officer - Governance.
- 13.9 If a report not listed on the agenda is submitted after the agenda for the meeting of the Council, Committee or Sub Committee has been published; the Convener must give authority for the report to be added to the agenda.
- 13.10 If a report listed on the agenda is submitted after the agenda has been published but more than three Clear Days before the meeting, no Late Docquet will be required.
- 13.11 If a report is submitted after the agenda has been published but less than three Clear Days before the meeting, the relevant Director or Chief Officer must submit a Late Docquet to the Clerk explaining why the report is late and the special circumstances which require the report to be considered as a matter of urgency.

13.11.1 In terms of Standing Order 36.3, the Docquet must also be signed by the Convener who will specify why the report should be considered at the meeting as a matter of urgency.

13.11.2 Standing Order 13.11 does not apply to the Licensing Committee, Urgent Business Committee or Licensing Sub Committee.

13.12 Any officer listed under Standing Order 13.1 will have the authority to withdraw his/her report from the agenda, following consultation with the Co-Leaders.

14. Deputations

14.1 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 Convener to determine if the document is circulated.

14.1.1 For example, for a meeting on a Thursday, requests must be received by the end of the Monday; and for a meeting on a Tuesday, requests must be received by the end of the previous Thursday.

14.2 In the event that a report has not been published to enable a deputation request to comply with the deadline set out in Standing Order 14.1, deputation requests may still be submitted and put on to the agenda.

14.2.1 In such instances, Standing Order 14.1 would require to be suspended at the meeting for the deputation to be heard.

14.3 The request must relate to a report on an agenda.

14.4 The request must state the report on which the deputation wants to be heard and the action (if any) the deputation would like the Council, Committee or Sub Committee to take in relation to the report.

14.5 The following deputation requests are not competent:-

14.5.1 Deputations which fail to comply with Standing Order 14.1

14.5.2 Deputations which relate to reports containing confidential information (see Standing Order 22)

14.5.3 Deputations which relate to the annual budget

14.5.4 Deputations which relate to a petition

14.5.5 Deputations which relate to a planning or licensing application

14.5.6 Deputations which relate to matters that have alternative procedures for representation (which may include, but are not restricted to, the Council's proposed sale or let of a property which has been subject to a closing date and the Council's proposed tendering of goods, services or works).

14.5.7 Deputations which relate to a Notice of Motion which has not yet been moved.

14.6 Subject to Standing Order 14.2 (late publication of reports), if a deputation request is determined to be incompetent, it will not be put on the agenda.

- 14.7 Deputations cannot consist of more than three people.
- 14.8 No individual may form part of more than one deputation on the same matter.
- 14.9 A competent deputation request will be placed on the agenda for the relevant meeting of the Council, Committee or Sub Committee.
 - 14.9.1 If a deputation is deemed to be competent, it will be heard at the meeting, unless a Member moves a procedural motion to determine otherwise.
- 14.10 If, having heard the deputation, the Council, Committee or Sub Committee defer consideration of the report, no further request will be accepted from the same body or individuals in relation to the matter unless a new report containing substantially different information is submitted to a future meeting.
- 14.11 Competency in respect of Standing Orders 14.3, 14.5 and 14.10 will be determined by the Convener.
- 14.12 If a report on which a deputation has been heard is referred to another meeting of the Council, a Committee or Sub Committee, in order for the same body or individuals to be heard, a fresh request for a deputation must be submitted.
- 14.13 Deputations will be given a maximum of ten minutes to present their case, irrespective of the number of speakers.
- 14.14 Following the conclusion of the deputation, Members will be given the opportunity to ask questions of the deputation for a maximum of ten minutes.
 - 14.14.1 No questions can be asked of officers during this time period, and no debate or discussion will take place until the report is considered as part of the agenda.

15. Petitions

- 15.1 A petition complying with the agreed criteria and having received at least 100 valid signatures will be placed on the agenda for consideration at the relevant committee.
- 15.2 The petitioner will be invited to explain their petition at the relevant committee and will have a maximum of ten minutes to present their case, following which Members will be given the opportunity to ask questions of the petitioner for a maximum of ten minutes.
- 15.3 The petitioner can be supported by up to two other individuals but the ten minute limit will be the same.
- 15.4 A Council officer will then have the opportunity to present their case for a maximum of ten minutes, following which Members will be given the opportunity to ask questions of the officer for a maximum of ten minutes.
- 15.5 There are three options for the committee to consider.
 - 15.5.1 Take no action and advise the lead petitioner of the Committee's reasoning.
 - 15.5.2 Agree that the matter be the subject of a report to the relevant Committee(s).
 - 15.5.3 Refer the matter to a relevant organisation with or without a recommendation.

16. Rights of Members to Attend Meetings

- 16.1 Subject to Standing Orders 12.14, 16.2 and 16.3 any Member will be entitled to attend any Committee or Sub Committee meeting of which they are not a member and will be entitled to ask questions or address the meeting.
- 16.1.1 The Member may not propose or second any motion or amendment or vote.
- 16.2 A Member cannot be present at a meeting of a Committee or Sub Committee for which they are not a member when all of the following three conditions apply:-
- 16.2.1 The press and public have been excluded from the meeting; **and**
- 16.2.2 The meeting is likely to involve the taking of a decision which may affect the interests of any person or body following a hearing; **and**
- 16.2.3 The person or body has a right in terms of the law, Standing Orders or other administrative procedure, to be heard at that meeting in person or through a representative, for example the Appeals Sub Committee or Licensing Committee.
- 16.3 In respect of the following, Members will only be entitled to make representations through, as applicable, the formal statutory process or other procedure agreed by Council, Committee or Sub Committee:
- 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.
- 16.4 Prior to sitting as a member or a substitute of the Pensions Committee and the Appeals Sub Committee, a Councillor must have undertaken the required training.

17. Substitute Members

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

18. Failure to Attend Meetings

- 18.1 Subject to section 35 of the Local Government (Scotland) Act 1973, if a Member fails throughout a period of six consecutive months to attend any meeting of the authority, the Chief Executive must report this to Council, unless leave of absence has been granted to the Member.
- 18.2 If the Council is not satisfied as to the cause of the failure to attend, the Member will cease to be a Member of the Council.
- 18.3 The Member will not cease to be a Member of the Council if the absence is due to the Member having been suspended by the Standards Commission.

18.3.1 No report from the Chief Executive is required in these circumstances.

19. Chairing of Meetings

19.1 At any meeting of the Council, its Committees or Sub Committees, the chair will be taken by the Convener, or where the Convener is absent, the Vice Convener, who will be addressed in accordance with Standing Order 25.2.

19.1.1 In the event that there is more than one Vice Convener, it will be for those Members to determine which of them will chair the meeting.

19.1.2 In the event that no agreement is reached between those Members, the decision will be taken by means of a procedural motion.

19.1.3 In the absence of both Convener and Vice Convener(s), the Members present will appoint a Convener.

20. Quorum

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

21. Attendance at Meetings by Chief Officers

21.1 All meetings will normally have advice available from the Chief Officer – Finance and the Chief Officer - Governance.

21.2 The attendance of all other officers is at the discretion of the appropriate Chief Officer, taking into account the business of the meeting and the Working Time Regulations 1998.

22. Exempt and Confidential Information

22.1 Agendas and reports containing Confidential Information will contain a declaration that the report is 'Not for Publication' because it contains Confidential Information as described in Appendix 1 to the Standing Orders.

22.2 Agendas and reports containing Exempt Information (exempt items) will contain a declaration that the report is 'Not for Publication' because it contains Exempt Information as described in Appendix 2 to the Standing Orders.

22.3 The public **may** be excluded from a meeting when an item of business is being considered, if it is likely that, if the public were present, Exempt Information would be disclosed.

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

23. Declarations of Interest and Transparency Statements

23.1 Members must adopt the 3-stage approach (Connection – Interest – Participation) set out in section 5 (Declaration of Interests) of the Councillors' Code of Conduct.

23.2 A Member will declare their interest as early as possible in meetings. Where they have declared an interest, they must withdraw from the meeting room (including from any public gallery). They must not participate in any way in those parts of meetings where

they have declared an interest. If the meeting is being held online, the member must retire to a separate breakout room or leave and re-join after the discussion on the matter has concluded. It is not sufficient for them to turn off their camera and/or microphone for the duration of the matter.

- 23.3 When making a declaration, a member should provide enough information for those at the meeting to understand why they are making a declaration.
- 23.4 Members should consider whether it is appropriate for transparency reasons for them to state publicly in the meeting where they have a connection, which they do not consider amounts to an interest. Such a statement is referred to in these Standing Orders as a “transparency statement”.

24. Introducing Reports

- 24.1 The Convener may identify that a report requires introduction from an officer, or a representative of an external organisation, following which, Members will be given the opportunity to ask questions of officers or an external representative. Any introduction and questions for an external representative should be undertaken prior to asking questions of officers.
- 24.2 To promote the effective management of the meeting, Members should seek clarification or advice on any points from officers, [and submit questions](#), in advance of the meeting.
- 24.3 When, in the opinion of the Convener, Members have had a reasonable opportunity to ask questions, the Convener will move to determination of the matter.

25. Speaking at Meetings

- 25.1 When addressing Members, Trade Union Advisers, officers, deputations or representatives of external partners at meetings, no Member or officer should use the first name of the person being addressed.
- 25.2 When referring to or addressing the Convener, Members, Trade Union Advisers and officers should address the Convener as ‘Lord Provost’, ‘Convener’ or ‘Chair’ as appropriate.
- 25.3 When referring to or addressing a Member, Members, Trade Union Advisers and officers should address the Member as Councillor.

26. Order of Debate

- 26.1 If consensus cannot be reached on an item, the order of debate will be as follows:-
 - 26.1.1 Motion moved and seconded
 - 26.1.2 Amendment(s) moved and seconded
 - 26.1.3 Debate
 - 26.1.4 Summing up for the amendment(s)
 - 26.1.5 Summing up for the motion

26.1.6 Vote

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

26.2.1 Asking questions

26.2.2 Moving, seconding or supporting a motion or any relative amendment

26.2.3 Moving or seconding a Procedural Motion; and

26.2.4 Raising a Point of Order

26.3 Advisers to the Staff Governance Committee [and external advisers to the Anti-Poverty and Inequality Committee](#) will be entitled to raise a Point of Order, ask questions and participate in any debate, but will not be entitled to move a motion or amendment, nor participate in any vote.

27. Points of Order

27.1 A Point of Order is a verbal objection made to the Convener that a statement or proposed procedure or action at the meeting may be in breach of the law, Standing Orders or Councillors' Code of Conduct.

27.2 Any Member may raise a Point of Order at any point in the meeting, and must specify which Standing Order, law or section of the Councillors' Code of Conduct will be, or has been, breached.

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

28. Procedural Motions

28.1 A Procedural Motion is a motion on the procedure being proposed or undertaken at the meeting, including, but not restricted to:-

28.1.1 Moving exempt business to the public section of the agenda;

28.1.2 Proposing a change to the minute;

28.1.3 Proposing that an item or items on the business planner be considered at an earlier date or deferred to a later date;

28.1.4 Proposing that an item or items be referred to another Committee or directly to full Council with the exception of referrals under Standing Order 34.1;

28.1.4 Proposing that no further debate or questioning take place;

28.1.5 Proposing the suspension of a Standing Order;

28.1.6 Proposing an alternative method of voting; and

28.1.7 Proposing that a planning site visit be undertaken.

28.2 A Procedural Motion has to be moved and seconded, and Members will then vote on whether to support or oppose it.

28.3 When a Procedural Motion has been moved and seconded, it will be put immediately to the vote, without any debate.

- 28.4 If a Procedural Motion is not seconded, it will fall and this will be recorded in the minute.
- 28.5 Except where the Procedural Motion is to suspend Standing Orders in terms of Standing Order 41, for a Procedural Motion to be successful, it requires a simple majority of the vote.
- 28.6 Immediately following the vote, procedural motions may be referred to the relevant Committee or the Council for a decision in terms of Standing Order 34.1.

29. Motions and Amendments

- 29.1 Where a motion and amendments are proposed prior to a Council, Committee or Sub Committee meeting, Members should provide a copy of the proposed wording to the Clerk as soon as reasonably practicable and, if possible, ~~before the meeting commences, by 12 noon on the working day prior to the meeting.~~
- 29.2 Any motion or amendment in respect of the budget ~~must should~~ be submitted to the Chief Officer – Finance ~~(s.95 officer) in accordance in accordance with the Budget Protocol, by 10am on the third last Working Day before the meeting takes place to enable the Chief Officer – Finance to consider any financial implications. For example, if the budget meeting is on Tuesday then any amendment should be submitted to the Chief Officer – Finance, by 10am the Thursday before. Such motion or amendment should detail the cost of the proposal(s) being advanced or the savings proposed to be achieved and the consequential impact of that cost or those savings on the annual budget and any associated commissioning intentions and service standards.~~
- 29.3 The Clerk will then be responsible for collating the views of the following officers, in terms of competency and any other relevant feedback, and presenting these to the Member:
 - 29.3.1 the relevant Director(s);
 - 29.3.2 Chief Officer – Governance;
 - 29.3.3 Chief Officer – Finance; and
 - 29.3.4 other relevant Chief Officer(s) or external partner(s).
- 29.4 The Convener will have the prior right to the motion, except:-
 - 29.4.1 where he/she waives this right and allows another Member to have the prior right to the motion;
 - 29.4.2 where a written Notice of Motion submitted by a Member is moved; or
 - 29.4.3 where the Council is meeting to consider its annual revenue budget, in which case the Convener of the Finance and Resources Committee will have the prior right to the motion. Following the moving of each budget, the spokesperson of the biggest Opposition Group will have the right to propose an amendment; or
 - 29.4.4 where a special meeting is called by at least a quarter of the Members of the Council, Committee or Sub Committee under Standing Order 8.2, but only where the Convener was not among those Members calling that meeting and the motion was submitted to the Clerk in writing 24 hours before that meeting.

- 29.5 When moving any motion or amendment, a Member will provide its terms in full, which will then require to be seconded by another Member who, if speaking, must speak in support of that motion or amendment.
- 29.5.1 No Member will speak in support of a motion or amendment until it has been seconded.
- 29.5.2 Any Member who has moved or seconded a motion or amendment will not be entitled to enter the debate.
- 29.6 All motions and amendments must be relevant to the item of business on the agenda.
- 29.7 All amendments must differ from the motion and from each other substantially.
- 29.8 The Convener will offer any relevant officer an opportunity to address the meeting on the competency, relevancy or implications of any motion or amendment.
- 29.9 A motion or amendment is incompetent if it would require the incurring of expenditure [or would lead to the loss of income](#) and the source of funding is not identified.
- 29.10 A motion or amendment which identifies the source of funding as the Council's reserves will not be competent without advice being provided to the meeting by the Chief Officer - Finance.
- [29.11 A motion or amendment is incompetent if its terms would, in the opinion of the Chief Officer - Governance, be likely to result in a breach in law.](#)
- ~~29.124~~ The Convener will determine whether a motion or amendment is competent and relevant, and may seek advice from officers in this regard.
- ~~29.132~~ A motion or amendment moved but not seconded, or which has been ruled by the Convener to be incompetent will not be put to the vote but will be recorded in the minute.
- ~~29.143~~ If a motion or amendment is withdrawn, the mover and seconder can move or second and speak in support of a further motion or amendment.
- ~~29.154~~ No Member will speak more than once (except on a Point of Order, by asking a question or by moving a Procedural Motion) in a debate, except for the Members who moved the motion / amendment(s), who will have the right to sum up.
- ~~29.165~~ In respect of the motion which proposes any element of the Council annual budget, the Council Leader will have the right to sum up.
- ~~29.176~~ A Member can make minor alterations to their motion or amendment, with the consent of the Convener.
- ~~29.187~~ When there is only one amendment to the motion, the vote will be taken between the motion and the amendment.
- ~~29.187.1~~ Whichever is carried will be the resolution of the meeting.
- ~~29.198~~ Where there is more than one amendment to the motion, a vote will be taken between the last two amendments, and this process will be repeated until only one amendment remains.
- ~~29.198.1~~ A vote will then be taken between the motion and the remaining amendment.

29.18.2 Whichever is carried by majority will become the resolution of the meeting.

29.2019 If an amendment proposes that no decision be taken, the first vote will be between it and the motion.

29.2019.1 If the amendment is carried, the meeting will proceed to the next item of business.

29.2019.2 If the amendment is not carried, it will be eliminated from the amendments which, with the motion, will be voted on in the usual way.

29.219 The processes outlined above will not apply to the Appointment Panel, unless this is agreed by Members of the Panel.

30. Time Allowed for Speaking

- 30.1 Moving a motion or amendment – 10 minutes
- 30.2 Seconding a motion or amendment – 5 minutes
- 30.3 Speaking in debate – 5 minutes
- 30.4 Summing up – 5 minutes
- 30.5 Moving a Council budget – no time limit
- 30.6 Seconding a Council budget – 10 minutes
- 30.7 Summing up a Council budget – 10 minutes

31. Closure of Debate

- 31.1 After eight or more Members have spoken (including the movers and seconders of motions and amendments), any Member who has not spoken can move as a Procedural Motion that no further debate take place.
- 31.2 If the Procedural Motion is agreed, the movers of the original motion and amendment(s) will have the right to sum up and the matter will thereafter be put to the vote.
 - 31.2.1 In respect of the motion which proposes any element of the Council annual budget, the Council Leader will have the right to sum up.
- 31.3 If the Procedural Motion is defeated, the debate will continue.
- 31.4 Subsequent Procedural Motions that no further debate take place can be made after a further three Members have spoken.

32. Method of Voting

- 32.1 Votes will be taken by means of the electronic voting system at Council, and by roll call at Committees or Sub Committees, subject to Standing Orders:
 - 32.2 (Votes in Respect of Two or More Vacancies); and
 - 32.3 (Motion by a Member for an Alternative Method of Voting).
- 32.2 Votes in respect of two or more vacancies may be taken by roll call.

- 32.3 A Member can move that an alternative method of voting is used, such as roll call or show of hands, by means of a Procedural Motion.
- 32.4 The Clerk will conduct the vote.
- 32.4.1 No one will interrupt the proceedings (except to draw attention to an omission in the calling of a Member's name or to a Point of Order) until the result of the vote has been announced.
- 32.5 With the exception of Standing Order 41.1 (Suspending Standing Orders), a simple majority of those present and voting will decide the result of any vote between motions and amendments.
- 32.6 Subject to Standing Order 33.1 (Quasi-Judicial Items of Business), a Member who is absent when their name is called will be entitled to vote if they enter the meeting before the result of the vote is announced.
- 32.7 In the event of a tied vote, the Convener will have the casting vote, except where the vote relates to the appointment of a Member to any particular office.
- 32.7.1 If the Convener chooses not to exercise their casting vote, lots will be drawn using a method decided upon by the Clerk.
- 32.8 Any Member wishing to record their dissent against the decision after a vote should do so immediately after the result has been announced, and this will be recorded in the minute.

33. Quasi-Judicial Items of Business

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

34. Referrals

- 34.1 Immediately following a vote at Committee or Sub Committee, at least one third of the membership of the Committee or Sub Committee may refer the matter to the Council, a Committee or Sub Committee for a decision (see Glossary for calculation).
- 34.1.1 With the exception of items of business which are of a Quasi-Judicial nature, a Member does not require to have participated in the initial vote to participate in a referral.
- 34.2 Subject to Standing Orders 34.3 and 34.4, should the matter be referred in terms of Standing Order 34.1, the Clerk will then arrange for the matter to be referred to the next meeting of Council, relevant Committee or Sub Committee for determination. For referrals to Council, where the next Council meeting is in the opinion of the Leader too late for the matter to be appropriately dealt with, the matter can instead be considered at a meeting of the Urgent Business Committee.
- 34.3 Standing Orders 34.1 and 34.2 will not apply to any proceedings relating to:-
- 34.3.1 The appointment of or retirement of staff;

- 34.3.2 Grievance or disciplinary appeals by staff;
- 34.3.3 School attendance;
- 34.3.4 Bursaries;
- 34.3.5 Admission of any particular child to school;
- 34.3.6 Provision of school transport for any particular child;
- 34.3.7 The granting of any licence, registration or certificate;
- 34.3.8 Assumption of parental rights or adoption in the case of any individual; or
- 34.3.9 Aids and adaptations to premises for the benefit of social work clients.

34.4 Where an item is referred to a meeting of the Council, Committee or Sub Committee, and it is not possible for the item to be open to the public for inspection at least three Clear Days before the meeting, the referring Committee or Sub Committee must specify why the item should be considered as a matter of urgency.

33.4.1 The Convener of the Council, Committee or Sub Committee to which the item is referred will then determine whether it is added to the agenda.

35. Minutes

- 35.1 The Clerk will prepare the minutes of meetings of the Council, its Committees and Sub Committees and any other meetings at which Members are represented, as may be determined by the Chief Officer - Governance.
- 35.2 The minutes will record the names of the Members who attended the meeting and will contain a summary of the business of the meeting as determined by the Clerk.
- 35.3 The Convener and Vice Convener will normally propose and second the minute as a true record unless either were not present, in which case any Member present at the meeting can either propose or second the minute as a true record.
- 35.4 At the meeting, if any Member challenges the accuracy of the minute, they can move a Procedural Motion that a correction is made.
- 35.5 Any corrections to the minute will be outlined in the subsequent minute.
- 35.6 Any discussion around the approval of the minute cannot extend to opening up discussion of the substantive issues detailed in the minute.

36. Powers of Convener

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

- 36.4 To ensure that all Members are given the opportunity to speak and to decide on the order in which they speak.
- 36.5 To rule on all Points of Order.
- 36.6 To adjourn the meeting at any time for any reason, and to determine the length of the adjournment.
- 36.7 When the Convener begins to speak, all other Members must stop speaking.
- 36.8 It will be within the discretion of the Convener of the Council, a Committee or Sub Committee to cancel, or advance or postpone to another date, an ordinary meeting if in his/her opinion, acting reasonably, there is a good reason for so doing.
- 36.9 The decision of the Convener on all matters in Standing Order 36 will be final.

37. Behaviour

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

38. Suspension of Members

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

39. Filming, Photographing and Recording of Meetings

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

40. Length of Meetings

- 40.1 The Convener can call a break in proceedings at any time. Breaks in proceedings should be called on a regular basis and in consultation with the Executive Lead.
- 40.2 Meetings will not last longer than six hours (said duration including, for the avoidance of doubt, any break(s) in proceedings). For example, if a meeting begins at 10.00am, it shall not continue beyond 4.00pm – irrespective of the number and duration of any breaks.
- 40.3 If the meeting is adjourned to another date, the Convener, following consultation with the Clerk, will determine the time and date that the meeting will resume.

41. Suspending Standing Orders

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

42. Altering Previous Decisions

- 42.1 It will not be competent for the Council, Committee or Sub Committee to alter or reverse a previous decision within a period of six months. For the avoidance of any doubt, a Convener's decision under Standing Order 7.3 to cancel, or advance or postpone to another date, an ordinary meeting does not amount to such an alteration or reversal.
- 42.2 Standing Order 42.1 does not apply:-
 - 42.2.1 where a Notice of Motion to that effect has been submitted [and is set out in the published agenda](#), ~~of which appropriate prior notice has been given in terms of Standing Order 12;~~
 - 42.2.2 where the Council, Committee or Sub Committee approves a recommendation contained in a report to alter or reverse a previous decision; or
 - 42.2.3 to ongoing negotiations between the Council and any other party.

43. Amendments to Standing Orders

- 43.1 Non-material amendments can be made to the Standing Orders by the Chief Officer - Governance, following consultation with the Co-Leaders, without the requirement to report to Council.
 - 43.1.1 Such amendments will be notified to all Members once completed.
- 43.2 Material amendments to the Standing Orders, including the removal or addition of Standing Orders, may only be approved after consideration of a report to the Council by the Chief Officer - Governance.

44. Review of Standing Orders

- 44.1 The Standing Orders will be subject to annual review by the Chief Officer - Governance.

45. Monitoring Officer

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

46. Member Access to Documents

- 46.1 The additional rights of access to documents for Members are as set out in Appendix 4 to the Standing Orders.

COMMITTEES AND SUB COMMITTEES

47. Delegation and Appointment to Committees and Sub Committees

- 47.1 The Council may appoint or disband Committees for any purpose at any time, and will delegate or refer to these Committees any matter it thinks fit.
- 47.2 Committees may appoint or disband Sub Committees for any purpose at any time, and will delegate or refer to these Sub Committees any matter they think fit.
- 47.3 Matters referred or delegated to Committees or Sub Committees will be set out in the Terms of Reference.
- 47.4 Committee and Sub Committee remits may be amended only after consideration of a report to Council or the appropriate parent Committee by the Chief Officer – Governance.
- 47.5 Each Committee and Sub Committee can delegate any of its delegated functions to a named officer.
- 47.6 Where a matter for consideration is not specifically referred to in the Terms of Reference, it will be competent for it to be considered by the Committee or Sub Committee with the most relevant Terms of Reference, as determined by the Chief Officer – Governance.
- 47.7 The Council may, at any time, deal with any matter falling within the Terms of Reference of any Committee or Sub Committee.
- 47.8 Similarly, a Committee may, at any time, deal with any matter falling within the Terms of Reference of any of its Sub Committees.
- 47.9 The Council will set the membership for each Committee and in doing so should have regard to the political composition of the Council.
- 47.10 Committees will set the membership for each Sub Committee and in doing so should have regard to the political composition of the Council.
- 47.11 Members of Sub Committees who are not Members of the parent Committee will be provided with relevant training where required.
- 47.12 The Council may establish Working Groups with no delegated powers for such functions deemed necessary, consisting wholly of Councillors or otherwise.
- 47.13 On behalf of the Council, each Committee and Sub Committee can appoint representatives to outside bodies which provide services linked to, or associated with, the remit of that Committee or Sub Committee.

GLOSSARY

Agenda

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

Amendment

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

Calculation of Quarter or One Third / Two Thirds of Members

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

Chief Officer - Finance

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

Chief Officer - Governance

Where this document refers to the Chief Officer - Governance, it should be noted that this may also refer to his/her nominated officer.

Clear Days

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

Clerk

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

Committee

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

Committee Planner

A document containing outstanding and pending business that is placed on the agenda for each meeting.

Confidential Information

See Appendix 1 to this document.

Convener

The Chair of the Committee. Where 'Convener' is referred to in this document, this will also include the Lord Provost. [It will also include the Vice Convener, or Depute Provost \(for meetings of the Full Council\), where the Convener or Lord Provost is unavailable.](#)

Council

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

Deputation

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

Depute Provost

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

Exempt Information

See Appendix 2 to this document.

External Member

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

Group

A number of Councillors who form a group. A group cannot be composed of a single member. [Group](#)

Leaders

The leaders of the individual political groups.

Late Docquet

A document which must accompany any reports that are not available for inspection by members of the public at least three clear days before a meeting. This contains the reason for lateness, an explanation of why the Council, Committee or Sub Committee requires to consider the report as a matter of urgency, and is signed by the Director and Convener. The Convener has ultimate discretion as to whether or not the item should be considered.

Lord Provost

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

Minute

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

Motion

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

Non-Material Amendments to Standing Orders

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

Notice of Motion

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

Quasi-Judicial

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

Quorum

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

Significant Local Impact

In relation to a particular ward, this means in the opinion of the relevant Chief Officer, a significant impact on:

- roads or traffic arrangements within that ward;
- buildings or facilities within that ward; or
- the natural environment of that ward.

Sub Committee

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

Summons

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

Vice Convener

The Vice Chair of the Committee. The Vice Convener will act as Chair in the absence of the Convener (see Standing Order 19).

Appendix 1

**LOCAL GOVERNMENT (SCOTLAND) ACT 1973 DEFINITION OF
CONFIDENTIAL INFORMATION**

In accordance with section 50A of the Local Government (Scotland) Act 1973, Confidential Information means:

- information furnished to the authority by a Government department upon terms (**however** expressed) which forbid the disclosure of the information to the public; and
- information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court.

In either case the reference to the obligation of confidence is to be construed accordingly.

Appendix 2

LOCAL GOVERNMENT (SCOTLAND) ACT 1973

SCHEDULE 7A

ACCESS TO INFORMATION: EXEMPT INFORMATION

DESCRIPTIONS OF EXEMPT INFORMATION

(INCLUDING QUALIFICATIONS)

Employee/Office Holder:

1. Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder under, the authority.

Occupier:

2. Information relating to any particular occupier or former occupier of, or applicant for, accommodation provided by or at the expense of the authority.

Recipient of Council Service:

3. Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority.

Recipient of Financial Assistance:

4. Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the authority.

Particular Child:

5. Information relating to the adoption, care, fostering or education of any particular child or where any particular child is subject to a compulsory supervision order or interim compulsory supervision order (as defined respectively in sections 83 and 86 of the Children's Hearings (Scotland) Act 2011) information relating to the order. "Child" means a person under the age of 18 and any person who has attained that age and is in attendance as a pupil at a school.

Financial Affairs of Particular Person:

6. Information relating to the financial or business affairs of any particular person (other than the authority). Information is not exempt if it is required to be registered under the Companies Acts (as defined in section 2(1) of the Companies Act 2006) or similar legislation.

Social Work Relating to a Particular Person:

7. Information relating to anything done or to be done in respect of any particular person for the purposes of any of the matters referred to in section 27(1) of the Social Work (Scotland) Act 1968 (providing reports on and supervision of certain persons).

Proposed Expenditure on Contracts:

8. The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services if and so long as disclosure to the public of the amount there referred to would be likely to give an advantage to a person entering into, or seeking to enter into, a contract with the authority in respect of the property, goods or services, whether the advantage would arise as against the authority or as against such other persons.

Contractual Terms:

9. Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services if and so long as disclosure to the public of the terms would prejudice the authority in those or any other negotiations concerning the property or goods or services.

Tender for Contract:

10. The identity of the authority (as well as of any other person by virtue of paragraph 6 above) as the person offering any particular tender for a contract for the supply of goods or services.

Labour Relations:

11. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officeholders under, the authority if and so long as disclosure to the public of the information would prejudice the authority in those or any other consultations or negotiations in connection with a labour relations matter arising as mentioned in that paragraph.

