1 Recommendations

It is recommended that the Council:-

(1) appoints the Chairs and Vice Chairs of the four Policy Committees (Business Services, Communities, Education and Children’s Services and Infrastructure Services) and the Audit Committee,

(2) appoints members (and substitute members) to the four Policy Committees and the Audit Committee, in accordance with the recommendations on proportionality contained in a further paper to be presented to the Council on 18 May,

(3) appoints the Chair and Vice Chair of the Appointments Committee and Chairs of the Appeals and Procedures Committees,

(4) appoints members to the Appeals, Appointments and Procedures Committees, Aberdeen City Region Deal Joint Committee, Northern Roads Collaboration Joint Committee, Licensing Sub-Committee, Local Review Body and Grampian Valuation Joint Board,

(5) establish a temporary Licensing Committee with the remit specified in paragraph 2.7 below and appoint members to it until such time as the Licensing Sub-Committee is appointed by the Business Services Committee,

(6) appoints a Community Empowerment Appeals Committee,

(7) considers the recommendations of the Sustainability Sub-Committee and the Infrastructure Services Committee in relation to the future of the Sustainability Sub-Committee and, if minded to approve these, appoints the Chair and members of a Sustainability Committee,

(8) appoints the Roman Catholic Church and the Church of Scotland representatives to the Education and Children’s Services Committee and approves the arrangements for seeking nominations for the third religious representative and two teacher representatives,

(9) delegates to the six Area Committees to appoint two elected members each to the School Placings and Exclusions Appeal Committee and to consider appointing one or more additional external members, reappoints the existing external members as
listed in Appendix A to this report, considers three new expressions of interest in becoming an external member, and delegates to officers to approach Parent Councils to seek further external members.

(10) reappoints external members to the panel of the Social Work Complaints Review Committee and agrees that some elected members who do not form part of the ruling group of the Council also be appointed to the panel, and

(11) reappoints the Office Space Strategy Working Group to oversee progress with the Office Space Strategy Project, as detailed in paragraph 2.16.

2 Background

2.1 Policy and Area Committees - In terms of the Local Government (Scotland) Act 1973, the Council has traditionally discharged many of its functions through four Policy and six Area Committees. The Council also has an Audit Committee. The Council’s Scheme of Governance defines the powers of each Committee. The Area Committees are composed of all the members whose wards are in the six Council Areas. The Policy Committees previously appointed are listed below with a brief description of their functions.

### Policy Committees

<table>
<thead>
<tr>
<th>Business Services</th>
<th>Customer Communications and Improvement, Finance, Human Resources and Organisational Development, ICT, Legal and Governance, Property and Facilities Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communities</td>
<td>Adult Social Work Services, Community Planning, Housing, Leisure and Sport, Police and Fire</td>
</tr>
<tr>
<td>Education and Children’s Services</td>
<td>Children’s Social Work Services, Education, Libraries, Culture and Museums</td>
</tr>
<tr>
<td>Infrastructure Services</td>
<td>Economic Development and Protective Services, Planning and Building Standards, Roads, Landscape Services and Waste Management, Transportation, Visitor Attractions</td>
</tr>
</tbody>
</table>

**and**

| Audit                                                  | External Audit, Financial Management, Internal Audit, Integration Joint Board Scrutiny |
2.2 **Appeals Committee** - The Council is obliged in terms of the Scottish Joint Council for Local Government Employees - National Agreement on Pay and Conditions of Service to appoint an Appeals Committee to deal with any appeals under the Council’s HR&OD policies. In the past, the Committee has been made up largely of members of the Business Services Committee.

2.3 **Appointments Committee** - The Council should also appoint an Appointments Committee to deal with the appointment of senior staff in terms of the Scheme of Governance.

2.4 **Procedures Committee** - The Council previously appointed a Procedures Committee to consider any proposed changes to the Council’s Scheme of Governance and to make recommendations regarding amendments to any other formal procedures of the Council.

2.5 **The Aberdeen City Region Deal Joint Committee** - The Council is entitled to appoint three members and three substitute members to The Aberdeen City Region Deal Joint Committee which oversees the implementation of the Aberdeen City Region Deal.

2.6 **The Northern Roads Collaboration Joint Committee** - The Council is entitled to appoint two members and two substitute members to The Northern Roads Collaboration Joint Committee which works collaboratively for the joint discharge of road and road-related functions, including ports and harbours.

