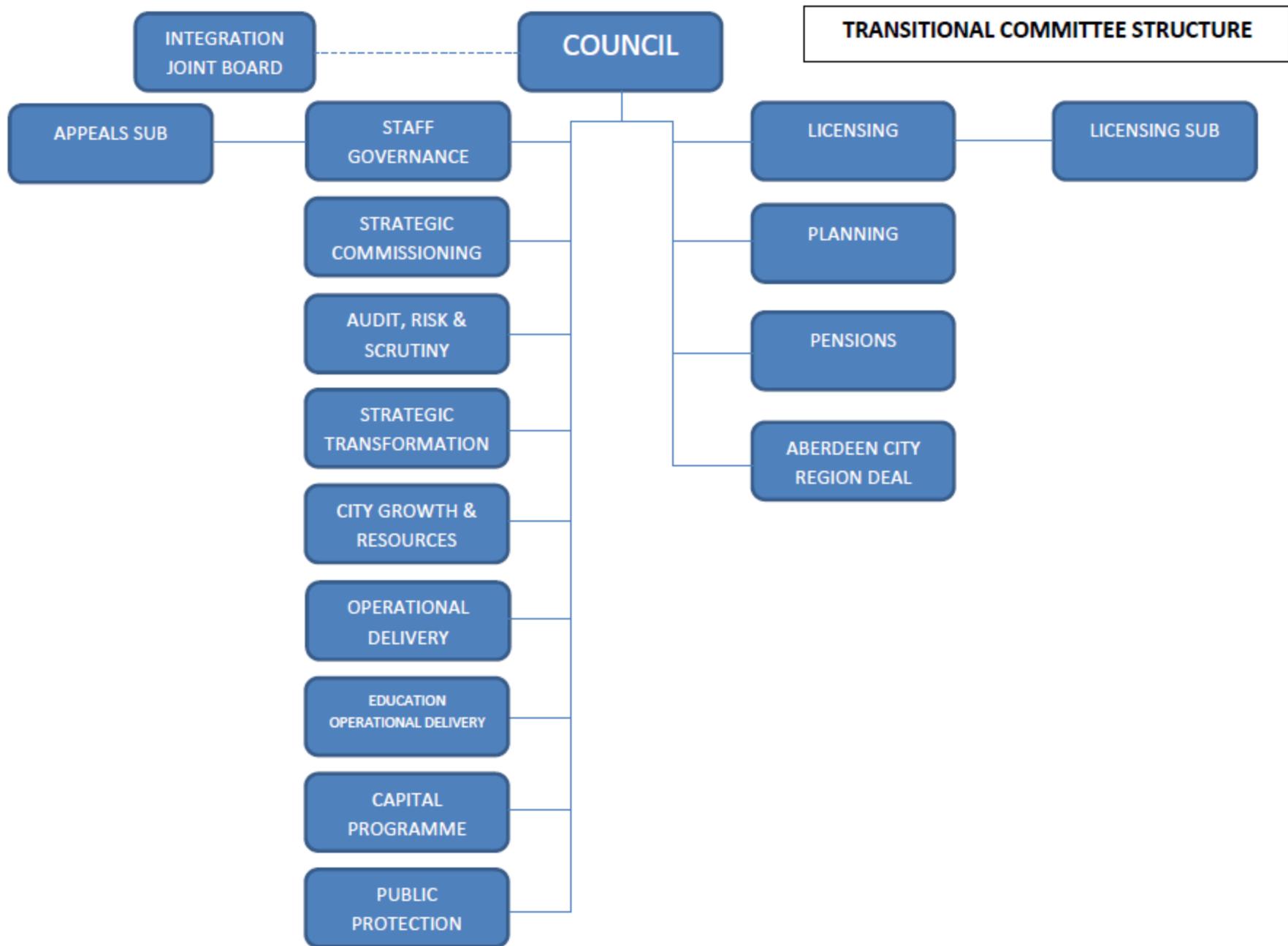


# **ABERDEEN CITY COUNCIL**

## **COMMITTEE TERMS OF REFERENCE**

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## 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 any functions which the Council could itself discharge.
3. 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 Scheme of Delegation to Officers. Any delegation made to an officer shall not prevent the Council or relevant committee or sub committee from exercising the power so delegated.
4. 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.
5. A committee can in turn appoint sub committees to exercise any function delegated to it.
6. In accordance with Standing Order 45.7, Council can determine any matter which would otherwise fall to be determined by a committee or sub committee and under Standing order 45.8, 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 remits 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 Business Manager 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.
13. All committee remits will be subject to the overarching remit of the Strategic Transformation Committee.
14. In exercising their functions, the Council, its committees and sub committees shall meet their equalities obligations and take full account of their responsibilities to those customers and citizens with protected characteristics. In particular, in accordance with Unicef's Child

Friendly Cities and Communities Programme, they will ensure that children are allowed a voice in decisions which affect both them and their city.

## ABERDEEN CITY COUNCIL

The Council itself 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. The borrowing of money in terms of section 56(6)(d) of the Local Government (Scotland) Act 1973.
3. 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.
4. The approval of the Council's Treasury Management Policy and Strategy.
5. The determining of an application for planning permission for a development where a pre determination hearing is held in terms of s38A(1) of the Town and Country Planning (Scotland) Act 1997.
6. The appointment of committees and the number and allocation of seats, the appointment and removal from office of the Lord Provost, Depute Provost, Leader or Co Leaders and/or Depute Leader, a convener for each committee and a vice convener as appropriate and the approval of senior councillor allowances.
7. The approval of the Local Development Plan.
8. Consideration of each committee's annual report of its effectiveness.
9. The consideration of reports by the Standards Commission for Scotland and the overseeing of members' standards of conduct.
10. The establishing of Appointment Panels in accordance with Standing Orders..
11. The approval of the Council's Scheme of Governance.
12. The approval of the Scheme of Establishment for Community Councils.