Legal Proceedings:

12. Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with –
 - a. any legal proceedings by or against the authority, or
 - b. the determination of any matter affecting the authority (whether, in either case, proceedings have been commenced or are in contemplation).

Statutory Notices Etc:

13. Information which, if disclosed to the public, would reveal that the authority proposes –
 - a. to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b. to make an order or direction under any enactment if and so long as disclosure to the public might afford an opportunity to a person affected by the notice, order or direction to defeat the purpose or one of the purposes for which the notice, order or direction is to be given or made.

Crime:

14. Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Informant:

15. The identity of a protected informant.

Appendix 3

PROTOCOL FOR APPOINTMENT OF CHIEF OFFICERS

1. The Chief Executive, all Directors and Chief Office posts at second tier level or above will be appointed by an Appointment Panel. In setting the membership of the Panel, the Council shall have regard to the political composition of the Council.
 - 1.1 Meetings of the Appointment Panel will be arranged by the Chief Officer – Governance.
 - 1.2 Group Leaders will provide the Chief Officer – Governance with the names of Members to sit on the Panel
 - 1.3 The Panel will be chaired by the Convener of the Finance and Resources Committee unless otherwise agreed by the Members on the Appointment Panel.
 - 1.4 Only those Members who participate in the shortlisting of candidates can participate in the interview and selection process.
 - 1.5 The Chief Executive, Chief Officer – People and Organisational Development and any officer nominated by the Chief Executive will be entitled to be represented at any interview or meeting relating to the appointment of Chief Officers.
2. The above process does not apply to Chief Officer posts in respect of the Integration Joint Board, which will be in line with the process set out in the Aberdeen City Health and Social Care Partnership Integration Scheme.
3. There will be a period of at least seven days between the date a vacancy is advertised and the closing date for the receipt of applications.
4. The Panel responsible for making the appointment will draw up a shortlist of suitably qualified applicants who will then be called for interview.
5. Meetings dates for the Appointment Panel will be set by the Chief Officer – Governance, following consultation with the Chairperson.
 - 5.1 It will be within the discretion of the Chairperson to cancel, advance or postpone an ordinary meeting to another date if in his/her opinion, acting reasonably; there is a good reason for so doing.
6. The quorum for the Appointment Panel will be one quarter of the total number of members of the Panel, or three members, whichever is the higher.
7. The list of applicants for any appointment will be treated as confidential and only the name of successful candidates will be recorded in the minutes of the Appointment Panel.
8. The determinations of the Panel will not be recorded in the minute.
9. The Chairperson will have the casting vote in the case of an equality of votes.

Appendix 4

ADDITIONAL RIGHTS OF ACCESS TO DOCUMENTS FOR MEMBERS OF LOCAL AUTHORITIES – LOCAL GOVERNMENT (SCOTLAND) ACT 1973, SECTION 50F

1. Any document which is in the possession or under the control of a local authority and contains material which relates to any business to be transacted or proceedings at a meeting of –
 - a. the authority or of a committee or sub-committee of the authority;
 - b. a statutory committee appointed by the authority or any sub-committee of that committee, or
 - c. a relevant body, any member of which was appointed by the authority, or of a committee, sub-committee or relevant body of such a bodyshall, subject to subsection (2) below, be open to inspection by any member of the authority and, in the case of a committee, sub-committee or relevant body, by any other member of the committee or sub-committee.
2. Where it appears to the proper officer that a document discloses exempt information of a description for the time being falling within any of paragraphs 1 to 5, 7, 9, 11, 12 and 14 of Part I of Schedule 7A to this Act, subsection (1) above does not require the document to be open to inspection.
3. The Secretary of State may by order amend subsection (2) above -
 - a. by adding to the descriptions of exempt information to which that subsection refers for the time being; or
 - b. by removing any description of exempt information to which it refers for the time being.
4. Any statutory instrument containing an order under subsection (3) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.
5. The rights conferred by this section on a member of a local authority are in addition to any other rights he may have apart from this section.



Appendix F

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Financial Regulations

Version 1



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FINANCIAL REGULATIONS

1. INTRODUCTION

Financial Regulations are an integral part of the stewardship of Council Funds that mitigate financial, compliance and strategic risks. Adhering to the Regulations ensures that all financial decisions and transactions of the Council are enacted in a manner which demonstrates openness, integrity, and transparency. That results in more effective use of limited resources and better performance and outcomes for the Council. Financial Regulations therefore form a significant part of the governance of the Council.

The Regulations provide references to a number of linked documents which form an integral part of the Financial Regulations. Some of the linked documents are intended for internal use and can only be accessed through the Council's Intranet site.

2. COMPLIANCE

It is the duty of all officers employed by the Council to fully comply with the Financial Regulations. Failure to comply with the requirements contained within these Regulations and the associated guidance and procedures may result in an investigation under the Council's Conditions of Services Disciplinary and Appeals Procedure.

Any breach or non-compliance with these Regulations must, on discovery, be reported immediately to the Chief Officer – Finance. The Chief Officer - Finance may consult other relevant officers, including the Chief Executive, to determine the appropriate action.

Employees who deliberately obstruct or unreasonably fail to provide information to Auditors or Investigation Officers within the specified period may be subject to disciplinary action.

All budget holders must immediately notify the Chief Officer – Finance of any budget that is or is likely to be overspent.

3. RESPONSIBILITIES

GENERAL RESPONSIBILITIES

All officers employed by the Council must ensure that their financial transactions comply with the law. In case of doubt officers must consult the Chief Officer – Governance before incurring or legally committing to expenditure.

No officer must commit any expenditure unless it can be met from an approved budget. In case of doubt officers must consult the Chief Officer – Finance before incurring or legally committing to expenditure.

Powers Delegated to Officers provides that, except where prohibited by law, Chief Officers may sub-delegate any of their delegated powers to their deputies or such other officer(s) as they may consider appropriate. Chief Officers will remain accountable for decisions taken by their sub-delegates. These Financial Regulations assume that any reference to a Chief Officer would include any of their officers so nominated in accordance with that delegated power.

Chief Officers in this context means (i) the Chief Executive and Directors of the Council; (ii) Council officers whose job titles include the term "Chief Officer"; (iii) the Council's Head of Commercial and Procurement; (iv) the Chief Officer of the Aberdeen City Health and Social Care Partnership (ACHSCP); and (v) the Chief Finance Officer of the ACHSCP.

Connected Bodies in this context refers to a range of external bodies that are closely connected to the Council. Such bodies include:

- i. The Council's Arm's Length External Organisations (ALEO's), as defined in the ALEO Assurance Hub Terms of Reference;
- ii. A range of Group Entities that form part of the Council's Group Accounts, including Associate and Subsidiary Companies, Joint Ventures and Trusts; and
- iii. Similar bodies to those outlined at ii) but who are not included in the Council's Group Accounts due to the value of their assets or level of turnover being not material.

The above definition of Connected Bodies includes some (but not all) of the bodies on the Council's Register of Outside Bodies. Those Outside Bodies that are not included in the definition of Connected Bodies are those bodies over which the Council is not considered to have a controlling or significant interest.

3.1 Responsibility of the Chief Officer - Finance

It shall be the responsibility of the Chief Officer - Finance, or designated officer, to ensure that these Regulations are kept up to date and monitored for their effectiveness. The Regulations shall be reviewed annually and updated to take account of changes in Statute, professional guidance or Council policy that impact upon the Regulations.

The Chief Officer - Finance, as the "Proper Officer", in terms of Section 95 of the Local Government (Scotland) Act 1973, shall be the adviser on financial matters to the Council and all its Committees. S/he shall be responsible for the proper administration of the Council's financial affairs.

The Chief Officer - Finance shall determine the detailed format of capital and revenue budgets.

The Chief Officer – Finance shall deal with reported irregularities in accordance with the Council's policies and procedures. S/he, following consultation with the Chief Executive, may, report matters to the Police where s/he considers it appropriate to do so.

Records relating to Counter Fraud matters including Bribery, Corruption, Money Laundering and Tax Evasion will be retained by the Chief Officer – Finance. A report on matters arising from the work of the Counter Fraud team will be presented to the Audit, Risk and Scrutiny Committee annually.

3.2 Responsibility of Chief Officers

It shall be the duty of each Chief Officer to ensure that these Regulations and all associated policy manuals and documents as listed in Section 4 are made known to appropriate staff members and shall ensure full compliance with them.

Each Director shall prepare revenue and capital budgets in respect of their Function after consultation with the Chief Officer - Finance. Each Chief Officer shall consult the Chief Officer - Finance in respect of any matter which may materially affect the finances of the Council before any provisional or other commitment is incurred or before finalising a draft Full Council or committee report on the matter.

Whenever any matter arises which involves, or is thought to involve, irregularities concerning funds, property or the exercise of the Council's functions, or that of any Connected Body, the relevant Chief Officer shall notify the Chief Officer - Finance in writing. The Chief Officer – Finance, following consultation with the Chief Officer – Governance, will then determine what action is necessary.

Chief Officers shall ensure that arrangements are in place to establish the correct liability, process and accounting for VAT. The Chief Officers will seek advice from the Chief Officer - Finance as necessary to ensure compliance with VAT or other tax regimes.

Any debt, including associated interest and/or penalty, arising from the improper operation of VAT or other taxes may be recovered against the budget of the Service responsible. This will be determined by the Chief Officer – Finance.

Chief Officers shall ensure that their cluster has appropriate governance arrangements in place.

Chief Officers are responsible for the submission of a Certificate of Assurance on the Effectiveness of Internal Financial Controls to the Chief Officer – Finance on an annual basis.

3.3 Responsibility of Chief Executives/Managing Directors/Trustees/Board Members of Connected Bodies.

The Head of Commercial and Procurement shall use reasonable endeavours to ensure that all contracts with Connected Bodies will provide that:

- i. In the absence of their own equivalent policies and documents, Chief Executives/Managing Directors/Trustees/Board Members of Connected Bodies shall adhere to these Financial Regulations and the policies and documents referred to in section 4. However, the accounting implications of these Financial Regulations should not be viewed as prescriptive for the Council's ALEO's. It is recognised that related companies and charitable trusts will be required to operate to different standards of financial accounting and reporting, e.g. standards pertaining to charities.
- ii. Chief Executives/Managing Directors/Trustees/Board Members of Connected Bodies shall ensure that their organisation has appropriate governance arrangements in place, including internal audit arrangements.

3.4 Responsibilities in relation to Aberdeen City Health and Social Care Partnership (ACHSCP)

The ACHSCP oversees the delivery of integrated services that the Council has been directed by the ACHSCP to deliver. This arrangement requires further clarification in addition to those set out in 3.3 above.

The Aberdeen City Council financial regulations are fully applicable to Council staff who are working to deliver integrated services under directions from the ACHSCP.

In addition, applicable staff are required to comply with the ACHSCP Financial Regulations. Any breach of compliance with ACHSCP regulations will be considered a breach of Aberdeen City Council financial regulations as set out in section 2. In applying the ACHSCP Financial Regulations due regard must be given to the authority of the Council Financial Regulations.

In the delivery of integrated services, staff employed by NHS Grampian may be required to comply with the Council Financial Regulations. Similarly, Council staff may be required to comply with the Financial Regulations of NHS Grampian.

The Chief Officer – Governance has the delegated power to appoint non-Council employees as officers of the Council. Under this power, employees of NHS Grampian may be appointed as officers of the Council for the specifically described purpose of delivering integrated services, and as such will be required to comply with Aberdeen City Council Financial Regulations.

The Chief Officer - Finance and the Chief Finance Officer of the ACHSCP will maintain a list of named individuals in this circumstance. Any breach or non-compliance may result in being removed from the appointment as an officer of the Council and may result in a referral for disciplinary action in line with the policies of the NHS Grampian.

Aberdeen City Council will maintain a list of those officers of Aberdeen City Council that are required to comply with the Financial Regulations of NHS Grampian. Any breach of those regulations will be treated as non-compliance with Aberdeen City Council Financial Regulations.

3.5 Responsibility of the Chief Officer – Governance

The Chief Officer – Governance can arrange for the provision of advice on proposed income and expenditure.

It shall be the responsibility of the Chief Officer – Governance, following consultation with the Chief Officer - Finance, to ensure that an annual governance statement is incorporated into the Accounts and reported to Audit, Risk and Scrutiny Committee.

The Chief Executive has ultimate responsibility for the provision of the Internal Audit service to the Council. The management of Internal Audit is under the control of the Chief Officer - Governance. The Chief Officer - Governance also has a responsibility to ensure that the internal audit function operates to a consistent standard in accordance with best practice.

The Chief Internal Auditor (whether employed or engaged to act on behalf of the Council) or a representative authorised by the Chief Officer – Governance, may without prior notice:

- i. enter at all reasonable times any Council operated property;
- ii. have access to all records (electronic or manual), documents and correspondence relating to any financial or other transaction of the Council;
- iii. require and receive such explanations as are necessary concerning any matter under examination;
- iv. require any employee to produce cash, stores, or any other Council property under his or her control; and
- v. examine financial records of organisations in receipt of grant aid from the Council.

The Chief Internal Auditor function may from time to time be commissioned externally. These auditors are the Council's representatives and will be afforded the same rights and privileges as an employee operating as an Internal Auditor.

The Chief Officer – Governance may engage specialist auditors from outwith the Council to carry out specific audit work.

Reference should be made to section 5.17 below for further information on the Internal Audit function.

Records relating to Whistleblowing will be retained by the Chief Officer – People and Organisational Development and the Chief Officer – Finance will be informed if these relate to financial irregularities.

3.6 Councillors

The Committee responsible for oversight of the audit function is the Audit, Risk and Scrutiny Committee.

3.7 External Audit

3.7.1 The Council's External Auditor shall have the right to access all records (electronic or manual), documents and correspondence relating to any financial or other transactions of the Council. They will be able to receive such explanations as they consider necessary concerning any matter under examination.

3.7.2 Officers of the Council will ensure that these rights are given to the Council's External Auditors.

4. ASSOCIATED DOCUMENTS

Officers must comply with all documents contained within the ACC Scheme of Governance, and with the associated documents set out below.

4.1 Finance Framework

The Finance Framework is a clear, illustrated set of guidelines, roles and responsibilities for financial management in Aberdeen City Council for:

- Budget holder roles;
- Finance roles;
- Clear competencies; and
- Approach to meeting competency gaps – training and support

4.2 Whistleblowing Policy

This document sets out the Council's policy regarding whistleblowing. It is intended to cover concerns that are in the public interest.

Whistleblowing Policy

4.3 Counter Fraud Policy

This document sets out the Council's policy on fraud, bribery and corruption, money laundering and tax evasion. It sets out arrangements for governance, acknowledgement, prevention and pursuance of and protection from fraudulent activity.

Chief Officers are responsible for ensuring risk management arrangements are in place to prevent, detect and prohibit fraud.

The Chief Officer - Finance is responsible for referring allegations to the external agencies including the Police.

The Chief Officer – Finance is responsible for the oversight of prevention and pursuance of fraud and the direction of Counter Fraud Officers, enabling them to operate in an effective way as set out in the policy.

Fraud Policy

4.4 Risk Management

The Risk Management Policy and Guidance documents contain the processes and activities for identifying and assessing risks, planning and implementing controls and monitoring progress.

The Risk Appetite Statement sets the principles for how the Council will balance risk and opportunity in achieving its objectives. In relation to Financial risk, the Council's position is as follows:

The Council is averse to risks associated with impairing financial stewardship, internal controls, and financial sustainability. The Council has an open appetite for short-term risks that support financial performance and mitigate negative external factors. It has an open appetite for longer term capital and financial investments provided that the risks are well managed and demonstrate realisable future benefits for delivering the Council's outcomes and commissioning intentions.

Financial Regulations are referenced in the Finance Assurance Map that sets out the key sources of assurance against the Council's response to managing finance risk. The Council identifies and manages financial institutional and operational risks that require mitigating action above the sources of assurance in the assurance map through reporting to the Risk Board and Audit, Risk and Scrutiny Committee.

Risk Management Policy

4.5 Following the Public Pound Policy (FtPP) Local Code of Practice

The FtPP Code requires that supporting documentation must be obtained to determine if an organisation has adequate financial and governance arrangements in place before a grant is approved and issued. A detailed list of the requirements of the financial assessments (such as annual accounts, income and expenditure statements) are given in the policy by the relevant Tier and there is a summary checklist at the end of the guidance.

The Council's procedures relating to grants to external bodies are documented in the Following the Public Pound Local Code of Practice. The following conditions are:

- Functions should ensure that all grants are assessed for subsidy control to determine if the grant award is a subsidy. Assessment forms should be completed and sent to subsidycontrol@aberdeencity.gov.uk
- Functions should ensure financial assessments are completed and recorded in line with the Council's FtPP Code prior to awarding any related grant.
- Operational assessments – include risk assessments, organisational objectives, and adequacy of governance arrangements. The Budget Holder undertaking the operational capability assessment must document their findings, together with their recommendation as to whether the organisation is fit and proper to be considered for funding.

- Functions must conduct operational assessments and record the findings prior to awarding grants to external organisations.
- Debt checks must be undertaken to ensure the organisation concerned has no outstanding debt with the Council. This can be done by contacting the debt team at rbrecovery@aberdeencity.gov.uk. They will advise whether there is any debt relating to Council Tax, Non- Domestic Rates, and sundry debts.
- Funding agreements must be established and signed by the grant recipient prior to any grants being paid.
- A grant schedule must be drawn up and signed by the grant recipient. Payments should be in no fewer than four instalments per financial year.
- Supporting documentation must be obtained on an annual basis and this must also be held in the folder. This paperwork will prove that all checks have been undertaken correctly.

[Link below to the SharePoint site -](#)

[Following The Public Pound](#)

Following the Public Pound Local Code of Practice

4.6 [Treasury Management](#)

All cash and bank transactions shall comply with the requirements of the CIPFA Code of Practice on Treasury Management in public services. The Chief Officer - Finance shall submit to the Council an annual treasury management strategy and investment strategy prior to the new financial year; a treasury management and investment annual report and a mid-year review of the treasury management and investment strategy and performance.

[Treasury Management Policy](#)

[Treasury Strategy Annual 2022 Final](#)

[Treasury Mgt Year End Review 21-22](#)

4.7 [Monies owed to the Council](#)

These procedures detail the arrangements for raising charges and collecting monies owed to the Council

Corporate Debt Policy

Service Income Policy

These guidelines must be complied with, and necessary approvals sought before setting and collecting charges and undertaking recovery action.

4.8 [Travel Procedures](#)

These procedures detail the arrangements for arranging and paying for Councillors and officers travel.

Staff Travel Policy

These arrangements can only be varied by agreement with the Chief Officer - Finance.

These guidelines must be complied with and necessary approvals sought before making any travel arrangements.

4.9 [Councillors Expenses](#)

The Scottish Government has laid down arrangements for the payment of Councillors' expenses.

Councillors Remuneration, Allowances and

Expenses National Guidance

Councillors, and officers supporting them, must comply with these regulations.

4.10 [Information Governance](#)

Each Chief Officer shall be responsible for:

- i. maintaining proper security, custody and control of all records (both electronic and paper records) within their Cluster.
- ii. the use and security of all personal data within their Cluster.

The Council has a Corporate Information Policy which is supported by a number of procedures and guides. These include the Council's Corporate Data Protection Procedures and the Council's Records Retention & Disposal Schedule. The aim is to ensure that the Council's information is used and managed appropriately.

Corporate Records Retention & Disposal Schedule

4.11 [ICT Acceptable Use and Security](#)

The Council has a Corporate ICT Acceptable Use Policy which sets out the Council's position on the acceptable use of Council ICT equipment, systems, and networks.

Under the terms of the lease of the devices a user must return their leased device in the same or in a reasonable condition based on age, if repairs are required, during or at the end of the lease period, the cost would be either be reimbursed by insurance or the employee where appropriate, which will be determined by the relevant Chief Officer, in consultation with the Chief Officer - Digital & Technology.

Further information and guidance on ICT and Information Security is available on the Council's [webpages:Procedureswebpages: Procedures](#) and the Council's Records Retention & Disposal Schedule. The aim is to ensure that the Council's information is used and managed appropriately:

[Corporate Information PolicyRecords Retention and Disposal Policy](#)

[ICT Acceptable Use Policy](#)

[ICT Access Control Policy](#)

[Corporate Data Protection Information and Procedures \(Various\)](#)

[Corporate Records Retention & Disposal Schedule](#)

4.12 [Codes of Conduct](#)

Aberdeen City Council expects all Councillors and Officers to adhere to the relevant Codes of Conduct.

[Employee Code of Conduct](#)

[Councillor Code of Conduct](#)

4.13 [Continuous Review and Development Scheme](#)

Aberdeen City Council expects all Officers to engage with the Continuous Review and Development Scheme.

This Scheme sets out the principles, behaviours and competencies that officers must undertake to develop as part of their conditions of employment. Reference is made in the Scheme to principles, behaviours and competencies that directly relate to financial management.

[Continuous Review and Development – Home – Aberdeen City Council: People Anytime](#)

5. [RISK MANAGEMENT AND CONTROL OF RESOURCES](#)

5.1 [Internal Check](#)

The following principles shall apply in the allocation of duties to individual members of staff, to ensure that there is adequate separation of duties, to reduce the risk of error or fraud:

- i. Procedures to be followed regarding the calculation, checking and recording of sums due by or to the Council shall be arranged in such a way whereby the work of one person is proven independently or is complementary to the work of another. Calculation, checking and recording of sums due shall be separated from the duty of collecting or disbursing such sums; and
- ii. Officers charged with the duty of examining and checking the accounts of cash transactions shall not themselves be participants or beneficiaries in any of these transactions.

5.2 Cash, Banking, and Security

5.2.1 General

Income is an essential source of financing many of the Council's services. Therefore, the system for collection of income needs to meet the following objectives:

- all income, including Council Tax, Business Rates, Council rents, etc., due to the Council is identified and maximised;
- all collections are recorded and banked promptly and completely; and
- the accounting records and debtor accounts are properly and promptly updated.

Chief Officers are responsible for the prompt and complete collection of income. They must ensure that accurate records are maintained for all income received (or that should be received) by their Cluster.

Chief Officers shall review the level of all fees and charges for services rendered as part of the budget setting process. Recommendations for changes in the level of fees and charges will form part of the annual budget report to Council. Setting of fees and charges as part of the annual budget report is a function reserved to itself by the Full Council. Approval of fees ~~out~~without with the budget meeting is delegated to the Chief Officer - Finance in consultation with the appropriate Chief Officer and the Convenor of Finance & Resources.

All monies received on behalf of the Council (subject to a de-minimis value of £5.00) must be immediately recorded by the issue of a receipt, controlled ticket or by direct entry into a receipting system. Such methods must be approved by the Chief Officer - Finance.

All information and data should be managed in accordance with the Corporate Information, ICT Acceptable Use and Records Retention and Disposal Schedule policies, see 4.10.

5.2.2 Treatment of Monies Collected

All monies received by the Council shall be paid into the Council's bank accounts daily or remitted to the Chief Officer - Finance without delay at such intervals as may be approved by the Chief Officer – Finance.

All money received by an officer on behalf of the Council shall, without delay, be reconciled and remitted to the Chief Officer - Finance, or as otherwise directed, to the Council's bank accounts.

No deduction may be made from such money save to the extent that the Chief Officer - Finance may specifically authorise.

Each officer who banks money shall enter a reference to the source of the income on the paying-in slip.

Maximum limits for cash holdings shall be agreed with the Insurance Officer and shall not be exceeded without his or her express permission.

5.2.3 Forms, Books and Tickets

All receipt forms, books, tickets and other such items shall be ordered and supplied under arrangements approved by the Chief Officer - Finance

5.2.4 Personal Cheques

Personal cheques from Council staff shall not be cashed out of monies held on behalf of the Council.

5.2.5 Transfers of Money

Every transfer of Council money (cash or cheques) from one member of staff to another will be evidenced in the records of the Services concerned by the signature of the receiving officer.

5.2.6 Arrangements with Bankers

All arrangements with the Council's Bankers concerning the Council's bank accounts and the issue of cheques, BACS, CHAPS and other forms of payment shall be made by the Chief Officer - Finance or another authorised bank signatory.

The Chief Officer - Finance shall determine all arrangements with the Council's Bankers concerning the use of purchase cards and credit cards.

5.2.7 Opening and Closing of Bank Accounts

The bank account of the Council will be opened with the Bank selected by the ~~Strategic Commissioning~~ Finance and Resources Committee following a procurement process. Where required the Chief Officer - Finance will arrange for subsidiary accounts to be opened with the Bank. Therefore, all banking arrangements, including

- the opening and closing of bank accounts;
- the approval of authorised signatories;
- the direction for withdrawals;
- the ordering and issuing of cheques; and
- day to day operation of all bank accounts,

shall be made with the approval of the Chief Officer - Finance.

All bank accounts opened for use in and for the benefit of Council services shall be in the name, or incorporate the name, of Aberdeen City Council and will not be in the name of any officer or designation. The one exception, subject to the approval of the Chief Officer - Finance, is that Children's Social Work and Adult Social Care may open accounts in trust for individual service users under the name of the relevant Chief Officer and the individual service user.

5.2.8 Cheque Control

All cheques and other documents, but excluding cheques drawn on authorised Imprest accounts or other such accounts so authorised by the Chief Officer - Finance, shall be ordered only on the authority of the Chief Officer - Finance who shall make proper arrangements for their safe custody.

Cheques on the Council's main bank accounts shall bear the facsimile signature of the Chief Officer - Finance and/or other officer authorised by the Council.

5.2.9 Safe Keys

Keys to safes and similar security boxes should be held securely at all times, either in a secure key box or carried on the person of those responsible. The loss of any such keys must be reported immediately to the Chief Officer - Finance. A register of all such key holders shall be maintained by each Director.

5.2.10 Purchase Cards

Purchase cards allow goods and services to be purchased and charges made electronically. Purchase cards are for business use only and must not be used for personal purchases.

All purchases made with a Council purchase card must be supported by a VAT receipt where relevant. If there is any doubt about whether a VAT receipt is required, clarification should be sought from the VAT Officer ~~or from your primary finance contact.~~

All purchases made with a Council purchase card must be subsequently reviewed and approved within the relevant system by appropriate members of staff. Any issues with system usage or access should be raised with eps-development@aberdeencity.gov.uk or via your primary finance contact.

5.2.11 Imprests / Petty Cash

The Chief Officer - Finance will provide such imprests as considered appropriate for such officers of the Council as may require them for the specific purpose of meeting minor expenses.

Such officers will be personally responsible for imprests which they hold, and, on leaving the employment of the Council or otherwise ceasing to be entitled to hold an imprest, they shall account to the Chief Officer - Finance for the amount advanced. A formal record of this accounting will be retained within the Service concerned for inspection.

Such imprests held within Services are to be recorded and controlled by the appropriate Chief Officer with arrangements made, by them, to include authorisation levels, general security and regular annual checks.

In addition, imprests are to be reconciled at regular intervals (no less than quarterly) to the Service's own records and to the financial ledger.

Income received on behalf of the Council must not be paid into an imprest account. It must be deposited in the Authority's main bank account(s) or paid over to the Authority in a form as provided elsewhere in these Regulations.

All imprest accounts will be maintained in accordance with guidance issued by, and under the general direction of, the Chief Officer – Finance, see link below for current guidance.

[Petty Cash Procedures](#)

5.3 Monies Owed to the Council

5.3.1 General

This refers to, but is not limited to, Charges for Services; Rent; Council Tax; Business Rates; Car Parking, ~~and~~ Bus Lane Enforcement and Low Emission Zone Fines.

The collection of debtor accounts shall be administered through the Finance Cluster, unless otherwise agreed with the Chief Officer - Finance.

Where the collection of monies owed and debtor accounts is administered outwith the Finance Cluster, Chief Officers will follow advice and instruction from the Chief Officer - Finance in the application of controls and appropriate levels of resourcing to operate those controls.

Wherever possible monies owed should be collected prior to the supply of the goods and services, especially when dealing with companies or persons from outside the UK.

VAT must be applied in compliance with VAT legislation. Advice on the correct VAT treatment may be obtained from the Council's VAT officer.

The debt management policy and service income policy referred to in Section 4 set out the more detailed arrangements for administration of monies owed.

5.3.2 Debtor Accounts

No debtors invoice should be raised for a value less than £2530 (excluding VAT), unless prior dispensation has been granted by the Chief Officer - Finance. If the charge is for a low value, then the relevant cluster should reduce the frequency of billing.

Where charges between Services require to be applied, advice must be sought from the Chief Officer - Finance on the most suitable process to achieve this and to ensure that appropriate records are maintained.

Where a service or business need exists invoicing in arrears is permitted. The reason why invoicing in arrears is necessary should be clearly documented, with an agreed timescale for raising the invoice, and the decision must be confirmed by the appropriate Chief Officer. The Chief Officer - Finance shall be notified so that appropriate accounting treatment can be applied to that area of service.

Invoices will clearly state the description and relevant details, including cost and VAT where applicable, of the goods and/or services supplied by the Council. For further information on VAT see section 5.14.

5.3.3 Record Keeping

Chief Officers must ensure that supporting information is prepared and retained to support the charges levied for every invoice raised.

The Chief Officer - Finance must maintain accounting arrangements to ensure the prompt and proper recording of all money due to the Council.

The Chief Officer – Early Intervention and Community Empowerment is required to maintain records regarding rentals due and payments made towards the amounts due for every housing property.

The Chief Officer – Corporate Landlord is required to maintain records regarding lease arrangements and payments made towards the amounts due for every industrial and commercial property, whether held by:

- i. the Council (including Common Good property) or
- ii. Trusts for which the Council is the sole trustee.

The Chief Officer - Early Intervention and Community Empowerment must also maintain a record of fines issued in relation to Car Parking, ~~and~~ Bus Lane Enforcement and the Low Emissions Zone.

Details of fines issued must be made available to the Chief Officer - Finance in order to complete the appropriate accounting transactions, including the value of sums collected and reasons and values of fines cancelled and written off.

5.3.4 Uncollectable/Bad Debt and Write Off of Debt

The Chief Officer - Finance is responsible for setting the accounting policy on uncollectable and bad debt. Appropriate provisions for bad debt will be considered when preparing the Annual Accounts.

