ABERDEEN, 19 June, 2014. Minute of meeting of the FINANCE, POLICY AND RESOURCES COMMITTEE. <u>Present</u>: Councillor Young, <u>Convener</u>; Councillor Forsyth, <u>Vice Convener</u>; and Councillors Allan, Cameron, Dickson, Donnelly, Jackie Dunbar, Lesley Dunbar (as a substitute for Councillor Reynolds), Grant, Laing, McCaig, Milne, Noble, Taylor (as a substitute for Councillor Crockett) and Yuill.

The agenda and reports associated with this minute can be located at the following link:-

http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?Cld=146&Mld=2907&Ver=4

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DETERMINATION OF EXEMPT ITEMS OF BUSINESS

1. The Convener proposed that the Committee consider those reports identified on the agenda as being for determination in private, with the press and public excluded.

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 from item 13.1 of the agenda (article 22 of this minute) onwards so as to avoid disclosure of information of the classes described in the following paragraphs of Schedule 7(A) to the Act: article 22 (paragraph 1), article 23 (paragraphs 6 and 9), article 24 (paragraph 8), article 25 (paragraphs 8 and 10) and article 26 (paragraphs 8, 9 and 10).

MINUTE OF PREVIOUS MEETING OF 6 MAY 2014

2. The Committee had before it the minute of its previous meeting of 6 May 2014.

Councillor Noble moved as a procedural motion, seconded by Councillor Dickson:that article 15 (Small Financial Assistance Grants 2014/2015) of the minute be amended to reflect the comments of the Convener and Vice Convener regarding the political nature of the Wallace 700 Association.

The Convener and Vice Convener clarified that they did not make the statements now attributed to them by Councillor Noble.

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On a division, there voted:- for the procedural motion (5) - Councillors Cameron, Dickson, Jackie Dunbar, McCaig and Noble; against the procedural motion (9) - the Convener; the Vice Convener; and Councillors Allan, Donnelly, Lesley Dunbar, Grant, Laing, Milne and Taylor; and declined to vote (1) – Councillor Yuill.

The Committee resolved:-

to reject the procedural motion and thereby approve the minute as a correct record.

COMMITTEE BUSINESS STATEMENT

3. The Committee had before it a statement of pending and outstanding committee business, as prepared by the Head of Legal and Democratic Services.

The Committee resolved:-

- (i) in relation to item 7 (Request for Approval of Expenditure for External Support Relating to the City Deal Fund), was to be considered on today's agenda and to remove it subject to the decision taken;
- (ii) in relation to item 14 (Removal of 43 Kings Gate from the Social Care and Wellbeing Account Portfolio) to transfer this item to the Property Sub Committee; and
- (iii) to otherwise note the updates provided.

CORPORATE GOVERNANCE PERFORMANCE DASHBOARD - PRESENTATION

4. With reference to article 11 of the minute of its meeting of 6 May 2014, the Committee received a presentation of the Corporate Governance Service's progress and performance as detailed in the performance indicators presented.

The Committee resolved:-

to note the Corporate Governance Service's reported progress and performance as detailed in the performance indicators presented at the meeting.

2013/14 FINANCIAL MONITORING - CORPORATE GOVERNANCE (CG/14/072)

5. With reference to article 12 of the minute of its meeting of 6 May 2014, the Committee had before it a report by the Director of Corporate Governance which provided information to date on the current year's revenue budget for the Corporate Governance Service, and advised of any areas of risk and management action being taken in this regard.

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The report recommended -

that the Committee -

- (a) note the information on management action and risks contained within the report; and
- (b) instruct officers to continue to review budget performance and report on Service strategies.

The Committee resolved:-

to approve the recommendations.

COUNCIL FINANCIAL YEAR END MONITORING 2013-14 (CG/14/093)

6. With reference to article 13 of the minute of its meeting of 6 May 2014, the Committee had before it a report by the Director of Corporate Governance which presented the revenue position for the Council for the end of the financial year 2013/2014.

