

## ABERDEEN CITY COUNCIL

---

COMMITTEE	Council
DATE	16 December 2015
DIRECTOR	Richard Ellis
TITLE OF REPORT	Aberdeen City Region Deal – Joint Committee
CHECKLIST COMPLETED	Yes

---

### 1. PURPOSE OF REPORT

- 1.1 To recommend that the Council approves the establishment of a Joint Committee with Aberdeenshire Council to oversee the implementation of the Aberdeen City Region Deal.

### 2. RECOMMENDATION(S)

The Council is recommended to:

- 2.1 Establish a Joint Committee in terms of sections 56 and 57 of the Local Government (Scotland) Act 1973 with Aberdeenshire Council to be known as the Aberdeen City Region Deal Joint Committee;
- 2.2 Approve the Joint Committee's Terms of Reference outlined in Appendix 1;
- 2.3 Approve the Joint Committee's Standing Orders outlined in Appendix 2;
- 2.4 Appoint three named members and up to three named substitute members to the Aberdeen City Region Deal Joint Committee; and
- 2.5 Note that any decision to accept the provisions and terms of a City Region Deal will be a decision reserved for the respective Councils and is not a matter that is delegated to the proposed Joint Committee.

### 3. FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications arising from the recommendations in this report.

#### 4. BACKGROUND/MAIN ISSUES

- 4.1 On 15 September 2015, the Finance, Policy and Resources Committee agreed that:

“the Head of Legal and Democratic Services collaborates with his counterpart at Aberdeenshire Council to develop the arrangements necessary to allow for the establishment of the proposed Aberdeen City Region Deal Executive as a Joint Committee of the two Councils;”  
and

“the Chief Executive reports to the Council once all details and arrangements are finalised in order to seek the Council’s approval for the establishment of the Aberdeen City Region Deal Executive.”

#### 5. ESTABLISHMENT OF A JOINT COMMITTEE

- 5.1 A Joint Committee formed under sections 56 and 57 of the Local Government (Scotland) Act 1973 provides a framework for the local authorities to work together and offers scope for private sector involvement. It is proposed that the Joint Committee be known as the Aberdeen City Region Deal Joint Committee.
- 5.2 The Terms of Reference that outline the purpose and activities of the proposed Joint Committee are set out in Appendix 1. The Terms of Reference propose that the Joint Committee will oversee the implementation of the City Region Deal and will make recommendations in respect of:
- 5.2.1 strategic and policy plans;
  - 5.2.2 the prioritisation of projects;
  - 5.2.3 improvements to the way that the City Region Deal is being implemented; and
  - 5.2.4 the setting of budgets
- 5.3 The proposed Standing Orders for the Joint Committee are set out in Appendix 2. The Standing Orders set out how the Joint Committee will operate and the rules applicable to Joint Committee meetings including:
- 5.3.1 the membership of the committee;
  - 5.3.2 the calling of meetings; and
  - 5.3.3 voting.
- 5.4 Appendix 3 sets out the wider governance arrangements proposed for the Aberdeen City Region Deal.
- 5.5 The governance arrangements will be kept under review as the shape and structure of the City Region Deal becomes more apparent through negotiations with the UK and Scottish Governments.

## 6. COUNCILLOR'S CODE OF CONDUCT

### 6.1 Section 5.8 of the Councillors' Code of Conduct states:

"Your membership of statutory Joint Boards or Joint Committees which are composed exclusively of Councillors does not raise any issue of declaration of interest in regard to Council business."

6.2 Given that the proposed Joint Committee membership will include non-elected members, councillors on the Joint Committee will not be able to enjoy the exception set out in Section 5.8 of the Code. Therefore, elected members on the Joint Committee would be advised against participating in quasi-judicial matters including the consideration of planning applications, licensing applications and the consideration of compulsory purchase orders which relate to City Region Deal activities. Whether or not a quasi-judicial matter relates to the City Region Deal will have to be considered by members on a case by case basis.

6.3 Where a Council committee is considering an item relating to the City Region Deal in a non-quasi-judicial forum, elected members who are also members of the Joint Committee will have to apply the objective test set out in the Code of Conduct in the usual way. Those members will then have to decide whether or not they are able to participate in the consideration of the item at that Council committee.

6.4 It is the councillor's personal responsibility to ensure that they comply at all times with the provisions of the Code of Conduct

## 7. REPORT AUTHOR DETAILS

Fraser Bell  
Head of Legal and Democratic Services