**Executive Lead: Chief Executive**

## **GENERAL DELEGATIONS TO COMMITTEES**

1. 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.
2. Each committee can vire 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 City Growth 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 City Growth and Resources Committee; and
  - 4.3 in the event of a disagreement among committees, the matter will be determined by the City Growth and Resources Committee.
5. Each committee will consider and respond to petitions addressed to the Council as they relate to its functions, in accordance with the petitions procedure.
6. 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 functions which it oversees, subject to budget provision.
7. Each committee will, where appropriate:
  - 7.1 approve Council policies relative to its function;
  - 7.2 approve appointments to outside bodies relative to its function;
  - 7.3 oversee the requirement to achieve Best Value in performing its role; and
  - 7.4 oversee its own risk register, annual report on effectiveness and committee planner, within the approved budget.
8. Until the Strategic Commissioning Committee begins approving annual workplans by each director, reports on projects, procurement exercises and other pieces of work already underway will be reported to the most appropriate committee. During this interim period, committees will be authorised to determine such of these reports as may be placed before them.

## **EXCLUSIONS FROM DELEGATION TO COMMITTEE**

1. Incurring revenue expenditure for which no provision or insufficient provision has been made in the revenue budget, except with the approval of the City Growth and Resources Committee.

- 2.** Acquiring or disposing of any land or buildings or associated interests, except with the approval of the City Growth 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 with the approval of the City Growth and Resources Committee.

## **URGENT BUSINESS COMMITTEE**

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.

Subject to paragraph 5 below, to exercise all functions of the Council, Committee or Sub Committee which would otherwise have dealt with the matter.

- 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 Business Manager are satisfied that the relevant business is urgent.
- 2.** The Chief Officer - Governance may Subject to the Business Managers approval add further matters to the agenda of a meeting already called only where the Chief Executive and the Business Manager are satisfied that the matters are urgent.
- 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.
- 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.
- 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**

## STRATEGIC COMMISSIONING COMMITTEE

### PURPOSE OF COMMITTEE

1. To approve all external commissioning activity by the Council, including the approval of service specifications, performance frameworks and outcomes. This includes where the Council commissions from its Arm's Length External Organisations (ALEOs).
2. To approve all internal commissioning activity of Council, including the approval of grants and associated conditions, service specifications, performance frameworks and outcomes.
3. To review annual workplans to be submitted by each director which will specify every contract expected to be procured over the year ahead except where delegated to officers, to approve business cases for any contract with estimated expenditure over £250,000, and to call in any contract on any workplan with an estimated value of below £250,000 and require the business case to be approved by the Strategic Commissioning Committee instead of by the Head of Commercial and Procurement Services.
4. To prepare a Commissioning Strategy for the Council, to review the impact of all commissioned services and the extent to which they have achieved the outcomes intended and to approve improvement actions.
5. To approve a strategic commitment to invest in the prevention and reduction of the demand for services.
6. To approve the Council's strategic approach to joint and integrated commissioning across the public and private sectors to ensure that the needs of customers and citizens are met.
7. To identify potential efficiencies and improvements in quality and outcomes, including across partner organisations and public services.
8. To develop a role in the strategic allocation of resources to outcomes in consultation with the City Growth and Resources Committee.

### REMIT OF COMMITTEE

The following authority is delegated to the Committee under the four headings of the Commissioning Cycle:-

#### 1. Analysis

- 1.1 to commission a regular Population Needs Assessment to understand the needs which public bodies must address.
- 1.2 to receive in-depth analysis of key groups, priorities and challenges across public services.
- 1.3 to receive a service review, sufficiency and market analysis to understand existing and potential provider strengths and weaknesses, and opportunities for improvement or change in providers will be identified.
- 1.4 through appropriate forums, to consider the experience of customers and citizens.

- 1.5** to identify resources needed and risks involved in implementing change and/or continuing with the status quo.

The Council's Business Intelligence function will support the Analysis stage of the Commissioning Cycle.

## **2. Planning**

- 2.1** to review a Gap Analysis following the Public Needs Assessment which will identify which services are needed and which are available currently, and will provide guidance on how the gaps will be addressed within existing resources.
- 2.2** to approve commissioning intentions, outcomes and priorities as part of the annual business planning cycles.
- 2.3** to commission the development of a Strategic Outcomes Framework reflecting the Local Outcome Improvement Plan (LOIP), the views of customers and citizens, and the best evidence of effective interventions.
- 2.4** through appropriate forums, to ensure that services to be commissioned are co-designed to meet customers' needs.
- 2.5** to approve a Commissioning Strategy/Prospectus which identifies clear service development priorities and specific targets for efficient, effective, equitable and sustainable achievement.

The Council's Business Intelligence function and the Commissioning function will support the Planning stage of the Commissioning Cycle.

## **3. Doing**

- 3.1** 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;
- 3.2** through appropriate forums, to ensure that relationships with existing and potential providers are maintained and draw on partner expertise;
- 3.3** to ensure that the co-design of service specifications is based on the delivery of positive outcomes with a preventative focus on demand reduction; and
- 3.4** to approve procurement strategies to meet agreed outcomes to enable officers to purchase and contract services and to decommission services that do not meet the needs of the population group.

The Council's Commissioning function will support the Doing stage of the Commissioning Cycle.