The report recommended:-

that the Committee -

- (a) note the final outturn for the various Council accounts for financial year 2013/14;
- (b) approve the various transfers between Council accounts and earmarked sums for the General Fund, Housing Revenue Account and Common Good Fund as at 31 March 2014 as detailed in paragraph 5.5.18 and note the unique opportunity that arose during the year end accounts process in relation to the 3R's project and approve the various accounting entries that are described in paragraph 5.5.2 that increased the General Fund balance by £19.7 million as at 31 March 2014;
- (c) approve the working balances of the General Fund, Housing Revenue Account and Common Good Fund as detailed in paragraph 5.5.19;
- (d) note that in accordance with the relevant strategies to maintain revenue balances the Council's objective of retaining recommended levels of uncommitted balances had been achieved;
- (e) approve the revision to the capital programme to take account of carried forward commitments from 2013/14 following a review and re-profiling of existing projects by the Corporate Asset Group, the detail of which was contained in paragraph 5.4.9 of the report; and
- (f) note that the draft Statement of Accounts for 2013/14 would be presented to the Audit and Risk Committee, along with the Annual Governance Statement and Remuneration Report at its meeting in June 2014.

The Convener moved, seconded by the Vice Convener:that the Committee approve the recommendations.

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Councillor Yuill moved as an amendment, seconded by Councillor Dickson:-

that the Committee approve the recommendations and agree, given the financial outturn, to allocate an additional £2million from reserves to finance additional pavement, road and street lighting repairs.

On a division, there voted:- <u>for the motion</u> (14) - the Convener; the Vice Convener; and Councillors Allan, Cameron, Dickson, Donnelly, Jackie Dunbar, Lesley Dunbar, Grant, Laing, McCaig, Milne, Noble and Taylor; <u>for the amendment</u> (1) – Councillor Yuill.

The Committee resolved:-

- (i) to adopt the motion; and
- (ii) to commend staff for their achievements in this regard.

2013/14 COMMON GOOD FUND - YEAR END (CG/14/073)

7. With reference to article 14 of the minute of its meeting of 6 May 2014, the Committee had before it a report by the Chief Executive which presented information on income and expenditure of the Common Good budget for the year to 31 March 2014, and outlined the unaudited position of the cash balances as at 31 March 2014.

The report recommended:-

that the Committee -

- (a) note the income and expenditure position as at 31 March 2014; and
- (b) note the unaudited cash balances as at 31 March 2014 of £7.6million based on current estimates, which was within the recommended levels indicated by the Head of Finance.

The Committee resolved:-

- (i) to approve the recommendations;
- (ii) to note that £10,000 for the Newhills Development was included in the cash balance as at 31 March 2014; and
- (iii) to commend staff for their efforts in achieving this financial position.

SMALL FINANCIAL ASSISTANCE GRANTS 2014/15 (CG/14/092)

8. The Committee had before it a report by the Director of Corporate Governance which presented one application for financial assistance.

The report recommended:-

that the Committee consider the application received and agree to award grant funding up to a maximum of £2,500 to AberdeenMuslims.org.

The Committee resolved:-

to approve the recommendation.

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AMENDMENTS TO MANAGING REDUNDANCY POLICY (CG/14/074)

9. The Committee had before it a report by the Director of Corporate Governance which sought approval of changes to the Managing Redundancy policy in order to comply with legislative changes, both statute and case law.

The report recommended:-

that the Committee approve the changes to the Managing Redundancy policy as detailed in appendix A to the report.

The Committee resolved:-

to approve the recommendation.

SECONDMENT POLICY (CG/14/075)

10. The Committee had before it a report by the Director of Corporate Governance which sought approval of the introduction of a secondment procedure to replace the existing secondment policy.

The report recommended:-

that the Committee approve the introduction of the secondment procedure as detailed in appendix 1 to the report to replace the existing secondment policy.

The Committee resolved:-

to approve the recommendation.