The Chief Officers named below have the authority to approve write-off in the six~~five~~ categories of:

- a. insolvency, receivership, liquidation and sequestration;
- b. ceased trading/defunct company;
- c. unable to trace;
- d. recommendation of sheriff officer; and
- e. unable to legally pursue; and
- f. small balances that are uneconomic to pursue.

Where the named Chief Officers consider a debt to be uncollectable they must prepare and retain a schedule of debtors showing name, address, amounts due, and reason for the debt.

The Chief Officer - Finance has authority to write off debts up to £250,000.

The Chief Officer - Customer Experience has authority to write off debts as follows:

- i. Business rates and sundry debts may be written off up to a value of £25,000 per debtor; and
- ii. Council Tax, Housing Benefit Overpayments and Penalty Charge Notices up to a value of £10,000 per debtor.

The Chief Officer - Customer Experience may delegate authority, to nominated officers to write off debts up to the value of £10,000 per debtor, in the categories outlined above, on the basis that a schedule of debt so written off is supplied to the Chief Officer - Customer Experience by the nominated officers on a regular basis, no less frequently than 6 monthly.

The Chief Officer – Early Intervention and Community Empowerment and Chief Officer – Customer Experience has ~~has~~ authority to write off debts as follows:

- i. Former Tenants' Arrears and associated ~~*housing debts*~~ up to the value of £10,000 per debtor; and
- ii. In relation to homelessness, up to the value of £25,000 per debtor.

Additional factors to be considered when identifying which homelessness debts may be unreasonable to pursue will include:

- whether ongoing pursuance is likely to result in destitution for the household;
- if sustainability of subsequent accommodation may be affected by collection, and the risk of repeat homelessness increased;
- whether the relative cost/benefit impact is uneconomic taking account of any indirect costs which may be incurred; and
- the vulnerability of the household members.

* Associated housing debts can include legal expenses, write off ongoing tenant's debt, due to sequestration, prescribed debt etc.

The Chief Officer - Customer Experience and the Chief Officer – Early Intervention and Community Empowerment will submit annual joint reports to the Finance and Resources Committee advising of the number, value and reasons for such accounts to be written off.

The Chief Officer - Customer Experience and the Chief Officer – Early Intervention and Community Empowerment shall also submit reports, no less frequently than annually, to the Finance and Resources Committee advising of the number and value of debts exceeding the delegated authority outlined above that they recommend for write off. This report must include individual details of each debt and the reasons for recommending write-off.

5.4 Employee Remuneration

5.4.1 Responsibility for Payment Arrangements

All employees are to be paid through the payroll system.

The payment of all salaries, wages, compensation and other emoluments to all employees including casual workers, former employees, Councillors or beneficiaries shall be made by the Chief Officer - Customer Experience, under arrangements made or approved by the Chief Officer - Finance.

Chief Officers shall provide such information as directed by the Chief Officer - Customer Experience and/or the Chief Officer - Finance as is necessary to ensure remuneration is made accurately and timeously.

Examples of information requirements include appointment, resignation, dismissal, suspension, secondment, transfer, sickness absence and changes in remuneration, other than pay awards.

The Chief Officer - Customer Experience shall also maintain records of service for superannuation, income tax, national insurance and social security purposes.

5.4.2 Form and Certification of Records

Time records or other pay documents shall be in a form prescribed or approved by the Chief Officer - Customer Experience and/or the Chief Officer – Finance and shall be certified by or on behalf of the Director.

A list of officers appointed by Directors to authorise payroll information shall be prepared and maintained within each Function. This will be known as the list of Authorised signatories. Such lists shall be submitted to the Chief Officer - Customer Experience or their authorised officer.

Changes to these lists shall be notified timeously to the Chief Officer - Customer Experience or their authorised officer.

All requests and/or information relating to pay information, whether in paper or electronic format, shall be authorised by an authorised signatory. No pay related document shall be processed unless authorised by an authorised signatory.

An individual is not permitted to authorise a change in their own pay, expenses, allowances or other remuneration and this must be authorised by an authorised signatory who is senior to them.

5.4.3 Overpayments of Salaries and Wages

The Chief Officer - Customer Experience shall ensure that all reasonable steps are taken to recover any identified overpayments. Recovery will normally be made by deduction from future salary payments, or by raising a Debtors invoice in the case of former employees.

5.5 Officers' Travelling Expenses and Allowances

5.5.1 Arrangements for Claims

The Chief Officer - Customer Experience, following consultation with the Chief Officer - Finance, shall be responsible for making arrangements for the administration and regulation of payment of claims for expenses to employees of the Council and other approved bodies. Claims for car mileage will only be paid where the employee has evidenced the following:

- a valid driving licence;
- a current insurance policy which covers the user for business use; and
- if applicable, a valid M.O.T. certificate for the vehicle used.

All officers who use either private or Council vehicles in the course of their duties must, in the event of their driving licence becoming invalid, report this immediately to their Chief Officer.

5.5.2 Claim Forms

All claims for payment of car allowances, subsistence allowances, travelling, telephone expenses and incidental expenditure shall be made using the Council's official expenses claim form, adhering to the published guidance, and must be duly certified by the claimant and authorised by an authorised signatory.

The format of the expenses claim form will be as prescribed by the Chief Officer - Customer Experience, following consultation with the Chief Officer - Finance.

No officer shall authorise their own personal claims.

5.5.3 Certification of Claims

A certifying officer will certify a claim only where s/he is satisfied that:

- the journeys were authorised;
- the expenditure was properly and necessarily incurred and evidenced; and
- the allowances are properly payable by the Council.

All mileage claims shall be accompanied by a valid VAT fuel receipt.

5.5.4 Time Limits

Officers' claims submitted more than 3 months after the expenses were incurred will be paid only in exceptional circumstances. Such late claims shall be authorised by the employee's Chief Officer.

5.5.5 Foreign Travel

Where officers are provided with foreign currency to cover expenses whilst travelling abroad receipts must be provided to support the expenditure incurred. If receipts are not provided the officer shall reimburse the Council for such expenditure.

5.6 Stocks and Stores

5.6.1 Care and Custody of Stock

The care, custody and level of stores and equipment in any Service shall be the responsibility of the appropriate Director who will ensure that:

- adequate records are kept to maintain efficient and effective control over receipt and issue of stocks and stores items;
- stocktaking is carried out periodically by persons other than storekeepers as agreed by the Director;
- the arrangements for generating the year end stock figures are notified to the Chief Officer - Finance; and
- all obsolete or excess stock or scrap materials is identified and disposed of in accordance with the Council's policies.

5.6.2 Reporting of Write-Offs or Surpluses

Any discrepancies between actual stock held and the book value recorded shall be notified to the Chief Officer - Finance, whose agreement shall be obtained prior to them being written off. All write offs in excess of £10,000 must be reported to the relevant Council committee for their approval.

Each Chief Officer shall report annually on the certificate of assurance on the effectiveness of internal financial controls to the Chief Officer - Finance the total values of write-offs and surpluses of stock and the net effect of these adjustments on the book value of consumable stores under his or her control. The relevant Chief Officer should also provide a brief explanation of the reasons for any differences.

5.6.3 Inventories

Inventories are maintained to provide assurance on the effective management and maintenance of moveable assets and technology. This requirement also supports effective operational performance and health and safety. The Chief Officer – Finance has the responsibility for ensuring the maintenance of all inventories. Inventories will be maintained of relevant assets where the sum purchase generally was of a value in excess of £1,000.

The Chief Officer – Digital and Technology has the responsibility for the inventory information for information technology (hardware and software). The Chief Officer – Corporate Landlord has the responsibility for the maintenance of inventory information for equipment, furniture, fixtures and fittings. The Chief Officer – Finance has the responsibility for the maintenance of inventory information for any other assets or specialist equipment held by other Chief Officers.

Inventories will be maintained on a continuous basis. There will be an annual check of all items in the inventory. This ensures that:

- new items have been entered on inventories (with date of purchase, value, etc.);
- all details (numbers, description, serial numbers, location, etc.) are recorded; and
- inventory items are present.

All Chief Officers are responsible for providing information to support this process, taking action in relation to any surpluses or deficits of inventory items. These must be investigated promptly and reported to the Chief Officer – Digital and Technology, the Chief Officer – Corporate Landlord or the Chief Officer - Finance, who will take appropriate action in relation to the recording of assets.

Appropriate officers will be nominated as responsible for maintaining inventories. It must be determined by a competent person that an inventory item is beyond economic repair before disposal or that there is reasonable justification for disposal. Prior to any disposal, this information must be recorded in the inventory register.

5.6.4 Use of Equipment

The Council's property shall not be removed other than in the course of the Council's normal business or used other than for the Council's purposes without the specific approval of the Director of the Service concerned.

5.6.5 Levels of Stock

Service managers shall assess the normal level of stock required to manage the service in the most cost effective and efficient manner and shall seek to maintain stocks at that level. Approval to exceed the normal stock level if special circumstances arise shall be sought from the Council Committee concerned.

5.7 Security of Other Assets

5.7.1 Responsibility for Security

The Chief Officer – Corporate Landlord, following consultation with the Chief Officer – Finance and Chief Officer – Governance, will maintain a register of all land and heritable properties owned or leased by the Council. The register will be held in a form designed to meet all internal and external requirements for such information.

The register shall, as far as practicable, include:

- the account it is held on;
- the purpose for which it is held;
- its location and extent (including address);
- purchase valuation details (including current valuation, date of valuation, valuation basis and useful life);
- occupier;
- tenancies granted and rents payable; and
- particulars of nature of interest i.e. owned or leased.

The Chief Officer – Governance will have custody of all title deeds and lease documents and shall ensure their security.

The Chief Officer – Operations and Protective Services will maintain an asset register of all vehicles, plant and equipment.

Each Director shall be responsible for maintaining proper security, custody and control of all fixed and movable assets under their control. The Chief Officer - Finance shall be consulted by the Director as appropriate in any case where security is thought to be defective or where it is considered that special security arrangements may be needed.

5.7.2 Theft or Loss

Each Chief Officer is responsible for ensuring that the Chief Officer - Finance is immediately informed of any theft or loss of an asset (including cash).

All losses of documented information or devices holding information such as laptops, mobile devices and flash drives must also be reported to the Chief Officer – Governance. Reference should be made to the Data Protection guidance referred to at 4.11.

5.8 Disposal of Surplus Assets

5.8.1 All surplus goods and materials in excess of £10,000 in value to be disposed of by any part of the Council shall be advertised for sale either by inviting sealed offers or by public auction, unless in special circumstances (of which the Committee concerned shall be the judge) it is otherwise decided.

5.8.2 The appropriate Chief Officer shall arrange for the disposal of surplus goods and materials valued at £10,000 or less by any means s/he deems appropriate, provided that the Chief Officer-Finance has approved disposal thereof.

5.9 Leasing

5.9.1 General

No leasing of equipment or capital assets shall be undertaken on behalf of the Council without the prior approval of the Chief Officer - Finance and Head of Commercial and Procurement Services.

Leased equipment is the property of the lessor and cannot be sold, assigned or otherwise disposed of by Services.

5.10 Insurance

5.10.1 Responsibility for Insurance

The Head of Commercial and Procurement Services shall arrange and effect, or authorise the Insurance Officer to arrange and effect, all insurance cover on behalf of the Council. S/he shall also settle or repudiate, or authorise the Insurance Officer and other officers to settle or repudiate, all claims made against the Council which involve the Council's insurers. Such settlement or repudiation shall follow consultation with other officers where necessary.

Chief Officers will ensure that all officers in their Service adhere to all insurance policy requirements.

The Head of Commercial and Procurement Services will arrange that the Council regularly tests the market by way of competitive tender to ensure that best value is achieved.

5.10.2 Notification of Risks

Chief Officers shall give prompt notification to the Head of Commercial and Procurement Services of all new or increased risks, properties, vehicles, stocks and stores which require to be insured and of any alteration affecting existing insurances.

This should be done at the inception of a new project or proposed change, to ensure that Insurers requirements are met.

5.10.3 Notification of Claims

Chief Officers shall notify the Head of Commercial and Procurement and Chief Officer - Finance immediately in writing of any loss or any event likely to lead to a claim. Directors may also inform the Police where appropriate. All liability claims made against the Council shall be referred to the Insurance Officer in the first instance, without delay.

Upon notification to the Police, a crime report number should be obtained and notified to the Insurance Section.

The Chief Officer - Governance will notify the Insurance and Claims section (in Commercial and Procurement Services) of any corporate investigations which may be of interest to the insurers.

The relevant Chief Officer shall also advise the Chief Officer - Organisational Development of all cases involving Employer's Liability claims.

5.10.4 Fidelity Guarantee Insurance

The Council is covered under Fidelity Guarantee insurance for any dishonest act by an employee. This cover does not apply to associate or subsidiary companies, joint ventures or trusts, who would each require to provide their own Insurances.

5.10.5 Review of Insurance Cover

The Head of Commercial and Procurement, following consultation with the Head of Finance and Directors, shall annually, or at such other period as may be considered necessary, review all insurances regarding premium levels, claims experience and assessment of risk. The Head of Commercial and Procurement may decide not to insure for certain risks or to self-insure.

5.10.6 Indemnities

The Head of Commercial and Procurement shall consult with the relevant Director, the Chief Officer - Finance and the Chief Officer – Governance, regarding the terms of any indemnity that the Council is requested to give.

5.11 Gifts and Hospitality

5.11.1 General

It is important that officers are aware that it is a serious criminal offence to receive or give any significant gift, loan, fee, reward or advantage for doing or not doing anything, or for showing favour or disfavour to any person in the course of work for the Council. Aberdeen City Council's Counter Fraud Policy is in accordance with the Bribery Act 2010 which makes it illegal to offer or receive bribes.

Insignificant gifts are classified as diaries, calendars, pens and similar tokens with a monetary value of £50.00 or less.

Working lunches or dinners can be an appropriate method of business provided that no extravagance is involved, and the occasions are infrequent (infrequent is defined as fewer than 4 times in a 12-month period). Where there is a business need for increased frequency then this should be

discussed and agreed by the relevant Chief Officer and paid for from within approved budgets.

For clarification, this clause applies to all 'in kind' gifts and other offers of goods or services at no cost to the employee. The Member and Staff travel policies provide more detailed examples relating to gifts and hospitality of that nature.

Likewise, it can be reasonable for an officer to represent a Service of the Council at an external social function or event organised by outside bodies. Acceptance of such invitations must be first approved by the officer's Chief Officer and the Chief Officer's by their Director and Directors by the Chief Executive. The Chief Executive should seek approval from the Chief Officer – Finance, as Section 95 officer.

5.11.2 Register for Gifts and Hospitality

Chief Officers will hold a Register for Gifts and Hospitality within their service.

All gifts, whether accepted or not, that are not considered to be insignificant or that cannot be considered reasonable hospitality received directly in connection with any meeting, function or conference must be recorded in the appropriate Register for Gifts and Hospitality.

Gifts are considered to be insignificant and may be excluded from the Register if they have a monetary value of £50.00 or less.

5.11.3 Bequests

Bequests left to individual staff members should be returned to the Executor of the Will with the suggestion that a donation could be made to, for example, a Residential Home's Amenity Fund. Similarly, relatives of clients who wish to show their gratitude should be similarly advised.

5.11.4 Improper Handling of Gifts & Hospitality

Where it is suspected that an improper motive exists or a "special deal" not otherwise available is offered on a personal purchase from a supplier with whom the officer has a working relationship, the officer concerned should report this immediately to their Chief Officer. In the case of a Chief Officer, they should report this to their Director who should, following consultation with the Chief Executive, decide on appropriate action. Appropriate action may include the possible withdrawal from a tendering exercise or referral to the Police. The Chief Officer - Finance and Chief Officer - Governance must be informed of all such instances.

Any allegations of the soliciting of gifts by an employee of the Council will be subject to the Council's disciplinary procedure.

5.12 Purchasing

5.12.1 Value for Money

Local authorities must secure best value in accordance with section 1 of the Local Government Scotland Act 2003. Section 10 provides further information on the 2003 Act and Best Value.

Each Director and Chief Officer must ensure that their Services achieve best value from any purchase before making any commitment.

All purchasing and Orders for supplies, services and works must be undertaken in accordance with the Procurement Regulations.

All purchases of computer and telecommunications equipment must be co-ordinated through the Chief Officer – Digital and Technology.

In procuring equipment, particularly ICT equipment, regard should be held for business continuity in case the equipment fails at some point in the future.

5.12.2 Orders for Supplies, Services and Works

Purchase Orders are only to be issued for supplies, services and works which are lawful and only if the cost is covered by a budget allocation.

No supplies, services or works shall be ordered or instructed except on an official Purchase Order form, which shall be in an approved format and in accordance with Regulation 7 of the Procurement Regulations.

By reason of urgency or necessity (for example risk to health and safety or emergency situation), a verbal order may be issued. It must be confirmed within 3 working days with the issue of an official order form from the ordering system.

Purchase Orders must be issued for all supplies, services and works, or such other expenditure as the Chief Officer - Finance may require. There are permitted exemptions from the requirement where one or other of these 2 criteria are met:

1. The expenditure being incurred would not represent a purchase of supplies, services and works; and
2. There is an agreed alternative control process in place.

A list of permitted exemptions is retained and updated by the Chief Officer - Finance.

All other purchases require a purchase order to be raised and quoted on the supplier's invoice. Outside of permitted exemptions, exceptions must be specifically approved by the Chief Officer - Finance or their authorised representative or payment will not be made.

On-line ordering is to be controlled by restricted access to approved officers with financial limits set in the PECOS purchasing system to the appropriate values.

Once the supplies have been received, or services or works completed, then the Order shall be appropriately receipted to confirm that it is complete, or part delivered, and invoice payment can be progressed accordingly.

5.12.3 Payment of Accounts

Each Budget Holder shall be responsible for ensuring the prompt examination, verification and certification of all invoices, vouchers and accounts relating to their Service.

Invoices must be processed for payment in accordance with the supplier's credit terms with expenditure authorised by authorised signatories (electronically through PECOS / Infosmart or with original signature). Signature stamps must not be used.

The Council has adopted a "No Purchase Order No Pay" approach to managing procurement expenditure, and as a result invoices will not be paid unless a purchase order has been raised. A list of exemptions from the requirement for a purchase order is maintained by the Chief Officer - Finance and is included in this document as Appendix A.

All supplier invoices should be addressed to the Business Services team. Any invoices received elsewhere shall be redirected to them for processing through the Council's workflow systems to enable a comprehensive audit trail to be maintained and electronic access to such records.

No officer shall authorise an account for their own reimbursement or for a close relative or business associate.

VAT must be accounted for in accordance with the relevant legislation and further information on VAT can be found in Section 5.14.

5.12.4 Partnerships and Joint Ventures

Prior to entering into any formal partnership or joint venture agreements with other parties the relevant Chief Officer must advise the Chief Officer - Finance and the Head of Commercial and Procurement Services of the on-going negotiations.

No partnership or joint venture agreement is to be formally entered into without the prior agreement of the Chief Officer - Finance and Head of Commercial and Procurement.

Before any partnership or joint venture is entered into, the selection criteria must be determined in advance, documented and be consistent with the nature of the contract.

5.13 Consultants & Sub-Contractors

5.13.1 General

Consultants, usually professional specialists who charge a fee, can be used to carry out work or to undertake specialised work for which there is a lack of experience/expertise by Council employees. It is therefore necessary to control the work and terms and conditions of such people or companies to ensure that value for money is achieved and that the Council's services are not compromised.

If Council officers would normally be expected to provide the service or advice but have sub-contracted the work due to lack of capacity then, this should not be regarded as consultancy work, but rather as sub-contracted work and coded accordingly.

5.13.2 Contract

All purchasing and Orders for consultancy services and/or sub-contract work must be undertaken in accordance with the Procurement Regulations.

5.13.3 Payment of Fees

The relevant Chief Officer should ensure that fees are only paid when the work fulfils the specification.

It is acceptable for interim payments to be made during the period of the engagement provided the consultant and/or sub-contractor has demonstrated that the claim for payment reflects the work that has been undertaken to that point.

5.14 Taxation and VAT

5.14.1 General

The Chief Officer - Finance will be responsible for the taxation procedures of the Council, ensuring where possible, that tax liabilities and obligations are properly reported and accounted for, avoiding any possible losses.

Where transactions of a new or unusual nature are being considered the Chief Officer - Finance should be consulted on the tax implications before committing the Council.

5.14.2 Value Added Tax (VAT)

As with all VAT registered organisations, the Council is responsible for managing its VAT affairs in accordance with the Value Added Tax Act 1994, and VAT Regulations issued by Her~~is~~ Majesty's Revenue and Customs (HMRC).

HMRC VAT Regulations can be extremely complex and HMRC have the power to apply significant financial penalties for failure to comply with statutory requirements. Therefore, it is very important for all officers to be aware of their role in ensuring the Council's compliance with and adherence to HMRC's VAT regulations.

Services will be responsible for interest and/or penalties charged by HMRC where the Service has failed to obtain, or comply with, appropriate VAT guidance that results in the incorrect VAT treatment.

Chief Officer - Finance Responsibilities

It shall be the responsibility of the Chief Officer - Finance to secure arrangements for the administration and accounting of VAT to ensure compliance with all statutory requirements including such returns as are required within laid down timescales. This includes the Making Tax Digital regulations introduced in 2020 that require VAT records to be held digitally and linked digitally to the VAT return.

Chief Officers Responsibilities

Chief Officers shall ensure that arrangements are in place to properly establish the correct liability, process and accounting for VAT.

All officers in the Council who have financial responsibilities are responsible to the Chief Officer – Finance, through the Council's VAT Officer, for the provision of accurate Value Added Tax (VAT) information.

Chief Officers shall ensure that any VAT invoices and VAT receipts that are held by their officers are retained for the prescribed statutory period.

Chief Officers will also retain documentation supporting all income raised by debtors invoice and documentation supporting all non-invoiced income, including amounts lodged directly with the bank and cash collected directly by Services.

The treasury management team and the bank reconciliation team must be given the relevant documentation, financial coding and VAT coding for any transactions coming into or going out of the bank account.

General

Aberdeen City Council's VAT Registration Number is 663 7266 13.

To reclaim VAT, the council must have a valid tax invoice from a VAT registered trader and be able to produce it on request. Posting of the relevant VAT entries happens automatically when the correct VAT codes are used. The VAT Codes are:

- S Standard Rate (currently 20%)
- R Standard Rate – PECOS orders
- C Outside Scope
- F Reduced Rate (currently 5%)
- Z Zero Rated
- E Exempt
- M3 – foreign services
- M4 – domestic reverse charge
- M5 – postponed import VAT

VAT Errors

If input tax is claimed and not supported by a valid invoice, or output tax is under declared, the council may be liable for penalties for misdeclaration of VAT. When errors arise due to incorrect VAT coding this can impact on the amount of revenue posted to the income and expenditure account and the net value of capital transactions.

To correct this error, the Council's VAT Officer will adjust the relevant VAT return on the completion of a journal entry.

If the sum of errors in any one VAT period (1 calendar month) is greater than £50,000, the Council is required to make a voluntary disclosure to HMRC. Between £10,000 and £50,000 a voluntary disclosure is required if the sum is more than 1% of that month's turnover (as shown in box 6 of that month's VAT return). A voluntary disclosure is not required if the sum of errors in the VAT period is below £10,000.

HMRC periodically inspects the Council's records and any errors discovered by them during the inspection will be automatically deducted from payments due to the Council on the next VAT return.

The Council may be liable for interest and penalty charges in these circumstances. Penalties may be greater if the error is discovered by HMRC rather than via a voluntary disclosure.

5.15 External Funding / Grants

5.15.1 General

Receivable - External funding is a source of income. Funding conditions need to be considered to ensure they are compatible with the objectives of the Council. [A subsidy control assessment should be undertaken to determine if the funding is a subsidy.](#)

There are many sources of external funding, such as the European Union, the Scottish Government and other Public Bodies and officers are to be alert to the opportunity of securing additional funding, especially in the context of projects.

Payable - The Council is relying upon external organisations to deliver services on its behalf and it is incumbent upon it to ensure that where external funding pays for service delivery it has robust and comprehensive governance of those funds. Where grants to outside organisations are being considered then careful consideration and compliance with the Aberdeen City Council Code of Practice on Funding External Organisations and Following the Public Pound must be followed.

Following the Public Pound

Further information on providing funding to partners and ALEO's is set out in section 5.16 below.

Approval of grants, both receivable and payable, must be compliant with Committee Terms of Reference and Powers Delegated to Officers, as appropriate.

5.15.2 Match Funding

Match funding occurs where external funding is payable only on the basis that it is matched by other funders, or by the recipient themselves.

Where External Funding is Receivable failure to achieve the match funding will put the Council at risk of losing the external funding proposed. The Council officer responsible for obtaining the external funding must produce a business case to support the application. The business case must include confirmation of the match funding. The match funding must be confirmed by the said officer prior to submitting the application for external funding and entering into any agreements. The business case should be authorised signed-off by the Director of the relevant Service and the Chief Officer - Finance.

Where match funding is being provided by the Council itself, then this may be in the form of attributing a value to specific staff, property or other supplies and services costs. The external funder will require to see evidence that those costs have actually been incurred by the Council. To provide this evidence a mechanism for justifying and accounting for those values must be put in place. This may involve the use of time recording systems or other estimation techniques. In these circumstances the Council officer managing the project shall seek guidance from the Chief Officer – Finance.

It is essential that match funding and project costs are closely monitored by the officer managing the project to take account of changes in cost profiles and to ensure that the full project value is captured and reflected in the Council's Medium Term Financial Plan.

Where match funding is being provided to the Council by a third party, suitable documentation should be put in place between the Council and that party to ensure that the Council is not exposed to unnecessary financial risk because of its commitment to deliver the project. The Service must put in place a clear process to ensure that the funds are drawn down from the third party in line with a timetable of funding that should be agreed prior to the start of the project. The timetable will be reflective of the cost profile submitted as part of the external funding application.

Where External Funding is Payable failure to ensure that the match funding is obtained may put the Council at risk of both exposure to additional costs and a failure to complete the project and achieve the benefits anticipated. The budget holder must arrange for a suitable analysis of the costs of a project to be carried out to determine the requirements for match funding that is being requested from the outside body. The Council must be satisfied that only reasonable costs are included in the proposed project and that the request for grant funding, to match other partners, is appropriate.

Where match funding is being provided by the Council to an external body suitable documentation should be put in place between the Council and that body to ensure that the Council is not exposed to unnecessary financial risk because of its commitment to deliver the project. The Service must put in place a clear process to ensure that the funds are drawn down from the Council in line with a timetable of funding that should be agreed prior to the start of the project. The timetable will be reflective of the cost profile submitted as part project proposal / application for funding made.

5.15.3 Grant Offers and Claims

Where External Funding is Receivable – Prior to acceptance of external funding the Director, the Chief Officer - Finance and the Head of Commercial and Procurement Services will require to be satisfied that the terms of an external funding grant can be met. This is required where the grant is above the value of £15,000; for grants below this value acceptance should be obtained from a Finance Partner responsible for the relevant service.

The Director must ensure that all funding received by the Council from external bodies, government bodies, other agencies, partner organisations etc. is received. S/he must also ensure that the income and expenditure is properly accounted for and complies with the conditions of the funding.

All claims for grant funds are to be made promptly by the due date.

All grants are to be paid directly to the Council.

The relevant Chief Officer shall identify a responsible officer to monitor compliance with grant conditions.

Grant claims for European Union funding must be properly authorised by the appropriate Director and the Chief Officer - Finance will arrange for suitable independent audit of the claims to be carried out.

Where External Funding is Payable – Reference must be made to the Council's Code of Practice on Funding External Organisations and Following the Public Pound for guidance.

[Following the Public Pound](#)

5.15.4 Subsidy Control Act 2022

The Subsidy Control Act 2022 provides a new framework for the provision of subsidies within the United Kingdom which will build on the provisions in the subsidy control chapters of the Trade and Co-operation Agreement, which have applied since the UK's exit from the EU.

The aim of the guidance is to explain the legal obligations on public authorities under the domestic subsidy control regime. It provides a framework for designing and awarding subsidies in a way which is consistent with the Subsidy Control Act 2022 (the Act). This guidance is designed to help public authorities award subsidies in a way which minimises any negative impacts to competition and investment, as well as promoting the effective and efficient use of public money.

The Council's External Funding Team has put in place the necessary arrangements to access and provide notifications to the UK subsidy database and to make subsidy schemes.

[Further guidance can be obtained from subsidycontrol@aberdeencity.gov.uk](mailto:subsidycontrol@aberdeencity.gov.uk)

Subsidy Control Act 2022

5.16 Partnerships and Relationships with External Bodies

5.16.1 General

Chief Officers will be responsible for ensuring that any funding relationships with external bodies, other than those which are operated on a contractual basis, are operated in accordance with the:

- “Code of Guidance on Funding External Bodies and Following the Public Pound” issued by the Accounts Commission,
- the associated COSLA Operational Guidance; and
- the Council’s own local ~~Code of Practice~~ Policy.

5.16.2 Relationship Management

The Council will appoint a suitable individual to establish and maintain the relationship between itself and the external body.

In considering an application for funding, due consideration in line with the ~~e Following the Public Pound Policy~~ code of practice should be given to the following areas:

- Aims and objectives of the external body and how they align to those of the Council; and
- Financial viability, risk and control.

5.16.3 Funding Agreement

The Council will put in place an appropriate funding agreement to set out the responsibilities of the external body to report back on outcomes and achievements to demonstrate their accountability towards the funds and the value that has been derived.

Detailed advice and checklists are available in the Aberdeen City Council Local Code of Practice for Funding External Bodies and Following the Public Pound.

5.16.4 Group Entities

The Council recognises the importance of its relationships with those organisations that form part of its group. In so doing, the Council has approved a range of requirements to be adhered to by the group entities. These include requirements for the Council to scrutinise group entities, with specific reference to:

- Management assurance;
- Internal and external audit reports;
- Business planning;
- The system of risk management;
- The roles and responsibilities of the Board; and
- The work of the ALEO Assurance Hub.