## **4. Reviewing**

- 4.1** to review information from individual contracts, specifications or service level agreements (including partners) in order to monitor the impact of services and the extent to which they have achieved the purpose and outcomes intended;
- 4.2** to commission reviews of agreed priority services and make recommendations to service providers, both in house and external, to further improve outcomes;

- 4.3 to receive an analysis of any changes in legislative requirements, population need and reviewing the overall impact of services to identify revisions needed to the strategic priorities and targets;
- 4.4 to monitor service delivery against expected outcomes and plans; and
- 4.5 to monitor the changing policy and strategic context to identify opportunities to work differently to improve outcomes.

The Business Intelligence function and the Commissioning function will support the Reviewing stage of the Commissioning Cycle.

**JOINT WORKING WITH OTHER COUNCIL COMMITTEES:**

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together. Specifically:

- 1. the Strategic Commissioning and the City Growth and Resources Committees will cooperate to ensure that resources are allocated strategically to support outcomes.
- 2. the Strategic Commissioning and the Operational Delivery Committees will cooperate to ensure that the internally commissioned services have clear service specifications which identify contributions to the LOIP outcomes and that sufficient funding is available to deliver the service specification.
- 3.

**JOINT WORKING WITH NON COUNCIL BODIES:**

This Committee is outward facing and will engage with appropriate forums to engage with partners, the third sector and communities in order to ensure a joint and integrated commissioning approach.

**Executive Lead: Director of Commissioning**

## **CITY GROWTH AND RESOURCES COMMITTEE**

### **PURPOSE OF COMMITTEE**

- 1.** To oversee and monitor the development and approval of appropriate short, medium and long term financial strategies and plans for the Council in light of available funding.
- 2.** To review the in-year financial performance of the Council and its committees and to make appropriate recommendations where a forecast overspend is projected.
- 3.** To oversee and ensure adherence to the Council's budgetary control system.
- 4.** To oversee and monitor the development and approval of an appropriate strategy for the Council's estate, including plans for investment, disposal and maintenance.
- 5.** To oversee and monitor the development, approval and delivery of Council place based strategies to support the City's plans for future economic growth.
- 6.** On receipt of the annual re-assessment of the Council's credit rating, to advise Council on appropriate financial strategies in order to preserve or improve the Council's credit rating.

### **REMIT OF COMMITTEE**

#### **1. Budgets**

The Committee will:

- 1.1** approve an Investment Strategy for the Council;
- 1.2** oversee the Council's resources – finance, systems and technology, staff and property; and
- 1.3** monitor all Councils budgets, and in particular:
  - 1.3.1** scrutinise service budget monitoring reports;
  - 1.3.2** hold budget holders to account for the proper control of the budget which they are responsible;
  - 1.3.3** ensure that the Council's budget is always balanced;
  - 1.3.4** approve changes to the budget including to vire between Service budgets where this is in excess of the amount delegated in the Financial Regulations and Scheme of Delegation;
  - 1.3.5** approve use of the Council's General Reserve;
  - 1.3.6** scrutinise the implementation of plans and monitor budgets accordingly; and
  - 1.3.7** oversee the Code of Guidance on Funding External Bodies and Following the Public Pound to ensure that the Council meets its duties.

#### **2. City Growth and Place**

The Committee will:

- 2.1 receive the annual report from the Economic Policy Panel set up to support the annual re-assessment of the council's credit rating;
- 2.2 determine the Council's strategies for city growth and place planning except in relation to major infrastructural planning; and
- 2.3 consider reports on key actions by the Council towards the delivery of the Regional Strategy and the Inward Investment Plan.

### **3. Property and Estates**

The Committee will:

- 3.1 oversee a Portfolio Management Strategy for the Council;
- 3.2 approve an Estate and Investment Strategy; and
- 3.3 Oversee the acquisition and disposal of land and property.

### **JOINT WORKING WITH OTHER COMMITTEES:**

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically:-

The City Growth and Resources Committee and Strategic Commissioning Committee will cooperate to ensure that resources are allocated strategically to support outcomes.

The City Growth and Resources Committee and the Capital Programme Committee will cooperate in promoting City Growth and Place Planning.

### **JOINT WORKING WITH NON COUNCIL BODIES:**

The Committee, through its lead officers, will regularly consider key issues arising through other external organisations, including:

- the Aberdeen City Region Deal Joint Committee
- Opportunity North East
- the Regional Advisory Board
- Aberdeen Inspired
- VisitAberdeenshire
- the Scottish Cities Alliance
- the Aberdeen Renewables Energy Group
- the Strategic Development Planning Authority
- EU Regional and Thematic Groups
- the World Energy Cities partnership
- CoSLA

- coordinating structures emerging from the Council's Urban Governance Framework

**Executive Lead: Director of Resources**

## **CAPITAL PROGRAMME COMMITTEE**

### **PURPOSE OF COMMITTEE**

1. To oversee and monitor the development, approval and delivery of the Council's capital programme, including:
  - 1.1 those projects flowing from the City Centre Masterplan, the Aberdeen City Region deal, the Common Good and General Fund Capital Programme and the Housing Revenue Account, and
  - 1.2 those interventions that contribute to the overall place outcomes for the City as a result of investment in infrastructure.
2. To oversee major infrastructure planning in the City.

### **REMIT OF COMMITTEE**

1. The Committee in relation to the capital programme will:-
  - 1.1 scrutinise and approve outline and full business cases for supporting new capital investments, ensuring that all appropriate consultation has been undertaken;
  - 1.2 review progress in the delivery of the benefits of the capital programme through receipt and scrutiny of Post Project Evaluations (PPE's) and Post Occupancy Evaluations (POE's); and
  - 1.3 request a report to allow for the detailed consideration of any project which is of particular concern or interest.
2. The Committee, in relation to major infrastructural planning, will oversee and monitor the Local Development Plan, subject to a final approval being given by Council.

