

ABERDEENSHIRE COUNCIL

BUSINESS SERVICES COMMITTEE

WOODHILL HOUSE, ABERDEEN, 13 JUNE, 2019

Present: Councillors J Gifford (Chair), M Roy (Vice-Chair), L Berry, I Davidson, E Durno, A Forsyth, F Hood, J Hutchison, N Smith, R Thomson, B Topping and L Wilson.

Apologies: Councillors A Duncan and H Partridge.

Officers: Director of Business Services, Head of Human Resources and Organisational Development, Head of Property and Facilities Management, Service Manager (Customer Communication and Improvement), Revenues Manager (Finance), Principal Accountant (Shirley-Ann Gordon), Principal Solicitor (Governance) and Senior Committee Officer (Allan Bell).

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked members if they had any interests to declare, in terms of the Councillors' Code of Conduct. No interests were declared.

2A. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Committee **agreed**, in terms of Section 149 of the Equality Act 2010:-

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it, and
- (2) to consider, where an equality impact assessment has been provided, its contents and to take those into consideration when reaching a decision.

2B. EXEMPT INFORMATION

The Committee **agreed**, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of the items specified below so as to avoid disclosure of exempt information of the classes described in the undernoted paragraphs of Part 1 of Schedule 7A of the Act.

Item No	Paragraph No of Schedule 7A
9	6
10	6 and 8
11	8
12	8

3. MINUTE OF MEETING OF THE COMMITTEE OF 18 APRIL, 2019

On consideration of the circulated Minute of Meeting of the Committee of 18 April, 2019, members **approved** it as a correct record, after which the Minute was signed by the Chair.

4. BUSINESS SERVICES YEAR-END PERFORMANCE MONITORING REPORT 2018/19 (APRIL, 2018 – MARCH, 2019)

With reference to the Minutes of Meetings of (1) Aberdeenshire Council of 23 November, 2017 (Item10), when approval had been given to the Council Plan 2017-2022 and (2) the Committee of 19 April, 2018 (Item 4), when it had been agreed that the Service would lead on and scrutinise delivery plans for the Council's priorities and associated outcomes of delivering responsible, long-term financial planning, and having the right people in the right place, doing the right thing at the right time, there was circulated a report dated 28 May, 2019, by the Director of Business Services, which provided an update on progress with key actions identified to help demonstrate how the Council was working towards achieving its priorities and how the Service was progressing, as evidenced through performance achieved during the reporting period of April, 2018 to March, 2019.

Thereafter, and having **noted** members' comments on training for senior managers, the monitoring of completed actions, the provision of greater detail in future monitoring reports, electronic payslips and timesheets, and alternative uses of Council property assets, the Committee:-

- (1) **acknowledged** progress made during 2018/19 towards achieving the Council Plan Priorities 2017-2022, as referenced within the report, and
- (2) **instructed** the Director of Business Services to continue to submit performance reports to the Committee on a six-monthly basis, providing evidence of progress and performance with delivery of the Council Plan 2017-2022.

5. FINANCIAL MONITORING AS AT 31 MARCH, 2019

With reference to the Minute of Meeting of Aberdeenshire Council of 14 February, 2019 (Items 4 and 5), when approval had been given to the draft Revenue Budget for financial year 2019/20 and the Capital Plan 2019-2034, there was circulated a report by the Director of Business Services, which (1) detailed the unaudited outturn for period to 31 March, 2019, for both the Revenue Budget and Capital Plan, (2) explained the current Revenue Budget monitoring position for the Council, with accompanying narrative detailing reasons for variances to the Budget, and budgetary pressures experienced by Services and (3) detailed the current position in respect of expected expenditure and income on projects contained within the Business Services part of the Council's non-Housing Revenue Account (HRA) Capital Budget, as revised.

Having **noted** members' comments in respect of savings generated by an increase in employee benefit schemes, relief staff contracts, building cleaning, target savings from printing costs, water charges and overspends on planned maintenance, the Committee:-

- (1) **noted** the Revenue and Capital Budget monitoring outturn, as at 31 March, 2019, and
- (2) **agreed** and **noted** the Revenue Budget Virement set out within an appendix to the report, to be submitted to a meeting of Aberdeenshire Council for approval.

6. PARTICIPATION REQUESTS ANNUAL REPORT 2018/19

With reference to the Minute of Meeting of the Committee of 14 June, 2018 (Item 5), when approval had been given to the Participation Requests Annual Report 2017/2018 for submission to the Scottish Government, there was circulated a report dated 17 April, 2019, by the Director of Business Services (1) which explained the background to the introduction of Participation Requests through the Community Empowerment (Scotland) Act 2015, as a new means by which community groups might request to have involvement in, and influence over, decisions and services affecting communities, (2) which advised that, to date, one Participation Request had been received by the Council and (3) to which was appended a copy of the Participation Requests Annual Report for the period between April, 2018 and March, 2019.