The Head of Commercial and Procurement Services shall use reasonable endeavours to ensure that all contracts with Group Entities will provide that each group entity must:

- i. comply with all reasonable requests to co-operate with the ALEO Assurance Hub (applies only to those group entities that are considered to be ALEO's);
- ii. provide quarterly and year end information for inclusion in the Council's financial performance reports and the Annual Accounts in accordance with the timetable set by the Chief Officer - Finance. To include provision of an audited set of annual accounts and external audit report;
- iii. provide such assistance as the Chief Officer - Governance or Chief Officer - Finance may require in the production of the annual governance statement;
- iv. submit a Certificate of Assurance on the Effectiveness of Internal Financial Controls, as prescribed by the Chief Officer – Finance, on an annual basis;
- v. afford the Council's Internal Auditors (whether employed directly by or engaged by Internal or External Audit) full access rights as listed in 3.5; and
- vi. afford the Council's External Auditors the same rights of access as set out in 3.7.1.

5.17 Internal Audit

5.17.1 General

Guidance regarding the provision of an effective system of internal audit is provided by the United Kingdom Public Sector Internal Audit Standards (PSIAS).

The function of Internal Audit is based upon the following principles:

- it must be completely independent of all systems operating within the Council with no authority or responsibility for activities which they audit; and
- it may concern itself with any activity, function or operation of the Council.

The Council will secure an Internal Audit function through the employment of suitably qualified individuals or through entering into a binding contract with an external supplier of such services. The Chief Officer - Governance will manage the relationship that is put in place.

The Chief Officer – Governance shall be responsible for overseeing an independent and effective internal audit function.

The Chief Internal Auditor shall report on a regular basis to the Audit, Risk and Scrutiny Committee and they must:

- annually provide a copy of the Internal Audit plan drawn up after discussion with Chief Officers for the Committee's information, input and approval;
- report on all work carried out and the follow up status of previously reported work;
- provide an assurance for the reliability of existing and new financial systems and other management controls throughout the Council, including trusts where the Council is sole trustee or able to exercise overall control.
- prepare an annual report, including their audit opinion, on the overall adequacy and effectiveness of the Council's control environment; and
- liaise closely with External Auditors to ensure the Council derives maximum value from the combined resource.

5.17.2 Responsibilities of Senior Management

It is the responsibility of the Council's Chief Officers to ensure that:

- internal auditors and officers undertaking investigations are given access at all reasonable times to premises, personnel, documents and assets that the Auditors/Investigating Officers consider necessary for the purposes of their work;
- auditors and investigating officers are provided with any information and explanations that they seek in the course of their work, within a specified timescale; and
- any agreed actions arising from audit recommendations are carried out in a timely and efficient fashion.

It is also the responsibility of Chief Officers to consider and respond promptly to recommendations in audit and investigations reports.

5.18 Financial Irregularities

All officers shall inform their Chief Officer immediately of any circumstances which may suggest an irregularity affecting the finances, property, services or policy of the Council. These shall be reported immediately by the Chief Officer to the Chief Officer – Finance and Chief Officer – Governance. Pending investigation and reporting, the Chief Officer is to take all necessary steps to prevent further loss and to secure records and documentation against removal or alteration.

The Chief Officer - Finance or Chief Officer – Governance may investigate such incidents as they consider appropriate.

If, on consideration of the results of such an investigation, the Chief Officer - Finance and Chief Officer – Governance are of the opinion that there may be a breach of criminal law they may, after taking advice from the Chief Officer – Governance, report the matter to the Police.

If, there is evidence of Financial irregularities this could led to further investigations under the Council's Disciplinary Procedures.

When an officer is suspended pending the conclusion of an investigation into a possible irregularity, or if an officer resigns in such circumstances,

then that officer shall immediately surrender all Council property they may have including all money, portable ICT equipment, flash drives and keys. The officer shall be instructed not to enter Council premises without prior agreement and not to contact other Council officers in relation to the matter under investigation. The officer's Chief Officer must also ensure that passwords and computer access by the officer under investigation are also immediately withdrawn.

5.19 Deposit of Trust Securities

5.19.1 All officers acting as trustees by virtue of their official position shall deposit all securities, bank passbooks and documents and articles of value relating to any trust with the Chief Officer - Finance unless the relevant trust deed provides otherwise.

5.20 Control of Registered Charities, Trust Funds and Other Funds

5.20.1 Custody and Control

The Chief Officer - Finance shall ensure:

1. the proper and safe custody and control of all charitable and other funds held by the Council;
2. that all expenditure is in accordance with the conditions of the fund; and
3. that such charitable funds are held in accordance with regulations laid down by the Office of the Scottish Charity Regulator.

All registered charities, trust funds and other funds shall, wherever possible, be in the name of the Council or refer to the Council. All monies left in trust to the Council or to be administered by its officers shall be notified immediately to the Chief Officer - Finance, unless the trust's deed outlines otherwise.

[For further details please refer to the Powers Delegated to Officers](#)

5.20.2 Investment

All investments of money under the Council's control shall be made by the Chief Officer - Finance in the name of the Council or in the name of nominees approved by the ~~City Growth~~Finance and Resources Committee. Any investments made will be made in accordance with the Treasury Management Strategy approved by the Council.

5.20.3 Audit

Where elected members (all or some) of Aberdeen City Council are the sole trustees of registered charities, the charities will be subject to external audit by the Council's appointed external auditor.

5.21 Control of Housing Revenue Account (HRA)

5.21.1 Purposes for which HRA monies may be utilised

Management & maintenance of a Housing Stock of over 22,000 properties/ tenancies in Aberdeen City Council. There is a statutory requirement for authorities to account for the costs associated with the HRA as set out in the Housing (Scotland) Act 1987.

Items of expenditure which can be met from the HRA are set out in Guidance:

- In 2014, the Scottish Government produced “Guidance on the Operation of Local Authority Housing Revenue Accounts (HRA’s) in Scotland”.
- This Guidance consolidated information on the role of the HRA, how it must operate, who the resources contained within it are to benefit, and what outcomes can be expected from those resources.
- Guidance states that benefits can be for present or prospective council tenants.
- The Guidance defines allowable expenditure as follows – Managing (this includes an element of central support costs), maintaining, repairing and improving the council house stock; and Loan Charges.
- Expenditure which is not allowable is as follows -Expenditure required for the provision of shops, laundry facilities and furniture.
- It also states that “in some local authorities, service costs that relate to both council tenants and wider groups such as anti-social behaviour posts may be fully funded by the HRA.”
- No definitive list (although some items are mentioned in detail whereas others are more of a general nature) is contained in the guidance of what can and can’t be charged to the HRA and it suggests applying the principle of ‘who benefits’ may reveal what costs should be shared between the HRA and General Fund.

Overall, the purposes for which HRA monies may be utilised are limited to the City’s Council House Tenancies both future and current Housing Stock.

5.22 Control of Common Good

5.22.1 Purposes for which Common Good monies may be utilised

Items of expenditure which can be met from the Aberdeen City Council Common Good must be for:

- upholding the dignity of the City;
- the prudent management, upkeep and improvement of those items of Council property which form part of the Common Good;
- safeguarding the corporate rights of the community and defending its interests;
- granting donations to public institutions or charities – this must be exercised in the interests of the general public of the City; and
- any other purpose which in a reasonable judgement of the Council is for the good of the community as a whole, or in which the inhabitants may share; as distinct from the interest or benefit of any particular individual or group.

Overall, the purposes for which Common Good monies may be utilised are limited to the City and its interests.

Where there is a doubt about whether Common Good monies can be used for a particular purpose then in the first instance advice should be sought from the Chief Officer – Governance.

5.22.2 Common Good Investment Strategy

The Common Good Investment Strategy was approved by the Council in March 2021. The Chief Officer - Finance is responsible for reviewing the Strategy and reporting any proposed changes in the Strategy to the Council or [Finance](#) and Resources Committee.

5.23 [Voluntary Funds](#)

5.23.1 General

A voluntary fund is any fund (other than an official Council fund) which is managed wholly or in part by a Council employee. Examples of such are School funds and funds to support Social Work Services establishments. Directors shall supply the Chief Officer - Finance with a list of all employees who are signatories to such funds.

Such funds are to be subject to the same financial rigour and probity as if they were Council funds.

5.23.2 Financial Control and Administration

The financial control of voluntary funds must reflect the standards required of public funds.

The Chief Officer - Finance or their representative may examine the accounts and records of the fund if held by a Council employee and ask for such records, explanations and information as they may require.

In the event of any loss of voluntary funds the Council accepts no responsibility whatsoever, and no person has any authority to bind the Council to accept such liability.

Money due to the Council shall not be paid into any voluntary fund, either permanently or temporarily.

The Council employee shall keep all money, goods, or property of the voluntary fund, separate from those of the Council. The Council employee must not use official Council order forms for voluntary funds.

The Council employee shall at the end of each financial year submit a return stating the balance held and a copy of the audit certificate & accounts to the Chief Officer – Finance.

5.23.3 Employee Involvement

The Council employee must inform their line manager of any involvement in a voluntary fund and state the position they hold within the fund. The line manager must ensure proper accounts of the funds activities are kept and that an independent audit is carried out at annual intervals by a competent auditor appointed by and reporting to the fund's controlling body. An audit should be carried out whenever an employee relinquishes this responsibility and hands over the funds to another person.

5.24

Pension Funds

5.24.1 General

The Chief Officer - Finance shall be responsible for the financial affairs of the North East Scotland Pension Funds. The investment of Pension Funds monies shall be made in the name of the nominees approved by the appropriate Committee and such investments shall be within the policy determined by the Council.

Specific guidance on the financial regulations relating to the Pension Funds can be found in Section 12. To the extent that section 12 varies from the general financial regulations, Section 12 shall take precedence for the Pension Funds only. For matters not specifically covered within Section 12, the Pension Funds will take due guidance from the general Financial Regulations. Should the Pension Fund officers still have any doubt on interpretation or implementation of the general financial regulations, further guidance shall be sought from the Chief Officer-Finance.

5.25 Amendments to Financial Regulations

5.25.1 Non-material amendments to the Financial Regulations can be made by the Chief Officer - Governance, following consultation as required by Powers Delegated to Officers, without the requirement to report to Full Council.

5.25.2 Material amendments to the Financial Regulations, including the removal or addition of Financial Regulations, may only be approved after consideration of a report to Full Council by the Chief Officer - Governance.

5.26 Review of Financial Regulations

5.26.1 The Financial Regulations will be subject to annual review by the Chief Officer - Finance.

6. FINANCIAL MANAGEMENT & CONTROL - ROLES AND RESPONSIBILITIES

6.1 Introduction

6.1.1 Aberdeen City Council is committed to achieving Best Value and the highest possible standards in the delivery of its services. The Council attaches a very high priority to exercising strong control over the management of its financial resources. Both objectives are facilitated by the provision of high quality financial management and control, through continuous improvement, to meet both statutory requirements and the needs of clients/customers in the most efficient and effective manner.

6.1.2 Financial management is provided to the Council, its Committees and Services through an accounting function that provides corporate financial management and service specific accounting. Within all Services, budget holders undertake financial management in varying degrees.

6.1.3 The Financial Regulations define the respective roles and responsibilities of officers in both the accounting function and Services. Compliance with the Financial Regulations will improve the effectiveness of financial management and control and ensure the continued development of best practice.

6.2 Councillors

- 6.2.1 As Council and committee members, councillors have a personal, individual and collective responsibility for the Council's organisation and activities. Councillors are responsible for ensuring that adequate management arrangements are in place, developing and taking decisions on the use of the Council's physical, financial and human resources, and to concern themselves with the performance, development, continuity and overall well-being of the organisation (extract from the Code of Conduct for Councillors).
- 6.2.2 To enable Councillors to discharge their responsibilities in this respect, officers must present to Councillors appropriate information on the Council's performance both in operational and financial terms to allow them to ask relevant questions.

6.3 Chief Executive

- 6.3.1 The Chief Executive has a responsibility to ensure that the Financial Regulations are applied across the Council, and the appropriate committee structures are in place.
- 6.3.2 The Chief Executive, as Head of Paid Service, has an authority over all officers and has responsibility for ensuring that the Council maintains an efficient use of the resources at its disposal. However, the Chief Executive relies on senior officers of the Council informing them of the up to date position of an operation. Directors shall therefore report to the Chief Executive on the financial performance of their Functions.
- 6.3.3 The Chief Executive does not have operational responsibility for Services, which responsibility rests with Directors. Similarly, the Chief Officer - Finance has the responsibility for establishing the appropriate financial reporting framework.
- 6.3.4 The Directors shall formally report any financial problems identified in a Service to the Chief Officer - Finance and to the Chief Executive who can instruct appropriate action and report as appropriate.
- 6.3.5 On a periodic basis a summary of the financial position of each Service shall also be reported to the Chief Executive. In pursuance of this the quarterly financial performance report shall be included on the agenda of the Performance Board.

6.4 Chief Officer - Finance

- 6.4.1 Section 95 of the Local Government (Scotland) Act 1973 states that every local authority shall make arrangements for the proper administration of its financial affairs and shall ensure that one of its officers has responsibility for the administration of these affairs. In Aberdeen City Council, the Chief Officer - Finance is the Section 95 officer. Where the Section 95 officer position is vacant, the Chief Executive will make alternative arrangements.
- 6.4.2 The Chartered Institute of Public Finance and Accountancy (CIPFA) has defined in detail the role of the Chief Financial Officer within local government.

6.4.3 CIPFA specifically outlines the role of the Chief Financial Officer as being:

- a key member of the Leadership Team, helping it to develop and implement strategy and to resource and deliver the authority's strategic objectives sustainably and in the public interest;
- actively involved in, and able to bring influence to bear on, all material business decisions to ensure immediate and longer-term implications, opportunities and risks are fully considered, and aligned with the authority's financial strategy; and
- leading the promotion and delivery by the whole authority of good financial management so that public money is safeguarded always and used appropriately, economically, efficiently and effectively.

To deliver these responsibilities the Chief Financial Officer:

- must lead and direct a finance function that is resourced to be fit for purpose; and
- must be professionally qualified and suitably experienced.

6.4.4 There exists, however, a degree of decentralisation of financial administration within the Council and the responsibilities of the Chief Officer - Finance must be seen in this context. The Financial Regulations delegate much of the day to day financial administration to Chief Officers, and by sub-delegation, to staff within Finance. The extent of delegations will be outlined within a framework of job profiles.

Financial Management

6.4.5 As head of strategic and operational financial management and administration, it is the responsibility of the Chief Officer - Finance to:

- ensure that a proper and prudential financial framework exists within the Council in terms of relevant legislation and codes of practice;
- secure effective systems of financial administration; and
- ensure that financial management arrangements are in line with the Council's strategic policies and objectives and its overall management arrangements.

6.4.6 Specifically, the Chief Officer - Finance will:

- advise on effective systems of internal control such as Financial Regulations;
- secure effective systems of internal financial control to ensure that income collected, and payments made, are accurate, complete and timely;
- lead on counter-fraud and counter-corruption measures; and
- ensure that all staff with financial management responsibilities are made aware of the existence and content of these financial regulations and their requirement to comply with them.

Supporting the Democratic Process

6.4.7 In supporting and advising the democratic process, the Chief Officer - Finance is expected to:

- advise on the respective roles of councillors and officers on financial management;
- advise councillors on an overall financial strategy which serves policy and service objectives;
- provide councillors with clear, accurate and impartial advice when considering service plans and budgets;
- provide timely, accurate and impartial advice on reported financial performance, including reporting any concerns and/or disagreements with Directors on the stated financial position and the reliability of financial systems; and
- ensure that councillors have adequate access to financial skills and are provided with an appropriate level of financial training on an ongoing basis.

Contributing to Corporate Management and Leadership

6.4.8 The Chief Officer - Finance has an essential part to play in the corporate management of the authority by;

- contributing to the effective leadership of the authority;
- contributing to the management of the authority;
- ensuring that the authority's financial resources are well managed; and
- contributing to cross-authority issues and to the development of the authority.

Supporting and Advising Operational Officers

6.4.9 In supporting and advising operational officers, the Chief Officer - Finance shall:

- ensure that financial strategy and arrangements serve policy and service objectives, advising services on all strategic and operational financial matters and on the availability of resources;
- advise officers on performance and standards to be adhered to in relation to financial matters;
- delegate responsibility for financial management and control to Directors, ensuring the development and maintenance of appropriate management accounting systems, functions and controls and that these are compatible with the corporate financial reporting systems;

- ensure that officers' roles and responsibilities in relation to financial management are clear and understood and that budget managers have access to adequate financial skills; and
- provide timely, accurate and impartial advice to the Chief Executive on any concerns or disagreements with Directors on the reported financial position or reliability of financial systems.

Leading and Managing an Effective and Responsive Financial Service

6.4.10 In leading and managing the authority's finance function, the Chief Officer - Finance will;

- secure high standards of performance and service to the public;
- demonstrate accountability to the public by providing robust financial and performance information;
- establish a good, professional working relationship with external auditors and other statutory agencies; and
- act as head of profession for all finance staff in the authority.

Bond Governance

6.4.11 The credit rating that was obtained to facilitate the issue of bonds on the London Stock Exchange (LSE) must be maintained over the term of the bonds. The credit rating agency conducts a review at least once every twelve months and the Chief Officer – Finance shall ensure that the credit rating agency is provided with all the information that it requires to carry out its assessment.

6.4.12 The outcome of such reviews shall be reported to the first meeting of the Finance and Resources Committee following receipt of the outcome. The credit rating agency may also amend the rating between reviews. If this occurs, the Chief Officer – Finance shall report this occurrence to the next available Finance and Resources Committee.

6.4.13 The Chief Officer – Finance shall ensure that the Council's quarterly financial monitoring report to Finance and Resources Committee is structured to comply with the reporting requirements of the LSE including any notifications required to comply with the Market Abuse Regulations

6.5 Chief Officers

6.5.1 Within the overall framework of the financial management and administration arrangements, it is the responsibility of the Directors to:

- ensure adherence to law and the Council's Scheme of Governance;
- manage the expenditure and income of the Function and ensure its control within approved budgets;
- prepare draft budget and service plans, following consultation with the Chief Officer - Finance and the Chief Executive;
- provide data necessary to enable the completion of budgets, monitoring reports, annual reports and all government or other statistical returns, following consultation with the Chief Officer - Finance; and

- formally report any financial problems identified within the Function to the Chief Officer - Finance, and if appropriate the Chief Executive, who can instruct appropriate action and report as required.
- furnish the Section 95 officer, or her/his authorised representative, with all such information that s/he may reasonably require for the discharge of her/his functions.

6.5.2 In practice, duties will be delegated to operational managers within the Function, the extent of which shall be covered by a framework of job descriptions clearly defining individual responsibilities.

6.6 All Staff

6.6.1 The respective roles and responsibilities of budget holders, finance staff and staff with a responsibility for administering financial transactions are set out in the Finance Framework (also see 4.1 above)

6.6.2 The Continuous Review and Development Scheme sets out skills, behaviours and competencies required of all staff (also see 4. above).

Line Responsibilities/Accountabilities

6.6.3 The Chief Officer - Finance has overall responsibility for the management and administration of the Council's financial affairs and consequently for all staff engaged in delivering the service. All finance staff are responsible to the Chief Officer - Finance for maintaining professional accounting standards and the highest standards of conduct and integrity.

All staff engaged in financial management within Services have a similar responsibility, not only to their Director, but also to the Chief Officer - Finance. Finance staff also have a responsibility to Chief Officers for the provision of impartial advice and guidance on all financial matters, including contributing to and assisting in Best Value reviews, option appraisal and the process of continuous improvement across the Council.

6.6.4 The Chief Officer - Finance has the power to draw to the attention of a Director any circumstances where they considers that a member of staff engaged in financial management has not met the required standards. The Chief Officer - Finance may recommend how the matter shall be taken forward. Conversely, any Director has recourse to the Chief Officer - Finance where it is considered that any member of staff in Finance has not met the required standards. If a Director and the Chief Officer - Finance fail to agree, the matter shall be raised with the Chief Executive who will determine what action is appropriate.

7. INTERNAL CONTROL

7.1 Introduction

7.1.1 Internal control consists of all the policies and procedures the Council applies to achieve the following goals:

- Safeguard Council assets - well designed internal controls protect assets from accidental loss or loss from fraud.

- Ensure the reliability and integrity of financial information - internal controls ensure that management has accurate, timely and complete information, including accounting records, to plan, monitor and report business operations.
- Ensure compliance - internal controls help to ensure the Council complies with the laws and regulations affecting the operations of our business.
- Promote efficient and effective operations - internal controls provide an environment in which managers and staff can maximise the efficiency and effectiveness of their operations.
- Accomplishment of goals and objectives - internal control systems provide a mechanism for management to monitor the achievement of operational goals and objectives.

7.2 Responsibilities

7.2.1 Chief Officers are responsible for maintaining an adequate system of financial control and are expected to communicate the expectations and duties of staff as part of a control environment. They are also responsible for ensuring that the major areas of an internal control framework are addressed and that weaknesses highlighted are acted upon.

7.2.2 Staff are responsible for complying with the Council's internal controls.

7.3 Control Framework

7.3.1 The framework of good internal control includes:

- **The Control environment:** A sound control environment is created by management through communication, attitude and example. This includes a focus on integrity, a commitment to investigating discrepancies, diligence in designing systems and assigning responsibilities.
- **Risk Assessment:** This involves identifying the areas in which the greatest threat or risk of inaccuracies or loss exist. To be most efficient, the greatest risks should receive the greatest amount of effort and level of control. For example, the value or the nature of the transaction (for instance, those that involve cash) might be an indication of the related risk.
- **Monitoring and Reviewing:** The system of internal control should be periodically reviewed by management. By performing a periodic assessment, management assures that internal control activities have not become obsolete or lost due to staff turnover or other factors. They should also be enhanced to remain sufficient for the current level and extent of risks.
- **Information and communication:** The availability of information and a clear and evident plan for communicating responsibilities and expectations is paramount to a good internal control system.
- **Control activities:** These are the activities that occur within an internal control system. These are described in 7.4.

7.4 Internal Control Activities

- 7.4.1 These activities are the policies and procedures as well as the daily activities that occur within a system of internal control. The systems should include both prevention and detection activities. Internal Audit will provide assurance over the controls that the Council has established and make recommendations for strengthening such controls.
- 7.4.2 Prevention control activities aim to deter the instances of error or fraud. Activities include comprehensive documentation, authorisation processes, segregation of duties and security. These activities prevent undesirable transactions from happening and therefore require well thought out procedures and risk identification.
- 7.4.3 Detection control activities aim to identify any undesirable transactions after the fact, and in financial situations the most frequently used detection controls are reconciliation along with monitoring and review.
- 7.4.4 Appropriate controls shall be established to ensure that the financial information system accurately collates, sums and reports all authorised input and that regular and sufficient back up is maintained.

7.5 Embedding Internal Control Activities into Operations

- 7.5.1 Control activities occur at all levels and functions of the Council. Chief Officers should establish control activities that are effective and efficient.
- 7.5.2 When designing and implementing control activities, the aim should be to get the maximum benefit at the lowest cost. Consideration should be given to the following:
- The cost of the control activity in comparison to the cost that would be incurred by the Council if the undesirable event occurred, recognising that some risks may be difficult to attribute a financial value to e.g. reputational risks;
 - Control activities should be built into business processes and systems as the processes and systems are being designed. Adding control activities after the development of a process or system is generally costlier and may enable errors or fraud to occur;
 - The allocation of resources among control activities should be based on the likelihood and impact of the risk;
 - For any given risk, there may be multiple appropriate control activities that can be put into place, either individually or in combination with other control activities; and
 - Excessive use of controls could impede productivity.

7.6 Commonly Used Controls

- 7.6.1 The following brief descriptions of the commonly used control activities will help managers to identify and select appropriate activities to prevent and detect error and fraud.

- **Documented Systems / Process** – Comprehensive documentation of systems and processes provides clarity to those involved and a structure to enable checking to be carried out;
- **Authorisation** – Control activities in this category are designed to provide reasonable assurance that all transactions are within the limits set by policy or that exceptions to policy have been granted by the appropriate officer(s);
- **Review and approval** – Control activities in this category are designed to provide reasonable assurance that transactions have been reviewed for accuracy and completeness by appropriate officers;
- **Verification** – Control activities in this category include a variety of computer and manual controls designed to provide reasonable assurance that all accounting information has been correctly captured;
- **Reconciliation** – Control activities in this category are designed to provide assurance of the accuracy of financial records through the periodic comparison of source documents to data recorded in and between accounting information systems;
- **Physical security over assets** – Control activities in this category are designed to provide reasonable assurance that assets are safeguarded and protected from loss or damage due to accident, natural disaster, negligence or intentional acts of fraud, theft or abuse;
- **Segregation of duties** – Control activities in this category reduce the risk of error and fraud by requiring that more than one person is involved in completing a financial process;
- **Education, training and development** – Control activities in this category reduce the risk of error and inefficiency in operations by ensuring that staff have the proper education and training to perform their duties effectively.

Education and training programs should be periodically reviewed to ensure they remain relevant to the current Council operating environment and financial processing procedures; and

- **Performance planning and evaluation** – Control activities in this category establish key performance indicators for the Council that may be used to identify unexpected results or unusual trends in data which could indicate situations that require further investigation and/ or corrective actions. Evaluations may be done at multiple levels within the Council, as appropriate: the Council as a whole; major projects; specific Services / Functions; or specific activities. Performance reviews may focus on compliance, financial or operational issues. For example, financial reviews should be made of actual performance versus budgets, forecasts and performance in prior periods.

7.6.2 This list is not exhaustive, and advice should be sought from the Chief Officer - Finance if any officer is uncertain about incorporating appropriate control activities into their operations.

8. BUDGETARY CONTROL

8.1 Revenue

8.1.1 Revenue items are the operational costs incurred by the authority during the financial year in providing its day to day services, or income generated through, for example, fees and charges.

8.2 Revenue Budget Preparation

8.2.1 A budget is required for all revenue items which form part of the Council's budgets, e.g.:

- General Revenue Fund;
- Housing Revenue Account;
- Common Good; and
- North East Scotland Pension Funds (the Council being the administering authority).

8.2.2 The budgets for both income and expenditure must be prepared in accordance with the Council's budgeting principles and approved timelines in support of the Council's Strategic Business Plan. The budgets will be prepared jointly by the Chief Officers and the Chief Officer - Finance.

8.2.3 The Chief Officer - Finance shall prepare a consolidated draft budget, incorporating a Medium Term Financial Plan, together with a report on its financial implications. This budget report may be submitted to the Finance and Resources Committee prior to being submitted to the Council Budget meeting. Once approved by Council the Budgets will constitute the Revenue Budgets for the relevant financial year.

8.3 Revenue Budget Monitoring

8.3.1 The Chief Officer - Finance shall provide Chief Officers and Budget Holders with up-to-date financial information on income and expenditure compared to the approved budget. The Chief Officer - Finance will be entitled to receive any clarification deemed necessary on any item of expenditure or income. Chief Officers and Budget Holders shall provide the Chief Officer - Finance with such information as they shall require from them.

8.3.2 The Chief Officer – Finance will issue quarterly Highlights Reports to the Chief Officers, who ~~should~~ must confirm that they are in agreement with the outturns detailed in the reports.

8.3.3 The Chief Officer - Finance shall report on a quarterly basis to the Finance and Resources Committee on comparisons of actual figures with budget to date along with a forecast for the full year. The Committee should seek explanations and action where the Chief Officer – Finance has indicated that the quarterly forecast requires special attention. The Committee is entitled to seek explanations and actions for any figures which it deems require special attention.

8.3.4 The General Revenue Fund, Housing Revenue Account and the Common Good Fund shall be reported to the Finance and Resources Committee; the North East Scotland Pension Funds shall be reported to the Pensions

Committee; financial information related to the Consolidated Group position will be reported quarterly to [Finance](#) and Resources Committee.

8.4 Revenue Budget Management

- 8.4.1 No expenditure shall be incurred unless it can be met from an approved budget. For the avoidance of doubt, any officer who fails to comply with this Financial Regulation may be subject to disciplinary action.
- 8.4.2 Budget Holders shall be responsible for monitoring their budgets in accordance with the Council's Scheme of Governance, using the relevant financial systems as determined by the Chief Officer - Finance.
- 8.4.3 If it becomes apparent that the forecast for any service budget is likely to vary from budget, this shall be reflected in revenue budget monitoring reports and reported to the Finance and Resources Committee. If this is a permanent variance then a budget virement may be approved following the guidelines below.
- 8.4.4 The Chief Officer – Finance must be notified of forecasts for all budgets ~~quarterly~~monthly. If it becomes apparent to any budget holder that due to previously unforeseen factors there is a risk of budget forecast being overspent, then the Chief Officer – Finance must be notified immediately.

8.5 Scheme of Virement

- 8.5.1 The term “virement” refers to the switching of budgetary provision from one budget head to another to change the nature of the approved expenditure or income. This differs from a “budget adjustment”, which does not change the nature of spend to be incurred simply allowing different financial codes to be used. The virements rules also exclude Staffing Business Cases as these are approved by the Chief Officer responsible for the Cluster, Chief Officer – Finance and Chief Officer – People and Organisational Development.
- 8.5.2 Chief Officers and Budget Managers may exercise virement, in accordance with the scheme of virement as set out below, and within the Services' overall Revenue Budget provided that:
- The Chief Officer - Finance has been notified; and
 - The virement does not create an additional financial commitment into future financial years.

Approval of such virement shall consider the following criteria:

- adherence to the Accounting Code of Practice (ACOP);
- the balancing of related expenditure and income issues;
- movements within approved schemes of budget delegation;
- the need to remedy anticipated budget pressures elsewhere;
- the impact of approved service developments on the nature of Service spend;
- previous Council decisions on the application of budget resources;
- the remedy of error in budget compilation; and
- spend to save initiatives.

8.5.3 Virement cannot be used by Services in the following situations:

- to mask overspend and underspend issues;
- to apply underspends or over-recoveries of income without reference to Committee;
- for expected savings on finance costs or recharges;
- for recurring items of expenditure in place of non-recurring savings;
- for property items such as rates and utilities;
- any savings against a property which has been declared surplus under the Council's surplus asset procedure;
- to reinstate an item deleted by Council during budget considerations unless approved by the relevant Council Committee(s);
- to provide a budget for the implementation of a new policy, or variation of existing policy, which exceeds the limit of delegated authority provided to all Chief Officers in this regard (general delegated power no. 40) and therefore requiring the approval of the relevant Council Committee;
- for Service budgets which are committed to and included within partnership agreements;
- between Services that are budgeted and funded through Council house rents and the Council tax i.e. the Housing Revenue Account and General Fund budgets; and
- between Services that are budgeted and funded via the Integration Joint Board and other funds of the Council i.e. between IJB budgets and non-IJB budgets.