### **JOINT WORKING WITH OTHER COMMITTEES:**

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically:-

The Capital Programme Committee and Strategic Commissioning Committee will cooperate to ensure that resources are allocated strategically to support outcomes.

The Capital Programme Committee and City Growth and Resources Committee will cooperate to promote city growth and place planning.

### **JOINT WORKING WITH NON COUNCIL BODIES:**

The Committee, through its lead officers, will regularly consider key issues arising through other external organisations, including:

- the Aberdeen City Region Deal Joint Committee
- Opportunity North East
- the Regional Advisory Board
- Aberdeen Inspired
- VisitAberdeenshire
- the Scottish Cities Alliance
- the Aberdeen Renewables Energy Group
- the Strategic Development Planning Authority
- EU Regional and Thematic Groups
- the World Energy Cities partnership
- CoSLA
- coordinating structures emerging from the Council's Urban Governance Framework

**Executive Lead: Director of Resources**

## **OPERATIONAL DELIVERY COMMITTEE**

### **PURPOSE OF COMMITTEE**

To oversee the delivery of internal services to customers, scrutinise performance and make improvements to those services, including Integrated Children's Services but excluding Educational services.

To ensure improvement to the Council's Public Performance Recording data, excluding Educational services.

### **REMIT OF COMMITTEE**

The Committee will, for all services except Educational ones:-

1. hold the organisation to account for the performance of all in house services. It will oversee the delivery of all in house services in all areas in line with the outcomes set by the Strategic Commissioning Committee and improve results for Public Performance Recording by scrutinising Key Performance Indicators and rigorous performance management and ensuring that this:-
  - 1.1 is done in a manner which places the customer first and ensures the expected contribution to outcomes;
  - 1.2 improves the Council's position in national tables; and
  - 1.3 adheres to financial targets.
2. provide evidence to the Strategic Commissioning Committee, as requested, on the contribution of in house services to outcomes;
3. approve improvements to operational delivery where officers do not have the power to do so;
4. oversee health and safety obligations to customers and citizens in the operational delivery of services;
5. explore options for transforming the service delivery model; and
6. note proposed peer reviews and inspections within the Local Area Network plan for the cycle.

### **JOINT WORKING WITH OTHER COMMITTEES:**

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically:-

1. The Strategic Commissioning Committee and the Operational Delivery Committee will cooperate to ensure that the internally commissioned services have clear service specifications, identifying contribution to the LOIP outcomes and that sufficient funding is available to deliver the service specification;
2. The Strategic Commissioning Committee will cooperate with the Strategic Transformation

Committee on opportunities to transform service delivery; and

3. The Education Operational Delivery Committee in view of the shared remit for improving the delivery of internal services to customers.

**JOINT WORKING WITH NON COUNCIL BODIES:**

Officers work closely with Internal Auditors, a service contracted from Aberdeenshire Council, and with external providers of assurance such as External Audit, Audit Scotland and external examining bodies. In addition, officers will work with local representative bodies such as the Disability Equity Partnership and Tenant Participation Groups to understand how effectively services are being delivered to customers and how they can be improved.

**Executive Lead: Chief Operating Officer and the Director of Customer Services**

## **EDUCATION OPERATIONAL DELIVERY COMMITTEE**

### **PURPOSE OF COMMITTEE**

To oversee the delivery of internal Educational services to customers, scrutinise performance and make improvements to those services.

To ensure improvement to the Council's Public Performance Recording data for Educational services.

### **REMIT OF COMMITTEE**

The Committee will, for internal Educational services:-

- 7.** hold the organisation to account for the performance of all in house services. It will oversee the delivery of all in house services in all areas in line with the outcomes set by the Strategic Commissioning Committee and improve results for Public Performance Recording by scrutinising Key Performance Indicators and rigorous performance management and ensuring that this:-
  - 1.4** is done in a manner which places the customer first and ensures the expected contribution to outcomes;
  - 1.5** improves the Council's position in national tables; and
  - 1.6** adheres to financial targets.
- 8.** provide evidence to the Strategic Commissioning Committee, as requested, on the contribution of in house services to outcomes;
- 9.** approve improvements to operational delivery where officers do not have the power to do so;
- 10.** oversee health and safety obligations to customers and citizens in the operational delivery of services;
- 11.** explore options for transforming the service delivery model; and
- 12.** note proposed peer reviews and inspections within the Local Area Network plan for the cycle.

### **JOINT WORKING WITH OTHER COMMITTEES:**

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically:-

- 4.** The Strategic Commissioning Committee and the Operational Delivery Committee will cooperate to ensure that the internally commissioned services have clear service specifications, identifying contribution to the LOIP outcomes and that sufficient funding is available to deliver the service specification;
- 5.** The Strategic Commissioning Committee will cooperate with the Strategic Transformation

Committee on opportunities to transform service delivery; and

6. The Operational Delivery Committee in view of the shared remit for improving the delivery of internal services to customers.

### **JOINT WORKING WITH NON COUNCIL BODIES:**

Officers work closely with Internal Auditors, a service contracted from Aberdeenshire Council, and with external providers of assurance such as External Audit, Audit Scotland and external examining bodies. In addition, officers will work with local representative bodies such as the Disability Equity Partnership and the Aberdeen City Youth Council to understand how effectively services are being delivered to customers and how they can be improved.

