

ABERDEEN CITY COUNCIL

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| COMMITTEE: | Council |
| DATE: | 17 August 2011 |
| DIRECTOR: | Stewart Carruth |
| TITLE OF REPORT: | Committee Places, Remits and Representation on Outside Bodies, Boards and Trusts |
| REPORT NUMBER: | CG/11/104 |

1. PURPOSE OF REPORT

This report asks the Council to (1) consider the composition of its Committees following the by-election results, and the formation of the Independent Alliance Group within the Council; (2) take a number of decisions on outstanding issues relating to various positions; and (3) approve revised Orders of Reference for the Corporate Policy and Performance and Finance and Resources Committees.

2. RECOMMENDATION(S)

That the Council:-

- (a) agree the composition of the various Committees, being guided by the indicative calculations as outlined in section 6.2 of the report;
- (b) appoint members to those Committees;
- (c) appoint replacement members for the vacant positions as outlined in section 6.3 of the report; and
- (d) approve the revised Orders of Reference for the Corporate Policy and Performance and Finance and Resources Committees as appended to the report.

3. FINANCIAL IMPLICATIONS

The financial implications associated with this report are minimal.

4. SERVICE & COMMUNITY IMPACT

Approval of the report will ensure that the Council's decision making body will reflect the political landscape following the by-elections. Filling the various vacancies on outside bodies, boards and trusts should satisfy the wider community, where such bodies, boards and trusts request the presence of elected members.

5. OTHER IMPLICATIONS

Officers in Corporate Governance will undertake the various tasks associated with the changes to be made as a result of this report.

6. REPORT

6.1 By-election Results

As members will be aware, the Council held a by-election on 19th May 2011, and on 20th May, Councillor Neil MacGregor was elected to Aberdeen City Council in the Dyce/Bucksburn/Danestone ward. A further by-election took place on 23rd June 2011, and on 24th June, Councillor Gordon Townson was elected to Aberdeen City Council in the Airyhall/Broomhill/Garthdee ward.

Following these by-elections, the political make-up of the Council has altered, as outlined in section 6.2 of the report.

At the Council meeting of 29th June 2011, when this matter was originally considered, it was announced that Councillors Boulton, Farquharson and Milne had formed the Independent Alliance Group - this also has an impact in terms of the allocation of Committee places.

6.2 Composition and Membership

Standing Order 29(1) provides that in appointing Committees and Sub-Committees, the Council shall, so far as possible, give effect to the principles regarding political balance set out in the Local Government and Housing Act 1989. Although the statute itself is not in force, this Council has always considered it a matter of best practice to adhere to the principles.

Section 15 of the Act provides that in allocating seats on ordinary Committees to political groups, three principles are to be observed:-

- (a) not all the seats of the body are to be allocated to a particular group;
- (b) the majority of seats on the body are to be allocated to the group having a majority of seats on the Council; and
- (c) the number of seats on ordinary Committees which are allocated to each group bears the same proportion to the total number of seats on those Committees as the number of seats held by the group on the Council does to the whole membership of the Council.

Current position:-

| | | |
|------------------|--------------|-----------------|
| SNP | - 15 members | (15/43 = 34.9%) |
| Liberal Democrat | - 13 members | (13/43 = 30.2%) |

| | | |
|----------------------|--------------|-----------------|
| Labour | - 10 members | (10/43 = 23.3%) |
| Independent Alliance | - 3 members | (3/43 = 6.9%) |
| Conservative | - 2 members | (2/43 = 4.7%) |

The Act does not require that the allocation of seats in any particular Committee should follow these proportions, so long as the aggregate allocation across all of the Committees is correct.

The Council at its meeting of 19th August 2009, agreed the following sizes for its Committees.

| <u>Committee</u> | <u>Size</u> |
|---|-------------|
| Social Care and Wellbeing | 15 |
| Education, Culture and Sport | 18 |
| Enterprise, Planning and Infrastructure | 15 |
| Development Management Sub Committee | 11 |
| Housing and Environment | 15 |
| Audit and Risk | 15 |
| Corporate Policy and Performance | 15 |
| Finance and Resources | 15 |
| Appeals | 9 |
| Licensing | <u>15</u> |
| Total | <u>143</u> |

The total Committee places available relating to this report is 143, therefore, the following political calculation illustrates the number of Committee places available to each political group - this is on an approximate basis as figures are rounded to the nearest whole number.