2.7 **Temporary Licensing Committee** - The Business Services Committee appoints a Licensing Sub-Committee with a remit to establish a policy framework for Aberdeenshire-wide civic government licensing, to deal with licensing applications giving rise to representations and where hearings are necessary, and where the proposal has cross-area implications, and to resolve matters arising from any public procession, public charitable collection or other similar issue under the Civic Government (Scotland) Act 1982, where there are implications beyond or across area boundaries. The Sub-Committee reports to the Business Services Committee and has a pre-determined pattern of meetings (approximately every six weeks). The Business Services Committee will appoint the Licensing Sub-Committee at its meeting on the 22nd June, 2017. There is a requirement to deal with civic licensing matters in the interim and it is proposed that a temporary Licensing Committee be established. Specifically, there has been a request for an immediate suspension of a taxi driver’s licence which must be heard prior to the 21st May 2017. Due to the tight timescales, it is intended that once the temporary Licensing Committee is appointed, a legal briefing will be provided to members directly after this Full Council meeting to allow the temporary Licensing Committee to determine the immediate suspension today. The next scheduled meeting for the temporary Licensing Committee will be 2 June 2017 and it will continue to deal with any other civic licensing business falling within its remit until such time as the Licensing Sub-Committee is appointed by the Business Services Committee on 22 June 2017.

2.8 **Local Review Body** - The Council is obliged in terms of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008 to establish a Local Review Body or Bodies to consider appeals in relation to delegated decisions, or failure to make a decision, on planning applications for local development.
24 November, 2016 (Minute Item 8, Page 656 refers) agreed to retain one central Local Review Body and that the membership should be one substantive member and one substitute member (from a different electoral ward from the substantive member) appointed from each Area Committee. The Local Review Body has a pre-determined pattern of meetings (usually the last Friday of every month) and the next scheduled meeting is due to be held on 30 June, 2017. As there is insufficient time to seek nominations from Area Committees and deliver training to members and substitutes prior to the meeting on 30 June, it is requested that the Council appoint a Local Review Body at this meeting.

2.9 **Grampian Valuation Joint Board** - The Council is entitled to appoint six members and six substitute members to the Grampian Valuation Joint Board.

2.10 **Community Empowerment Appeals Committee** - The Council on 24 November, 2016 (Minute Item 8, Page 656 refers) agreed to appoint a Community Empowerment Appeals Committee as a miscellaneous committee of 8 members, with the membership to exclude any member of the policy committee which had considered the application or a member involved at area committee level, and to instruct officers to draw members according to that proportionality dependent on the case involved.

2.11 **Sustainability Committee/Sub-Committee** - The Council previously appointed a Sustainability Sub-Committee which reported to the former Policy and Resources Committee. In approving arrangements for implementation of the new Scheme of Governance, the Council agreed that the Sustainability Sub-Committee would report to the Infrastructure Services Committee, subject to further discussion and review, the Council having acknowledged that this was a temporary arrangement which required to be revisited. The Sustainability Sub-Committee on 8 February, 2017 (Minute Item 6 refers) and the Infrastructure Services Committee on 16 March, 2017 (Minute Item 22 refers) agreed to recommend that the Sub-Committee should become a Committee in its own right, reporting directly to Full Council in future, and that the name of the proposed new Committee remain “Sustainability”.

2.12 During the period between the elections and the first meeting of the Council the composition of Policy Committees to reflect political proportionality will be considered and further proposals will be presented to the meeting on 18 May, 2017, containing recommendations for the composition of the four Policy Committees and the other Committees, Sub-Committees and other groups listed in the report.

2.13 **Religious and Teacher Representatives on Education, Learning and Leisure Committee** - The Council is requested to consider the appointment of religious and teacher representatives to the Education, Learning and Leisure Committee. There is a statutory requirement to have three religious representatives. The Church of Scotland and the Roman Catholic Church have been invited to submit nominations. It is proposed that the third representative be obtained by liaising with other churches, denominational bodies and faiths active in Aberdeenshire to seek agreement on a nomination. There is no statutory requirement to have teacher representatives, but the Committee has always found it beneficial to hear the views of teachers. It is therefore proposed that two teacher representatives be appointed, one from the primary sector and one from the secondary sector, and that the method of
selection be by inviting nominations from the Local Negotiating Committee for Teachers.