8.5.4 Education establishments within the scheme of Devolved Education Management (DEM) may vire between different categories of specified budgets in accordance with the scheme regulations.

[Devolved School Management App 1.pdf \(aberdeencity.gov.uk\)](#)

Before a virement is undertaken the request below should be completed –

[Budget Virement Request](#)

8.5.5 Virement rules relating to revenue expenditure summarised in table below:

Scope	Limit	Approval to Vire
1. Within or between Account Code Groupings, within individual budget holder areas of responsibility (e.g. printing & stationery to telephones – within Admin costs or Administration Costs to Supplies & Services)	Up to £20,000 or 10% of the budget grouping that it is coming from, whichever is the lesser	Budget Manager following consultation with Chief Officer - Finance
	Up to £100,000	Chief Officer following consultation with Chief Officer - Finance
	Over £100,000	Director, following consultation with Chief Officer - Finance
2. Between Functional Services Budgets but within Chief Officer area of responsibility (e.g. Primary to Secondary Education, Libraries to Community Learning, or Learning Disability to Mental Health)	Up to £100,000	Chief Officer, following consultation with Chief Officer - Finance
	Over £100,000	Director, following consultation with Chief Officer-Finance
3. Between Functional Service Budgets within Function Budgets (e.g. transfer from Education to Environmental Services)	Up to £250,000	Director, following consultation with Chief Officer - Finance
	Over £250,000	Director, following consultation with Chief Officer – Finance; and reported to Finance and Resources Committee in the next Financial Performance Report
4. Between Function Budgets i.e. across committees (e.g. transfer from Commissioning to Operations)	Up to £250,000	Director, following consultation with Chief Officer – Finance
	Over £250,000	Director, following consultation with Chief Officer – Finance; and reported to Finance and Resources Committee in the next Financial Performance Report
5. From approved Corporate budgets, including Contingencies, to any Functional or Corporate budget	Up to £3,000,000 Chief Officer – Finance	Chief Officer – Finance
	Over £3,000,000	Chief Officer – Finance; and reported to Finance and Resources Committee in the next Financial Performance Report

8.6 Capital

- 8.6.1 Capital items are the costs incurred by the authority on the acquisition, creation or enhancement of fixed assets.
- 8.6.2 Examples include, but are not limited to, land and property, roads and structures, vehicles and plant, and Information and Communication Technology (ICT).
- 8.6.3 Enhancement of an asset refers to something which will significantly lengthen the useful life of an asset; increase the open market value of an asset; or increase the extent to which an asset can be used.

- 8.6.4 Capital income is the value of any receipt received upon the sale or disposal of any fixed asset, or the value of any grant or contribution received to offset the cost of a new fixed asset.

8.7 Capital Budget Preparation

- 8.7.1 The Chief Officer – Capital, following consultation with the Chief Officer – Corporate Landlord, shall ensure that all capital items are included in one of the Council’s capital budgets:

- Non-Housing capital programme; or
- Housing capital programme.

- 8.7.2 The budgets for both capital income and expenditure must be prepared in accordance with the Council’s budgeting principles and approved timelines, in support of the Council’s Strategic Business Plan.

- 8.7.3 Bids to have new projects included in the capital programmes should comply with, and have been approved by, the governance arrangements overseen by the Capital Board. The Chief Officer – Capital shall then submit such proposals to the relevant Council Committee.

- 8.7.4 The revenue budget implications identified during the process shall be incorporated into the Revenue Budget and Medium Term Financial Plan.

- 8.7.5 The Chief Officer - Finance shall prepare a consolidated draft capital programme, incorporating a 5-year programme, together with a report on its financial implications. This budget report will be submitted to the Council Budget meeting. Once approved by Council the Budget will constitute the Capital Budget for the relevant financial year.

- 8.7.6 The Chief Officer - Finance shall prepare a report on the Prudential Indicators. This will demonstrate the affordability and prudence of the budget being set. This report will be incorporated into the Council budget setting report outlined at 8.7.5.

8.8 Capital Monitoring

- 8.8.1 No capital expenditure should be incurred unless it can be met from an approved capital budget. For the avoidance of doubt, any officer who fails to comply with this Financial Regulation may be subject to disciplinary action.

- 8.8.2 Capital project and programme managers shall be responsible for monitoring their budgets in accordance with the Council’s Scheme of Governance using the relevant financial systems as determined by the Chief Officer - Finance. The Chief Officer – Finance must be notified of any budget that is or is likely to be overspent.

- 8.8.3 The Chief Officer – Capital, following consultation with the Capital Board and Performance Board, is responsible to the Corporate Management Team, for monitoring the overall Capital programme. S/he is also responsible, following consultation with the Capital Board, for the profiling of project expenditure within the Capital programme, subject to funding limits determined by the Chief Officer - Finance.

8.8.4 S/he is also responsible, following consultation with the Capital Board, for the profiling of project expenditure within the Capital programme, subject to funding limits determined by the Chief Officer - Finance.

8.9 Virement of Capital Budgets

8.9.1 The Chief Officer – Capital, following consultation with the Capital Board, may exercise virement of budgets between projects included in the approved General Fund Capital programme, in accordance with the scheme of virement and within the overall budget, provided that the Chief Officer - Finance has been notified.

8.9.2 Budget virements shall not be made between the Non-Housing and Housing Capital programmes at any level.

8.9.3 Virement rules relating to capital expenditure summarised in table below:

Scope	Limit	Approval to Vire
Between Capital Project Budgets within Project Sponsor area of responsibility (e.g. between two school projects)	Up to £200,000 or 10% of each project's gross expenditure budget, whichever is the lesser	Project Sponsor, following consultation with Chief Officer – Finance; and reported to Programme Board in next Highlights report
	Up to £500,000	Chief Officer – Capital, following consultation with Chief Officer - Finance
	Over £500,000	Director of Resources, following consultation with Chief Officer - Finance
Between Capital Project Budgets within Programme Board area of responsibility (e.g. between projects both governed by Asset Management Programme Board)	Up to £500,000	Chief Officer - Capital, following consultation with Chief Officer - Finance
	Over £500,000	Director of Resources, following consultation with Chief Officer – Finance; and reported to Finance and Resources Committee in the next Financial Performance Report
Between Capital Project Budgets governed by different Programme Boards (e.g. from City Centre Masterplan to Asset Management Programme Board)	Up to £500,000	Director of Resources, following consultation with Chief Officer - Finance
	Over £500,000	Director of Resources, following consultation with Chief Officer – Finance; and reported to Finance and Resources Committee in the next Financial Performance Report
Between an approved Contingency Budget and any approved Capital Project	No limit	Chief Officer – Finance, following consultation with Chief Officer – Capital and Director of Resources; and reported to Finance and Resources Committee in the next Financial Performance Report

9. ACCOUNTING POLICIES AND ANNUAL ACCOUNTS

9.1 General

- 9.1.1 The Chief Officer - Finance is responsible for the preparation of the Council's Annual Accounts, in accordance with proper practices. The accounts must be prepared in the format required by the Code of Practice on Local Authority Accounting in the United Kingdom ["The Code"] (published by CIPFA / LASAAC), for each year ending 31 March.
- 9.1.2 Maintaining proper accounting records is one of the ways in which the Council discharges its responsibility for stewardship of public resources. Accordingly, the Chief Officer - Finance is responsible for selecting suitable accounting policies and ensuring that they are consistently applied to the accounts relating to each financial year. All accounting procedures of the Council and the format of related records shall be determined by the Chief Officer - Finance.
- 9.1.3 It is the duty of Chief Officers to maintain proper financial and accounting records within their Cluster to demonstrate adequate stewardship of public resources. Arrangements put in place by the Chief Officer - Finance shall not be discontinued or amended and new arrangements will not be introduced without the approval of the Chief Officer - Finance.
- 9.1.4 The following principles will be observed in the allocation of accounting duties:
- The duties of providing information regarding sums due to, or by, the Council, and of calculating, checking and recording these, will be separated as completely as possible from the duty of collecting or disbursing them; and
 - Officers charged with the duty of examining and checking the accounts of cash transactions shall not themselves be participants or beneficiaries in any of these transactions.

9.2 The Annual Accounts

- 9.2.1 It is a statutory requirement that the Council prepares its Annual Accounts for the preceding financial year by 30 June following, or by such date as may be determined by Scottish Ministers in regulations under Section 105 of the Local Government (Scotland) Act 1973. The Chief Officer - Finance must submit the accounts by that date to the Council and the Controller of Audit. Following completion of the Audit, the Chief Officer - Finance will submit a certified copy of the Accounts, together with the External Auditor's report thereon, to the Council, not later than two months following receipt of the External Auditor's report.
- 9.2.2 To comply with its obligations to the London Stock Exchange (LSE) Aberdeen City Council will be required to complete its Annual Accounts earlier than the statutory deadline. The Chief Officer – Finance will be responsible for issuing a timetable and instructions that will allow completion of the Annual Accounts in time to meet the LSE requirements.

- 9.2.3 Chief Officers shall be responsible for ensuring that their staff provide the Chief Officer - Finance with such assistance as is necessary to ensure the deadlines set by the Chief Officer - Finance for the completion of the Annual Accounts are complied with.
- 9.2.4 At the end of the financial year (or any other date as laid down by the Chief Officer - Finance), this shall include (but will not be limited to) the submission of:
- a copy of certified stock lists;
 - a reconciliation of sums of petty cash held;
 - assurance statements on internal controls;
 - details of asset impairments and dilapidations;
 - details of related parties and other organisations with which the Council has / may have control; and
 - any other information necessary to close the Council's accounts.
- 9.2.5 It is the direct responsibility of the Chief Officers to provide the External Auditor with supporting documentation and any other information required in connection with the closure of the Council's Accounts.

10. LOCAL GOVERNMENT IN SCOTLAND ACT 2003

10.1 Requirements of the Act

- 10.1.1 The Act sets out a statutory duty on local authorities to secure Best Value in the delivery of their services. Best Value requires the Council to consider the balance between:
- the quality of performance of its functions;
 - the cost to the authority of that performance; and
 - the cost to persons of any service provided to them by the authority on a wholly or partly rechargeable basis.
- 10.1.2 In maintaining that balance, the Council shall also have regard to seeking the most effective and efficient means of delivering services to its citizens.
- 10.1.3 The Act also sets out the requirement for statutory trading accounts to be maintained for 'significant trading operations' and that they should break even over a 3-year rolling period.
- 10.1.4 The Act introduces a requirement under primary legislation for authorities to adopt proper accounting practice and sets out a statutory duty to publish performance reports, including provision for the inclusion of trading accounts under this duty.
- 10.1.5 The requirement to keep accounts in accordance with 'proper practices' is defined, for the purposes of local government legislation, as meaning compliance with the terms of the Code of Practice on Local Authority Accounting in the United Kingdom ("The Code").

The Code is prepared under International Financial Reporting Standards.

10.1.6 The Code specifies the principles and practices of accounting required to prepare a Statement of Accounts which gives a true and fair view of the financial position and transactions of a local authority. The Code is reviewed continuously and is normally updated annually by the CIPFA/LASAAC Local Authority Code Board (“CIPFA/LASAAC”).

10.2 Key Roles and Responsibilities

10.2.1 Finance and Resources Committee

The Finance and Resources Committee is responsible for oversight of the Council’s:

- Revenue Budget;
- Capital Programme Plan; and
- Common Good budget.^{[P]_{SEP}}

The Finance and Resources Committee will also receive quarterly reports on the Council’s Financial Performance as prepared by the Chief Officer – Finance.

~~The Capital Programme Sub-Committee will oversee and scrutinise the Council’s capital programme, making recommendations to the and Resources Committee on whether business cases should be approved for inclusion in the capital plan.~~

10.2.2 Audit, Risk and Scrutiny Committee

The Audit, Risk and Scrutiny Committee is responsible for the review of:

- the risk management system;
- the control environment; and
- internal and external audit reports.

The Committee is also responsible for overseeing the implementation of the Council’s ALEO Assurance Framework, including the operation of the ALEO Assurance Hub

11. LOCAL AUTHORITY RESERVES

11.1 Background

11.1.1 To assist authorities in developing a framework for reserves, CIPFA have issued guidance in the form of the Local Authority Accounting Panel (LAAP) Bulletin 99 – Guidance Note on Local Authority Reserves and Balances. This guidance outlines the framework for reserves, the purpose of reserves and some key issues to be considered when determining the appropriate level of reserves.

11.2 Statutory/Regulatory Framework for Reserves

11.2.1 Local Authorities may only hold reserves for which there is a statutory or regulatory power to do so. In Scotland the legislative framework is as follows:

Reserve	Powers
General Fund	Local Government Scotland Act 1973
Capital Fund	Local Government Scotland Act 1975
Insurance Fund	

11.2.2 For each reserve there is a clear protocol setting out:

- the reason / purpose of the reserve;
- how and when the reserve can be used;
- procedures for the reserves management and control; and
- the review timescale to ensure continuing relevance and

adequacy. The protocol for each reserve is as follows:

General Fund

Purpose of the Reserve

Every local authority shall have a General Fund and the following shall apply in respect of the General Fund:

- All sums received by or on behalf of the authority shall be paid into that Fund.
- All fees, commissions, discounts allowed on payment of accounts and expenses payable to or recovered by any officer of a local authority in respect of any business relating to the authority whether by reason of his office or otherwise shall be accounted for and paid into that Fund.
- All sums payable by the authority shall be paid out of that Fund.

Use of Reserve

This represents the general reserve of the Council and is used to manage the financial strategy of the Council. Any use of General Fund reserves must be approved by the Finance and Resources Committee.

Management and Control

Management and control is maintained through the established financial management processes for producing the Annual Accounts and the Council's budget.

Capital Fund

Purpose of the Reserve

To defray any expenditure of the authority to which capital is properly applicable, or to provide money for repayment of the principal of loans (but not payment of interest on loans).

Use of reserve

The Capital Fund will support major capital investment projects within the Council's approved capital programme.

Management and Control

Management and control is maintained through the established financial management processes for producing the Annual Accounts and the Council's budget.

Insurance Fund

Purpose of the Reserve

An authority may operate an Insurance Fund for the following purposes:

- a. where the authority could have insured against a risk but have not done so, defraying any loss or damage suffered, or expenses incurred, by the authority as a consequence of that risk; or
- b. paying premiums on a policy of insurance against a risk.

Use of reserve

The reserve is used to manage insurance costs over the medium term.

Management and Control

The Insurance Fund is subject to dedicated accounting rules and procedures as approved by LASAAC (Local Authorities Scotland Accounts Advisory Committee).

- 11.2.3 The adequacy and relevance of each Fund is reviewed by the Chief Officer - Finance at each year-end and through the budget process. All recommendations for movements in balances are reported to Council either through the year-end report or as part of the budget and service plan strategy.
- 11.2.4 The Code of Practice on Local Authority Accounting in the United Kingdom has introduced a number of technical reserves in line with proper accounting practice associated with capital accounting, defined benefits pension schemes, financial instruments and employee benefits. These reserves are governed by specific accounting treatment and do not form part of the Council's general available reserves.

11.3 Operation of Reserves

11.3.1 Useable reserves are generally held to do three things:

- create a working balance to help cushion the impact of uneven cash flows and avoid unnecessary temporary borrowing – this forms part of general reserves;
- create a contingency to cushion the impact of unexpected events or emergencies – this also forms part of general reserves; and
- create a means of building up funds, often referred to as earmarked reserves, to meet known or predicted liabilities.

11.4 Role of the Chief Officer - Finance

11.4.1 The Chief Officer - Finance is responsible for advising on the levels of reserves. The Council, based on this advice, should then approve the appropriate strategy as part of the budget process.

11.5 Adequacy of Reserves

11.5.1 There is no guidance on the minimum level of reserves that a Council should hold. In determining reserve levels, the Chief Officer - Finance must take account of the strategic, operational and financial risks facing the Council over the medium term and the Council's overall approach to risk management.

11.5.2 In determining the level of general reserves, the Chief Officer - Finance should consider the Council's Medium Term Financial Plan and the overall financial environment. Guidance also recommends that the Chief Officer - Finance also reviews any earmarked reserves as part of the annual budget process.

11.5.3 In light of the size and scale of the Council's operations, over the medium term a risk-based approach has been taken to establish a level of uncommitted reserves to be held by the Council. This Reserves Strategy should be reviewed on a regular basis. The value of reserves must be reviewed annually as part of the Council's Budget and Business Planning process and in light of the financial environment at that time.

11.5.4 The level of other earmarked funds will be established as part of the annual budget process.

11.6 Reporting Framework

11.6.1 The Chief Officer - Finance has a fiduciary duty to local taxpayers to ensure proper stewardship of public funds.

11.6.2 The level and utilisation of reserves will be formally approved by the Council based on the advice of the Chief Officer - Finance. To enable the Council to reach a decision, the Chief Officer - Finance should clearly state the factors that influenced this advice.

11.6.3 As part of the budget report the Chief Officer - Finance should state:

- the current value of general reserves, the movement proposed during the year and the estimated year-end balance and the extent that balances are being used to fund recurrent expenditure;
- the adequacy of general reserves in light of the Council's Strategic Business Plan; and
- an assessment of earmarked reserves and advice on appropriate levels and movements during the year and over the medium term.

12. NORTH EAST SCOTLAND PENSION FUNDS

12.1 Introduction

The North East Scotland Pension Fund (NESPF) ~~and the Aberdeen City Council Transport Fund (ACCTF) are~~ administered by Aberdeen City Council within the Local Government Pension Scheme (LGPS) Regulations.

The Scheme was established under the Superannuation Act 1972 and is open to all employees of the scheduled bodies, except for those whose employment entitles them to belong to another statutory pension scheme (e.g. Police, Fire, Teachers). Employees of admitted bodies can join the Scheme subject to the admitted bodies' individual admission criteria, which are out-with the control of Aberdeen City Council.

The Fund's' investments are externally managed in accordance with the Local Government Pension Scheme (Scotland) (Management and Investment of Funds) Regulations 2010, as amended.

All pension benefits are paid in accordance with the Local Government Pension Scheme (Scotland) Regulations 2014~~8~~, as amended.

12.2 North East Scotland Pension Fund Pensions Committee

Aberdeen City Council is the administering authority for the North East Scotland Pension Fund (NESPF), ~~and the Aberdeen City Council Transport Fund (ACCTF)~~. The Council delegates this responsibility to the Pensions Committee.

The Pensions Committee is the key decision maker for all matters under the LGPS Regulations including benefit administration and investment management.

The Council and the Pensions Committee have fiduciary duties and responsibilities towards pension scheme members, participating employers and local taxpayers.

12.3 North East Scotland Pension Fund Pension Board

The Pension Board is responsible for assisting the Scheme Manager in relation to:

- Compliance with the Local Government Pension Scheme (Scotland) Regulations 2014~~8~~, as amended, and any other legislation relating to the governance and administration of the Scheme; and
- Securing compliance with requirements imposed by the Pensions Regulator.

12.4 [Pension Funds Management and Control](#)

12.4.1 Scheme Governance

The Chief Officer - Finance shall ensure that the Pensions Section complies with all government regulations in the administration of the Pension Funds.

The Chief Officer - Finance shall ensure that all required policy statements are created, maintained and annually reviewed, and reported to the Pensions Committee as required. The statutory statements/policies are currently:

- Governance Policy Statement
- Governance Compliance Statement
- Training Policy
- Statement of Investment Principles
- Pensions Administration Strategy
- Communication Policy

12.4.2 Accounting

The North East Scotland Pension Funds are governed by the Council and are required to:

- Make arrangements for the proper administration of their financial affairs and to secure that the proper officer of the administering authority has responsibility for the administration of those affairs (section 95 of the Local Government (Scotland) Act 1973). For the North East Scotland Pension Funds, that officer is the Chief Officer - Finance of Aberdeen City Council;
- Manage its affairs to secure economic, efficient and effective use of resources and safeguard its assets;
- Ensure the Annual Accounts are prepared in accordance with legislation (The Local Authority Accounts (Scotland) Regulations 2014), and so far as it is compatible with the legislation, in accordance with proper accounting practices (section 12 of the Local Government in Scotland Act 2003); and
- Approve the Annual Accounts for signature by the Section 95 officer.

[The Chief Officer - Finance's responsibilities:](#)

The Chief Officer - Finance is responsible for the preparation of the Pension Fund's Annual Accounts in accordance with proper practices as required by legislation and as set out in the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom (the accounting code).

In preparing the Annual Accounts, the Chief Officer - Finance will:

- select suitable accounting policies and then apply them consistently;
- made judgements and estimates that are reasonable and prudent;

- comply with legislation; and
- comply with the Local Authority Accounting Code (in so far as it is compatible with legislation).

The Chief Officer - Finance will also:

- keep adequate accounting records which are up to date; and
- take reasonable steps for the prevention and ~~de~~tection~~tion~~ of fraud and other irregularities.

It is the responsibility of the Pension Fund Manager to provide the Internal/ External Auditor's with supporting documentation and any other information required in connection with the Pension Fund's' accounts.

12.4.3 Global Custody Arrangements

The Chief Officer - Finance shall ensure that appropriate custody arrangements are in place to provide for the:

- safe custody of Scheme assets;
- income collection;
- proxy voting;
- foreign exchange transactions;
- the provision of a 'global record keeper'; and
- investment accountancy services.

The Chief Officer - Finance shall make recommendations to the Pensions Committee regarding added value custody services, such as, but not limited to:

- cash management;
- performance measurement; and
- stock lending.

12.4.4 Cash Management

Subject to the overriding requirements of the Council's Treasury Management Policy and Strategy, the Chief Officer - Finance shall create and maintain a Cash Management Policy in respect of the North East Scotland Pension Funds. The policy will provide for cash management practices in compliance with the Pension Fund's' long-term investment objectives as set out in the Pension Fund's' Statement of Investment Principles.

The Chief Officer - Finance shall review the cash management strategy, policies, objectives, controls and activities annually, and report on these to the Pensions Committee.

12.4.5 Financial Controls

The Chief Officer - Finance shall maintain separate bank accounts on behalf of the Pension Funds as per the requirements of the LGPS Regulations.

The Chief Officer - Finance shall ensure that financial transactions carried out on behalf of the Pension Funds will be carried out with due regard to segregation of duties.

The Chief Officer - Finance shall approve the scope and limit of financial transactions carried out on behalf of the Pension Funds.

12.4.6 Budget

A budget will be prepared taking into account the following:

- a. any 'Service Level Agreement' between Aberdeen City Council and the Pension Funds;
- b. any projected Fund management costs. These costs are to be assessed by the Chief Officer - Finance and the Pension Fund Manager regarding any likely movement in the investment markets over a 12-month period; and
- c. any projected third-party costs. These costs are to be assessed by the Chief Officer - Finance and the Pension Fund Manager.

It is the responsibility of the Pension Fund Manager to report any variations to the budget to the Pensions Committee on a quarterly basis.

12.4.7 Financial Administration

- The Chief Officer - Finance shall ensure that appropriate policies are in place and are regularly reviewed for the effective and efficient collection of all monies due to the Pension Funds.
- The Chief Officer - Finance shall ensure that all outstanding income due to the Funds are pursued by the Pensions Section and escalated to the Service Income Section as appropriate. A report shall be prepared annually by the Pension Fund Manager for the Chief Officer - Finance regarding the write-off of unrecoverable debt. On review of the annual report the Pension Fund Manager shall be authorised to write off debts up to a value of £10,000, and the Chief Officer - Finance is authorised to write off debts up to a value of £25,000. All unrecoverable debts over £25,000 would be submitted to the Pensions Committee to seek approval for write-off.
- The Chief Officer - Finance shall ensure that effective procedures are in place and regularly reviewed regarding the Pension Fund's expenditure.
- The Chief Officer - Finance shall ensure that accurate records are maintained in respect of all Pension Fund's income and expenditure activity.
- The Chief Officer - Finance shall ensure that the Pension Funds have in place appropriate IT and accounting systems to comply with the requirements of the LGPS Regulations.

The Chief Officer - Finance shall be responsible for authorising all agreements and other documents concerning the administration of the Pension Funds.

12.4.8 Employee benefit payments

The Chief Officer - Finance shall approve and control arrangements for the payment of all benefits to Scheme members and the transfer of Pension Fund benefits to external pension providers.

~~The Senior Pensions Officer (Benefits) will review and authorise all payments and transfers processed through the Pension Fund benefit administration system. All payments and transfers processed through the Pension Fund's Benefit Administration System must follow the principles stated in Section 5.1 Internal Check (Risk Management and Control of Resources)~~

12.4.9 Risk Management

Subject to overriding requirements at Regulation 12 of the LGPS (Management and Investment of Funds) (Scotland) Regulations 2010, as amended,

the Chief Officer - Finance shall be responsible for the identification and control of Risk for the North East Scotland Pension Funds.

The Chief Officer - Finance will carry out an ongoing review of risk management relating to the Pension Funds and will report quarterly to the Pensions Committee in respect of all risk matters impacting the Pension Funds.

12.4.10 Audit

The Pension Funds shall be subject to the same internal audit appointments as the Council, providing there is no conflict of interest. The Pension Funds' External Auditors shall be appointed by the Accounts Commission.

The internal and external audit functions shall report to the Pensions Committee. A copy of such information shall be provided to the Audit, Risk and Scrutiny Committee.

An annual internal and external audit plan shall be drawn up after discussion with the Chief Officer - Finance and the Pension Fund Manager for the Pensions Committee's information, input and approval.

Both the internal and external audit function shall work directly with the Pension Fund Manager in relation to work carried out and followed up, with reporting to the Pensions Committee.

Internal and External Audit shall prepare an annual report, including their audit opinion, on the overall adequacy of the Pension Fund's control environment.

12.4.11 Investment of Funds

The Chief Officer - Finance will be responsible for ensuring that all monies in respect of the Pension Funds shall be invested in accordance with the Local Government Pension Scheme (Scotland) Regulations.

The Chief Officer - Finance shall ensure that proper records are maintained regarding the investments of the North East Scotland Pension Funds.

The Chief Officer - Finance shall be responsible for ensuring that, all investment will be held either in the name of the Aberdeen City Council

Pension Fund or appropriate nominee name.

Asset classes considered as being suitable investments for the Pension Funds will be detailed in the Pension Fund's 'Statement of Investment Principles' (SIP). The SIP will be subject to annual review by the Pensions Committee.

In accordance with the Local Government Pension Scheme Regulations the Pensions Committee will take proper advice regarding investment of the Fund's monies including advice from the Chief Officer - Finance.

12.4.12 Service Providers

The Chief Officer - Finance shall ensure that all service providers engaged on behalf of the Pension Funds will be appointed in accordance with the Procurement Regulations.

The Pension Funds have identified the following third-party service providers as 'key' providers regarding the Pension Fund's service provision. The list is not exhaustive and may be revised subject to direction by the Chief Officer - Finance:

- the Council;
- Scheme Actuary;
- Global Custodian;
- Investment Fund Managers;
- Investment Consultants;
- Benefit Administration system provider; and
- Implementation Services.

All third-party service providers will be subject to annual performance review (or more often as required) with reporting to the Pensions Committee as required.

12.4.13 Travel and Expenses

In respect of the North East Scotland Pension Funds, the Chief Officer - Finance shall approve an annual travel plan regarding the attendance at training events and conferences for elected members and officers.

Travel will be approved in accordance with the Travel Procedures set out in sections 4.8 and 4.9. To the extent that those procedures do not apply to all travel requirements relating to the Pension Funds, additional procedures specific to the Pension Funds will be determined by the Chief Officer – Finance.



APPENDIX A

APPROVED EXEMPTIONS FROM REQUIREMENT TO ISSUE A PURCHASE ORDER

The requirement to issue a purchase order is set out in Financial Regulation 5.12.2 and 5.12.3.

Essentially there are only 2 overarching reasons to not use a Purchase Order when committing or incurring expenditure and all Exemptions must meet one or other of these 2 criteria.

1. The expenditure being incurred would not represent a purchase of supplies, services and works
2. There is an agreed alternative control process in place

Specific examples that meet these 2 criteria are as follows:

1. The expenditure being incurred would not represent a purchase of supplies, services and works:
 - 1.1 Payments made through the payroll system
 - 1.1.1 Salaries and wages
 - 1.1.2 Payroll deductions including payments to HMRC, pension funds and employee benefits scheme providers
 - 1.1.3 Travel and subsistence claims
 - 1.2 Taxation and similar payments made to government bodies
 - 1.2.1 Levies
 - 1.2.2 Council Tax
 - 1.2.3 Business Rates
 - 1.2.4 Payments to the Tax Authorities
 - 1.3 Transfer payments
 - 1.3.1 Benefit payments including Housing Benefit, Universal Credit etc.
 - 1.3.2 Grant schemes and other similar payments e.g. fund distributions
 - 1.4 Other payments that do not constitute a purchase of supplies, services and works
 - 1.4.1 Grant schemes and other similar payments e.g. fund distributions
 - 1.4.2 Refunds to customers/clients
 - 1.4.3 Insurance/Legal settlements and compensation payments
 - 1.4.4 Court fees/Legal fees
 - 1.4.5 Interview Expenses
 - 1.4.6 Long service awards

- 1.4.7 Subscriptions to Professional Bodies (code 12873)
- 1.4.8 SQA fees
- 1.4.9 Registration & Inspection fees
- 1.4.10 Purchase of land and heritable property
- 1.5 Other agreed exemptions
 - 1.5.1 Postages
 - 1.5.2 Hire of taxis
 - 1.5.3 Payments related to the election function
- 2. There is an agreed alternative control process in place:
 - 2.1 Payment vouchers/Self Bills
 - 2.2 Payments to foster carers, adoption fees and kinship carer payments
 - 2.3 Payments made via the one-bill system, including gas, electric, telephone, photocopying charges and utility bills for Void properties
 - 2.4 Property Rents Payments made via feeder systems with an alternative purchase commitment recording functionality.
 - 2.4.1 Care Client Payments (e.g. ~~Carefirst~~D365)
 - 2.4.2 Building and Infrastructure works and jobs (Consillium)
 - 2.4.3 Fleet related payments (~~Tranman~~Jamma)
 - 2.4.4 Other specific payments where there is an alternative control process such as library and asset related (e.g. Spydus; Confirm)
 - 2.6 Items purchased using purchasing cards or credit cards (specific control arrangements apply to the use of these cards)
 - 2.7 Ongoing annual (repeat) subscriptions
 - 2.8 Unitary Charges (e.g. 3R's/AWPR projects)
 - 2.9 Payments for agency staff using relevant framework contracts and alternative controls.

