

Page

3 - 4

5 - 7



# Aberdeen City Council Committee Terms of Reference

Approved by Council 14 June 2023

**Commented [M01]:** Please note this document has been converted from PDF to Word which has resulted in some formatting and layout issues. These issues will not exist once the changes are approved and the document is updated for publication.

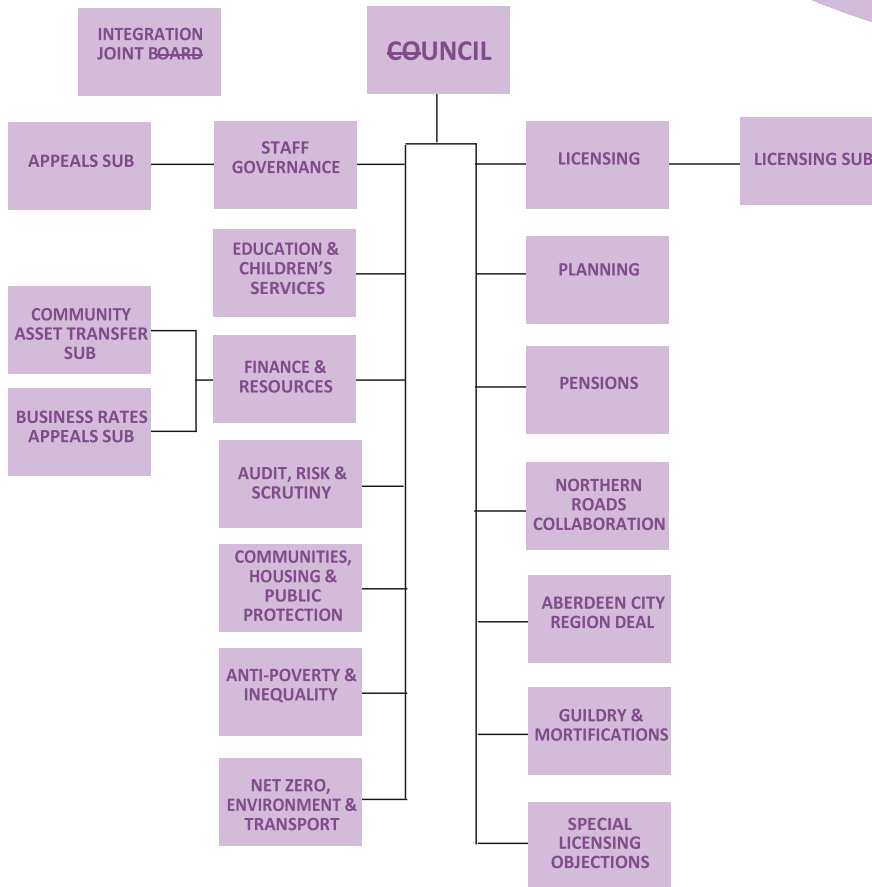
## CONTENTS

Introduction	1.	Aberdeen City Council	2.	General Delegations To Committees	8	<b>Error! Bookmark not defined.</b>
3.	Exclusions From Delegation To Committee					9

Version	5.0
Effective From	19 June 2023
To be Reviewed	February 2024
Application of Policy	Council-wide
Policy Author	Martyn Orchard, Committee Lead

4. Urgent Business Committee	10
5. <u>Communities, Housing and Public Protection Committee</u> 11	<del>1113</del>
6. <u>Finance and Resources Committee</u> 14	<del>1516</del>
7. <u>Business Rates Appeals Sub Committee</u>	<del>1917</del>
8. <u>Community Asset Transfer Review Sub-Committee</u>	<del>2018</del>
9. <u>Net Zero, Environment and Transport Committee</u>	<del>2119</del>
10. <u>Anti-Poverty and Inequality Committee</u> 20	<del>2221</del>
11. <u>Education and Children's Services Committee</u> 22	24
12. <u>Audit, Risk and Scrutiny Committee</u> 25	<del>2726</del>
13. <u>Staff Governance Committee</u> 27	<del>2928</del>
14. <u>Appeals Sub Committee</u>	<del>3129</del>
15. <u>Planning Development Management Committee</u>	<del>3330</del>
16. <u>Licensing Committee</u> 31	<del>3432</del>
17. <u>Licensing Sub Committee</u>	<del>3532</del>
18. <u>Pensions Committee</u> 33	<del>3634</del>
19. <u>Guildry and Mortification Funds Committee</u>	<del>3834</del>
20. <u>Aberdeen City Region Deal Joint Committee</u>	<del>3835</del>
21. <u>Northern Roads Collaboration Joint Committee</u>	<del>3936</del>
22. <u>Special Licensing Objections Committee</u>	<del>4037</del>

## 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 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.

### 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 approval of the number and allocation of committee places; the appointment and removal from office of the Lord Provost, Depute Provost, Leader of Co Leaders and/ or Depute Leader ~~and Business Manager and Depute Business Manager~~, a convener for each committee and a vice convener as appropriate and the approval of senior councillor allowances. However the appointment of external advisers to committees is not reserved to the Council and may be undertaken by the relevant committees themselves.
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 Schemes 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 [report \(or further report\)](#) 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. 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

#### REVIEWING

- 24.10 to approve amendments to the Council's Performance Management Framework (PMF);
- 24.11 to receive annual reports on the LOIP and Locality Partnership Plans;
- 24.12 to consider and monitor performance associated with the Council's agreed commissioning intentions and ultimate contribution to the LOIP outcomes;
- 24.13 to receive annual reports from each of the Council's ALEOs to enable scrutiny of performance;

citizens, and the best evidence of effective interventions to ensure a preventative focus on demand reduction.

