

**ABERDEENSHIRE COUNCIL**

**BUSINESS SERVICES COMMITTEE**

**WOODHILL HOUSE, ABERDEEN, THURSDAY, 22 JUNE, 2017**

**Present:** Councillors J N Gifford (Chair), K Adam, I Davidson, A Forsyth, F C P Hood, J Hutchinson, H Partridge, G Petrie, C Pike (as substitute for Councillor C Clark), G Reid, M Roy, N Smith and R G Thomson.

**Apology:** Councillor C Clark (Vice Chair).

**Officers:** Director of Business Services, Head of Finance, Head of Property, Head of Hr & OD, Head of ICT, Head of Customer Communications and Improvement, Legal Service Manager (Mr A Stobie), Principal Solicitor (Governance) (Mrs R O'Hare) and Senior Committee Officer (Mr N David).

**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 interest were declared.

**2. RESOLUTIONS**

**(A) 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 and 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.

**(B) 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.

<b>Item No</b>	<b>Paragraph No of Schedule 7A</b>
10	8
11	8 and 9

## TRAINING AND DEVELOPMENT SESSION FOR MEMBERS

The Chair explained that the meeting would be adjourned until 11.30 a.m. to allow a closed session for substantive and substitute members to take place on the Services which reported to the Business Services Committee.

The meeting reconvened at 11.30 a.m.

### 3. MINUTE OF MEETING OF BUSINESS SERVICES COMMITTEE OF 20 APRIL, 2017

There was circulated, **noted** and **approved** as appropriate, the Minute of Meeting of the Business Services Committee of 20 April, 2017.

### 4. MINUTE OF MEETING OF TRANSITIONAL COMMITTEE OF 20 APRIL, 2017

There was circulated, **noted** and **approved** as appropriate, the Minute of Meeting of the Transitional Committee of 20 April, 2017.

### 5. BUSINESS SERVICES' 2016 TO 2019 SERVICE PLAN – YEAR END PROGRESS REPORT APRIL 2016 TO MARCH 2019 (ABERDEENSHIRE PERFORMS)

There was circulated a report dated 6 June, 2017, by the Director of Business Services on the Year End Progress Report for April 2016 to March 2017 for the Business Services' 2016 to 2019 Service Plan.

The report explained that, at the meeting of the Policy and Resources Committee on 23 April, 2016, the Business Services' 2016 to 2019 Service Plan was agreed. The Plan had outlined the nine priority projects for the Council that all Services would focus on, as well as three further core projects that would inform and underpin service delivery across Business Services for the next year.

The report summarised the nine priority projects as:-

Active Travel; Affordable Housing; Balancing the Books; City Region Deal; Climate Change; Estate Rationalisation; Governance; Peterhead Community Campus; and Regeneration.

The three core Service Projects were: Community Empowerment; Digital Innovation; and A Workforce Fit for the Future. These projects each had a range of key actions to allow progress to be evidenced and monitored. The Year End Progress Report was included as an appendix to the report.

The Committee **agreed**:

- (1) to acknowledge progress made in delivering priority projects identified in the Business Services' 2016 to 2019 Service Plan, and as detailed in the appendix to the report, and
- (2) that the Director of Business Services continue to submit updates on a six monthly basis confirming progress and delivery of the priority projects.

### 6. FINANCIAL MONITORING FOR THE YEAR ENDED 31 MARCH 2017

There was circulated a report dated 30 May, 2017, by the Director of Business Services on Financial Monitoring as at 31 March, 2017.

The report explained that the Council's Scheme of Governance aligned budget service responsibility with Policy Committee responsibility. The report therefore covered the unaudited outturn for the year ended 31 March, 2017 for both Revenue and Capital Budget monitoring. The figures were subject to audit and may change in light of external audit work and therefore required to be treated as provisional.

The report detailed that Business Services Revenue Budget for monitoring purposes in 2016/2017 for net revenue expenditure was £39,084,000, including the budgets for Changes to Housing Revenue, Capital and Other Services, and Other Expenditure and Income. This budget excluded the Community Planning budget, which was managed within Business Services, however was reported to Communities Committee. The actual net revenue expenditure to the end of the financial year was £39,525,000, or £441,000 higher than budget. This contributed to the overall position of the Council, which was £1,725,000 over budget. The financial position was shown in more detail in an appendix to the report and a further appendix detailing the reasons for major variances.

With regards to Capital Budget monitoring, the Business Services revised Capital Budget for Year 2016/2017 was finalised at £12,386,000. This budget figure altered during the year, as and when changes to the profile of capital expenditure from one year to another were agreed and adjusted. The overall capital expenditure 2016/2017 was £8,546,000, which was £3,840,000 less than the revised budget figure and meant that the budget from 2016/2017 would need to be carried forward into future years. These adjustments would be reported to the meeting of Full Council on 29 June, 2017 for approval. The Capital Budget for year 2016/2017 was set out in a further appendix to the report, as were the reasons for major variances.

The Committee **agreed** to:-

- (1) note the Revenue and Capital Budget monitoring as at 31 March, 2017, and
- (2) approve the Revenue Budget virements as detailed in Appendix 3 to the report.