After detailed consideration, the Committee:-

- (1) **approved** the Participation Requests Annual Report 2018/19 for submission to the Scottish Government,
- (2) **instructed** officers to seek to reinvigorate and target partnership opportunities for public engagement working with other agencies, and to engage directly with community councils, community groups and the wider public to raise awareness of the Participation Requests process, and
- (3) **requested** officers to submit a report to the Committee in six months on progress made with the above efforts at public engagement.

7. CUSTOMER SERVICE CHARTER

Consideration was given to a circulated report dated 3 May, 2019, by the Director of Business Services, which (1) explained that the Council's Customer Service Charter had been created in 2006 to provide clear standards around service provision to the residents of Aberdeenshire and (2) provided information on the review of the Charter, intended to make information more accessible and relevant to the Council's customers.

Thereafter, the Committee **agreed** the refreshed Customer Service Charter appended to the report.

8. ELECTRONIC COMMUNICATION IN THE LICENSING PROCESS

Consideration was given to a circulated report dated 1 May, 2019, by the Director of Business Services, which (1) advised that legislative provision had been made for the Council to accept electronic communications in respect of licensing matters, where a resolution had been taken to do so and (2) explained that officers were working to introduce a new online digital platform to facilitate electronic applications, improving service and efficiency through the use of a public access portal.

Thereafter, the Committee:-

- (1) **agreed**, in relation of section 16A of Schedule 1 to the Civic Government (Scotland) Act 1982, that the Council would accept by electronic communication applications for the grant, or renewal, of a licence, objections or representations thereto, or notifications of a change to a licence, and
- (2) **agreed** that those communications would be by email to licapps@aberdeenshire.gov.uk or via the IDOX uniform system containing a public access element.

9. BAD DEBTS WRITE-OFF

On consideration of a circulated report dated 9 May, 2019, by the Director of Business Services, which provided details of a number of irrecoverable debts owed to the Council, the Committee **agreed** that these should be written off, as detailed within the report.

10. ADVERTISING SERVICES CONTRACT

With reference to the Minute of Meeting of the Committee of 14 June, 2018 (Item 7), when approval had been given to a contract for the provision of advertising services across the Council, there was circulated and **noted** a report dated 10 May, 2019, by the Director of Business Services, which provided an update on the Advertising Services Framework Agreement .

11. HARD FACILITIES MANAGEMENT (HARD FM) – UPDATE

With reference to the Minutes of Meetings of (1) the Audit Committee of (a) 13 December, 2018 (Item 5) and (b) 31 January, 2019 (Item 10), when consideration had been given to the Hard Facilities Management (Hard FM) contract and it has been agreed to request the Business Services Committee to conduct a Committee Review Process (CRP) in respect of Internal Audit Report 1849 and (2) the Committee of (a) 28 February, 2019 (Item 12), when it had been agreed to conduct the CRP and to appoint a lead officer and (b) 18 April, 2019 (Item 8), when it had been agreed to suspend Standing Orders to appoint the Area Manager (Banff and Buchan) as the lead officer for the scrutiny process, and officers had been requested to submit a Stage 1 Committee Review Process report to the meeting of the Business Services Committee on 12 September, 2019, there was circulated a report dated 30 May, 2019, by the Director of Business Services, which (1) explained the background to consideration of the matter and (2) provided an update on the performance and operation of the single service provider contracted to undertake the relevant works.

After consideration, the Committee:-

- (1) **noted** the performance of FES FM Limited in its discharge of the Hard Facilities Management contract, and
- (2) **instructed** officers to submit further update reports on the performance of the contractor, on a quarterly basis.

12. SUPPLEMENTARY WORK PLAN 2019/20 FOR BUSINESS SERVICES DIRECTORATE – PROCUREMENT APPROVAL

With reference to the Minute of Meeting of the Committee of 28 February, 2019 (Item 9), when approval had been given to the Annual Directorate Work Plan for financial year 2019/2020, there was circulated a report dated 28 May, 2019, by the Director of Business Services, which provided details of additional projects proposed for inclusion within the Work Plan.

After consideration, the Committee:-

- (1) **noted** the Business Services Directorate Supplementary Work Plan, as contained within an appendix to the report,
- (2) **approved** the addition of the items on the Supplementary Work Plan to the Directorate Work Plan,
- (3) **approved** the business case for Corporate Insurance Policies, as appended to the report,

- (4) **agreed** not to reserve approval of the business case for the remaining item on the Supplementary Work Plan, and
- (5) **agreed** not to reserve the award of the final contract for Corporate Insurance Policies, on the basis that the matter was over £1,000,000, and **noted** that the Head of Finance had been delegated authority to award the final contract.

13. SUB-COMMITTEE MINUTE

The Committee **noted** the Minute of Meeting of the Licensing Sub-Committee of 1 February, 2019, a copy of which forms Appendix A to this Minute.