**DOING**

- 24.6 to establish Arm's Length External Organisations (ALEOs) where it is determined that services should not be provided in-house;
- 24.7 to decommission services, including ALEOs, that do not meet the Council's commissioning intentions and outcomes;
- 24.8 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
- 24.9 to approve the Strategy Framework to facilitate the delivery of agreed outcomes.
- 24.14 to receive an annual procurement performance report to enable scrutiny of performance; and
- 24.15 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.

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

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

1. where an officer has exercised a delegated power.
2. Each committee can vary 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);** approve
  - 8.2 appointments and nominations to outside bodies relevant to its remit; meet the requirement
  - 8.3 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; receive its own committee planner;
  - 8.6 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~~ ~~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;~~
  - ~~1.1.1~~ ~~on the instruction of the Chief Executive where the Chief Executive and the Convener are satisfied that the relevant business is urgent; or~~
  - ~~1.1.1.1.2~~ ~~in terms of Standing Order 34.2 (Referrals).~~
- ~~1.2~~ ~~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.
- ~~1.2.1.3~~ ~~The reason for urgency must, where possible, be clearly stated in any report to the Urgent Business Committee. Where this is not possible (e.g. due to the matter being referred to the Committee under Standing Order 34.2), the reason(s) for urgency must be stated at the start of the meeting.~~
- ~~1.4~~ ~~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. ~~Before determining whether the item is urgent, members may ask questions of officers in relation to the reason(s) for urgency.~~
- ~~1.5~~ ~~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.
- ~~1.6~~ ~~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 Housing Cluster-Customer Function;
- ◆ services provided by the Governance Cluster relating to Public Protection;
- ◆ services provided by the Operations Function-Cluster (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); albeit the Committee may receive and consider reports providing updates on 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 Housing Cluster-Customer Function, the Operations Function-Cluster (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 consider and determine Asset Transfer Requests made under the Community

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

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;

- ◆ learning from learning reviews;
- ◆ quality assurance;
- ◆ training and development;
- ◆ local evidence-based initiatives;
- ◆ effective working on adult protection; and

- 
- 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;  
challenge entries);
  - 2.10 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;

◆ statistics relating to the Adult Protection Register (whilst noting that it has no remit to relating to the Chief Social Work Officer's Annual Report insofar as it relates to adult services,

- 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 LEAD:- EXECUTIVE DIRECTOR OF FAMILIES AND COMMUNITIES**

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-Corporate Services Function (with the exception of those within the remit of the Staff Governance Committee, Communities, Housing and Public Protection Committee and the Education and Children's Services and the Commissioning Functions); and the Families and Communities Function relating to Corporate Landlord (with the exception of those within the remit of the Communities, Housing and Public Protection Committee and the Education and Children's Services Committee). 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
  - 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 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  
approve all non-capital programme procurement activity, and capital programme procurement activity, 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;



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 Corporate Services Function, the City Development and Regeneration Cluster, the Capital Cluster and the Corporate Landlord Cluster 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.

thereon being given by Council; and

## 3. CITY DEVELOPMENT AND REGENERATION 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

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~~ EXECUTIVE DIRECTOR OF CORPORATE SERVICES**

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 adaptation 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 in relation to climate, sustainability, the natural environment and transport and roads.
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".

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.

## **10. ANTI-POVERTY AND INEQUALITY COMMITTEE**

### **PURPOSE OF COMMITTEE**

### **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 Citizens' 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;
  - 1.13 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 approve for publication Local Child Poverty Action Reports in terms of the Child Poverty (Scotland) Act 2017 and Child Poverty Action Plans;

- 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;
- 2.2 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** |

~~statutory meeting (or other meeting as appropriate)-Committee~~ 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:- EXECUTIVE DIRECTOR OF CORPORATE SERVICES 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 Children’s Social Work and Family Support;
- ♦ 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

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.



- ◆ 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 Children's Social Work and Family Support 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 Framework and consider recommendations for improvements where
- 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

- 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 LEAD: EXECUTIVE DIRECTOR OF FAMILIES AND COMMUNITIES

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  
in accordance with the discretion conferred by s124(3) of the Local Government (Scotland) Act

Please refer also, as applicable and appropriate, to the "General Delegations to Committees" and the "Exclusions from Delegation to Committees".

#### 3.2

1973:

- 3.2.1 two teachers employed in educational establishments managed by the Council, nominated by the Teachers' Consultative Forum, comprising one representative from primary (including nursery) and one representative from secondary.

