

ABERDEEN CITY COUNCIL

COMMITTEE	Urgent Business
DATE	23 May 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Senior Councillor Appointments
REPORT NUMBER	COM/23/162
DIRECTOR	Gale Beattie, Director of Commissioning
CHIEF OFFICER	Vikki Cuthbert, Interim Chief Officer - Governance (Assurance)
REPORT AUTHOR	Martyn Orchard
TERMS OF REFERENCE	1

1. PURPOSE OF REPORT

- 1.1 To seek replacement appointments to Senior Councillor roles following the resignation from Councillor Nicoll from those roles.

2. RECOMMENDATIONS

That the Committee:-

- 2.1 appoint a Co-Leader in place of Councillor Nicoll with immediate effect;
- 2.2 appoint a Vice Convener of the Urgent Business Committee in place of Councillor Nicoll;
- 2.3 note that the Partnership can replace Councillor Nicoll on Council Committees and the Aberdeen City Region Deal Joint Committee, if required, however as Councillor Nicoll is currently Convener of the Aberdeen City Region Deal Joint Committee, it would be for the Joint Committee to appoint a replacement Convener;
- 2.4 note that the Partnership can replace Councillor Nicoll on outside bodies from within the Partnership; and
- 2.5 note that the constitution of the Community Planning Aberdeen (CPA) Board stipulates that the Chair of the CPA Board will be the Leader of Aberdeen City Council, and in the event that the Council appoints Co-Leaders, the Co-Leaders will determine who will undertake the role, and will notify the Chief Executive of Aberdeen City Council.

3. CURRENT SITUATION

- 3.1 The Chief Executive received notification that Councillor Allard had been elected as the SNP Group Leader replacing Councillor Nicoll. In addition, the Chief Executive was notified that Councillor Nicoll would be resigning from the following positions as of 23 May 2023:-
- Council Co-Leader
 - Vice Convener, Urgent Business Committee
- 3.2 Any appointment to the roles of Co-Leader, Convener or Vice Convener require a decision of Full Council or the Urgent Business Committee. Given the nature of these Senior Councillor roles, the Committee is requested to make replacement appointments to those roles at today's meeting.
- 3.3 It should be noted that the Partnership can replace Councillor Nicoll on Council Committees and the Aberdeen City Region Deal Joint Committee, if required, however as Councillor Nicoll is currently Convener of the Aberdeen City Region Deal Joint Committee, it would be for the Joint Committee to appoint a replacement Convener.
- 3.4 It should also be noted that the Partnership can replace Councillor Nicoll on outside bodies from within the Partnership, and this can be done by notifying the Interim Chief Officer - Governance (Assurance).
- 3.5 Councillor Nicoll is currently Chair of the Community Planning Aberdeen (CPA) Board. The constitution of the CPA Board stipulates that the Chair of the CPA Board will be the Leader of Aberdeen City Council, and in the event that the Council appoints Co-Leaders, the Co-Leaders will determine who will undertake the role, and will notify the Chief Executive of Aberdeen City Council.

4. FINANCIAL IMPLICATIONS

- 4.1 Remuneration is regulated and capped by the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 as amended. The legislation sets a minimum and maximum amount of allowances for Senior Councillors, fixes a maximum number of Senior Councillors and an overall limit on the total allowances paid to Senior Councillors.
- 4.2 The Regulations stipulate the amount of remuneration that can be paid out to an individual Councillor which varies depending on their role. Regulation 6 states that 'Each local authority shall pay remuneration to one Leader of the Council of an authority of an amount as provided for in paragraph 2 (of Regulation 6).'
- 4.3 In line with the above, at the Statutory Council meeting on 18 May 2022 (and at subsequent Council meetings), Councillor remuneration was agreed, and remuneration for the role of Council Leader has been paid to Councillor Nicoll.

5. LEGAL IMPLICATIONS

- 5.1 The Council has to comply with the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007; however, the Co-Leadership model is neither envisaged, nor prohibited by legislation. The appointment of a Council Leader or Depute Leader is not a statutory requirement.
- 5.2 There are no other legal implications arising from the recommendations of this report.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no direct environmental implications associated with the report.

7. RISK

- 7.1 The assessment of risk contained within the table below is considered to be consistent with the Council's Risk Appetite Statement.

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) <small>*taking into account controls/control actions</small>	*Does Target Risk Level Match Appetite Set?
Strategic Risk	No direct risk	N/A	L	Yes
Compliance	Failure to comply with the relevant legislation regarding the payment of Senior Councillor allowances.	Consultation has been undertaken with Finance officers and the relevant elected members, and the financial implications section of the report has regard to that.	L	Yes
Operational	No direct risk	N/A	L	Yes
Financial	No direct risk	N/A	L	Yes
Reputational	Failure to consider making replacement appointments	Consultation has been undertaken with the relevant elected members and the	L	Yes

	to Senior Councillor roles could present a reputational risk to the Council.	recommendations have regard to that.		
Environment / Climate	No direct risk	N/A	L	Yes

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2023-2024</u>	
	Impact of Report
Aberdeen City Council Policy Statement <u>Working in Partnership for Aberdeen</u>	The proposals in the report have no direct impact on the Policy Statement
<u>Aberdeen City Local Outcome Improvement Plan 2016-26</u>	
The proposals in the report have no direct impact on the LOIP stretch outcomes.	
Regional and City Strategies	The proposals in the report have no direct impact on Regional and City Strategies.

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Not required
Data Protection Impact Assessment	Not required
Other	None

10. BACKGROUND PAPERS

None

11. APPENDICES

None

12. REPORT AUTHOR CONTACT DETAILS

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