| <u>Political Group</u> | <u>Calculation</u> | <u>Number of Places</u> |
|------------------------|--------------------|-------------------------|
| SNP | (15/43) x 143 | 50 |
| Liberal Democrat | (13/43) x 143 | 43 |
| Labour | (10/43) x 143 | 33 |
| Independent Alliance | (3/43) x 143 | 10 |
| Conservative | (2/43) x 143 | <u>7</u> |
| | | <u>143</u> |

The Pensions Panel is regarded as one of the Council's Regulatory Committees, however the report does not propose any changes to the number of members on it nor its composition.

The size and composition of the Urgent Business Committee was agreed at the Council meeting of 29th June 2011.

It is up to the Council to determine the allocation of the Committee places, and thereafter the political groups to notify the Head of Legal and Democratic Services of their changes to reflect the results of the by-elections.

6.3 Appointments to Outside Bodies, Boards, Trusts and Groups

A number of changes also require to be made in relation to Outside Bodies, Boards, Trusts and Groups.

Councillor Leslie has resigned as a member of the following and requires to be replaced by the Council:-

- Northern Community Justice Authority (substitute member)
- Community Health Partnership
- Alcohol and Drugs Partnership
- Aberdeen Prison Visiting Committee
- Disabled Persons Housing Service

Former Councillor Clark requires to be replaced in relation to the following:-

- Older People's Advisory Group
- Sports Ground Advisory Group
- Taxi Consultation Group
- Aberdeen Airport Consultative Committee (as local member)
- Aberdeen Committee for Older People
- Aberdeen Outdoor Access Forum (substitute)
- General Committee for Older People's Week
- Gordon Highlanders Museum Board
- Grampian Joint Older People's Strategy

Former Councillor Cassie requires to be replaced in relation to the following:-

- Garthdee Alpine Sports Board (as local member)

Councillor McDonald MSP has resigned from the following and requires to be replaced:-

- COSLA Community Wellbeing and Safety Executive Group
- East Grampian Coastal Partnership Management Group
- Grampian Fire and Rescue Board
- Scotland Excel

Councillor John Stewart has intimated that he is stepping down as the Council's representative on the following Outside Bodies, and it is proposed that Councillor McCaig replace him, as Council Leader:-

- Aberdeen City and Shire Economic Future (ACSEF)
- Aberdeen Renewable Energy Group (AREG)

In addition, The Aberdeen City Alliance has disbanded and been replaced by a new body entitled 'Community Planning Aberdeen' - the Council is requested to appoint two members to Community Planning Aberdeen, in

addition to Councillor McCaig who is a member, and Chairperson, as Council Leader.

The Aberdeen Community Safety Partnership has recently adopted revised terms of reference. Previously the Council was represented on this body by one member from each group. The revised terms of reference stipulate that there be three elected members from the Council as follows:-

- 1 member on Grampian Joint Fire and Rescue Board
- 1 member on Grampian Joint Police Board
- 1 member - Convener or Vice Convener of the Housing and Environment Committee

6.4 Corporate Policy and Performance and Finance and Resources Committee - Orders of Reference

At its meeting of 29th June 2011, the Council instructed officers to report to the next Council meeting on the remits of the Finance and Resources Committee and the Corporate Policy and Performance Committee.

Proposed revised Orders of Reference for both Committees are appended to the report. For the avoidance of doubt, text in bold is proposed to be added, text in a lighter shade is proposed to be removed.

7. REPORT AUTHOR DETAILS

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8. BACKGROUND PAPERS

None.