NEW NATIONAL CONDITION FOR CHIEF OFFICIALS AND PROPOSED REVISED CONTRACT OF EMPLOYMENT FOR CHIEF OFFICIALS (CG/14/076)

11. The Committee had before it a report by the Director of Corporate Governance which (a) notified of a new national agreement on Chief Officials' terms and conditions of employment which had been incorporated into the contracts of all Chief Officials of the Council from 1 April 2014 and (b) proposed that annual leave and pay protection provisions be harmonised with the existing local conditions of service for Scottish Joint Negotiating Committee (SNJC) for Local Government employees.

The report recommended:-

that the Committee -

(a) note the incorporation into the existing contracts of employment of the revised SJNC Scheme of Salaries and Conditions of Service for Chief Officials by virtue of national collective agreement as detailed at appendix 1, which came into effect on 1 April 2014;

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- (b) agree that the annual leave entitlement for Chief Officials be harmonised to that in the local terms and conditions for SJC for Local Government Employees of basic annual leave entitlement of 27 days (including five floating public holidays), with additional 5 days awarded for 5 years' continuous service (i.e. 32 days) and a further three days for 10 years' continuous service (i.e. 35 days);
- (c) agree for all currently employed Chief Officials, that their current contractual annual leave entitlement be personally protected but for the revised provisions detailed in recommendation (b) to be applied to all new appointees; and
- (d) approve the harmonisation of the pay protection for Chief Officials to that of the pay transitioning arrangements that apply to SJC for Local Government Employees, with this provision to be effective from 1 October 2014.

The Committee resolved:-

to approve the recommendations.

ART GALLERY REDEVELOPMENT PROGRAMME - PROCUREMENT OF THE CONSTRUCTION WORKS (ECS/14/046)

12. With reference to article 15 of the minute of the Education, Culture and Sport Committee of 27 March 2014, the Committee had before it a report by the Director of Education, Culture and Sport which (1) provided an update on progress to develop the Art Gallery, Cowdray Hall and Memorial Court, including confirmation that design work had been completed to RIBA Stage E (detailed design) and that planning and listed building permission had been granted and (2) advised of the next steps to be taken.

The report recommended -

that the Committee -

- (a) note the progress to date with the development of the Art Gallery complex; and
- (b) approve the total estimated expenditure of £30m and instruct the Design Team working with officers to publish the Pre-Qualification Questionnaire and Invitation to Tender on the Public Contracts Scotland website and elsewhere, as appropriate.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) to instruct officers to submit a report to the Finance, Policy and Resources Committee and the Education, Culture and Sport Committee, in six months, advising on progress with the public and philanthropic fundraising campaign to raise £10m towards the redevelopment.

PROCUREMENT OF SERVICE TO DELIVER MOBILITY EQUIPMENT HIRE (EPI/14/152)

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13. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which sought approval to procure a service provider of mobility equipment hire at a range of locations on an agreed programme across the city.

The report recommended:-

that the Committee -

- (a) agree that officers be instructed to procure a mobility equipment hire service for a contractual period of three years with the option of extending for a further two years thereafter subject to satisfactory delivery, based on the Council providing the vehicle/ unit to enable a citywide service to be delivered;
- (b) note that the funding available to provide the service was identified within the tender as £19,500/annum which was funded from the former Shopmobility service budget with deductions for the vehicle/mobile unit maintenance, insurance and offsetting the loss of car parking income; and
- (c) approve procurement of a suitable vehicle/ mobile unit of up to £60,000, with the remaining funds current held in reserves, available for any adaptations for operational purposes identified by the preferred bidder.

The Committee resolved:-

- (i) to approve recommendations (a) and (c); and
- (ii) to agree that the funding available to provide the service was identified within the tender as £34,000/annum which was funded from the former Shopmobility service budget with costs for the vehicle/mobile unit maintenance, insurance and offsetting the loss of car parking income to be funded from contingencies.

ICT ACCEPTABLE USE POLICY (CG/14/069)

14. The Committee had before it a report by the Director of Corporate Governance which sought approval of the updated ICT Acceptable Use policy which took account of changes in usage arising from the introduction of smarter working.

The report recommended:-

that the Committee approve the updated ICT Acceptable Use policy.