### **EXTERNAL MEMBERSHIP**

The Committee's membership will include seven persons with voting rights who are members for education items of business only (which will be identified clearly on the agenda) and who are not members of the Council. The seven external members will be appointed by the Council at its statutory meeting (or other meeting as appropriate) as follows:-

1. three persons representing religious bodies in accordance with the requirements of Section 124 (4) of the Local Government (Scotland) Act 1973, being:
  - 1.1 one representative of the Church of Scotland nominated in such manner as may be determined by the General Assembly of that church;
  - 1.2 one representative of the Roman Catholic Church nominated in such manner as may be determined by the Scottish Hierarchy of that church; and
  - 1.3 one other person appointed by the Council having regard:
    - 1.3.1 to the comparative strength within the City of Aberdeen of all the churches and denominational bodies having duly constituted charges regularly appointed places of worship there; and
    - 1.3.2 the representation provided for in (i) and (ii) above;
2. in accordance with the discretion conferred by Section 124 (3) of the Local Government (Scotland) Act 1973:
  - 2.1 two teachers employed in educational establishments managed by the Council nominated by Teachers' Consultative Forum, comprising one representative from primary and special needs, including nursery, and one representative from secondary; and
  - 2.2 two parent representatives, selected by Aberdeen City Parent Council Forum from within its own membership, comprising one representative from primary and special needs, including nursery, and one representative from secondary.

Education items are matters reported to the Operational Delivery Committee which relate to advising on or discharging the Council's functions as education authority which are under the responsibility of the Chief Officer of Integrated Children's and Family Services and the Corporate Landlord.

**Executive Lead: Chief Operating Officer and the Director of Customer Services**

## **AUDIT, RISK AND SCRUTINY COMMITTEE**

### **PURPOSE OF COMMITTEE**

- 1.** To provide a high-level assurance that the Council has robust arrangements for:
  - 1.1** Good governance including information governance, surveillance, fraud, bribery and corruption;
  - 1.2** Maintaining an effective control environment through an effective approach to risk management; and
  - 1.3** Reporting on financial and performance reporting.
- 2.** To monitor the effectiveness of the Internal Audit function and the Council's implementation of its recommendations.
- 3.** To monitor the Council's implementation of the recommendations of its external auditors.

### **REMIT OF COMMITTEE**

#### **1. Risk Management**

The Committee 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 reports from the ALEO Assurance Hub on the monitoring and mitigation of risks to the Council associated with its ALEOs;
- 1.3** receive reports from providers of independent assurance; and
- 1.4** receive reports to provide assurance on the Council's information governance.

#### **2. Internal Audit**

The Committee will:

- 2.1** Contribute to and approve the Internal Audit Annual Plan;
- 2.2** consider reports issued by Internal Audit;
- 2.3** monitor compliance with Internal Audit recommendations; and
- 2.4** ensure that there is an adequately resourced Internal Audit service and monitor its performance.

#### **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; and
- 3.3** monitor compliance with External Audit recommendations.

#### **4. Annual Reports and Accounts**

The Committee will:

- 4.1** consider and approve the Council's Annual Report and Annual Accounts; and
- 4.2** consider and approve the annual governance statement.

#### **5. Legal obligations**

The Committee will:

- 5.1** seek assurance on the effectiveness of the whistleblowing policy; and
- 5.2** monitor and seek assurance on the effectiveness of the Council's compliance with its statutory obligations relating to surveillance, information governance, bribery, corruption and fraud.

#### **6. Scrutiny**

The Committee will:

- 6.1** where appropriate, review minuted actions from all Committees with the exception of the Planning Development Management and Licensing Committees and the Appeals Sub Committee to ensure good practice; it will not prevent any decision being taken, will only review the effectiveness of decision making or monitoring and may make recommendations to Council;
- 6.2** consider any previously unscrutinised issue, process or practice provided that the matter has been the subject of a report to Council or Committee and the consideration of the subject matter concluded by Council or said Committee;
- 6.3** on occasion, 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;
- 6.4** oversee the Council's continued commitment and adherence to the key elements of good governance;
- 6.5** oversee the implementation of the Council's ALEO Assurance Framework;
- 6.6** oversee the Council's Code of Corporate Governance;
- 6.7** provide independent assurance on the integrity of financial reporting and annual governance processes and oversee the effectiveness of internal control functions;
- 6.8** request, where appropriate and in terms of any contract or agreement, representatives of external organisations to attend and contribute to meetings; and

**6.9** 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.

**JOINT WORKING WITH OTHER COMMITTEES:**

The Committee will maintain an awareness of issues of mutual interest arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Areas of mutual interest may include, but will not be restricted to:

1. a relationship with the Public Protection Committee in terms of the systems in place to manage the public protection risks; and
2. a relationship with the Staff Governance Committee in terms of the system in place to manage the health and safety risks.

**JOINT WORKING WITH NON COUNCIL BODIES:**

The Committee, through its lead officers, will work jointly with external regulatory bodies to ensure that Council benefits from external review and assurance.

**Executive Lead: Chief Officer – Governance**

## STAFF GOVERNANCE COMMITTEE

### MEMBERSHIP

Elected members

Local trades union representatives as advisers

### PURPOSE OF COMMITTEE

1. To further develop the existing partnership approach between the Council and all trade unions in order to support the Council becoming an employer of choice.
2. To oversee the Framework Agreement for Industrial Relations (“the FAIR agreement”).
3. To act as a consultative body between management, elected members and trade unions, and act as a forum for discussion, on matters affecting conditions of service. This will be one of the ways in which the Council meets consultation requirements.
4. To oversee the development, approval and monitoring of staff governance standards.
5. To oversee the development, approval and monitoring of a workforce strategy which ensures the Council has a workforce fit for the capabilities required to deliver the Target Operating Model.
6. To oversee the development and approval of all staff policies.
7. To provide a channel of communication, co-operation and involvement between the Council and trade union representatives on all relevant health and safety matters.
8. To act as a safety committee within section 2(7) of the Health and Safety at Work etc Act 1974 and to keep under review measures taken to ensure the health and safety at work of employees.
9. To monitor the Council’s compliance with its policies and procedures to ensure it complies with all health and safety legislation.
10. To take the lead in establishing and promoting values for the organisation and its staff which will reflect public expectation about the conduct and behaviour of public officials.