ORDERS OF REFERENCE

ABERDEEN CITY COUNCIL
CORPORATE POLICY AND PERFORMANCE COMMITTEE
ORDERS OF REFERENCE

1. To develop and approve corporate policy and strategies including partnership working, and HR policies except those specified as relating to teaching staff and falling within the remit of the Education, Culture and Sports Committee.
2. To oversee the community planning process.
3. To agree and monitor neighbourhood community action plans.
3. To ensure involvement of community, neighbourhood networks and partners in Committee decision making.
4. To be accountable for those parts of the services provided by the Corporate Governance Service relating to corporate performance planning and community planning. **except internal audit.**
5. **To receive and scrutinise performance information for the Corporate Governance Service.**
6. **To be accountable for all of the services provided by the Office of Chief Executive.**
7. **To receive and scrutinise performance information for the Office of Chief Executive.**
8. To oversee the provisions of the Code of Conduct for Elected Members including the taking of action in regard to allegations of misconduct and the introduction of any guidance, policy or procedures in accordance with the provisions of the Code.
9. **To oversee the implementation of the Five Year Business Plan.**
10. To approve a plan for Best Value Audits and to consider performance outcomes from the Audit.
11. To ensure the Council meets its obligations in terms of Corporate Governance compliance.
12. To ensure that the Council meets its responsibilities in terms of Best Value legislation.
13. To monitor **annually** performance and consistency between service committees.
14. **Where the Chief Executive or Council so request**, to monitor performance and scrutinise **particular performance or service delivery** for the Council matters.
15. To receive reports on whistleblowing and other investigations.
16. To instruct such performance information as the Committee requires to fulfil its remit.

17. To ensure that in fulfilling this remit the Committee have regard to statutory requirements such as the Local Government in Scotland Act 2003, in relation to Best Value and continuous improvement.
18. To ensure the Council meets its legal obligations through:-
 - (a) The approval of a fraud policy and monitoring its implementation; and
 - (b) Commissioning investigations to secure value for money in the delivery of services.
19. To oversee the processes by which services are exposed to competition and costs are let, where the Council itself is a bidder for the work.
20. The Committee will refer business items relating to service delivery issues to the appropriate committees, while reserving the function of monitoring performance of those other committees in dealing with items so referred.
21. To receive external performance reports, and ensure any necessary action, **unless service specific**.
22. To receive reports from the Commission of Local Administration in Scotland and ensure any necessary action.
23. To maintain an overview of the Code of Guidance on Funding External Bodies and Following the Public Pound - Review of the allocation of grants to outside bodies.
24. The Committee is charged with the responsibility for corporately monitoring and validating the activities of other Standing Committees relating to the development and implementation of processes for achieving Continuous Improvement (including Best Value) in the design and delivery of services and in the development of measures to achieve social inclusion and sustainable development, and generally with the promoting, in a visible and challenging manner, the development of Continuous Improvement (including Best Value) in all its senses.
25. The committee will have the responsibility of monitoring:-
 - (a) the development and implementation of new systems for ensuring performance management and quality assurance in the Council's structure for service delivery;
 - (b) the due influencing of service delivery, planning and strategic development;
 - (c) the planning and progress of service reviews and the implementation of action plans arising from those reviews;
 - (d) arrangements for achieving Value for Money, Continuous Improvement and Best Value in services provided by external contractors; and
 - (e) the adoption and implementation of the management framework for planning, implementing, monitoring, reporting and reviewing delivery.

**ABERDEEN CITY COUNCIL
FINANCE AND RESOURCES COMMITTEE
ORDERS OF REFERENCE**

1. To set and monitor a resources strategy for the Council and to scrutinise performance within this.
2. To undertake overall management of the Council's resources – finance, people, systems and technology, and property at the stage of acquisition or disposal.
3. To set budgets, including those managed by the service Committees, having regard to the priorities set by each service Committee.
4. To approve HR policies except those specified as relating to teaching staff and falling within the remit of the Education, Culture and Sport Committee.
5. To approve staffing structures and additional staffing where no budget provision exists within the services.
6. To monitor all of the Councils budgets, in particular:-
 - (a) To establish processes and procedures for the close monitoring of budget approved by the Council.
 - (b) To receive budget monitoring reports from each service and to ensure close scrutiny of the management of each service budget.
 - (c) To call budget holders to account for the proper control of the budget for which they are responsible.
 - (d) To ensure action plans are in place to meet the budget savings approved by the Council and to monitor the performance thereof.
 - (e) To approve changes to the budget to meet the savings required including (a) the power to vire between service budgets; and (b) to undertake action to deliver cost reductions or income generation to achieve a balanced budget.
 - (f) To scrutinise performance of each service against each budget forecast within the approved transformation strategy.
 - (g) To scrutinise the implementation of the Five Year Plan and to monitor budgets accordingly.**
7. To manage the civic functions of the Council.
8. To be accountable for all of the services provided by the Corporate Governance Service, except corporate performance planning, community planning and internal audit.
9. To receive and scrutinise performance information for the Corporate Governance Service.