The Committee resolved:-

to approve the recommendation.

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15. The Committee had before it a report by the Director of Corporate Governance which sought approval of the revised accessible information guidelines which ensured that there was a corporate approach taken to communication across the Council.

The report recommended:-

that the Committee -

- (a) approve the accessible information guidelines; and
- (b) encourage Directors to adopt a corporate approach to communication based on these guidelines.

The Committee resolved:-

to approve the recommendations.

EQUALITY OUTCOMES - PROGRESS REPORT (CG/14/083)

16. The Committee had before it a report by the Director of Corporate Governance which advised of the progress achieved following year 1 of the Council's Equality Outcomes for 2013-2017.

The report recommended:-

that the Committee -

- (a) note the progress since publication last April of the Equality Outcomes and Mainstreaming report 2013 -2017;
- (b) note that several services had actions in place or actions planned to deliver progress to achieving the outcomes and addressing the gaps in provision as identified through the community engagement exercises. This was so that there were positive outcomes to report in the statutory report on progress required by April 2015 and in the final report no later than April 2017; and
- (c) note where there were gaps in contributions from services and encourage Heads of Service to use this opportunity to promote the improvements made in service provision which made the Council's services more accessible to all.

The Committee resolved:-

to approve the recommendations.

CITY CENTRE COMMUNITY COUNCIL PROPOSAL TO AMEND THE CURRENT BOUNDARY

17. The Committee had before it a report by the Director of Corporate Governance which advised of requests from (a) the City Centre Community Council to amend their boundary to take in both sides of Union Street and to match the Aberdeen Inspired, city centre Business Improvement District boundary and (b) the Craigiebuckler and Seafield Community Council that the area of Pinewood be included in their boundary.

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The report recommended:-

that the Committee -

- (a) refer the report to a Special meeting of Council for consideration and approval to issue a public notice inviting members of the public to comment on the boundary proposals;
- (b) note the proposal submitted by the City Centre Community Council to amend their boundary (as detailed in section 5.2.1);
- (c) note that consensus on the boundary proposal has been agreed with Rosemount and Mile End Community Council and Queen's Cross and Harlaw Community Council:
- (d) note that Castlehill and Pittodrie Community Council are not supportive of the boundary proposal and wish to retain their current boundary;
- (e) note that George Street Community Council have consented to the area from Littlejohn Street to Greyfriars House transferring and that they are not supportive of the area for the Robert Gordon's University building and the area for St Andrews Street and Loch Street transferring;
- (f) note the alternative boundary proposal submitted by Ferryhill and Ruthrieston Community Council (as detailed in section 5.4);
- (g) approve in principle that the area of Pinewood be included in the Craigiebuckler and Seafield Community Council boundary (as detailed in section 5.5); and
- (h) take no action at this time in relation to the suggestion to amend all Community Council boundaries in line with the current Ward boundaries (as detailed in section 5.7)

The Committee resolved:-

- (i) to note the report; and
- (ii) to agree that no changes be made to Community Council boundaries in Aberdeen until such time as the Local Government Boundary Commission for Scotland had completed its Fifth Review of Electoral Arrangements.

AUDIT SCOTLAND - HOW COUNCILS WORK : OPTIONS APPRAISAL

18. The Committee had before it a report by the Director of Corporate Governance which (a) advised of Audit Scotland's report on options appraisals best practice as part of its 'How Councils Work – Improvement Series for Councillors and Officers'; (b) provided advice on how Councillors and staff should manage the appraisal of different service delivery options for major alternative delivery projects; and (c) outlined the recommendations for the use of the best practice guidelines to benefit projects in the future.

The report recommended:-

that the Committee -

(a) agree that all future alternative delivery projects should follow the guidance contained in the report during the options appraisal stage of the project;

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- (b) agree that Councillors and officers should use the checklists in the appendix during the options appraisal stage of the project to ensure they were providing and receiving the correct information, asking the right questions and making the most informed decisions they could; and
- (c) instruct that the Programme Management Office should add this guidance to the Project Management Toolkit on the Zone and include information on how and when to use it.