### REMIT OF COMMITTEE

#### 1. Partnership approach arrangements

The Committee will:

- 1.1 develop the partnership approach between the Council and trade unions; and
- 1.2 provide a forum, where appropriate, for discussion on and resolution of matters of common interest and/or concern, including but not restricted to:-
  - 1.2.1 conditions of service, or reorganisation/restructure affecting conditions of service (except teachers); and

**1.2.2** arrangements for the training and welfare of all staff; and

**1.3** consider reports by the Director of Resources on matters following a request by a trade union advisor provided always that the Director 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. Staff Governance Standards**

The Committee will:

**2.1** determine staff governance standards and regularly review their effectiveness; and

**2.2** consider relevant evidence (qualitative and quantitative) to monitor compliance with the staff governance standards.

## **3. Workforce Strategy**

The Committee will:

**3.1** determine and monitor the compliance with a Workforce Strategy which reflects the requirements of a 21st century Council in terms of staff and skills and attributes; and

**3.2** approve an annual training plan for the whole organisation that ensures that all staff registered with a professional body are able to meet the requirements of their professional body.

## **4. Council Policies Affecting Staff**

The Committee will:

**4.1** develop, approve and monitor the implementation of all staff policies; and

**4.2** oversee equality in employment and ensure that the Council as an employer, complies with its statutory equal pay and other equality responsibilities.

## **5. Health, Safety & Wellbeing of Staff**

The Committee will:

**5.1** actively reinforce health, safety and wellbeing roles and responsibilities amongst staff;

**5.2** receive appropriate levels of assurance to monitor compliance with health and safety legislation;

**5.3** scrutinise and review health, safety and wellbeing policy, performance, trends and improvements;

**5.4** approve and keep under review the Corporate Health and Safety Annual Audit Plan;

**5.5** consider reports on health, safety and wellbeing from all services of the Council to help ensure that services are complying with relevant policies; and

**5.6** monitor compliance with health and safety recommendations.

## **6. Establishing and Promoting Values for the Organisation**

The Committee will:

**6.1** develop, approve and promote a Behavioural Framework for the Council; and

**6.2** develop and approve a Leadership and Management Framework to ensure that the highest standards of staff management are in place as a key determinant of shaping the organisational culture.

## **7. Employment Appeals and Disputes**

The Committee will be responsible for approving and keeping under review the procedure for the Appeals Sub Committee.

### **JOINT WORKING WITH OTHER COMMITTEES OF THE COUNCIL**

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together. This will help to ensure that relevant information is shared to aid understanding of workforce performance matters.

A key relationship will be required with the Strategic Transformation Committee in order to be assured that staff are being properly engaged and consulted with on specific transformation proposals.

### **JOINT WORKING WITH NON COUNCIL BODIES**

The Committee, through its lead officers, will work jointly with external bodies such as the Health and Safety Executive to ensure that Council benefits from external review and assurance.

### **EXECUTIVE LEAD: Director of Resources**

### **APPEALS SUB COMMITTEE**

- 1.** To determine all delegated staff employment issues raised in accordance with Council policy where provision exists for an appeal to the former Appeals by Employees Committee or this Sub Committee.
- 2.** The Sub Committee shall operate in terms of the agreed procedure.
- 3.** The Sub Committee shall comprise five elected members drawn from the pool of membership of the Staff Governance Committee and the quorum shall be three.
- 4.** The Sub Committee will:
  - 4.1** 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

- 4.2** determine disputes notified by Trades Unions in accordance with the Council's disputes resolution procedures.

## **PUBLIC PROTECTION COMMITTEE**

### **PURPOSE OF COMMITTEE**

To provide assurance on the statutory regulatory duties placed on the Council for:

- Child protection
- Adult protection
- Consumer protection and environmental health
- Civil contingency responsibilities for local resilience and prevention
- 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. Child and Adult Protection**

The Committee will seek assurance from the Child and Adult Protection Committees on:

- 1.1** the impact and effectiveness of child and adult support and protection improvement initiatives, including:
  - 1.1.1** delivery of national initiatives and local implications;
  - 1.1.2** learning from significant case reviews;
  - 1.1.3** quality assurance;
  - 1.1.4** training and development; and
  - 1.1.5** local evidence based initiatives;
- 1.2** effective working across child and adult protection; and
- 1.3** statistics relating to the Child Protection Register and the Vulnerable People's Database, whilst noting that it has no remit to challenge entries.

The Committee will also consider the Chief Social Work Officer's Annual Report.

#### **2. Local Resilience**

The Committee will:

- 2.1** oversee compliance with the Council's duties relating to resilience and local emergencies; this includes reviewing staffing arrangements for incident management as well as the system for incident management;
- 2.2** oversee compliance with the council's duties relating to the provision of a city mortuary, and its adequacy for supporting the needs of mass fatalities;
- 2.3** ensure that services maintain and review Business Continuity Plans in accordance

with the priorities allocated to them;

- 2.4** consider relevant local, regional and national lessons learnt reports and recommendations and monitor their implementation; and
- 2.5** consider the results from the Council's self-assessment on resilience and CONTEST duties and monitor the implementation of associated action plans.