## **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 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.

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

**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

**EXECUTIVE LEAD: CHIEF OFFICER – GOVERNANCE**

Please refer also, as applicable and appropriate, to the "General Delegations to Committees" and the "Exclusions from Delegation to Committees".

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.

### **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 reflects 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 teachers <sup>1</sup>); and
- 1.3 consider reports by the Chief Officer – People and Citizen Services Organisational Development on matters following a request by a trade union advisor provided always that the Chief Officer – People and Organisational Development Citizen Services 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;
  - approve framework documentation in relation to workforce culture; approve strategic training and development plans for the whole organisation; approve all staff policies, these being policies where the predominant factor affects the

**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
- 2.3
- 2.4
- 2.5 expected behaviour and actions of staff;
- 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
- 2.7 receive people performance data to enable the monitoring of the wellbeing of our staff including but not limited to absence data.

<sup>1</sup> 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.

**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 ~~CITIZEN SERVICES~~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.
2. The Sub-Committee will operate in terms of the agreed procedure.
3. 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 CITIZEN SERVICESORGANISATIONAL DEVELOPMENT





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

**REMIT OF COMMITTEE**

**15. PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

**PURPOSE 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	
◆ Metal Dealer Licences	◆ Houses in Multiple Occupation Licences
◆ Indoor Sports Entertainment Licences	◆ Knife Dealer Licences
◆ Skin Piercing and Tattoo Licences	◆ Taxi Booking Office Licences
◆ Short-Term Lets Licences	
DISCRETIONARY LICENCES	
◆ Taxi and Private Hire Car Licences	◆ Public Entertainment Licences
◆ Taxi and Private Hire Car Driver Licences	◆ Late Hours Catering Licences
◆ Second Hand Dealer Licences	◆ Window Cleaner Licences
◆ Boat Hire Licences	◆ Sex Shop Licences
◆ Street Trader Licences	◆ Permission to organisations for public charitable collections and public processions
◆ Market Operator Licences	
MISCELLANEOUS LICENCES UNDER OTHER LEGISLATION	
◆ Houses in Multiple Occupation - Housing (Scotland) Act 2006	
◆ Registration of Private Landlords - Antisocial Behaviour etc. (Scotland) Act 2004	
◆ Theatre Licence – Theatres Act 1968	
◆ Cinema Licence - Cinemas Act 1985	
◆ Safety in Sports Grounds - Safety in Sports Grounds Act 1975	

### REMIT OF COMMITTEE

The Committee will:

1. determine applications for the grant, renewal, revocation, variation or suspension of any licence as appropriate;
2. 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 ([the Fund](#)~~NESPF~~). This includes managing the investment of the ~~NESPF Fund~~ 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.
- 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 [General Code of Practice](#).

**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:

**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.

5.3 monitor the progress of any litigation relating to the Fund.

**3. 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. GILDTRY 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.

### **EXECUTIVE LEAD FOR THE COUNCIL: CHIEF OFFICER – CITY DEVELOPMENT AND REGENERATIONGROWTH**

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.

## **21. NORTHERN ROADS COLLABORATION JOINT COMMITTEE**

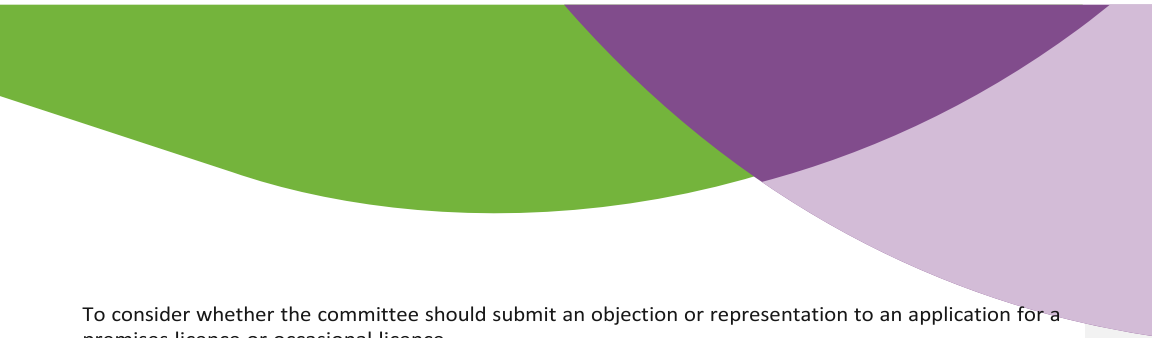
The Northern Roads Collaboration Joint Committee is a Joint Committee established by Aberdeen City Council, Aberdeenshire Council, Angus Council, Argyll and Bute Council, Comhairle nan Eilean Siar, The Highland Council, The Moray Council and The Orkney Islands Council (the "Constituent Authorities") 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.



To consider whether the committee should submit an objection or representation to an application for a premises licence or occasional licence.

**REMIT OF COMMITTEE**

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 Sub-Committees.
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**

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**