The Committee resolved:-

to approve the recommendations.

STRATEGIC INFRASTRUCTURE PLAN PROGRESS UPDATE (OCE/14/031)

19. With reference to article 13 of the minute of the meeting of Council of 14 May 2014, the Committee had before it a report by the Chief Executive which provided an update on progress of the delivery of the Strategic Infrastructure Plan.

The report recommended:-

that the Committee note the content of the report and the progress made.

The Committee resolved:-

to approve the recommendation.

CITY DEAL FUND (OCE/14/030)

20. With reference to article 16 of the minute of its meeting of 20 February 2014, the Committee had before it a report by the Chief Executive which provided an update on progress in relation to the submission to HM Treasury for a City Deal for Aberdeen and the region.

The report recommended:-

that the Committee note the content of the report.

The Committee resolved:-

to approve the recommendation.

DECLARATION OF INTERESTS

Councillor Grant declared a pecuniary interest in the following item of business by virtue of his employment, and withdrew from the meeting.

MATTER OF URGENCY

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The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, that the following item be considered as a matter of urgency to enable the Committee to determine the matter without delay.

ABERDEEN INSPIRED ACTIVITY SUPPORT (EPI/14/169)

21. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which sought approval for financial support towards activities being undertaken by Aberdeen Inspired.

The report recommended:-

that the Committee -

- (a) note the content of the report;
- (b) approve a total of £50,000 from the existing City Events budget towards the Aberdeen Inspired activities detailed in Section 5 of the report; and
- (c) agree to receive a joint feedback report from Aberdeen Inspired in February 2015, detailing the outcome of the activities detailed in the report.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) to request officers to advise the Committee, by way of email, of (a) how feedback and the success of an activity was measured; and (b) the timeline for determining the possibility of delivering the ice rink in Union Terrace Gardens, this information to be sourced by Aberdeen Inspired who were responsible for the ice rink.

In accordance with the decision recorded under article 1 of this minute, the following items were considered with the press and public excluded.

ESTABLISHMENT OF A NEW SUPPORT TEAM - HOUSING AND ENVIRONMENT (H&E/14/047)

22. The Committee had before it a business by the Director of Housing and Environment which sought approval for the establishment of a new support team responsible for the delivery of a range of housing support services focussed on enabling people to achieve or maintain independent living in the community.

The Committee resolved:-

to approve the business case as outlined in the report.

3RS PROJECT (CG/14/094)

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23. With reference to article 4 of the minute of the meeting of the Urgent Business Committee of 24 April 2014, the Committee had before it a report by the Director of Corporate Governance which provided an update in relation to the investigation into opportunities that had emerged in relation to the outstanding debt held against the schools built under the 3rs school project.

The report recommended:-

that the Committee -

- (a) note the final outcome of the investigations, that no bid was submitted to Landsbanki; and
- (b) approve that the costs associated with the work be met from the corporate contingencies in 2014/2015.

The Committee resolved:-

to approve the recommendations.

TENDER REPORT ACCESS FROM THE NORTH PROPOSALS (THIRD DON CROSSING) (EPI/14/124)

24. With reference to article 10 of the minute of the meeting of Council of 6 March 2014, the Committee had before it (a) a report by the Director of Enterprise, Planning and Infrastructure which provided an update on the tender process for the Access from the North ("Third Don Crossing") and (b) an addendum which advised of the results of the tender process.

The report recommended:-

that the Committee -

- (a) note the content of the report;
- (b) note the proposal to award the contract to the preferred bidder; and
- (c) approve, if required, additional budget expenditure to permit construction of the project to progress.

The addendum recommended:-

that the Committee -

- (1) agree that contract award procedures be progressed for the award of the construction of the Third Don Crossing to Balfour Beatty. These procedures were to be progressed once a determination on the property at 16 Meadow Place had been received from the Lands Tribunal; and
- (2) agree, that given the favourable financial position in the 2013/2014 annual accounts, the tender price be met from the Council's existing five year capital and revenue plans with the appropriate use of the additional reserves the Council was able to contribute to as part of the 2013/2014 annual accounts process (article 6 refers).

