

URGENT BUSINESS COMMITTEE

ABERDEEN, 6 May 2020. Minute of Remote Meeting of the URGENT BUSINESS COMMITTEE. Present:- Councillor Laing, Convener; Councillor Lumsden, Vice Convener; and Councillors Boulton, Alex Nicoll and Yuill.

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

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

DETERMINATION OF URGENT BUSINESS

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

The Committee resolved:-

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

DETERMINATION OF EXEMPT BUSINESS

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

- Financial Resilience - COVID-19 - Exempt appendices
- Roads and Transport Related Budget Programme 2020/21 - Exempt appendices
- Workplans and Business Cases - Exempt appendices

The Committee resolved:-

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of the aforementioned items so as to avoid disclosure of exempt information of the classes described in paragraphs 8, 10 and 12 of Schedule 7A of the Act.

DECLARATIONS OF INTEREST

3. The following declarations of interest were intimated:-

The Vice Convener declared an interest in item 11 on the agenda (Roads and Transport Related Budget Programme 2020/21) by virtue of one of the items involving

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work on the street where he lived, however he intimated that that the nature of his interest did not require him to leave the meeting.

Councillor Alex Nicoll declared an interest in items 11, 12, 13 and 14 on the agenda by virtue of his previous membership of the Board of NESTRANS, but intimated that he would be remaining in the meeting as NESTRANS was a Regional Transport Partnership which was covered by a specific exclusion as set out in paragraph 5.18(2)(ii) of the Councillors' Code of Conduct.

Councillor Yuill declared an interest in items 11, 12, 13 and 14 on the agenda by virtue of his substitute membership of the Board of NESTRANS, but intimated that he would be remaining in the meeting as NESTRANS was a Regional Transport Partnership which was covered by a specific exclusion as set out in paragraph 5.18(2)(ii) of the Councillors' Code of Conduct.

MINUTE OF PREVIOUS MEETING OF 20 MARCH 2020

4. The Committee had before it the minute of its meeting of 20 March 2020.

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

That the Committee suspend Standing Order 43 and agree that the membership of the Urgent Business Committee be reinstated to 9 members with its previous composition.

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

The Committee resolved:-

- (i) to reject the procedural motion;
- (ii) to approve the minute; and
- (iii) to note that the Chief Officer - Governance would report to a future meeting of the Urgent Business Committee on various governance matters, including the membership of the Committee, live streaming of meetings and arrangements for meetings beyond 21 August 2020.

FINANCIAL RESILIENCE - COVID-19 - RES/20/091

5. The Committee had before it a report by the Director of Resources which provided an update on the current financial challenges the Council was facing in relation to the current pandemic situation and the potential impact this would have on the 2020/21 budget.

The report recommended:-

that the Committee -

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- (a) note the content of the report and the unprecedented financial pressure under which the Council was now operating;
- (b) instruct the Chief Officer - Finance to report back to a meeting of the Urgent Business Committee on 30 June 2020 with proposals to ensure the Council maintained a balanced budget position, which would include a review of the Council's commissioning intentions and service standards;
- (c) instruct the Chief Officer - Finance, having considered national government guidance, to prioritise Council resources for critical services and to minimise all other expenditure, stopping non-essential or non-critical spend where possible;
- (d) note the current status of the major capital projects that the Council had underway which would, likely, result in increased costs and time extensions requested by contractors (meaning previously advised completion dates and budgets would now not be met);
- (e) note the use of the Food Fund to support children entitled to free school meals and food provision/delivery for people in poverty, as detailed in Appendix 1; and
- (f) delegate authority to the Chief Officer - Finance, following consultation with the Chief Officer - Education and Chief Officer - Early Intervention and Community Empowerment, to allocate further funds in line with the Food Fund guidance up to the current allocation of £802,000 and that the Committee be notified thereafter.