All other purchases require a purchase order to be raised and quoted on the supplier's invoice. Invoices not containing the purchase order number will not be paid.

No exceptions will be accepted unless specifically approved by the Chief Officer - Finance or their authorised representative.

Appendix G

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Aberdeen City Council Procurement Regulations

[Approved by Council ~~3 March 2022~~ 14 June 2023



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Application of Policy	Council-wide
Policy Author	Head of Commercial and Procurement

1. Overview

- 1.1 The purpose of these Procurement Regulations is to:
- a. ensure that uniform contracting procedures of the highest standard are laid down for use throughout the Council;
 - b. secure compliance with the law;
 - c. ensure that the Council obtains best value in its procurement activity and all resultant contracts;
 - d. provide a framework for a more detailed Procurement Manual; and
 - e. protect the Council and its staff.
- 1.2 This shall ensure the Council consistently acts in a transparent and proportionate manner and in a way that is equal and without discrimination. In turn this shall lead to value for money, and more sustainable outcomes.

2. Definitions

- 2.1 Throughout this document the following definitions shall apply:
- 2.1.1 **Annual Procurement Report** means a report published by the Council annually in relation to Regulated Procurements.
- 2.1.2 **Capital Programme** means a list of the budgets allocated to capital projects, and the associated funding, either (i) approved at the annual Council budget meeting; (ii) approved by the Finance and Resources Committee; or (iii) approved under Powers Delegated to Officers, or a specific delegation from Council or committee.
- 2.1.3 **City Region Deal Committee** means the Joint Committee established by Aberdeen City Council and Aberdeenshire Council under sections 56 and 57 of the Local Government (Scotland) Act 1973 with authority to approve business cases for City Region Deal projects; to approve operational expenditure within agreed Aberdeen City Region Deal Joint Committee budgets; and with responsibility for supporting and overseeing the implementation of the Aberdeen City Region Deal;
- 2.1.4 **Committee** means the Finance and Resources Committee of the Council with responsibility for monitoring best value, internal financial control, corporate governance relating to procurement, or any other matter to which the procedure for award of Council contracts may be relevant;
- 2.1.5 **Concession Contract** means a works concession contract or a services concession contract as defined by the Concession Contracts (Scotland) Regulations 2016.
- 2.1.6 **Contract of Employment** means a contract between the Council and an individual that sets out an employee's employment conditions, rights, responsibilities and duties. This is distinct from an agreement to provide services for the Council, for example by a consultancy arrangement.
- 2.1.7 **Contract Value** means the estimated aggregate total value (total estimated value), excluding VAT, over the entire term of the Contract which the Council expects to be payable under the contract. In the case of a works concession contract or a services concession contract, the value shall be calculated on the basis of the total net turnover of the concessionaire generated over the duration of the contract, as

estimated by the Council, in consideration for the works and services that are the object of the concession.

- 2.1.8 Contracts Register** means a record of contract details currently in place within the Council.
- 2.1.9 Corporate Procurement Plan** means a document giving details on how the Council intends to carry out regulated procurements as required by Section 15 of the Procurement Reform (Scotland) Act 2014.
- 2.1.10 Council** means Aberdeen City Council.
- 2.1.11 Delegated Procurement Authority** or DPA means the authority that permits a Delegated Procurer to conduct a procurement for supplies, services or works on behalf of the Council.
- 2.1.12 Delegated Procurer** means any officer holding Delegated Procurement Authority and authorised to carry out procurement activities.
- 2.1.13 E-Tendering or Electronic Tendering** means a tendering process where the contract documents are published electronically and the tender response to these is also submitted electronically in the first instance. E-tender shall be construed accordingly.
- 2.1.14 Find a Tender Service** means the UK e-notification service, a single webbased portal called the Find a Tender Service which is provided, by or on behalf of the Cabinet Office and through which notices can be published in accordance with the Relevant Legislation and these procurement regulations
- 2.1.15 Higher Value Threshold** means the Contract Value thresholds set out in the Public Contracts (Scotland) Regulations 5 (1) (a), (b) and (c) and as amended by the Scottish Ministers from time to time, current thresholds are set out in the Procurement Manual.
- 2.1.16 Framework Agreement** means an agreement between one or more contracting authorities and one or more suppliers. The purpose of such agreements is to establish the terms governing public contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged.
- 2.1.17 IJB** means the Aberdeen City Integration Joint Board established by Order under section 9 of the Public Bodies (Joint Working) (Scotland) Act 2014.
- 2.1.18 Inside Information** means information which relates directly or indirectly to the Council or any of its group entities; has not been made public; is precise; and if it were made public, would be likely to have a significant effect on the prices of one or more of the Council's Bonds or could have an impact on the Council's credit rating.
- 2.1.19 Pensions Committee** means the Committee of the Council with responsibility for discharging all functions and responsibilities relating to the Council's role as administering authority for the North East Scotland Pension Fund;
- 2.1.20 Procurement Manual** means a supplement to these Procurement Regulations which gives detailed guidance on the Procurement Regulations.
- 2.1.21 Procuring Cluster** means the Cluster of the Council with responsibility for procuring any particular requirement for supplies, services, works or a concession on behalf of the Council or for the disposal of surplus materials.

2.1.22 Proper Officer means any officer in the employment of the Council who is duly authorised for the purpose of signing contracts on behalf of the Council under the Council's Scheme of Delegation or any other resolution of the Council authorising officers to sign contracts.

2.1.23 Public Contracts Scotland means the national portal for advertising public sector contract opportunities in Scotland, which may be found at www.publiccontractsscotland.gov.uk.

2.1.24 Regulated Procurements means a procurement where any contract formed will be a public contract the Contract Value of which is equal to or greater than the relevant contract Threshold, and which is not for the procurement of an excluded contract as defined in Section 4 of the Procurement Reform (Scotland) Act 2014 or a contract excluded from the scope of the Concession Contracts (Scotland) Regulations 2016.

2.1.25 Relevant Legislation means the Scottish procurement legislation in effect at the time any procurement process is entered into and any other relevant applicable law.

2.1.26 Terms and Conditions means the special and general arrangements, provisions and requirements of a contract.

2.1.27 Thresholds means the financial value that determines how a procurement is to be undertaken.

3. Extent and Application

3.1 These Procurement Regulations are made under section 81 of the Local Government (Scotland) Act 1973.

3.2 These Procurement Regulations must be interpreted in accordance with the principles of openness, fairness and non-discrimination.

3.3 All Council personnel shall comply with the terms of the Procurement Regulations. Any breach or non-compliance with these Regulations must, on discovery, be reported immediately to the Head of Commercial and Procurement. The Head of Commercial and Procurement may consult other relevant officers, including the Chief Executive, in order to determine the appropriate action. Failure by any employee to comply with the Procurement Regulations or the associated Procurement Manual may be grounds for disciplinary action. Employees of NHS Grampian appointed as officers of the Council for the purpose of delivering integrated services will be required to comply with Aberdeen City Council Procurement Regulations when undertaking a procurement pursuant to a Direction issued by the IJB to the Council.

The Council's Head of Commercial and Procurement will maintain a list of such individuals. Any breach or non-compliance may result in being removed from the appointment as an officer of the Council and may result in a referral for disciplinary action in line with the policies of the NHS Grampian. The Council's Head of Commercial and Procurement will maintain a list of those officers of the Council that are required to comply with the Procurement Regulations of NHS Grampian. Any breach of those regulations will be treated as non-compliance with Council's Procurement Regulations.

3.4 Subject to the provisions of Paragraph 3.11, the Procurement Regulations shall apply to:

a. Any procurements undertaken by, or on behalf of, the Council with the intention of creating a contract or contracts (including the creation of a framework agreement) for

the purchase of goods and/or services, for the execution of works, or for the award of a concession;

- b. Any procurements undertaken by, or on behalf of, the Council with the intention to enter into a call-off contract under an external framework agreement. Prior to call-off from any external framework agreement, an Adoption Report must be completed in accordance with the Procurement Manual;
- c. Any amendment or variation of an existing contract for the purchase of goods or services, or for the execution of works, where:
 - I. that amendment or variation would exceed the parameters of the approval of the original procurement, or
 - II. the aggregate Contract Value of the original contract and the variation of that contract would exceed a threshold requiring approval at a higher level, or
 - III. the amendment would result in an assignation or novation to a new supplier; and
- d. Any procurement undertaken by, or on behalf of, the Council with the intention of leading to the award of a public services concession contract or public works concession contract.

3.5 The Procurement Regulations are subject to the over-riding provisions of United Kingdom or Scots law governing public procurement. They are also subject to any statutory guidance issued from time to time by the UK Government or Scottish Government on public procurement.

3.6 When determining the Contract Value for the purchase of goods or services, or for the execution of works, the Delegated Procurer must take into account the aggregate value of the particular requirement for supplies, services or works across the whole Council and any contract extension option. When determining the Contract Value of a Concession Contract, the Delegated Procurer shall follow the Procurement Manual. Where any single requirement is divided into Lots the Contract Value will equal the aggregate value of all the Lots.

If the procurement of any such requirements is split amongst a number of contracts which, taken individually, are below the threshold values, each of these contracts will be subject to the Relevant Legislation in place at the time of the procurement in the same way as if the requirements were procured through a single large contract.

3.7 Contracts related for “care and support services” are subject to a Light-Touch Regime as defined in the legislation. Details of the services covered under this regime, and how the Council will procure such services are covered by Procurement Regulation 15 and also included within the Procurement Manual.

3.8 All tendering for Supplies, Services and/or Works, or a Concession Contract by a Delegated Procurer shall be carried out following consultation with the Head of Commercial and Procurement.

3.9 The following types of contract are exempted from the provisions of these Procurement Regulations:-

- a. Any contract of employment;
- b. Any contract relating to the acquisition or disposal or lease of heritable property or any other interest in land;

- c. Any award or receipt of a Grant;
 - d. Any contract for the Sponsorship of an event;
 - e. Any contract which relates to the appointment by the Council of advocates, solicitors or barristers ~~or expert witnesses~~ in any legal proceedings (whether such proceedings are underway or in contemplation) subject to Procurement Regulation 4.1.1.3;
 - f. Any contract which, in the opinion of the Director of the Procuring Cluster, or of the Chief Executive, is urgently required to prevent danger to life, serious risk to health or damage to property. Where practicable the Director or the Chief Executive shall consult with the Head of Commercial and Procurement before taking any action under this paragraph. In all circumstances where this exemption has been used: ~~the Head of Commercial and Procurement shall be notified as soon as reasonably practicable; and~~
 - i. the Head of Commercial and Procurement shall be notified as soon as reasonably practicable; and
 - ii. any contract with a Contract Value of equal to or greater than £10,000 (supplies/ services or works) or £4.5m (concessions) entered into, varied or terminated on behalf of the Council must be noted in the Contracts Register and be reported to the appropriate Committee by the Delegated Procurer as soon as practicable; and
 - g. Any contract that is to be performed in-house.
- 3.10** The Procurement Regulations may be suspended either in whole or in part by Full Council, Finance and Resources Committee, or the Director of Commissioning and the Head of Commercial and Procurement in writing, in respect of an award of any contract where the award of that contract is urgently required to meet the exigencies of the Function/ Cluster.
- 3.11** Where the Director of Commissioning and the Head of Commercial and Procurement have decided that the criteria for suspension of Procurement Regulations are fulfilled, then a contract may be awarded to the preferred supplier or contractor as appropriate and the reason(s) must be noted in the Contracts Register. Any contract made on behalf of the Council under this paragraph shall be reported to Full Council, the Finance and Resources Committee, or the IJB as appropriate by the Delegated Procurer as soon as practicable.
- 3.12** The Procurement Regulations must be read in conjunction with the Procurement Manual issued by the Head of Commercial and Procurement. Where there is any discrepancy between documents, the Procurement Regulations will take precedence.

4. Procurement Procedures

4.1 Authority to Incur Expenditure

- 4.1.1** No tender shall be invited or contract entered into for the purchase of goods or services, or for the execution of works unless the total estimated expenditure has been previously approved and can be met from an approved budget. No tender shall be invited for a concession or Concession Contract entered into unless it has been previously approved. The method of authorising a procurement is dependent on the Contract Value as follows:
- 4.1.1.1** **Contract Value below £50,000 (supplies/services), £250,000 (works) or £4.5m (concessions)** Subject to budget approval, the relevant Chief Officer may give authority to conduct any procurement where the estimated Contract Value is below £50,000 (supplies/ services) or

£250,000 (works), and following consultation with the Co-Leaders of the Council or Convener of the Finance and Resources Committee, the Head of Commercial and Procurement may give authority to conduct any procurement where the estimated Contract Value of a Concession Contract is below £4.5m. Such procurements shall be undertaken by a Delegated Procurer in line with Section 4.3 of these Procurement Regulations.

4.1.1.2 Contract Value above £50,000 (supplies/services) £250,000 (works), or £4.5m (concessions) Contracts with an estimated Contract Value of above these thresholds shall be listed on the workplan to be submitted by the relevant Director or Chief Officer in accordance with Procurement Regulation 14.6. Each individual contract will also require a Business Case (conforming to a template approved by the Head of Commercial and Procurement)

to be submitted by the relevant Chief Officer to the Council or the Finance and Resources Committee as appropriate or where the contract relates to a capital project that is already part of the Capital Programme, to the Director of Resources.

Business cases may only be submitted to the Council or Finance and Resources Committee on the approval of the Head of Commercial and Procurement or in relation to the Capital Programme on the approval of the Chief Officer – Capital, following consultation with the Director of Resources and Chief Officer – Finance. The approval of the Council or Finance and Resources Committee is required prior to the procurement being undertaken.

Business Cases that relate to a capital project that is already part of the Capital Programme, may be approved by the Director of Resources following consultation with Chief Officer – Capital, Head of Commercial and Procurement and Co Leaders of the Council or Convener of the Finance and Resources Committee.

4.1.1.3 Contracts above £5,000 for consultancy and accountancy services and services provided by Advocates and QCs Where the estimated Contract Value or appointment for: -

- a. Business and management consultancy and related services;
- b. Financial consultancy and accountancy related services; or
- c. Services provided by Advocates or QCs;

exceeds £5,000, the relevant Chief Officer may only give authority to engage the services following consultation with the Leader of the Council and in respect of (c) also in consultation with Chief Officer - Governance. In determining the estimated contract value of any contract or appointment covered by this Regulation 4.1.1.3, each individual contract or appointment shall be considered separately and there shall be no aggregation of separate contracts or appointments for the purposes of arriving at an estimated expenditure.

4.1.1.4 Expenditure via Framework Agreements

Delegated Procurers must whenever possible procure supplies, services and works under Scotland Excel or Scottish Government framework agreements provided that authority to incur expenditure for each call-off

contract has been approved in accordance with these Procurement Regulations and also provided that: -

- i. An Adoption Report has been completed in accordance with the Procurement Manual,
- ii. No material change has been made to the call-off terms under the framework agreement and calling-off from the framework has been done in accordance with the procedures laid down within that framework,
- iii. All call-off contracts with a Contract Value of greater than £10,000 (supplies/ services or works) or £4.5m (concessions) must be added to the Contracts Register, and
- iv. If the aggregate Contract Value of call-off contracts under a framework agreement is likely to exceed the thresholds stated in Procurement Regulation 4.1.1.2 then the authority of Full Council or the Finance and Resources Committee to incur the expenditure must be obtained in advance of the applicable thresholds being exceeded.

4.1.1.5 Expenditure Approved by the Integrationed Joint Board

Notwithstanding Procurement Regulation 4.1.1.2, the Director of Commissioning can approve (or nominate a person as having authority to approve) any procurement or contract, as a result of a Direction from the Integrationed Joint Board to the Council and/or a relevant business case, where the Contract Value of the contract is above £50,000 (supplies/services) or £250,000 (works) or £4.5m (concessions), subject to the approval of the Chief Officer – Finance and the Head of Commercial and Procurement without the need for the approval of any other Committee.

4.1.1.6 Expenditure Approved by the Pensions Committee

Notwithstanding Procurement Regulation 4.1.1.2, the Director of Resources can approve (or nominate a person as having authority to approve) any procurement or contract, as a result of a decision of the Pensions Committee and/or a relevant business case, where the Contract Value of the contract is of or above £50,000 (supplies/ services) £250,000 (works) or £4.5m (concessions), following consultation with the Chief Officer – Finance and the Head of Commercial and Procurement.

4.1.1.7 Expenditure Approved by the City Region Deal Joint Committee

Notwithstanding Procurement Regulation 4.1.1.2, the Director of Resources can approve (or nominate a person as having authority to approve) any procurement, contract and/or business case for the inclusion of a project onto the Council's Capital Programme, as a result of a decision of the Aberdeen City Region Deal Joint Committee and/or a relevant business case, where the estimated Contract Value is of or above £50,000 (supplies/services) £250,000 (works) or £4.5m (concessions), following consultation with the Chief Officer – Finance, Chief Officer - Capital and the Head of Commercial and Procurement.

4.1.1.8 Expenditure of grant funding, gifts, endowments, monetary bequest or donation received by the Council

- i. Expenditure of grant funding, gifts, endowments, monetary bequest or donation received by the Council must always be in accordance with the terms and conditions of the grant, gift, endowment, monetary bequest or donation (if any).
- ii. Where a tender is to be invited or contract entered into that is in excess of £50,000 (supplies/services) £250,000 (works) and 100% of the Contract Value is to be met from grant funding, gift, endowment, monetary bequest or donation received by the Council, a Business Case (conforming to a template approved by the Head of Commercial and Procurement) must be submitted by the relevant Chief Officer to the Head of Commercial and Procurement for approval to proceed, in place of the approval route set out in regulation 4.1.1.2 (other than contracts that relate to a capital project that is already part of the Capital Programme, in which case, the business case shall still be submitted to the Director of Resources), or in place of the approval route set out in regulation 15.5.1.3.
- iii. Where a tender is to be invited or contract entered into that is in excess of £50,000 (supplies/services) £250,000 (works) and less than 100% of the Contract Value is met from grant funding, monetary bequest or donation received by the Council, the approval route set out in regulation 4.1.1.2 or 15.5.1.3 (as appropriate) shall be followed. If the applicable regulation cannot be complied with due to time constraints relating to expenditure of the grant, monetary bequest or donation, this would be considered grounds to suspend the applicable regulation under procurement regulation 3.10.

4.1.2 Exceeding approved Contract Value

4.1.2.1 Where a Contract Value has been previously approved by the relevant Chief Officer, or Committee and it becomes apparent to the Chief Officer of the Procuring Cluster that the indicative total Contract Value of the contract as previously reported is likely to be exceeded, no further action shall be taken under regulation 4.1.2.2 or 4.1.2.3 until the relevant Chief Officer has sought the approval of the Head of Commercial and Procurement.

4.1.2.2 Where the Contract Value of a supplies/ services or concession contract:

- i. is likely to exceed the Contract Value that has previously been approved; and
- ii. the additional cost is more than either the lesser of £100,000 or 50% of the approved Contract Value, in the case of supplies/ services, or the additional turnover from the contract is more than the lesser of £4.5m and 10% of the original Contract Value in the case of a Concession Contract;

the indicative previously agreed total Contract Value cannot be exceeded without the relevant approval being received as set out below:

The relevant Chief Officer shall ensure that a report on the matter is submitted for consideration to either:

- i. the next appropriate meeting of the relevant Committee;
- ii. the next appropriate meeting of the IJB; or
- iii. the Director of Resources where the original Contract Value was approved by the Director of Resources and there is an identified budget to cover the additional expenditure,

unless competition is absent for technical or economic reasons, in which case para 4.1.3 shall apply.

The Head of Commercial and Procurement shall keep a register of all reports made under this regulation to be available for inspection for monitoring and audit purposes. This Regulation applies to contracts equal to or greater than £50,000 for Goods and/or Services or with a Contract Value of equal or greater than £4.5m for concessions.

4.1.2.3 Where the Contract Value of a works contract is likely to exceed the indicative total Contract Value of that contract that has previously been approved, Chief Officer – Capital or Chief Officer - Corporate Landlord (as appropriate) may approve further expenditure provided it is affordable within the assigned budget including any contingency allowances following consultation with the Convener of the Capital Programme Committee. The requirement to obtain the prior approval of the Head of Commercial and Procurement in accordance with regulation 4.1.2.1 must be observed in all cases unless unforeseeable events occurring at a works site require an immediate decision. Chief Officer Capital and Chief Officer - Corporate Landlord shall keep a record of contract change notices/ contract variations that increase the price of a works contract procured by their cluster, and report them to the next scheduled Finance and Resources Committee.

4.1.2.4 Where the Chief Officer – Capital or Chief Officer – Corporate Landlord has approved further expenditure under regulation 4.1.2.3, the approval shall be noted on a register to be kept by such Chief Officer, to be available for inspection at any time for monitoring and audit purposes.

4.1.3 Competition absent for Technical Reasons

4.1.3.1 Where the works, supplies or services can only be provided by a particular economic operator because:

- a. competition is absent for technical reasons or because that operator has an exclusive right (including intellectual property rights), and no reasonable alternative or substitute exists; or
- b. a change of economic operator cannot be made for economic or technical reasons and would cause significant inconvenience or substantial duplication of cost;

following consultation with the Co-Leaders or Convener of the Finance and Resources Committee (as appropriate) the Head of Commercial and Procurement may approve a direct award to that economic operator and the estimated expenditure associated with that without the need for a

business case to be presented to the relevant Committee. In all other respects, Regulation 4.1.1 will continue to apply, including the requirement that expenditure can be met from an approved budget

4.1.3.2 Where the Head of Commercial and Procurement has approved a direct award under regulation 4.1.3.1, the contract award shall be noted on a register to be kept by the Head of Commercial and Procurement, to be available for inspection for monitoring and audit purposes.

4.1.4 There shall be no artificial splitting of a contract to avoid the application of the provisions of Scottish, UK and/or these Procurement Regulations.

4.2 Authority to Carry Out Procurements

4.2.1 All contracts let by or on behalf of the Council shall be subject to an obligation on the Head of Commercial and Procurement to seek best value for the Council. The Head of Commercial and Procurement and the Delegated Procurer will be responsible for demonstrating fairness, non-discrimination, equal treatment and transparency in the contract procedures chosen to all parties having an interest in those procedures.

4.2.2 Procurements shall only be carried out by Delegated Procurers who have been designated as such by the Head of Commercial and Procurement and who hold relevant Delegated Procurement Authority (Procurement Manual).

4.2.3 Delegated Procurement Authority will be reviewed on an annual basis, or as required, and may be increased, reduced or withdrawn by the Head of Commercial and Procurement as necessary.

4.3 Quotations - Contracts below £50,000 (Supplies/Services) or £250,000 (Works)

4.3.1 The procedure to be followed for the award of any contract by the Council depends on the estimated Contract Value. Values or amounts referred to in these Procurement Regulations shall be based on the best available estimate at the time of tendering.

4.3.2 For any contract with a total estimated Contract Value below £50,000 (for supplies and services) £250,000 (for works), or £4.5m (for concessions) the Delegated Procurer shall follow the Procurement Manual and obtain written quotations to ensure the demonstration of best value to the Council in the sourcing decision. If quotations cannot be obtained the Delegated Procurer shall complete a Non-Competitive Action Form (included in the Procurement Manual) explaining why this is the case and submit it to the relevant Chief Officer for approval.

4.3.3 All requests for quotations shall be advertised, and submissions received, via the Quick Quote online procurement tool available via Public Contracts Scotland, unless authorisation has been given by the Head of Commercial and Procurement to the contrary.

4.4 Competitive Tendering (Where the Contract Value is below the Higher Value Threshold)

4.4.1 Where any contract has an estimated value of between £50,000 and the Higher Value Threshold (for supplies/services) or between £250,000 and the Higher Value Threshold (works), or is otherwise exempt from the full application of the Public Contracts (Scotland) Regulations 2015, competitive tendering shall be undertaken.

4.4.2 To ascertain how the procurement shall be undertaken in relation to the requirement, the Delegated Procurer shall follow the Procurement Manual.

4.4.3 All tenders shall be appropriately advertised, and submissions received, via Public Contracts Scotland or such other platform as may be authorised by the Head of Commercial and Procurement.

4.5 Higher Value Procurements

4.5.1 A Higher Value Procurement means a procurement undertaken in accordance with the Public Contracts (Scotland) Regulations 2015 or the Concession Contracts (Scotland) Regulations 2016 and requires advertising in Find a Tender Service). A Higher Value Procurement must be undertaken where the Council proposes to tender for any contract with an estimated value equal to or exceeding the applicable Higher Value Threshold (Supplies, Services or Works).

4.5.2 To ascertain how the procurement shall be undertaken in relation to the requirement, the Delegated Procurer shall follow the Procurement Manual.

4.5.3 All tenders shall be appropriately advertised, and submissions received, via Public Contracts Scotland or such other platform as may be authorised by the Head of Commercial and Procurement.

5. Roles and Responsibilities

5.1 General Responsibilities

5.1.1 It is the duty of all employees within the Council to ensure that these Procurement Regulations, and the Procurement Manual, are adhered to in order to ensure best value is achieved in relation to expenditure relating to supplies, services or works and the granting of Concession Contracts. The allocation of a budget as part of the Council's budget setting process is not sufficient to comply with these Procurement Regulations.

5.2 Head of Commercial and Procurement

5.2.1 The Head of Commercial and Procurement is responsible for all procurement and tendering arrangements for the purchase of supplies, services, works and the granting of concessions.

5.2.2 The Head of Commercial and Procurement shall authorise, by means of Delegated Procurement Authority, adequately trained staff to undertake procurement activity (Delegated Procurers).

5.2.3 The Head of Commercial and Procurement shall ensure that the Procurement Manual is in place and that necessary revisions are made to it on a regular basis to reflect changes in legislation, Council policy or good practice.

5.2.4 The Head of Commercial and Procurement shall maintain a consolidated workplan for the Council and for the Finance and Resources Committee. The workplans will contain a list of proposed procurement activity for the next financial year where the estimated expenditure per contract is £50,000 or more (supplies/services) or £250,000 (works) or £4.5m (concession) and will be compiled with the information provided by Directors/Chief Officers in accordance with Procurement Regulation 14.6.

5.3 Directors (including Chief Officer of Integrated Health & Social Care Partnership)

- 5.3.1** Each Director has responsibility to ensure that staff in their Function follow the Procurement Regulations for all contracts let by their Function and is accountable to the Council for the performance of their duties in relation to contract management. Each Director shall be able to evidence that the procurements are compliant with these Procurement Regulations and the Procurement Manual.
- 5.3.2** Each Director shall ensure that all contracts in place within their Function with a Contract Value of greater than £10,000 (supplies/ services or works) or £4.5m (concessions) are entered into the corporate Contracts Register. The details required to be provided are detailed within the Procurement Manual.

5.4 Delegated Procurers

- 5.4.1** All Delegated Procurers will ensure compliance with relevant procurement legislation, these Procurement Regulations and the Procurement Manual.
- 5.4.2** Delegated Procurers are authorised to undertake procurements to the levels stated within their individual Delegated Procurement Authority. They must ensure that these are not exceeded without the authority of the Head of Commercial and Procurement.
- 5.4.3** Delegated Procurers will undertake regular training in order to maintain their Delegated Procurement Authority.

6. Sustainable Procurement

- 6.1** The Council is committed to working towards sustainable development, and in particular sustainable procurement and will work to embed the principles of sustainability at all stages of procurement activities to ensure that social, environmental and economic impacts are considered throughout the procurement and contract management process, consistent with relevant legislation.
- 6.2** In the context of these Procurement Regulations “sustainable development” shall be taken to mean development which secures a balance of social, economic, health and environmental well-being in the impact of activities and decisions. Sustainable development seeks to meet the needs of the present without compromising the ability of future generations to meet their own needs.
- 6.3** Before carrying out a Regulated Procurement (other than the procurement of a concessionaire), the Council must consider how in conducting the procurement process it can:
- i. improve the economic, social and environmental wellbeing of the Council’s area.
 - ii. facilitate the involvement of small and medium enterprises, third sector bodies and supported businesses in the process.
 - iii.
- 6.4** In carrying out the procurement the Council must act with a view to securing such improvements as identified within paragraph 6.3. However the Council must only consider matters that are relevant to what is proposed to be procured and, in doing so, consider the extent to which it is proportionate in all the circumstances to take those matters in to account.
- 6.5** Detailed information is available within the Procurement Manual.

7. Purchase Orders

- 7.1** No supplies, services or works shall be ordered or instructed except on an official order form, which shall be in an approved format. Where, by reason of urgency or necessity, a verbal order is issued, it must be confirmed within 3 working days with the issue of an official order form from the ordering system. The supplier shall be requested to quote order numbers on all invoices. The budget holder risks disciplinary action for noncompliance.
- 7.2** The order, with the contract references/schedule numbers added, shall be approved by the Director or other authorised signatory. All Directors must furnish the Chief Officer - Finance with a list of signatories approved for this purpose, and shall advise him or her of additions to or deletions from the list as they occur as per the Council's Scheme of Delegation. The officer approving the purchase order must be satisfied that there is appropriate budgetary provision covering the estimated cost and that Council procurement procedures have been followed prior to authorisation.

8. Special Matters

8.1 Internal Services

- 8.1.1** Where supplies, services or works can be provided by another Service of the Council, this may be delivered by that Council Service following consultation between the Chief Officers of the relevant Service(s) and the Head of Commercial and Procurement. It is the responsibility of the Chief Officer of the in-house provider to ensure that Best Value for the Council is achieved by either:
- a. carrying out such supplies, services or works at cost; or
 - b. providing requested advice and support in relation to contracting with an external provider.

