

ABERDEEN CITY COUNCIL

COMMITTEE	Urgent Business Committee
DATE	13 May 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Senior Councillor Appointments
REPORT NUMBER	COM/21/137
DIRECTOR	Commissioning
CHIEF OFFICER	Fraser Bell, Chief Officer - Governance
REPORT AUTHOR	Martyn Orchard
TERMS OF REFERENCE	1

1. PURPOSE OF REPORT

- 1.1 To seek replacement appointments to various Senior Councillor roles following the resignation of Councillor Lumsden MSP from those roles.

2. RECOMMENDATIONS

That the Committee:-

- 2.1 consider making appointments to the following Senior Councillor roles which have been vacated by Councillor Lumsden MSP:-
- Co-Leader;
 - Convener of City Growth and Resources Committee;
 - Vice Convener of Capital Programme Committee;
- 2.2 note that the Conservative group can replace Councillor Lumsden MSP as an ordinary member of committees from within their group;
- 2.3 note that the Administration can replace Councillor Lumsden MSP on outside bodies following his resignation from those positions; and
- 2.4 note that the SNP group can replace Councillors Jackie Dunbar MSP and Audrey Nicoll MSP as ordinary members of committees, or on outside bodies, from within their group should this be required.

3. BACKGROUND

- 3.1 Following the Scottish Parliament election of 6 May 2021, Councillor Lumsden was elected as a Member of the Scottish Parliament for the North East Scotland region. Councillors Jackie Dunbar and Audrey Nicoll were also elected as Members of the Scottish Parliament for the Aberdeen Donside and Aberdeen South and North Kincardine constituencies respectively.
- 3.2 The Chief Officer - Governance received notification that Councillor Houghton had been elected as the Conservative Group Leader replacing Councillor Lumsden. In addition, the Chief Officer - Governance was notified that Councillor Lumsden would be resigning from the following positions as of 13 May 2021:
- Council Co-Leader
 - Convener, City Growth and Resources Committee
 - Vice Convener, Capital Programme Committee

Any appointment to the roles of Co-Leader, Convener or Vice Convener require a decision of elected members. Given the nature of these Senior Councillor roles, the Committee is requested to consider making replacement appointments to those roles at today's meeting.

- 3.3 In addition, Councillor Lumsden MSP is an ordinary member of a number of committees. The Conservative group can replace Councillor Lumsden MSP as an ordinary member on committees from within their group by notifying the Committees Lead Officer.
- 3.4 It should also be noted that the Administration can replace Councillor Lumsden MSP on outside bodies from within the Administration. Again, this can be done by notifying the Committees Lead Officer.
- 3.5 Similarly, Councillors Jackie Dunbar MSP and Audrey Nicoll MSP are ordinary members on committees and Council appointees to various outside bodies. The SNP group can appoint replacements to those positions from within their group, should this be required, by notifying the Committees Lead Officer.

4. FINANCIAL IMPLICATIONS

- 4.1 Remuneration is regulated and capped by the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 as amended. The legislation sets a minimum and maximum amount of allowances for Senior Councillors, fixes a maximum number of Senior Councillors and an overall limit on the total allowances paid to Senior Councillors.
- 4.2 The Regulations stipulate the amount of remuneration that can be paid out to an individual Councillor which varies depending on their role. Regulation 6 states that 'Each local authority shall pay remuneration to one Leader of the Council of authority of an amount as provided for in paragraph 2 (of Regulation 6).'

- 4.3 In line with the above, at the Statutory Council meeting on 17 May 2017 (and at subsequent Council meetings), Councillor remuneration was agreed, and remuneration for the role of Council Leader has been paid to Councillor Laing.

5. LEGAL IMPLICATIONS

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

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	No direct risk	L	
Compliance	Failure to comply with the relevant legislation regarding the payment of Senior Councillor allowances.	L	Consultation has been undertaken with Finance officers and the relevant elected members, and the financial implications section of the report has regard to that.
Operational	No direct risk	L	
Financial	No direct risk	L	
Reputational	Failure to consider making replacement appointments to Senior Councillor roles could present a reputational risk to the Council.	L	Consultation has been undertaken with the relevant elected members and the recommendations have regard to that.
Environment / Climate	No direct risk	L	

7. OUTCOMES

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

8. IMPACT ASSESSMENTS

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

9. BACKGROUND PAPERS

None

10. APPENDICES

None

11. REPORT AUTHOR CONTACT DETAILS

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