The Convener moved, seconded by Councillor Boulton:-

That the Committee -

- (1) approve the recommendations contained within the report;
- (2) instruct the Chief Executive to email all employees where possible, and to post on the internal website, thanking them on behalf of elected members for the way in which they have risen to the challenge of providing vital public services at a time of national crisis; and agree that our employees are our greatest asset and their response to the pandemic reminds us why;
- (3) to note the implications of the Financial Resilience Covid-19 report; and recognising the wider impacts of Covid-19 to the city, and building on the work to date that had seen over 1,000 applications for £13.4m of business grants with an average turnaround of seven days, to instruct the Chief Officer - City Growth in consultation with Administration Leaders, to provide the Urgent Business Committee on 30 June 2020 with a Socio-economic Rescue Plan for 20/21 that would consider other short term responses under business, people and place themes in line with the Stronger Together policy decision by Council in August 2017;
- (4) to note the UK Government had provided the Scottish Government with £155m of additional revenue for local authorities and instruct the Chief Executive to write to the Minister for Local Government and Housing and the Cabinet Secretary for Finance requesting our fair share of that allocation from the Scottish Government and that any allocation should be distributed with no conditions attached to the use of the funding. The letter should reference paragraphs 3.25 to 3.27 and 3.29 to 3.30 of the report, and that a letter also be sent to COSLA requesting their support;

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- (5) to instruct the Chief Executive to write to the Chancellor of the Exchequer and the Cabinet Secretary for Finance at the Scottish Government providing them with a copy of the report and asking for additional funding on top of our share of the £155m provided to the Scottish Government by the UK Government. The letter should reference paragraphs 3.25 to 3.27 and 3.29 to 3.30 of the report;
- (6) to agree to limit external recruitment of employees only to critical posts where there was a clear and pressing need for resources relating to the COVID-19 response or public health and protection and the resources cannot be found either from temporary or permanent internal movement. Any permanent internal or external recruitment should only be undertaken in consultation with the Convener of the City Growth and Resources Committee and should only be undertaken where the post would not be impacted by ongoing future redesign, and that the relevant Committee be a provided with service updates regarding any permanent recruitment that had been undertaken;
- (7) to agree that Aberdeen City Council should participate in the “Spaces for People” Initiative providing it is 100% funded by Sustrans Scotland;
- (8) to instruct the Chief Officer - Strategic Place Planning to submit bids to the Spaces for People initiative in conjunction with the Council’s Transport spokesperson Councillor Macdonald and report the outcome of those bids to the Urgent Business Committee on 30 June 2020; and
- (9) to thank the Director of Resources, the Chief Officer - Finance and their staff for the considerable effort that had gone into the report and all of the work in relation to it.

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

That the Committee approve the terms of the motion outlined above with the exception that Administration Leaders be replaced with Group Leaders in part (3).

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

The Committee resolved:-
to adopt the motion.

COUNCIL FINANCIAL PERFORMANCE QUARTER 4 2019/20 - RES/20/079

6. The Committee had before it a report by the Director of Resources which provided the full year actual financial position of the Council against budget for the financial year 2019/20, including the General Fund and Housing Revenue Account (HRA) revenue and capital accounts, and the Common Good Revenue Account and Balance Sheet.

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The report recommended:-

that the Committee -

- (a) note the unaudited final outturn position for financial year 2019/20 as detailed in Appendix 1;
- (b) note that the General Fund had recorded a surplus of £0.8m for 2019/20, which had been added to the uncommitted working balance;
- (c) note that the Housing Revenue Account and Common Good surpluses for the year increased their working balances;
- (d) approve the various transfers for 2019/20, between Council Reserves and Earmarked sums for the General Fund, Housing Revenue Account, Common Good and Statutory Funds as at 31 March 2020, as detailed in Appendix 1;
- (e) approve the reprofiling of the 2020/21 - 2024/25 capital programmes to take account of the year end position and that the outcome of this was incorporated into the 2020/21 Quarter 1 reporting; and
- (f) note that the unaudited Annual Accounts for 2019/20 were presented to the Committee also on 6 May 2020, along with the Annual Governance Statement and Remuneration Report.