The Convener moved, seconded by the Vice Convener:-

that the Committee -

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- (a) note the report;
- (b) approve the recommendations contained in the addendum to the report;
- request that the contractor establishes a site office on the Tillydrone side of the works, failing which, in accordance with consultation policy, instructs officers to ensure premises within Tillydrone were made available for the duration of the contract to allow ongoing engagement with the local community; and
- (d) instruct officers to organise meetings in Bridge of Don, Danestone and Tillydrone for the Convener of the Finance, Policy and Resources Committee to discuss the works and related mitigation measures with local communities with a report on the meetings being brought back to the Committee at its meeting in December 2014.

Councillor McCaig moved as an amendment, seconded by Councillor Dickson:that the Committee –

- (1) approve the recommendations contained in the addendum to the report, whilst noting that other funding existed which did not require the funding to be met from the Council's existing five year capital and revenue plan;
- (2) request that the contractor establishes a site office on the Tillydrone side of the works from which members of the public would be able to access Council staff to discuss progress of the project, failing which, in accordance with consultation policy, instruct officers to ensure premises within Tillydrone were made available for the duration of the construction of the crossing to allow ongoing engagement with the local community; and
- instruct officers to organise meetings in Bridge of Don, Danestone and Tillydrone for the Convener of the Finance, Policy and Resources Committee to discuss the works and related mitigation measures with local communities with a report on the meetings being brought back to the Committee at its meeting in December 2014.

On a division, there voted:- <u>for the motion</u> (9) - the Convener; the Vice Convener; and Councillors Allan, Donnelly, Grant, Lesley Dunbar, Laing, Milne, and Taylor; <u>for the amendment</u> (6) - Councillors Cameron, Dickson, Jackie Dunbar, McCaig, Noble and Yuill.

The Committee resolved:-

- (i) to adopt the motion; and
- (ii) to note that all councillors would be advised of the meetings organised and were welcome to attend these.

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25. With reference to article 14 of the minute of its meeting of 20 February 2014, the Committee had before it a report by the Director of Corporate Governance which provided an update on the tender for fixed lines and mobile telephony and sought approval of the procurement process to be undertaken.

The report recommended:-

that the Committee -

- (a) note the exemption from Standing Orders approved by the Chief Executive, Head of Finance, Head of Legal and Democratic Services and Head of Procurement which allowed existing contractual arrangements relating to fixed and mobile telephony to be extended until 30 September 2014, to allow for a procurement exercise to be undertaken in the meantime and to note that such extensions had already been agreed with the contractors;
- (b) approve the recommendation by Commercial and Procurement Services to progress a joint procurement with Aberdeenshire Council for mobile telephony services:
- (c) approve the entering into of a contract (or contracts) in respect of fixed telephony and mobile telephony for a two year period (with the option in each case to extend for up to three further periods of up to one year each, meaning that the maximum possible duration in each case was five years), to align with the requirements of Aberdeenshire Council where appropriate;
- (d) approve the revised total estimated expenditure of £5,500,000 (previously £4,500,000) in respect of the entering into of the said proposed contract or contracts, such increase being in respect of a potential 5th year of the contract(s); and
- (e) approve the use of any suitable alternative procurement process (or processes) if no appropriate framework agreement(s) was / were available.

The Committee resolved:-

to approve the recommendations.

PROVISION OF MAINTENANCE WORKS FOR TRAFFIC CONTROL SYSTEMS (CG/14/071)

26. The Committee had before it a report which advised of the intention to invite tenders for the provision of maintenance works for traffic control systems for a maximum of five years and sought approval of the estimated expenditure as detailed in the report.

The report recommended:-

that the Committee approve the total estimated expenditure of £1,800,000 for the provision of maintenance works for traffic control systems over a period of five years following an appropriate tendering process in accordance with SO1(3) of the Council's Standing Orders relating to Contracts and Procurement.

The Committee resolved:to approve the recommendation.
COUNCILLOR YOUNG, Convener.