2.14 **School Placings and Exclusions Appeal Committee** - The Council is invited to reappoint a School Placings and Exclusions Appeal Committee in terms of the Education (Scotland) Act 1980. Since 1999, the Committee has comprised a panel drawn from a pool of twelve elected members appointed by Area Committees and a number of external members. The Council is requested to reappoint the existing external members listed in Appendix A to this report in recognition of their experience and expertise in this area, and to delegate to the Area Committees to appoint two elected members each to the pool. It is also proposed to delegate to each Area Committee to consider appointing one or more additional external members, and to delegate authority to the Director of Business Services to approach Parent Councils to seek further external members.

The Council is also invited to consider three new expressions of interest in becoming an external member of the Committee which have been received. One is from Ms Jenny Greener, Inverurie, the second is from former Councillor Karen Clark, Banchory and the third is from the former Principal Committee Services Officer, Alastair Nicol. Although a resident in Aberdeen City, Mr Nicol served as the Committee Officer for the committees responsible for Education in Grampian Regional Council and Aberdeenshire Council for a continuous period of 29 years until his recent retirement from Aberdeenshire Council on 30 April, 2017, and acquired considerable knowledge and experience in education matters. The Education (Scotland) Act 1980 (Schedule A1, Section 3 (b) (ii) and (iii)) provides for the appointment to the Committee of “persons who in the opinion of the authority have experience in education; or persons who in the opinion of the authority are acquainted with the educational conditions in the area of the authority.”

2.15 **Social Work Complaints Review Committee** - Until 1 April, 2017 a Social Work Complaints Review Committee could be called when a complainant stated in writing that they were not satisfied with the response to a complaint from the Social Work Service. As of 1 April, 2017 this final stage became the responsibility of the Scottish Public Services Ombudsman (SPSO). However, outstanding cases submitted prior to 1 April, 2017 require to be dealt with by the Social Work Complaints Review Committee. The Review Committee comprises a panel of “independent” persons drawn from a current pool of 6 members. The Council is requested to reappoint these existing external independent members listed in Appendix B to the report. It is proposed to add to the membership of the pool by including some elected members who do not form part of the ruling group of the Council. This falls within the definitions of independent persons as detailed in the Social Work (Representations Procedure)(Scotland) Directions 1996” ie a person who is not a member of a political party forming the ruling group within the Council. Elected Members would be approached following the establishment of the new ruling group of Aberdeenshire Council. The addition of these elected members to the pool will help to expedite the legacy cases being dealt with.

2.16 **Office Space Strategy Member/Officer Working Group** – the Council is invited to reappoint the Member/Officer Working Group established on 26 January 2017 to oversee progress with the Office Space Strategy Project. The Working Group has 14 members, formerly 7 Alliance, 6 Partnership and 1
representing the amalgamated groups and independents. Officers include the Chief Executive, Director of Business Services (Lead Officer), Head of Property and Facilities Management, Head of Finance, Head of Legal and Governance and Head of Resources and Performance.

2.17 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated within the report. They are satisfied that the report complies with the Scheme of Governance and relevant legislation.

3 Scheme of Governance

3.1 The Council is able to consider and take a decision on this item in terms of Part 2A of the Scheme of Governance Section A 2.2.1, as Full Council has the power to appoint Committees and their Chairs and Vice Chairs other than the Chairs and Vice Chairs of Area Committees.

4 Equalities, Staffing and Financial Implications

4.1 An equality impact assessment is not required because the recommended actions are not considered to have a differential impact on any of the protected characteristics.

4.2 There are no staffing or financial implications arising directly as a result of this report.

Ritchie Johnson
Director of Business Services
Report prepared by:- Alastair Nicol, Principal Committee Officer
24 April, 2017
Appts to Committees Etc May 2017.doc
Appendix A

School Placings and Exclusions Appeal Committee

**Previous External Members**

Mr D Duthie, Fraserburgh

Mr A Kane, Peterhead

Mrs P Lewis, Aberdeen

Mr G McCaig, Macduff

Mrs E McConnach, Aboyne

Mrs E Morgan, Aberdeen

Mrs P Stalker, Aberdeen

Mr A Strachan, Peterhead

Mr R Stroud, Strathdon

Mrs E Wallace, Aberdeen

**Proposed New External Members**

Ms J Greener, Inverurie

Mr A Nicol, Aberdeen

Ms Karen Clark, Banchory
Appendix B

Social Work Complaints Review Committee

Existing Members

Mr I Beaton, Aberdeen

Mr D Bostock, Aberdeen

Dr W Harrison, Aberdeen

Mrs A Hewitt, Aberdeen

Mr K Jones, Aberdeen

Professor J Lishman, Aberdeen

Mrs A Scott, Ellon