The Committee resolved:-

- (i) to approve the recommendations;
- (ii) to note that the Chief Officer - Finance would provide Councillor Alex Nicoll with more detailed information following the meeting on the Housing Capital Programme in relation to the approved budgets and actual expenditure on page 21 of the report;
- (iii) to agree, in light of the positive outturn against budget for the Common Good, that a contribution of £100,000 from the Common Good Fund be made to the Lord Provost's Charitable Trust's 'Aberdeen Covid-19 Emergency Appeal' Hardship Fund; and
- (iv) to thank the Director of Resources and the Chief Officer - Finance and his staff for the huge amount of work that had been carried out in relation to the financial results, as well as the unaudited annual accounts.

UNAUDITED ANNUAL ACCOUNTS 2019/20 - RES/20/080

7. The Committee had before it a report by the Director of Resources which provided an overview of the Council's 2019/20 unaudited Annual Accounts as well as the unaudited Annual Accounts for those registered charities where the Council was the sole trustee and was subject to statutory requirements for separate accounts and audit opinions.

The report recommended:-

that the Committee -

- (a) approve the Annual Governance Statement as included in the Council's unaudited Annual Accounts for the financial year 2019/20;
- (b) consider the Council's unaudited Annual Accounts 2019/20;

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- (c) consider the unaudited Annual Accounts 2019/20 of the Council's registered charities;
- (d) note that following the meeting the Council's and the registered charities unaudited Annual Accounts would be finalised, signed and submitted to the Council's external auditors, KPMG and Audit Scotland;
- (e) note that it was the intention that the Urgent Business Committee on 30 June 2020 would receive the Council's audited Annual Accounts for consideration and approval prior to their signature by the Chief Officer - Finance, Chief Executive and a Council Leader;
- (f) note that the Urgent Business Committee on 30 June 2020 would also receive the external auditor's report on the annual accounts for debate and consideration and that this report would set out the auditor's findings and conclusions, highlight the significant issues arising from the audit of the annual accounts and inform elected members of the proposed audit opinion in advance of the accounts being certified; and
- (g) note that the Urgent Business Committee on 30 June 2020 would also receive the audited Annual Accounts for the registered charities for consideration and approval prior to their signature along with the associated external auditor's report.

The Committee resolved:-

- (i) to approve recommendation (a), (d), (e), (f) and (g);
- (ii) to note the Council's unaudited Annual Accounts 2019/20;
- (iii) to note the unaudited Annual Accounts 2019/20 of the Council's registered charities;
- (iv) to agree in 2019/20, Aberdeen City Council received total income of £457 million, comprising £385 million raised locally through non-domestic rates and Council Tax, with only £72 million received from Scottish Government general revenue grants, with the balance coming from service-related grants, fees, charges and other income;
- (v) to agree the Council continued to maintain a healthy credit rating of Aa3 with a negative outlook, recognising "a strong institutional framework" and "a strong track record of operating performance" and thereby demonstrating external assurance on the financial governance and strength of the organisation;
- (vi) to note the 2019/20 financial year results showed a surplus of £2.2 million for the year across all Council accounts, which showed another strong performance over the year and demonstrated the underlying ability of the Council to deliver longer term financial and service outcomes going forward;
- (vii) to agree the impact of the COVID-19 outbreak brought global economic insecurities and specific uncertainties for the city of Aberdeen and the Council, and that through the Council's governance arrangements for responding to the emergency, and specific financial resilience plans it aimed to manage and mitigate risks in a robust way to protect the sustainability of Council finances; and
- (viii) to note that the Chief Officer - Finance would provide the members of the Committee with further information following the meeting in respect of (a) a breakdown of the £51 million of net spend on the corporate budgets, including

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capital financing costs; and (b) an update on additional payments to Councillors in respect of Group Leader/Interim Group Leader positions.

INTERNAL AUDIT PLAN 2020/21 - IA/20/009

8. With reference to Article 7 of the minute of meeting of the Audit, Risk and Scrutiny Committee of 12 February 2020, the Committee had before it a report by the Chief Internal Auditor which sought approval of proposed amendments to the Internal Audit plan for 2020/21.

The report recommended:-

that the Committee -

- (a) approve the revised Internal Audit Plan for 2020/21 as appended to the report;
- (b) agree that audits contained in the reserve list be progressed as and when possible during the year at the discretion of Internal Audit following consulting with Cluster management; and
- (c) note that any further changes required to the Internal Audit Plan would be referred to the Audit, Risk and Scrutiny Committee.