### **3. Protective Services**

The Committee will:

- 3.1** seek assurance from the Council's performance in relation to Trading Standards, Environmental Health (including the Public Mortuary) and Scientific Services;
- 3.2** scrutinise external inspection and audit reports relating to the above services;
- 3.3** approve statutory plans aimed at protecting the public and delivered by or in partnership with Environmental Health and Trading Standards services; and
- 3.4** receive a summary of findings from statutory sampling and analysis work carried out by or on behalf of the Environmental Health and Trading Standards services.

### **4. Building Control**

The Committee will consider reports on:

- 4.1** major incidents and fatal accident inquiries and any resulting impact and responsibilities placed on the Council;
- 4.2** informal and formal activity by Building Standards in relation to public safety and dangerous buildings; and
- 4.3** informal and formal activity by Building Standards in relation to public safety for unauthorised building work and the unauthorised occupation of buildings.

### **5. Police and Fire and Rescue Service**

In respect of the Council's responsibilities in relation to the Scottish Police Authority, the Police Service of Scotland and the Scottish Fire and Rescue Service, the Committee will:

- 5.1** contribute to and comment on the Strategic Police Plan and the Strategic Fire and Rescue Plan when consulted by the relevant national authority;
- 5.2** respond to consultation by the Chief Constable on the designation of a local commander and by the Scottish Fire and Rescue Service on the designation of a local senior officer;
- 5.3** be involved in the setting of priorities and objectives for the policing of Aberdeen and for the Scottish Fire and Rescue Service for the undertaking of its functions in Aberdeen;
- 5.4** specify policing measures the Council wishes the local commander to include in a local policing plan;

- 5.5** approve a Local Police Plan submitted by the local commander and to approve a Local Fire and Rescue Plan prepared by the local senior officer and submitted by the Scottish Fire and Rescue Service;
- 5.6** monitor service provision and delivery in Aberdeen and provide feedback to the local commander and the local senior officer;
- 5.7** 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;
- 5.8** agree, with the local commander, modifications to an approved local police plan at any time; and
- 5.9** 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.

#### **JOINT WORKING WITH OTHER COMMITTEES:**

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together. This will help inform the work of the Committee, specifically:

- 1.** the relationship with the Audit, Risk and Scrutiny Committee in terms of the systems in place to manage the public protection risk; and
- 2.** the relationship with the Staff Governance Committee in terms of ensuring staff have the required skills to underpin public protection.

#### **JOINT WORKING WITH NON COUNCIL BODIES:**

The Committee, through its lead officers, will work jointly with external regulatory bodies and statutory partners to ensure that Council is able to provide a high standard of public safety.

It will have close links with the work of the Aberdeen City Health and Social Care Partnership's Clinical Governance Committee to explore shared risks and responses to adverse events, the preparation of action plans and the sharing of best practice and learning.

## STRATEGIC TRANSFORMATION COMMITTEE

### PURPOSE OF COMMITTEE

To be responsible for the overall Target Operating Model and Strategic Design principles.

To agree the overall Transformation Portfolio goals, objectives and priorities and to provide strategic direction to the Transformation Portfolio as follows:

1. to ensure that service improvements and savings are delivered in line with the Council's Transformation Objectives, namely:
  - 1.1 to deliver the Digital Strategy by 2020;
  - 1.2 to deliver the Target Operating Model by 2020/2021; and
  - 1.3 to deliver benefits realisation (or savings) to allow balanced budgets to be agreed over five years (2018/19 to 2022/23).
2. to provide strategic direction to the Transformation Portfolio, as well as monitor progress and resolve issues that may compromise delivery of the objectives and agreed benefits.
3. to consider and make key decisions on business cases, proposals and cases for change, presented by the Programme Delivery Boards, in conjunction with the assurance and recommendations from the Control Boards.

No initiative will be added to the Transformation Portfolio or final strategic decision made in relation to the Transformation Portfolio without consideration by this Committee.

### REMIT OF COMMITTEE

The Committee will:

1. allocate funding as appropriate from the Transformation Fund within the agreed budget and will control and allocate these sums on a savings/cost reduction return for investment basis;
2. provide oversight and stewardship of the Programmes in the Transformation Portfolio, and will undertake overall management of, and approve major proposals for change to, the Council's resources, including finance, people, staffing structures, systems and technology, and property;
3. monitor and manage each Programme's progress, benefits realisation (savings) and impact;
4. monitor spend against profiled budget and forecast outturns of the Transformation Fund;
5. identify, prioritise and allocate resources at a strategic level to programmes and projects, re-aligning where necessary;
6. determine the recommendations in business cases, proposals and cases for change from Programme Delivery Boards and will utilise existing public sector procurement framework agreements to engage a strategic digital partner to work with services to identify digital outcomes and support their delivery within the Target Operating Model;

7. manage high-level interdependencies and risks associated with all Transformation Programmes and the wider portfolio of change;
8. establish an over-arching effective communications and engagement strategy, sharing key messages with employees, members and partners as required; and
9. review and approve Transformation Portfolio communications.

#### **JOINT WORKING WITH OTHER COUNCIL COMMITTEES**

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together. Specifically, key relationships will be required with:-

- the Operational Delivery Committee which will continue to explore options for the transformation of service delivery ; and
- the Staff Governance Committee in order to be assured that staff are being properly engaged and consulted upon specific transformation proposals.