DRAFT

APPENDIX A
ABERDEENSHIRE COUNCIL
BUSINESS SERVICES COMMITTEE
LICENSING SUB-COMMITTEE

GORDON HOUSE, INVERURIE, 1 FEBRUARY, 2019

- Present:** Councillors F Hood (Chair), R Bruce, M Ewenson (as substitute for Councillor A Forsyth), V Harper, D Robertson, A Stirling and I Taylor (as substitute for Councillor M Roy).
- Apology:** Councillors A Forsyth, D Lonchay and M Roy.
- Officers:** Senior Committee Officer (Allan Bell) and Solicitor (Iain Meredith), both Legal and Governance.
- In attendance:** Sergeant G Flett (Police Scotland).

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked members if they had any interests to declare, in terms of the Councillors' Code of Conduct. Councillor Harper declared an interest in respect of Item 4(a), on the grounds that she was personally acquainted with the applicant through her partner, and advised that she would leave the meeting and take no part in the item.

2A. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Sub-Committee **agreed**, in terms of Section 149 of the Equality Act 2010:-

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster relations between those who share a protected characteristic and persons who do not share it, and
- (2) to consider, where an equality impact assessment has been provided, its contents and to take those into consideration when reaching a decision.

2B. EXEMPT INFORMATION

The Sub-Committee **agreed**, in terms of Section 50A (2) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of item 4 below, on account of the likely disclosure of confidential information in breach of the obligation of confidence.

3. MINUTES OF MEETINGS OF THE SUB-COMMITTEE OF 26 OCTOBER AND 7 DECEMBER, 2018

On consideration of (a) the circulated Minute of Special Meeting of the Sub-Committee of 26 October, 2018 and (b) the Minute of Meeting of the Sub-Committee of 7 December, 2018, members **approved** both Minutes as correct records. They were thereafter signed by the Chair.

4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – APPLICATIONS FOR DETERMINATION

(a) Application for a Taxi Driver's Licence (Case No. 963)

There had been circulated a report dated 14 January, 2019, by the Director of Business Services, which (1) requested that consideration be given to an application for the grant of a taxi driver's licence (identified as Case No. 963), in respect of which the Chief Constable had lodged an objection and (2) detailed information relevant to the application.

The representative of the Chief Constable then requested the Sub-Committee to consider the applicant's protected convictions, on the grounds that justice could otherwise not be done. After consideration, members **agreed** unanimously to take these into account and also to consider further representations made by the applicant's solicitor.

Having thereafter heard from the applicant and the representative of the Chief Constable on the substantive application, the Sub-Committee **agreed** unanimously that the application be refused, on the grounds that the applicant was not a fit and proper person to hold a taxi driver's licence, on account of his significant offending history, including road traffic and drug offences.

(b) Application for a Taxi Driver's Licence (Case No. 964)

There had been circulated a report dated 14 January, 2019, by the Director of Business Services, which (1) requested that consideration be given to an application for the grant of a taxi driver's licence (identified as Case No. 964), in respect of which the Chief Constable had lodged an objection and (2) detailed information relevant to the application.

The representative of the Chief Constable then requested the Sub-Committee to consider the applicant's protected convictions, on the grounds that justice could not otherwise be done. After consideration, members **agreed** unanimously to take these into account.

Having thereafter heard from the applicant and the representative of the Chief Constable on the substantive application, the Sub-Committee **agreed** unanimously that the application be refused, on the grounds that the applicant was not a fit and proper person to hold a taxi driver's licence, due to the serious nature of his previous convictions.

(c) Application for a Taxi Driver's Licence (Case No. 965)

There had been circulated a report dated 9 January, 2019, by the Director of Business Services, which (1) requested that consideration be given to an application for the grant of a taxi driver's licence (identified as Case No. 965), in respect of which the Chief Constable had lodged an objection and (2) detailed information relevant to the application.

Having heard from the representatives of both the applicant and the Chief Constable, Councillor Robertson, seconded by Councillor Taylor, **moved** that the Sub-Committee should grant the application for a period of one year.

As an amendment, Councillor Bruce, seconded by Councillor Stirling, **moved** that the application be refused, on the basis that the applicant was not a fit and proper person to hold a taxi driver's licence, due to his previous disregard for passengers on the vehicle which he had been driving.

Members of the Sub-Committee voted as follows:-

for the motion	(2)	Councillors Robertson and Taylor.
for the amendment	(5)	Councillors Hood, Bruce, Ewenson, Harper and Stirling.

The amendment was carried in the following terms:-

that the application be refused, on the basis that the applicant was not a fit and proper person to hold a taxi driver's licence, due to his previous disregard for passengers on the vehicle which he had been driving.

(d) Application for a Taxi Driver's Licence (Case No. 966)

There had been circulated a report dated 8 January, 2019, by the Director of Business Services, which (1) requested that consideration be given to an application for the grant of a taxi driver's licence (identified as Case No. 966), in respect of which the Chief Constable had lodged an objection and (2) detailed information relevant to the application.

Having heard from the applicant and the representative of the Chief Constable, the Sub-Committee **agreed** unanimously that the licence be granted for a period of one year.