The Committee resolved:-

- (i) to approve recommendations (a) and (c); and
- (ii) to agree that audits contained in the reserve list be progressed as and when possible during the year at the discretion of Internal Audit following consultation with Cluster management and the Convener and Vice Convener of the Audit, Risk and Scrutiny Committee.

NET ZERO VISION AND INFRASTRUCTURE PLAN - PLA/20/088

9. The Committee had before it a report by the Chief Officer - City Growth which provided an update on the work that had been done on the development of a Net Zero Vision for Aberdeen and associated infrastructure investment needed to support the achievement of the vision.

The report recommended:-

that the Committee -

- (a) approve the Net Zero City Vision for Aberdeen;
- (b) agree the governance framework to drive and lead the vision for the city and instruct the Chief Executive to report back to the June 2020 Urgent Business Committee on the proposed governance model, its composition and the terms of reference (including monitoring of delivery to target emissions);
- (c) approve the Strategic Infrastructure Plan - Energy Transition and the outline prioritisation of projects;
- (d) instruct the Chief Officers - City Growth and Strategic Place Planning to update the evidence base and baseline data in order to provide a monitoring and evaluation framework against which progress could be measured;

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- (e) instruct the Chief Officers - City Growth and Strategic Place Planning to engage external partners to develop business cases for priority projects; and
- (f) instruct the Chief Officer - City Growth, in consultation with the Chief Officer - Finance, to develop a supporting cohesive finance and investment plan to support delivery of the city's energy transition, including those projects with national and transformational significance.

The Committee resolved:-

- (i) to approve recommendations (a), (c), (d), (e) and (f);
- (ii) to agree the governance framework, to be led by Co-Leader, Councillor Laing, to drive and lead the vision for the city and instruct the Chief Executive to report back to the June 2020 Urgent Business Committee on the proposed governance model, its composition and the terms of reference (including monitoring of delivery to target emissions);
- (iii) to instruct the Chief Executive to write to the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office seeking to reschedule the meeting arranged in March 2020 for a suitable date enclosing a copy of the Net Zero Vision and Strategic Infrastructure Plan - Energy Transition report for his attention; and
- (iv) to instruct the Chief Executive to write to the First Minister seeking a meeting with the First Minister and/or the Scottish National Investment Bank, given the primary mission of the bank was to ensure a net zero carbon emissions economy and provide a copy of the report for her attention.

COUNCIL ENERGY AND CLIMATE PLAN ROUTEMAP - PLA/20/082

10. The Committee had before it a report by the Chief Operating Officer which sought approval for the Aberdeen City Council Energy and Climate Plan "Routemap", which set out the work phases proposed to develop and deliver a net zero emissions and climate resilience plan for Council owned assets and operations.

The report recommended:-

that the Committee -

- (a) approve the proposed Council Energy and Climate Plan 'Routemap', as outlined in Appendix 1;
- (b) note the indicative remit and activities of the Council's Energy and Climate Thematic Groups, as outlined in Appendix A of the Routemap;
- (c) instruct the Chief Operating Officer to ensure consistency between the Council's Energy and Climate Routemap and Plan and the closely related Place focused work packages led by the Chief Officer - City Growth;
- (d) instruct the Director of Customer Services, in conjunction with Co-Leaders, to produce an external Communications Plan to deliver consistent communications and key messages on the Council's Energy and Climate Routemap and Plan, using a range of communication methods and channels while ensuring consistency with the Council's place-based approach;

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- (e) instruct the Director of Resources to produce an internal Communications and Engagement Plan to deliver consistent communications, key messages and inspire action to assist with the realisation of the Council's Energy and Climate Routemap and Plan, ensuring consistency with the external Communications Plan (subject of (d) above); and
- (f) instruct the Chief Operating Officer to report back to Full Council with a Council Energy and Climate Plan for the Council's operations and assets by March 2021, ensuring alignment with the Council's annual budget setting process.

The Committee resolved:-

to approve the recommendations.