8.2 Second Hand Goods

- 8.2.1** Second hand goods up to a Contract Value of £50,000 may be acquired by the Council without a competitive quotation being obtained provided that:
- a. The Director of the relevant Service can demonstrate that the purchase is necessary to facilitate service delivery;
 - b. The Director of the relevant Service can demonstrate that the purchase represents best value, having given due consideration to the cost of an equivalent new purchase and estimated life of the asset both from new and current age;
 - c. The goods have been subject to inspection to ascertain their physical condition, with a record kept of the outcome of the inspection;
 - d. The Council has clear title to the goods; and
 - e. The Director obtains in writing (which may be by e-mail) the prior agreement of the Head of Commercial and Procurement before effecting the purchase.

8.3 Grants

- 8.3.1** The award of grants is a means by which the Council provides subsidies or funding to external bodies (including individuals, businesses and third sector organisations) to further the aims of those external bodies. Grants must not be used to procure supplies, services or works which the Council would otherwise have to procure in accordance with these Procurement Regulations.

- 8.3.2 Whilst an award of a grant by the Council may not be subject to these Procurement Regulations, it is essential that the Council's procedures on Following the Public Pound are considered.
- 8.3.3 Where it is envisaged that there may be any procurement or subsidy control (formerly state aid) implications in the award of grants, then the Head of Commercial and Procurement must be consulted prior to entering into any such arrangement.
- 8.3.4 Purchase of supplies, services or works in relation to grant funding awarded to the Council will be carried out in accordance with the provisions within these Procurement Regulations, as per the values within Regulation 4.1.

8.4 Shared Services

- 8.4.1 Shared Services are arrangements where the Council collaborates with other public authorities to obtain supplies, services or works from them. Advice on the operation of procurement rules in respect of any proposed shared service arrangement should be sought from the Head of Commercial and Procurement.
- 8.4.2 Identification of a proposed shared service arrangement should be undertaken only following consultation with the Head of Commercial and Procurement and can only be entered into where the Director of the relevant Function can demonstrate that such an arrangement represents best value to the Council.
- 8.4.3 Approval to enter into a shared service arrangement may also require the approval of the Council or Finance and Resources Committee, as appropriate, as per Regulation 4.1.

8.5 Income Generation

- 8.5.1 Where a contract is to be entered into by the Council for income generation purposes and there will be no expenditure by the Council outwith approved budgets, the Head of Commercial and Procurement, following consultation with the **Co-Leaders of the Council** or Convener of the Finance and Resources Committee, as appropriate, shall approve the decision to enter into the contract and the Terms and Conditions of Contract to be utilised and there shall be no requirement for Committee approval.

8.6 Inside Information

- 8.6.1 The Council has issued Bonds on the London Stock Exchange and must comply with the Market Abuse Regulations which control how Inside Information must be dealt with by the Council. The Council may from time to time be required to make Inside Information public as part of the procurement process and must do so through the London Stock Exchange.
- 8.6.2 All Delegated Procurers must ensure that they comply with the requirements of the Market Abuse Regulations in this regard and that they take advice as necessary from the Chief Officer – Finance, Chief Officer - Governance or the Head of Commercial and Procurement. Further information may be sought in the Council's Bond Governance Protocol.

8.7 Procurement of Consultants

- 8.7.1 The appointment of consultants or sub-contractors shall be done in accordance with Procurement Regulation 4.1.1.3. Such appointments may fall within the IR35 rules which may result in the Council being liable to pay income tax and national

insurance contributions in respect of the engagement. The Council must not enter into contracts with any individual or company direct without the prior approval of the Head of Commercial and Procurement. Officers must follow these Procurement Regulations and must engage with the Commercial and Procurement Cluster prior to agreeing to contract with an individual or organisation.

8.7.2 In appointing consultants Directors / Chief Officers must ensure that the terms of agreement are controlled and knowledge transfer to Council officers should be effected where beneficial.

8.7.3 Any contract for consultancy services shall be subject to the approval of the Head of Commercial and Procurement. IR35 implications must be established prior to commencing the procurement process. Amongst other things the contract shall specify:

- the precise scope of the commission;
- cost limits and controls;
- lines and levels of reporting, responsibility and authority;
- insurance cover (which must be verified by Council officers);
- the method of determining completion of work and payment thereof;
- standard Aberdeen City Council terms of payment; and
- the ownership of intellectual property rights relating to any material or computer software developed during the consultancy.

It shall be the responsibility of the relevant Director to ensure that any consultancy contract complies with the Procurement Regulations and the Financial Regulations.

8.8 ALEOs

8.8.1 Notwithstanding the regulations relating to Concession Contracts contained within these Procurement Regulations, no agreements setting out the terms and conditions of annual funding shall be entered into with an ALEO unless previously approved by the Council or Finance and Resources Committee.

9. Tender Issue and Receipt

9.1 The Delegated Procurer shall issue invitations to quote/tender and contract documents for all contracts in compliance with these Procurement Regulations and the Procurement Manual.

9.2 Terms and Conditions of Contract

9.2.1 Except where specialist Terms and Conditions are required, the Delegated Procurer shall use the standard Terms and Conditions of Contract in use by the Council, or those within a relevant framework agreement. Any specialist Terms and Conditions must be approved in writing by the Head of Commercial and Procurement. Terms and Conditions of Contract are detailed within the Procurement Manual.

9.2.2 On no occasion will the Council contract under Terms and Conditions supplied by any tenderer/contractor unless these have been reviewed and agreed by the Head of Commercial and Procurement.

9.3 Advertisement

- 9.3.1** Unless agreed otherwise in writing by the Head of Commercial and Procurement, any tender which requires to be advertised in accordance with these Procurement Regulations shall be advertised via the Public Contracts Scotland website www.publiccontractsscotland.gov.uk, notwithstanding any other form of advertisement or notice required by law or otherwise..

9.4 Issue of Tenders

- 9.4.1** Electronic Tendering (e-tendering) processes will be utilised for all tender exercises where this is practically possible. Contracts shall be advertised, contract documents issued, information exchanged, tenders submitted, received and opened via electronic means. Detailed information is available within the Procurement Manual.
- 9.4.2** Where in exceptional circumstances, Electronic Tendering is not utilised all procedures shall reflect as closely as possible those where Electronic Tendering is utilised. Tender issue, submission and opening shall, in these circumstances, be undertaken as per the Procurement Manual.

9.5 Receipts of Tenders

- 9.5.1** Tenders will be received and opened electronically via the electronic tendering system utilised by the Council. Where, in exceptional circumstances, Electronic Tendering is not utilised, tender receipt and submission shall be undertaken as per the Procurement Manual.

10. Tender Evaluation

- 10.1** Tenders shall be evaluated by a group of nominated individuals in accordance with the Procurement Manual.
- 10.2** Tenders shall be evaluated in accordance with the quotation or tender award criteria, and on the basis of establishing which offer is the most economically advantageous and provides best value to the Council.
- 10.3** Tenders shall be evaluated strictly in accordance with the evaluation criteria set out in the tender documents. No tender shall be accepted based on evaluation of criteria not set out in the tender documents
- 10.4** A written record shall be maintained outlining the evaluation process, recording the process followed, the criteria applied, and detailing the reasons for the decision. This record shall be retained as per the Council's Corporate Retention & Disposal Schedule and is further detailed within the Procurement Manual.

11. Supplier Selection and Tender Acceptance

- 11.1** As soon as reasonably practicable after a decision has been made to eliminate a supplier or tender at any stage of a procurement procedure the Council must notify those tenders and candidates concerned of their elimination by notice in writing.
- 11.2** As soon as possible after a decision has been made to award any contract following a procurement process where Contract Value is above the relevant Higher Value Threshold the Council shall, by notice in writing, inform all candidates and economic operators concerned of the Council's decision to award the contract.

11.3 Tender acceptance letters and debrief letters shall be prepared by the Delegated Procurer and approved by the relevant Category Manager within Commercial and Procurement. Debriefs shall be undertaken in accordance with relevant legislation.

11.4 An Award Report must be completed in accordance with the Procurement Manual.

12. Award of Contract

12.1 At the conclusion of the tender procedure and (if applicable) after the expiry of any Standstill Period the final contract shall be entered into between the Council and the successful tenderer. Officers awarding contracts on behalf of the Council must be aware of the requirements in relation to disclosure of Inside Information as detailed in Procurement Regulation 8.6.

12.2 Contracts shall be entered into and executed as follows:

12.2.1 Contracts with a Contract Value equal to or exceeding the relevant Higher Value Threshold, through the execution of a written contract executed in accordance with Scots law, unless otherwise agreed in accordance with Paragraph 9.2.1, signed on behalf of the Council by a Proper Officer and signed by the contractor by a duly authorised person.

12.2.2 Contract Values of less than the relevant Higher Value Threshold, unless the Head of Commercial and Procurement has directed a particular option in the case of a procurement, the Delegated Procurer shall determine whether the contract should be executed either:

- i. through the execution of a written contract executed in accordance with Scots law (unless otherwise agreed in accordance with Paragraph 9.2.1) and signed on behalf of the Council by a Proper Officer and signed by the contractor by a duly authorised person; or
- ii. by the issuing of an Award Letter by the Chief Officer of the Procuring Cluster, and the return of such letter signed by a duly authorised person on behalf of the tenderer signifying their acceptance of the appointment on the terms and conditions stated therein.

13. Contract Management

13.1 It is the responsibility of the Delegated Procurer to ensure that details of all contracts with a Contract Value equal to or greater than £10,000 (supplies/services or works) or £4.5m (concessions) are included within the Contracts Register and that copies of all concluded contracts are available to Commercial and Procurement as required.

13.2 The Delegated Procurer shall ensure that the performance of the contract is monitored and reviewed in a way which is proportionate to the value, duration, subject matter and complexity of the contract, and in accordance with the Manual and any other guidelines on contract management issued by the Council from time to time.

13.3 Officers managing contracts on behalf of the Council must be aware of the requirements in relation to disclosure of Inside Information as detailed in Procurement Regulation 8.6.

14. Records and Reporting

14.1 The Head of Commercial and Procurement shall maintain and publish a Contracts Register for the monitoring of all contracts and framework agreements developed or in use across the Council, which shall include, as a minimum, all information as required by relevant legislation. This information is detailed within the Procurement Manual.

- 14.2** Each Procuring Cluster shall ensure that the required information as detailed within the Procurement Manual is communicated to Commercial and Procurement in order to maintain the Contracts Register.
- 14.3** The Head of Commercial and Procurement shall produce and publish a Corporate Procurement Plan, which shall be reviewed on an annual basis. The Corporate Procurement Plan shall include, as a minimum, all information as required by relevant legislation.
- 14.4** The Head of Commercial and Procurement shall produce and publish an Annual Procurement Plan as soon as practicable after the end of each financial year. The Annual Procurement Plan shall include, as a minimum, all information as required by relevant legislation.
- 14.5** Delegated Procurers shall comply with all reporting procedures put in place by the Head of Commercial and Procurement.
- 14.6** The Chief Operating Officer, the Directors of Resources, Commissioning and Customer Services, the Chief Officer – Governance, the Chief Officer – Strategic Place Planning, the Chief Officer – City Growth and the Chief Officer of the IJB shall:
- 14.6.1** submit to the Head of Commercial and Procurement, a workplan for their Function/Cluster prior to the commencement of each financial year (conforming to a template approved by the Head of Commercial and Procurement) detailing all contracts to be procured in the coming year with a Contract Value of £50,000 or more (supplies/services) or £250,000 or more (works) or £4.5m or more (concession); and
 - 14.6.2** update the Head of Commercial and Procurement from time to time in the event of any new procurements being added to the workplan; and
 - 14.6.3** submit business cases for their Function/Cluster as and when required (conforming to a template approved by the Head of Commercial and Procurement) to the Head of Commercial and Procurement for each contract to be procured with a Contract Value of £50,000 or more (supplies/services) or £4.5m or more (concessions), or to Chief Officer – Capital for each contract to be procured with a Contract Value of £250,000 or more (works) . The Head of Commercial and Procurement or the Chief Officer – Capital (as appropriate) shall ensure that required business cases are brought to the appropriate Committee prior to any tender process commencing in so far as required to do so by these procurement regulations.
- 14.7** The Head of Commercial and Procurement shall ensure that reports on matters specified in the Corporate Procurement Plan, and otherwise as required by the Procurement Regulations, are brought to the Council or Finance and Resources Committee, as appropriate.

15. Contracts for Care and Support Services

- 15.1** Except as otherwise stated in this section, these Procurement Regulations shall apply to Care and Support Services. For the purposes of this section of the Procurement Regulations, Contracts for Care and Support Services shall mean contracts for the provision of services under the Social Work (Scotland) Act 1968; the Children (Scotland) Act 1995; the Mental Health (Care and Treatment) (Scotland) Act 2003 or any other function of the Council covered by the definition of a care service in the Regulation of Care (Scotland) Act 2001, including housing support services and any other relevant legislation, and included in Schedule 3 of the Public Contracts (Scotland) Regulations 2015.

15.2 The degree and method of competition required approving expenditure will depend on the total estimated expenditure for the contract as follows: -

Estimated Contract Value / Threshold	Degree of Competition Required
i. Up to £50,000	Written quotations must be obtained to demonstrate best value to the Council in accordance with the Procurement Manual.
ii. £50,000 up to the Light Touch Regime (“LTR”) Threshold (from 1st January 2022 (inc VAT) set at £663,540 but subject to change every second 1st of January)	Direct awards may be made subject to appropriate approval in accordance with Procurement Regulation 15.4, otherwise a competitive tendering process shall be undertaken in accordance with procurement legislation.
iii. LTR Threshold and above	Must be advertised in Find a Tender Service and the light touch provisions in The Public Contracts (Scotland) Regulations 2015 apply.
iv. Contract Value over £4.5m (concessions only)	Prior Information Notice must be published in Find a Tender Service. A contract Notice is not required. Concession contract award notices must be published in Find a Tender Service, but may be grouped and published quarterly containing the information set out in s49 of the Concession Contracts (Scotland) Regulations 2016

15.3 Extensions and Variations

15.3.1 Committee Approval in place - There shall be no requirement to report to or seek approval from, Committee or IJB as appropriate, to extend a contract where the option to extend was included in the original Committee approval. The authority to exercise an option to extend in these circumstances shall be delegated to the relevant Chief Officer unless the combined Contract Value exceeds the amount approved by Committee and the additional cost exceeds the amount specified in 4.1.2.2(ii), in which case the relevant Committee or IJB as appropriate, shall have the authority to agree the extension or variation following presentation of a Business Case by the Delegated Procurer.

15.3.2 No Committee Approval in place and the combined Contract Value of the existing Contract and the extension or variation is less than £50,000 (supplies/ services) or £4.5m (concessions) then the relevant Chief Officer shall have authority to agree the extension or variation following receipt of a Business Case from the Delegated Procurer.

15.3.3 No Committee Approval in place and the combined Contract Value of the existing Contract and the extension or variation is equal to or exceeds £50,000 (supplies/services) or £4.5m (concessions) then the relevant Committee or IJB as appropriate, shall have authority to agree the extension or variation following presentation of a Business Case by the Delegated Procurer.

15.3.4 No Contract extension or variation of the scope of a Contract can be presented to Committee or the IJB as appropriate, in terms of this regulation 15.3 unless the Head of Commercial and Procurement Services has previously approved a Business Case.

15.4 Justification of Direct Awards

15.4.1 Justification for making a direct award in relation to Threshold (ii), including call off contracts directly awarded from Framework Agreements, may include the following: -

- a. Where the relevant Chief Officer is satisfied that the requirement of the contract is unique or, after research, only one suitable source of supply can be identified;
- b. When, for reasons of extreme urgency or risk to life or health and wellbeing, the other procurement procedures cannot be complied with;
- c. Where, for example, in the case of certain residential or supported living services, there are only limited places available for a specific type of care and/or support and those places only become available occasionally and/or at short notice;
- d. Where the Council is instructed by a Children's Hearing or Educational Tribunal to place a child in a particular setting;
- e. Where the individual has a right to choose and direct their own accommodation and/or support;
- f. Where the Relevant Chief Officer is satisfied that the risk to service user(s) outweighs the benefits of advertising the requirement and awarding the contract or framework following competition; or

~~**g.** In exceptional circumstances, a direct award may be made in relation to Threshold (iii), for example in relation to residential care homes, where the provider owns the property and delivers the service and we have no ability to re-tender to change the provider.~~ In accordance with the Scottish Government's Best Practice Guidance: A public body should decide, on a case-by-case basis, whether or not to advertise the requirement and award a contract or framework agreement by competition. A number of factors should be taken into account, including application of the procurement legislation, procurement policy and risk of legal challenge; application of local financial regulations and standing orders; and benefits and risks to people who use services and service delivery.

15.4.2 In exceptional circumstances, where permitted by Regulations 33 or 72 of the Public Contracts (Scotland) Regulations 2015, a direct award may be made in relation to Threshold (iii), for example in relation to residential care homes, where the provider owns the property and delivers the service and we have no ability to re-tender to change the provider.

15.5 Authority to Incur Expenditure in relation to Direct Awards

15.5.1 Contracts that do not facilitate Individual placements

Where the contract is for a service that does not facilitate individual placements a business case must be approved as follows: -

15.5.1.1 In relation to Thresholds (i) and (ii) – Approval by the relevant Chief Officer. In respect of Threshold (ii) approval to be in consultation with the relevant committee convener or chair of the IJB and submission of a report on the matter to the next relevant committee or IJB;

15.5.1.2 In relation to Concession Contracts below threshold (iv), the submission of a business case by the relevant Chief Officer to Head of Commercial and Procurement, who shall consult with the Co-Leaders of the Council, the convener of the Finance and Resources Committee or the Chair of the IJB as appropriate

15.5.1.3 In relation to **Threshold (ii) - £50,000 up to the LTR Threshold and Threshold (iii) and (iv):** - The submission of a business case by the relevant Chief Officer to the IJB or, if applicable, the Council or Finance and Resources Committee, or Education and Children's Services Committee in the case of children's services, in advance of the contract being awarded.

15.5.2 Contracts for individual placements

Where the contract is for an individual placement, for any value, including call-off contracts from framework agreements, authorisation will be obtained in accordance with social work / care management procedures (for example, resource allocation or placing panel). Expenditure shall be approved by the chair of the placing panel where the amount is equal to or less than the amount of their "delegated financial limit" as set by Chief Officer – Finance, and otherwise shall be approved by the relevant Chief Officer. Prior to call off from any external framework agreement, an Adoption Report must be completed in accordance with the Procurement Manual.

15.6 Authority to Carry Out Procurements

The Social Care Commissioning, Procurement and Contracts team are Delegated Procurers for Health and Social Care Services, designated as such by the Head of Commercial and Procurement.

Appendix H

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Member - Officer Relations Protocol

Sharing Values and a Common
Purpose

Approved by Council 14 June 2023



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1. ~~1.~~ Good governance and a common purpose

1.1 The Council's operating model requires a significant programme of change which is transforming the way in which services are designed and accessed by our customers. The delivery of this ambitious programme is the shared responsibility of elected members and council officers at all levels of the organisation.

1.2 In achieving our ambitions for the City of Aberdeen and its residents, it is important to be clear about:

- the respective roles and responsibilities of elected members and council officers, and
- how the relationship between them can operate effectively to accomplish shared goals, in the public interest

The operating model also needs to be supported by the right structure and a leadership, cultural and behavioural framework has been developed to provide this.

1.3 This protocol results from an aspiration to adopt a proactive and positive approach to member-officer relations. This will have clear benefits for the organisation as well as the individuals within it. It responds to the Audit Scotland recommendation in their 2010 report, "Roles and Working Relationships: Are You Getting it Right?", so that Aberdeen City Council has a protocol which complements the Councillors' Code of Conduct. It also responds to Audit Scotland's 2015 audit of Best Value and Community Planning which stated that the Council should sustain improved working relationships, and consider introducing further protocols and guidance for member-to-member and member-to-officer working. The Accounts Commission follow-up report "How Councils Work – Are You Still Getting it Right?" (Nov 2016) again reinforces the benefits for all Councils, particularly in light of increasing coalition arrangements, of protocols to clarify roles and responsibilities, including member officer engagement.

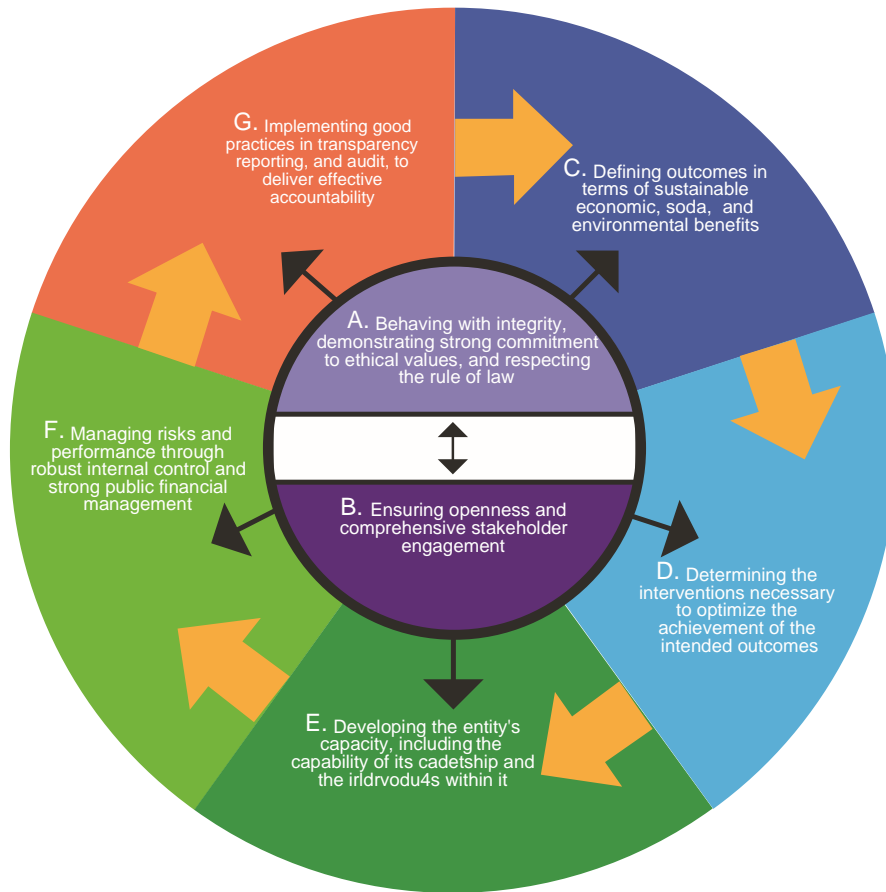
1.4 The CIPFA* Framework of good governance underpins the Council's own governance structure, and all the key documents within that, including this protocol on member-officer relations. A theme which will be returned to throughout this document, as the requirements on both members and officers are explained, will be that of a common purpose. This is set out by CIPFA in the Delivering Good Governance in Local Government Framework 2016:

"It is crucial that the Framework is applied in a way that demonstrates the spirit and ethos of good governance which cannot be achieved by rules and procedures alone. Shared values that are integrated into the culture of an organisation, and are reflected in behaviour and policy, are hallmarks of good governance."

1.5 This emphasises that the achievement of the Council's intended outcomes can only be truly accomplished when members and officers operate from a shared set of values and consistently demonstrate these through a shared set of principles.

* The Chartered Institute of Public Finance and Accountancy

Achieving the Intended Outcomes
While Acting In the Public Interest at all Times



1.6 Local government can be a challenging environment. Financial and political pressures, albeit short-term and cyclical, can take their toll on member-officer relationships. CIPFA acknowledge the potential for this to interfere with the achievement of the Council’s intended outcomes and urge authorities to act transparently and without conflict when this is the case. This can be achieved by agreeing a clear vision, which is performance measured, risk managed and based on a longer-term view.

1.7 Good governance is also key to the Council’s “triple aim” Delivery Plan and programme of change which consists of delivering a clear vision, modernising and transforming how we do business and clarity around the standards of behaviour expected of officers centered around three areas:

Our Purpose (what our business is) - To ensure the alignment of all Council strategies and associated plans to the Local Outcome Improvement Plan’s (LOIP) vision ‘A place where all people can prosper’;

How we do business - The modernisation and transformation of how we deliver our services through making best use of technology;

How we behave as an organisation - A focus on the Council’s culture, underpinned by an approved set of Guiding Principles and a Capability Framework.

1.8 ~~These Guiding Principles form the basis against which employees’ annual performance is measured and stress the requirement for open, honest communication, a focus on customers, high standards of professionalism and respect for people, property and processes. Both members and officers work together to improve the experience for the customer, our use of~~

resources, and the experience of all staff, and this is consistent with CIPFA's Framework for good governance.

- 1.9 This protocol is a tool for members and officers to achieve positive and constructive relations with each other in working towards our common purpose - our shared objectives for the people and place of Aberdeen.

2. Implementing the protocol

- 2.1 The protocol is underpinned at all times by the standards of good governance against which the Council measures itself annually. The protocol complements existing requirements under the Councillors' Code of Conduct for elected members, and the Employee Code of Conduct, the organisational Guiding Principles and Capability Framework, and Council policies and guidance for employees. It includes some current unwritten practices and provides additional clarity on roles and how they interact.
- 2.2 Observing the protocol is an individual responsibility for each officer and member. Group Leaders will support their members in observing the protocol, whilst those with no Group Leader will carry this responsibility for themselves. Similarly, Chief Officers will support staff to do likewise, supported by line managers and leaders across the organisation. The protocol does not cover every eventuality and members and officers who are unsure about its application should seek advice from Chief Officers the Council's appointed Monitoring Officer.
- 2.3 Where a member or officer has a concern relating to observation of the protocol, they many should seek advice in the first instance from -raise this with- the Monitoring Officer. The Monitoring Officer will support Group Leaders and line managers to relevant Group Leader, if they are a member of a group, or a Chief Officer in their service, if they are an employee in the first instance. He or she will determine any next steps to be taken. These should be in the interests of resolving the matter raised at the earliest opportunity, and could include an informal discussion, identifying training requirements for an officer or member, or mediation between the individuals concerned. Any remedy would primarily seek to restore and maintain positive and professional working relationships between members and officers. In the case of officers, it may be appropriate to access HR policies to manage adherence to the protocol. It is a matter for members to observe the Councillors' Code of Conduct upon which this protocol is based, and in this regard members can be subject to investigation by the Commissioner for Ethical Standards in Public Life Scotland.
- 2.4 Members will be made aware of the protocol through Member induction and employees through their own employee induction. Copies of the protocol will also be available on the Zone intranet pages for members and officers and on the Council's website.
- 2.5 Once approved, tThe protocol will be reviewed annually by the Chief Officer -- Governance Monitoring Officer. This will ensure that the protocol remains effective. Any proposal to amend the protocol will be subject to consultation with members.

3. Member and officer roles and responsibilities

- 3.1 Members set and approve policy on behalf of the city and officers draft and implement policy. The Chief Executive leads in implementing strategy and managing the delivery of services set by members.

3.2 Members monitor the implementation of policy and scrutinise service delivery through robust performance management systems which allow them to hold officers to account. The importance of the role of members is emphasised by CIPFA, whose Delivering Good Governance in Local Government Framework 2016, reinforces the need for a culture and structure for scrutiny and a positive working culture which accepts, promotes and encourages constructive challenge.

3.3 The Council has a set of approved Guiding Principles which outline the expectations of how we undertake business as an organisation. These Guiding Principles are:

- **Purpose** - We care about our purpose, our city and our people
- **Pride** - We take pride in what we do and work to make things better
- **Team** - One team, one Council, one city
- **Trust** - We trust each other and take responsibility
- **Value** - We value each other and recognise a job well done

These principles provide a guide to maintaining positive and constructive relations between officers and equally can be applied to relations between members and officers. Members and Chief Officers will lead by example by demonstrating these principles in how they relate to one another. 3.4 Underpinning the Guiding Principles is an approved Capability Framework. This Capability Framework provides further detail around the specific capabilities and behaviours expected from the people in our organisation. The Capability Framework is structured around five key themes:



- **Getting it right for our customers** - We focus on our customers and communities first to provide the highest standards of service;
- **Change and improvement** - We embrace the need for change and flexibility, seeking out opportunities to create effective change and suggesting ideas for improvement;
- **Working with others** - We work together effectively, building and maintaining positive relationships and partnerships, as well as encouraging and coaching others;
- **Accountability** - We take responsibility for compliance with the legal and ethical duties of the council;
- **Care** - We value diversity and champion equality, diversity and inclusion. We are representative of the people that we are here to serve.

3.5 The Guiding Principles and Capability Framework provide a shared understanding around expected behaviours and work as a guide to maintaining positive and constructive relations between officers and equally can be applied to relations between members and officers. Members and Chief Officers will lead by example by demonstrating these in how they relate to one another.

3.6 As members and officers, we will always behave in a way which is consistent with our Guiding Principles and Capability Framework.

4. Purpose (Getting it Right for our Customers)

4.1 As members and officers we understand that customer focus is part of the duties of every member and officer and we will work together to improve the services which the Council delivers.

4.2 As members, where we require to request a service on behalf of a constituent, then we will do so through the appropriate channel (**Online services | Aberdeen City Council**) where possible, or telephone. If the request is urgent (including out of hours) we will use the contact details on the website (**Contact us | Aberdeen City Council**).

4.3 As members and officers we will undertake to maintain the standards expected by the organisation at all times, remembering that we are representing the Council and the city.

4.4 As officers, we will remember that our duty is to the Council as a whole and, as such, will provide support to all members and groups equally, respecting the confidentiality of any information which we are party to, and providing all advice impartially and professionally.

4.5 Officers will occasionally need to contact members as private individuals. Where such contact is other than routine, officers should (i) advise the appropriate Chief Officer, who should seek the advice of the Monitoring Officer, and (ii) advise members clearly if they are being contacted as a private individual. Members so contacted should seek the advice of the Monitoring Officer.

4.6 The Monitoring Officer will then consider if any further steps require to be taken to ensure the integrity of the Council's decision making processes.

- Officers should mark any non routine correspondence to members as private individuals as private and confidential.
- Where a member does not respond to correspondence within such a timescale as may have been specified, the matter shall be escalated to the appropriate Chief Officer.
- Where an officer is required to meet a member in a private capacity, the location of any meeting shall be agreed by the appropriate Chief Officer. This can be in the member's office in the Town House.