#### **JOINT WORKING WITH NON COUNCIL BODIES**

**Executive Lead: Chief Executive**

## **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

### **PURPOSE OF COMMITTEE**

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

### **REMIT 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. authorise the taking of enforcement action;
4. make Orders and issue Notices;
5. approve development briefs and masterplans;
6. develop and adopt non-statutory development management guidance (supplementary planning guidance);
7. conduct pre-determination hearings in pursuance of the provisions contained within Section 38A of the Town and Country Planning (Scotland) Act 1997; and
8. review and approve policies and supplementary guidance relating to its function.

### **JOINT WORKING WITH OTHER COMMITTEES:**

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically, key relationships will be required with the City Growth and Resources Committee which will oversee the preparation of the Local Development Plan to the point where it will be approved by Council.

### **JOINT WORKING WITH NON COUNCIL BODIES:**

The Committee, through its lead officers, will work jointly as appropriate with the Scottish Environment Protection Agency, Historic Environment Scotland and the Planning and Architecture Division of the Scottish Government.

**Executive Lead: Chief Officer – Place**

## 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:

#### **Licences under Civic Government (Scotland) Act 1982**

##### Mandatory Licences

- Metal Dealer's Licences
- Indoor Sports Entertainment Licences
- Skin Piercing and Tattoo Licences
- Houses in Multiple Occupation Licences
- Knife Dealer's Licences
- Taxi Booking Office Licences

##### Discretionary Licences

- Taxi and Private Hire Car Licences
- Taxi and Private Hire Car Driver's Licences
- Second Hand Dealer's Licences
- Boat Hire Licences
- Street Trader's Licences
- Market Operator's Licences
- Public Entertainment Licences
- Late Hours Catering Licences
- Window Cleaner's Licences
- Sex Shop Licences
- Permission to organisations for public charitable collections and public processions

##### 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 – Theatre Act 1968
- Cinema Licence - Cinema Act 1985
- Safety in Sports Grounds - Safety in Sports Ground Act 1975

### POWERS OF COMMITTEE

The Committee will:

1. consider applications for the grant, renewal, revocation, variation or suspension of any licence as appropriate;
2. consider 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 Operational Delivery Committee);
3. consider all other matters relating to licensing including the setting of taxi fares and the designation of taxi stances;
4. oversee the Council's functions under the Safety of Sports Ground Act 1975;
5. consider landlord registration applications under the Antisocial Behaviour Etc (Scotland) Act 2004;
6. consider film classifications under The Cinemas Act 1985;
7. review and approve policies relating to its function;
8. consider theatre licences under the Theatre Act 1968; and
9. consider 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.

#### **JOINT WORKING WITH OTHER COMMITTEES:**

The Committee, through its lead officers, Convener and Vice Convener, will regularly consider key issues arising through other committees of the Council, including the Public protection Committee. This will help ensure that matters of mutual interest are dealt with in the most efficient and effective way.

#### **JOINT WORKING WITH NON COUNCIL BODIES:**

**Executive Lead: Chief Officer – Governance**

#### **LICENSING SUB COMMITTEE**

Members of the Sub Committee will be members of the Licensing Committee and any substitute who is not on the parent Committee will have completed the required training.

The Sub Committee will:

1. consider any application referred to it by the Licensing Committee for the grant, renewal, revocation, variation or suspension of any licence; and
2. consider and determine any urgent business placed before it by the Chief Officer - Governance relating to any matters falling within the remit of the Licensing Committee.

## **PENSIONS COMMITTEE**

### **PURPOSE OF COMMITTEE**

To discharge all the functions and responsibilities relating to the Council's role as administering authority for the North East Scotland Pension Funds (NESPF) including:-

1. overseeing the administration of the Local Government Pension Scheme (LGPS) in accordance with the LGPS (Scotland) Regulations 2014 and other relevant regulations,
2. managing the investment of the NESPF in accordance with the LGPS (Management and Investment of Funds) (Scotland) Regulations 2010 (as amended);
3. receiving regular training to enable the Committee members to make effective decisions under the LGPS Regulations, other relevant legislation and to make decisions in compliance with the Pensions Regulator Code of Practice; and
4. working alongside the Fund's Local Pension Board, considering 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).

### **POWERS OF COMMITTEE**

#### **1. Risk Management**

The Committee will:

- 1.1 ensure effective risk management of the Fund;
- 1.2 set the investment objective and strategy in light of the Funds liabilities and appoint or remove Fund Managers or new vehicles in furtherance of the strategy; and
- 1.3 ensure that an effective system of internal financial control is maintained.

#### **2. Internal and External Audit**

The Committee will:

- 2.1 approve the annual audit plans; and
- 2.2 consider all reports prepared by the Council's Internal and External Auditors in relation to the Pension Fund.

#### **3. Annual Report and Accounts**

The Committee will:

- 3.1 review and approve the annual report and accounting 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 Code of Practice.

#### **5. Scrutiny**

The Committee will:

- 5.1** monitor the performance of Fund Managers; and
- 5.2** determine applications for Admitted Body status.

#### **JOINT WORKING WITH OTHER COUNCIL COMMITTEES:**

The Committee, through its lead officers, will regularly consider key issues arising through other committees, in particular the Resources Management and Staff Governance Committees.

#### **JOINT WORKING WITH NON COUNCIL BODIES:**

The Committee, through its lead officers, will work jointly with the Fund's Investment Consultant and Actuary in the management of the Fund and with external contacts such as the provider of the pensions IT programme.

**Executive Lead: Director of Resources**

## **ABERDEEN CITY REGION DEAL JOINT COMMITTEE**

**(Draft approved at CRD JC 9 Feb)**

The Aberdeen City Region Deal Joint Committee is a Joint Committee established by Aberdeen City Council and Aberdeenshire Council (the “Constituent Authorities”) under sections 56 and 57 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.
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. To 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.

**Executive Lead for the Council: Chief Officer – City Growth**