ROADS AND TRANSPORT RELATED BUDGET PROGRAMME 2020/21 - OPE/20/081

11. The Committee had before it a report by the Chief Operating Officer which presented, as a provisional programme, the proposed roads and transportation programme from the approved capital budgets for 2020/21 for approval.

The report recommended:-

that the Committee -

- (a) approve the schemes listed in the appendices as the detailed proposals for expenditure within each budget heading; and
- (b) instruct the Chief Officer - Operations and Protective Services following consultation with the Head of Commercial and Procurement, to undertake or instruct appropriate procedures in accordance with the Council's Procurement Regulations to procure the works referred to in the exempt appendices for the roads capital budget programme for the financial year 2020/21 and award contracts relating thereto.

The Committee resolved:-

to approve the recommendations.

EXTERNAL FUNDING FOR TRANSPORT PROJECTS 2020/21 - PLA/20/085

12. The Committee had before it a report by the Chief Officer - Strategic Place Planning which advised of a number of external funding opportunities that the Council had submitted funding applications for and were already or may soon become available to the Council for transportation projects.

The report recommended:-

that the Committee -

- (a) note that Aberdeen City Council:-

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- (1) had been successful in securing funding from Paths for All to deliver projects outlined in the Smarter Choices, Smarter Places 2020/21 Programme (Appendix 1);
 - (2) had been successful in securing funding from the NESTRANS Capital and Revenue Programme 20/21 to deliver projects (including a reserve list of projects) outlined in the report (Appendices 2A, 2B and 2C);
 - (3) had submitted bids to the SUSTRANS Places for Everyone 20/21 to deliver projects outlined in the report (Appendix 3);
 - (4) had submitted a bid to Transport Scotland for Low Emission Zone (LEZ) funding to continue this project (Appendix 4);
- (b) instruct the Chief Officers - Strategic Place Planning and Capital to implement these projects in accordance with due process and the Scheme of Governance; and
- (c) note that approval of the procurement of contracts associated with those projects with estimated expenditure of £250,000 and above for works and £50,000 and above for goods and services was sought within the Procurement Workplans and Business Cases report, as listed in paragraph 3.8.

The Committee resolved:-

to approve the recommendations.

SOUTH COLLEGE STREET JUNCTION IMPROVEMENTS (PHASE 1) - COMPULSORY PURCHASE ORDER - RES/20/090

13. The Committee had before it a report by the Director of Resources which sought agreement to make the Compulsory Purchase Order (CPO) to facilitate the construction of the South College Street Junction Improvements Project (Phase 1).

The report recommended:-

that the Committee agree to make a Compulsory Purchase Order in respect of the land identified in the CPO Map contained in Appendix 1 and instruct the Chief Officer - Governance to implement the statutory procedures following on from the making of the Order.

The Committee resolved:-

to approve the recommendation.

WORKPLANS AND BUSINESS CASES - REVENUE/CAPITAL - COM/20/088

14. The Committee had before it a report by the Head of Commercial and Procurement which presented procurement workplans where expenditure was included for the Commissioning and Operations 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.

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The report recommended:-

that the Committee -

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

The Committee resolved:-

- (i) to note the workplans as detailed in the appendices; and
- (ii) to approve recommendations (b) and (c).

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

FINANCIAL RESILIENCE - COVID-19 - EXEMPT APPENDICES

15. With reference to Article 5 of this minute, the Committee had before it Appendices 2 and 3 to the report by the Director of Resources.

The Committee resolved:-

to note the appendices.

ROADS AND TRANSPORT RELATED BUDGET PROGRAMME 2020/21 - EXEMPT APPENDICES

16. With reference to Article 11 of this minute, the Committee had before it the full versions of the appendices to the report by the Chief Operating Officer.

The Committee resolved:-

to note the appendices.

WORKPLANS AND BUSINESS CASES - RESERVE/CAPITAL - EXEMPT APPENDICES

17. With reference to Article 14 of this minute, the Committee had before it the eight business cases which were appended to the report.

The Committee resolved:-

to note the appendices.

- COUNCILLOR JENNIFER LAING, Convener.