5. Pride (Change and Improvement)

5.1 As members and officers, we will ensure that any feedback given is in the spirit of continuous improvement and based on fact.

5.2 As members and officers, we will attend induction training to ensure we understand what is expected of us and what we can expect. This is supported by CIPFA which encourages local authorities to develop officer and member capability, by ensuring appropriate induction, continuing development both personal and professional, and support and shared learning. CIPFA also highlights the merits of constructive feedback and peer review for members and officers, ensuring that training and development needs are targeted at gaps and weaknesses.

5.3 As members and officers, we will be aware of, and complete appropriate training on, the terms of the Council's governance documents, certain Council policies which embed legislative requirements (including on matters such as corporate parenting, data protection and Protection of Vulnerable Groups (PVG) checks) and of our responsibilities under relevant legislation covering areas such as data protection, freedom of information and bribery.

- 5.4 As members we accept that we have an obligation to our citizens to keep our skills and knowledge up to date and will participate in training arranged for us and keep our personal development plans updated, as provided for in the Member Development Framework.
- 5.5 As Group Leaders we will encourage our members to undertake appropriate training and development in line with the Member Development Framework.
- 5.6 As officers we will undertake to keep our skills and knowledge up to date whether for professional regulation purposes or in keeping with the requirements of the Council as our employer.

6. Team (Working with Others)

- 6.1 As members, where we require information from a service for case work, we will request that information through the members' enquiries portal, to allow performance tracking. This will also ensure that a consistent service is delivered for all members in line with the agreed corporate procedures and that data protection requirements are always met. If individual members consistently bypass the corporate approach, this will be raised with the appropriate Group Leader, or with the member directly if they are not part of a Group.
- 6.2 As officers, we will not let our personal views which we hold as citizens or officers affect our judgement.
- 6.3 As officers, we will ensure that our relationships with members are not overly familiar in order to protect our impartiality.
- 6.4 As officers, we will ensure that all groups and members are treated equally and have equal access to advice and assistance, taking into account exceptions as outlined in 5.4.2.
- 6.5 As members and officers:
- A. We will treat everyone present with respect and courtesy at all meetings.
 - B. We will respect and comply with the authority of the chairperson.
 - C. We will keep our mobile phones on silent during meetings to avoid unnecessary disruption.
 - D. When addressing members, trade union advisers, officers, deputations or representatives of external partners at meetings, we will use the appropriate title and will not address them by their first name.
- 6.6 As officers we will ensure we are inclusive in our approach inviting all local members to attend when we arrange meetings in a ward, or meetings about a ward issue, and informing all members of any ministerial or Royal visit or visit by other dignitaries and VIPs. We will endeavour to avoid clashes with committee meetings and to ensure that, as far as is reasonable, all those to be invited are available. This does not apply to specific meetings we arrange with members at their or our request.
- 6.7 As officers, in seeking to assist members, we will always be aware of the limitations of any delegated authority we may be able to exercise and of any advice we may be able to provide.
- 6.8 As members, we recognise that there are times when we will want to invite officers to attend our group meetings to increase our awareness of issues relating to matters of Council business

and we will not use any confidential information received for personal or party political advantage or in such a way as to discredit the Council

- 6.9 As members, we recognise that group meetings, group pre-meetings, coalition meetings, formal and informal briefings, development sessions and similar meetings are not part of the Council decision making process and any conclusions or determinations are not binding on the Council. We recognise that consideration of any matter at these meetings does not replace the obligation on each individual member to come to a decision at the appropriate Council, committee or sub-committee meeting when we will have all information before us.
- 6.10 As members, we recognise that there are times when Administration leaders, Group Leaders or senior councillors may be given advance information which is necessary so that they can give officers guidance on strategic direction or so that they can understand the background to particular recommendations or proposals.
- 6.11 As members and officers we will communicate in a way which is timely, clear, open, honest and constructive, respecting the confidentiality of information we are party to.
- 6.12 As ~~Directors~~-Executive Leads, we acknowledge and understand the importance of our relationships with conveners and will ensure that conveners are kept fully informed, as appropriate, of all developments relating to their committees.

7. Trust (Accountability)

- 7.1 As members, we will acknowledge the impartiality of officers and will not exert any pressure on them in respect of report recommendations or in respect of their decision-making under delegated authority. We accept that if we wish to see officers' recommendations in a final report changed we will do so through motions or amendments at the appropriate meeting and will not approach senior officers or authors directly other than to seek information on the implications of alternative proposals.
- 7.2 As members, we recognise our role in holding officers to account and will adopt appropriate questioning techniques which allow for impartial and professional responses, avoiding leading and politically loaded questions
- 7.3 As members, we note that any suggestion by members of a lack of officer impartiality or capability will be responded to under the terms of paragraphs 2.2 and 2.3 above
- 7.4 As members, we will not use Council facilities or equipment for political or campaigning purposes and will comply with the guidance issued on behalf of the Returning Officer during pre-election period.
- 7.5 As members, we will ensure that we are aware of the different duties, obligations, potential conflicts of interest and liabilities arising (which may include personal financial liability) when appointed to the board of an Arm's Length External Organisation (ALEO), a trust or an outside body and will refer to the Policy on the Appointment of Members to Outside Bodies and seek advice from officers of the body or the Monitoring Officer, as appropriate, if we are in any doubt.

- 7.6 As members, we will not ask officers to undertake work designed to affect support for a political party or campaign.
- 7.7 As officers, we will ensure we are aware of and understand our responsibilities if we hold a politically restricted post.
- 7.8 As officers, we will not undertake work on behalf of a member which may be designed to affect support for a political party or campaign. Where there is any doubt, we will seek advice from a senior officer in our service.
- 7.9 As members and officers:
- A. We will respect that additional restrictions apply on political activity during any pre-election period.
 - B. We will comply with any advice issued on behalf of the Returning Officer.
- 7.10 As Officers, when invited to address group meetings we will recognise that some present may not be Council members, so we cannot provide any information on confidential matters, and will seek advice from Chief Officers if we have any doubts about meetings which we are asked to attend.
- 7.11 As members, we acknowledge that Chief Officers have the right to submit and withdraw certain reports as dictated by their professional judgement and that officers retain final responsibility for the content of reports.
- 7.12 As members, we recognise that we must not solicit a job within the Council for anyone or canvas support for any applicant for a job.
- 7.13 As members, we understand that we must not become involved in the pay and conditions of individual officers except when we sit on a committee dealing with such issues.
- 7.14 As officers we will not approach any member about our individual employment or terms and conditions or about the recruitment of anyone else.
- 7.15 As members and officers we recognise that information is one of our most valuable resources and as such it is incumbent on us to treat it responsibly. In all our dealings with information we will act in accordance with data protection legislation, Council policies, the Councillors' Code of Conduct and in the knowledge that requests for information can be made by anyone under data protection and freedom of information legislation.
- 7.16 As members we will ensure that, when we are provided with information by officers which is private or confidential, or of a personal nature, we treat it as confidential, only using it for the purpose for which it was provided and undertaking not to share it externally to the Council nor to use it for personal or party political advantage or in such a way as to discredit the Council.
- 7.17 As officers:
- A. We will ensure that, when we provide information to members which is private, confidential, or of a personal nature, they are advised that it is confidential.
 - B. We will not share correspondence with one member with any other without the former's express consent nor will we share information about a constituent with any member without the constituent's express consent.

- C. We will take steps to ensure that as many committee reports as possible can be considered in the public domain – and that, where possible, exempt or confidential information is included in an exempt or confidential appendix.
- D. We will endeavour to include any member who may not belong to any group or alliance when corresponding with political groups.
- E. We will remember that members have both statutory and common law rights to access documents relating to local authority proceedings, whether or not they are members of the committee or sub-committee in question. In this respect statutory rights include reports submitted to committees and subcommittees and background papers, with the exception of documents which disclose exempt information falling within paragraphs 1 to 5, 7, 9, 11, 12 and 14 of Part I of Schedule 7A of the Local Government Act (Scotland) 1973. In the main, this is information relating to:-
 - i. members
 - ii. officers or former officers
 - iii. potential occupiers, occupiers or former occupiers of Council property
 - iv. applicants for or recipients, or former recipients, of financial assistance and Council services
 - v. the care of children
 - vi. the supervision and care of certain individuals
 - vii. **terms to be negotiated for contracts**
 - viii. information relating to consultations or negotiations in connect with labour relations
 - ix. instructions and advice from Counsel or certain advice in respect of legal proceedings or the resolution of a legal matter
 - x. any action taken or to be taken in connection with prevention, investigation or prosecution of crime.

7.18 Common law rights are wider than those provided for by statute and give members access to some reports or background material including exempt reports. This right is based on a need to know, or information which is necessary to enable the Councillor to perform his or her duties. The principle is commonly referred to as the “need to know” principle. It does not include information which cannot be disclosed by virtue of the Data Protection Act or information relating to the internal operations of a political party to which the member requesting the information does not belong. In the event of any disagreement on whether or not a member should have access to a report, the matter should be referred to the Monitoring Officer.

8. Value (Care)

- 8.1 As members and officers, we will be conscious that the Council is an equal opportunity employer and that members and officers are each bound collectively by a legislative framework.
- 8.2 As members and officers, we will treat each other, our colleagues, members of the public, constituents and representatives of partner organisations with respect whether by words, actions or inference and treat them with courtesy at all times. As members, we acknowledge that it is unacceptable to comment on the conduct or capabilities of officers in public. We will avoid personal attacks, refrain from using disrespectful or offensive language and avoid undermining respect for officers. As officers, we acknowledge that the same approach is required in our interactions with members and that members can advocate on behalf of their constituents.

4. Respect

As members and officers we will behave in a way that demonstrates respect for people, property and processes, and which demonstrates due regard for our respective roles.

4.1 Respect for one another

4.1.1 As members and officers:

- A. We will always behave in a way which is consistent with our Guiding Principles and will treat each other, our colleagues, members of the public, constituents and representatives of partner organisations with respect whether by words, actions or inference and treat them with courtesy at all times. As members, we acknowledge that it is unacceptable to comment on the conduct or capabilities of officers in public. We will avoid personal attacks, refrain from using disrespectful or offensive language and avoid undermining respect for officers. As officers, we acknowledge that the same approach is required in our interactions with members and that members can advocate on behalf of their constituents.
- B. We will ensure that any feedback given is in the spirit of continuous improvement and based on fact.
- C. We will be conscious that the Council is an equal opportunity employer and that members and officers are each bound collectively by a legislative framework.

4.1.2 As members:

- A. We will acknowledge the impartiality of officers and will not exert any pressure on them in respect of report recommendations or in respect of their decision-making under delegated authority. We accept that if we wish to see officers' recommendations in a final report changed we will do so through motions or amendments at the appropriate meeting and will not approach senior officers or authors directly [other than to seek information on the implications of alternative proposals](#).
- B. We recognise our role in holding officers to account and will adopt appropriate questioning techniques which allow for impartial and professional responses, avoiding leading and politically loaded questions.
- C. We note that any suggestion by members of a lack of officer impartiality or capability will be responded to under the terms of paragraphs 2.2 and 2.3 above.
- D. Where we require to request a service on behalf of a constituent, then we will do so through the appropriate channel ([Online services | Aberdeen City Council](#)) where possible, or telephone. If the request is urgent (including out of hours) we will use the contact details on the website ([Contact us | Aberdeen City Council](#)).
- E. Where we require information from a service for case work, we will request that information through the members' enquiries portal, [GovService](#) to allow performance tracking. This will also ensure that a consistent service is delivered for all members in line with the agreed corporate procedures and that data

protection requirements are always met. If individual members consistently bypass the corporate approach, this will be raised with the appropriate Group Leader, or with the member directly if they are not part of a Group.

4.1.6 As officers:

- A. We will not let our personal views which we hold as citizens or officers affect our judgement.
- B. We will ensure that our relationships with members are not overly familiar in order to protect our impartiality.
- C. We will ensure that all groups and members are treated equally and have equal access to advice and assistance, taking into account exceptions as outlined in 5.4.2.

4.2 Respect for property

- 4.2.1 As members, we will not use Council facilities or equipment for political or campaigning purposes and will comply with the guidance issued on behalf of the Returning Officer during pre-election periods.

4.3 Respect at meetings

4.3.1 As members and officers:

- A. We will treat everyone present with respect and courtesy at all meetings.
- B. We will respect and comply with the authority of the chairperson.
- C. We will keep our mobile phones on silent during meetings to avoid unnecessary disruption.
- D. When addressing members, trade union advisers, officers, deputations or representatives of external partners at meetings, we will use the appropriate title and will not address them by their first name.

- 4.3.2 As officers we will ensure we are inclusive in our approach inviting all local members to attend when we arrange meetings in a ward, or meetings about a ward issue, and informing all members of any ministerial or Royal visit or visit by other dignitaries and VIPs. We will endeavour to avoid clashes with committee meetings and to ensure that, as far as is reasonable, all those to be invited are available. This does not apply to specific meetings we arrange with members at their or our request.

5. Professionalism

As members and officers we will undertake to maintain the standards expected by the organisation at all times, remembering that we are representing the Council and the city.

5.1 Maintaining standards

- 5.1.1 As members and officers we will uphold the principles of our respective Codes of Conduct and the behaviours outlined in this protocol in all our dealings on behalf of the Council and the city.
- 5.1.2 As members:

- A. We will ensure that we are aware of the different duties, obligations, potential conflicts of interest and liabilities arising (which may include personal financial liability) when appointed to the board of an Arm's Length External Organisation (ALEO), a trust or an outside body and will [refer to the Policy on the Appointment of Members to Outside Bodies and](#) seek advice from officers of the ~~eat~~ body or the Monitoring Officer, as appropriate, if we are in any doubt.
- B. We will not ask officers to undertake work designed to affect support for a political party or campaign.

5.1.3 As officers:

- A. We will ensure we are aware of and understand our responsibilities if we hold a politically restricted post.
- B. We will not undertake work on behalf of a member which may be designed to affect support for a political party or campaign. Where there is any doubt, we will seek advice from a senior officer in our service.

5.2 Maintaining skills and knowledge

5.2.1 As members and officers we recognise the importance of continuous professional development to members and officers understanding each other's priorities and therefore to maintaining constructive relationships; as such:

- A. We will attend induction training to ensure we understand what is expected of us and what we can expect. This is supported by CIPFA which encourages local authorities to develop officer and member capability, by ensuring appropriate induction, continuing development both personal and professional, and support and shared learning. CIPFA also highlights the merits of constructive feedback and peer review for members and officers, ensuring that training and development needs are targeted at gaps and weaknesses.
- B. We will be aware of, and complete appropriate training on, the terms of the Council's governance documents, certain Council policies which embed legislative requirements (including on matters such as corporate parenting, data protection and Protection of Vulnerable Groups (PVG) checks) and of our responsibilities under relevant legislation covering areas such as data protection, freedom of information and bribery.

5.2.2 As members we accept that we have an obligation to our citizens to keep our skills and knowledge up to date and will participate in training arranged for us and keep our personal development plans updated, as provided for in the Member Development Framework.

5.2.3 As Group Leaders we will encourage our members to undertake appropriate training and development in line with the Member Development Framework.

5.2.4 As officers we will undertake to keep our skills and knowledge up to date whether for professional regulation purposes or in keeping with the requirements of the Council as our employer.

5.3 Elections

5.3.1 As members and officers:

- A. We will respect that additional restrictions apply on political activity during any pre-election period.
- B. We will comply with any advice issued on behalf of the Returning Officer.

5.4 Maintaining fairness and transparency

5.4.1 As officers:

- A. We will remember that our duty is to the Council as a whole and, as such, will provide support to all members and groups equally, respecting the confidentiality of any information which we are party to, and providing all advice impartially and professionally.
- B. When invited to address group meetings we will recognise that some present may not be Council members, so we cannot provide any information on confidential matters, and will seek advice from Chief Officers if we have any doubts about meetings which we are asked to attend.
- C. In seeking to assist members, we will always be aware of the limitations of any delegated authority we may be able to exercise and of any advice we may be able to provide.

5.4.2 As members:

- A. We recognise that there are times when we will want to invite officers to attend our group meetings to increase our awareness of issues relating to matters of Council business and we will not use any confidential information received for personal or party political advantage or in such a way as to discredit the Council
- B. We recognise that group meetings, group pre-meetings, coalition meetings, formal and informal briefings, development sessions and similar meetings are not part of the Council decision making process and any conclusions or determinations are not binding on the Council. We recognise that consideration of any matter at these meetings does not replace the obligation on each individual member to come to a decision at the appropriate Council, committee or sub-committee meeting when we will have all information before us.
- C. We recognise that there are times when Administration leaders, Group Leaders or senior councillors may be given advance information which is necessary so that they can give officers guidance on strategic direction or so that they can understand the background to particular recommendations or proposals.
- D. We acknowledge that Chief Officers have the right to submit and withdraw certain reports as dictated by their professional judgement and that officers retain final responsibility for the content of reports.

5.5 Employment matters

5.5.1 As members:

- A. We recognise that we must not solicit a job within the Council for anyone or canvas support for any applicant for a job.
- B. We understand that we must not become involved in the pay and conditions of individual officers except when we sit on a committee dealing with such issues.

5.5.2 As officers we will not approach any member about our individual employment or terms and conditions or about the recruitment of anyone else.

6. Communication

As members and officers we will communicate in a way which is timely, clear, open, honest and constructive, respecting the confidentiality of information we are party to.

6.1 Handling information responsibly

- 6.1.1** As members and officers we recognise that information is one of our most valuable resources and as such it is incumbent on us to treat it responsibly. In all our dealings with information we will act in accordance with data protection legislation, Council policies, the Councillors' Code of Conduct and in the knowledge that requests for information can be made by anyone under data protection and freedom of information legislation.
- 6.1.2** As members we will ensure that, when we are provided with information by officers which is private or confidential, or of a personal nature, we treat it as confidential, only using it for the purpose for which it was provided and undertaking not to share it externally to the Council nor to use it for personal or party political advantage or in such a way as to discredit the Council.
- 6.1.3** As officers:
- A.** We will ensure that, when we provide information to members which is private, confidential, or of a personal nature, they are advised that it is confidential.
 - B.** We will not share correspondence with one member with any other without the former's express consent nor will we share information about a constituent with any member without the constituent's express consent.
 - C.** We will take steps to ensure that as many committee reports as possible can be considered in the public domain – and that, where possible, exempt or confidential information is included in an exempt or confidential appendix.
 - D.** We will endeavour to include any member who may not belong to any group or alliance when corresponding with political groups.
 - E.** We will remember that members have both statutory and common law rights to access documents relating to local authority proceedings, whether or not they are members of the committee or sub-committee in question. In this respect statutory rights include reports submitted to committees and subcommittees and background papers, with the exception of documents which disclose exempt information falling within paragraphs 1 to 5, 7, 9, 11, 12 and 14 of Part I of Schedule 7A of the Local Government Act (Scotland) 1973. In the main, this is information relating to:-
 - i.** members
 - ii.** officers or former officers
 - iii.** potential occupiers, occupiers or former occupiers of Council property
 - iv.** applicants for or recipients, or former recipients, of financial assistance and Council services
 - v.** the care of children

- vi. the supervision and care of certain individuals
- vii. terms to be negotiated for contracts
- viii. information relating to consultations or negotiations in connect with labour relations
- ix. instructions and advice from Counsel or certain advice in respect of legal proceedings or the resolution of a legal matter
- x. any action taken or to be taken in connection with prevention, investigation or prosecution of crime.

6.1.4 Common law rights are wider than those provided for by statute and give members access to some reports or background material including exempt reports. This right is based on a need to know, or information which is necessary to enable the Councillor to perform his or her duties. The principle is commonly referred to as the “need to know” principle. It does not include information which cannot be disclosed by virtue of the Data Protection Act or information relating to the internal operations of a political party to which the member requesting the information does not belong. In the event of any disagreement on whether or not a member should have access to a report, the matter should be referred to the Monitoring Officer.

6.1.5 As [Directors Executive Leads](#), we acknowledge and understand the importance of our relationships with conveners and will ensure that conveners are kept fully informed, as appropriate, of all developments relating to their committees.

7. Customer Focus

As members and officers we understand that customer focus is part of the duties of every member and officer and we will work together to improve the services which the Council delivers.

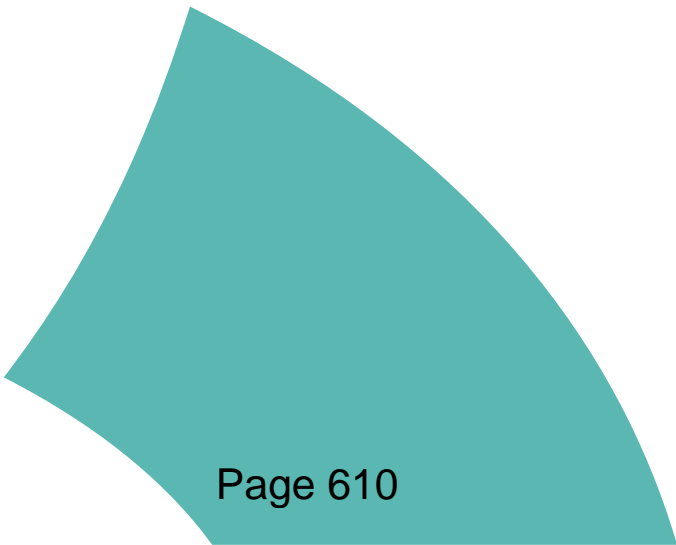
7.1 Members as private individuals

- 7.1.1 Officers will occasionally need to contact members as private individuals. Where such contact is other than routine, officers should (i) advise the appropriate Chief Officer, who should seek the advice of the Monitoring Officer, and (ii) advise members clearly if they are being contacted as a private individual. Members so contacted should seek the advice of the Monitoring Officer.
- 7.1.2 The Monitoring Officer will then consider if any further steps require to be taken to ensure the integrity of the Council’s decision making processes.
- 7.1.3 Officers should mark any non routine correspondence to members as private individuals as private and confidential.
- 7.1.4 Where a member does not respond to correspondence within such a timescale as may have been specified, the matter shall be escalated to the appropriate Chief Officer.
- 7.1.5 Where an officer is required to meet a member in a private capacity, the location of any meeting shall be agreed by the appropriate Chief Officer. This can be in the member’s office in the Town House.

8. Further Reference

The following documents provide additional guidance on this protocol:-

- [Councillors' Code of Conduct](#)
- [Guidance on Councillors' Code of Conduct](#)
- [All-Standards Commission Advice Notes for Councillors](#)
- [Employee Code of Conduct](#)
- [Communications Policy](#)
- [Powers Delegated to Officers](#)
- [Scheme of Delegation](#)
- [Financial Regulations](#)
- [Procurement Regulations](#)
- [Committee Terms of Reference](#)
- [Follow Me2 - A Guide To Social Media For Elected Members In Scotland](#)
- [Social Media Guidance for Employees](#)
- [Guiding Principles and Capability Framework](#)
- [CIPFA/IFAC Framework](#)
- [CIPFA/SOLACE Guidance](#)



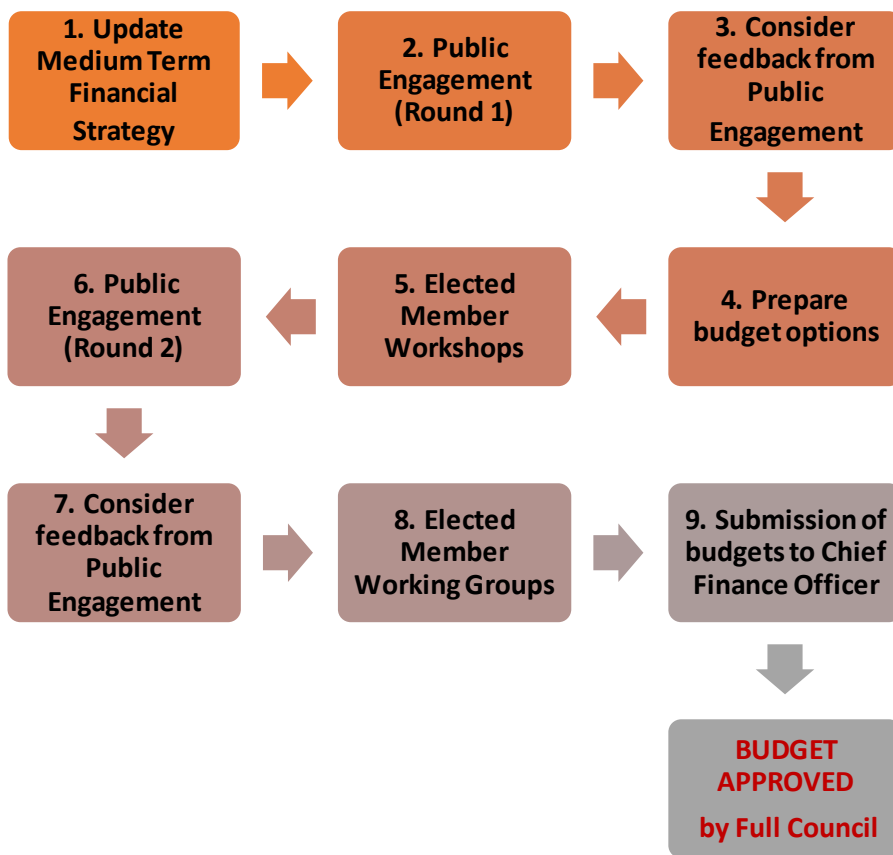
Appendix I

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Budget Protocol

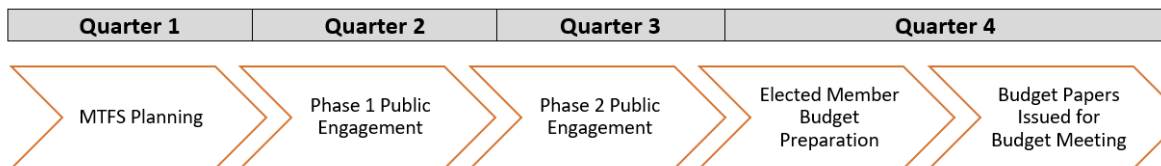
The purpose of this protocol is to:

- **identify the key stages** in the preparation of the Medium-term Financial Strategy and Annual Budget;
- commit the Council to public engagement on the budget to enable a **shared understanding** of the choices facing the Council and the impacts of budget options on those with protected characteristics and those living in socio-economic disadvantage.
- ensure that elected members are supported to comply with the Council's **statutory duties** under the Equality Act 2010 within the council's statutory budget setting meeting of council ;
- provide clarity on the roles and responsibilities of elected members, officers , ALEOS and the public, in the approval of the Council’s budget; and
- ensure that the Council will set its budgets, including the rate of Council Tax, by 10 March each year as defined by law.



Integrated Impact Assessments (IIAs) will be prepared from the start of the process by officers and ALEOs. These will be iterative assessments, taking into account feedback from public engagement, proposals by ALEOs, the further development of options by officers, and the development of proposals by elected members. They will be updated throughout the process.

Reports will be submitted to Council throughout the process, including where appropriate IIAs.



1. Update of the Medium-Term Financial Strategy. This annual update will be required to reflect the current planning assumptions over the 5 year period starting in the following financial year along with the budget that has been set for the current financial year.
2. Phase 1 Public Engagement. This first round of public engagement will be to gather information on where the public see their main priorities, in terms of where the budget allocations should be made.
3. Feedback from Phase 1 of public engagement will be reported to the Council as part of the Medium-Term Financial Strategy to inform elected members of the outcome and allow them to begin preparation for their own budget.
4. As part of the budget process officers will work on a series of detailed budget options which will allow the balanced budget to be set annually. Feedback from Phase 1 public engagement will provide a context for that work. IIA's will be drafted or added too for each budget option.
5. A series of workshops will be set up for all elected members to inform them of the content of the budget options, ensuring they have sight of the options and the potential impacts identified by the IIAs before going into the public domain.
6. Phase 2 Public Engagement. The budget options will be the basis of the second round of public consultation. This consultation will also include key stakeholder groups including community councils and targeted consultation with specific groups with protected characteristics that may be affected by the budget options. IIAs should be updated following the outcome of the Phase 2 consultation.
7. The Council will receive a report on Phase 2 Public Engagement as well as the current estimated budget position for the following year's budget, along with the budget options and IIAs. Where possible, this will include options proposed by the public. These proposals will have been subject to an assessment, by council officers, of the legal competence and financial affordability, in addition to the relevant IIA. This will include information as to whether any proposals have been amended in light of the consultation process and whether it is possible to remove or mitigate any negative impacts and if not, why not.
8. Elected member working groups will be established for each political group (which can contain all group members or combinations of groups) and a series of workshops will be held to determine each group's budget. These will be held in January. Where a political group is electing to incorporate their own option or an option proposed by the public, each must have the appropriate legal, financial assessments and IIAs carried out by officers.
9. Each elected member group will submit their budget to the Council's Chief Officer - Finance (also referred to as the section 95 Officer) for the following financial year (plus 4 years should they determine that is their position) by mid-February each year (actual date to be confirmed once the date of the budget meeting is known).

Approval of budget

Elected members must read the report and all the papers that have been appended including the IIAs, which are all relevant to the decisions they are about to make. Elected members must have enough information in order that they can give due regard to how the decisions impact people with protected characteristics, and so that it can be recorded that they have done so and that they have considered any mitigatory measures. As a minimum each elected member/group proposing a General Fund Budget must submit:

- a. The options and proposals they plan to have implemented to balance the General Fund budget, and a copy of their proposed General Fund Capital Programme;
- b. The rate of Council Tax that will apply for the year ahead;
- c. A schedule of Fees and Charges that are to apply for the year ahead;
- d. The terms of the Non-Domestic Rates Empty Property Relief Scheme for the year ahead;
- e. Confirmation that due regard has been given to the Public Sector Equality Duty;
- f. Confirmation that consideration has been given to the Integrated Impact Assessments;
- g. Confirmation that the members of the group know the details of the proposals budget and capital programme.
- h. Options and proposals they plan to implement in respect of the Common Good.

Exempt information as described in paragraph(s) 8 of Schedule 7A of the Local Government (Scotland) Act 1973.

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