## **7. APPOINTMENTS OF SUB-COMMITTEES**

There was circulated a report dated 31 May, 2017, by the Director of Business Services which asked members to consider the details of groups previously appointed with responsibility for functions under the remit of the Business Services Committee and to determine whether those groups should be reconstituted. Thereafter, members were asked to consider the composition of each reconstituted group based on the proportionality models approved by Aberdeenshire Council at the meeting on 18 May, 2017.

The groups were detailed in an appendix to the report, namely: the Employee Joint Consultative Committee; the Licensing Sub-Committee; and the Aberdeenshire Health and Social Care Partnership Appointment Sub-Committee.

Following consideration, the Committee **agreed** to:-

- (1) re-establish the Employees' Joint Consultative Committee, the Licensing Sub-Committee, and the Aberdeenshire Health and Social Care Partnership Appointment Sub-Committee,
- (2) appoint members to the Employee Joint Consultative Committee and Licensing Sub-Committee as follows:

Employee Joint Consultative Committee substantive members – Councillors Argyle, Blackett, Cassie, Evison, Fakley, Gifford, Hood, Reynolds, N S Smith and Wallace.

Licensing Sub-Committee substantive members – Councillors Bruce, Evison, Forsyth, Hood, Lonchay, Stirling, Robertson and Roy.

Licensing Sub-Committee substitute members – Councillors C Buchan, Ewenson, Hutchison, McKail, S Smith, Taylor, Wilson and one other member from the Administration.

- (3) note that the appointment of members to the Aberdeenshire Health and Social Care Partnership Appointment Sub-Committee would be made by the Aberdeenshire Integration Joint Board.

## 8. NOMINATIONS TO PARTNERSHIPS

There was circulated a report dated 19 May, 2017, by the Director of Business Services which sought nominations for the Grampian Regional Equalities Council (GREC).

The Committee **agreed** to appoint Councillors Hassan and Reynolds to the Grampian Regional Equalities Council (GREC).

## 9. REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000 – POLICY UPDATE

There was circulated a report dated 6 June 2017 by the Director of Business Services on the outcome of an inspection carried out by the Office of the Surveillance Commissioners in April 2017, the consequent Action Plan, contained in Appendix 1, and subsequent necessary amendment to the Council's Policy on Authorisation of Surveillance under the Regulation of Investigatory Powers (Scotland) Act 2000.

An amended Policy was detailed in Appendix 2 to the report and approval of this was sought.

The report explained as background that the Council was inspected by the Office of Surveillance Commissioners into its use of the Regulation of Investigatory Powers (Scotland) 2000 on 22 April, 2014 and most recently on 26 April, 2016. The Commissioner was critical in the most recent report of the failure to amend the Policy at the previous inspection. Whilst the majority of the recommendations of the 2014 inspection were implemented and the approach altered to take them into account, importantly however the Policy was not represented to members for update. This was acknowledged by officers to be a systemic failure in ensuring the inspection recommendations were fully discharged and steps were being taken to ensure that there was no repeat of this error.

In this regard an Action Plan had been drafted to ensure all actions from the recent inspection were attended to timeously and diligently. A copy of the Action Plan was attached as Appendix 1 to the report.

Following discussion, the Committee **agreed** to:-

- (1) note the Action Plan to address the recommendations of the Commissioner, following an inspection by the Office of the Surveillance Commissioner, of the Council's use of the powers under the Regulations of Investigatory Powers (Scotland) Act 2000, as detailed in Appendix 1 to the report, and

- (2) approve the Policy on Authorisation of Surveillance under the Regulation of Investigatory Powers (Scotland) Act 2000, as amended, and as detailed in Appendix 2 to the report, subject to the removal of the specific Officer's name from the main Policy document and instead that this be included in Appendix 3 as the "designated" Officer responsible for maintaining the Central Register.

#### **10. SUPPLEMENTARY WORK PLAN 2017/18**

There was circulated a report dated 6 June, 2017, by the Director of Business Services on the Supplementary Work Plan 2017/2018.

The report explained that the Directorate's Annual Work Plan 2017/2018 had been presented to and approved by the Business Services Committee at the meeting on 20 April, 2017. The Committee was now being asked to agree that additional items, as detailed in the Supplementary Work Plan, which had been identified as falling within the remit of the Business Services Committee, be added to the Directorate's Work Plan 2017/2018. The proposed procurements identified within the Supplementary Work Plan related exclusively to the Business Services Committee. In this regard a Supplementary Work Plan for Business Services Directorate was attached as Appendix 1 to the report. Each entry contained contract name, description of work, goods or services to be procured, estimated start and end dates, estimated total value, proposed extension period, relevant Service, and Committee.

The Committee **agreed:-**

- (1) to acknowledge the items on the Supplementary Work Plan identified as falling within the remit of the Committee, and as detailed in Appendix 1 to the report,
- (2) to approve the addition of the items on the Supplementary Work Plan to the Directorate's Annual Work Plan 2017/2018, as approved by the Business Services Committee on 20 April, 2017, and
- (3) to note that the Committee would receive the Business Case for approval for any item on the Supplementary Work Plan which was within the Committee's remit and the value of the matter is over £1,000,000, and for all other items the Business Case would be approved by the relevant Chief Officer and notified to the Head of Commercial and Procurements Services without the requirement for Committee approval.

#### **11. PROPOSED LEASE OF WOODHILL HOUSE BASEMENT**

There was circulated a report dated 13 June, 2017, by the Director of Business Services seeking approval of the proposed lease of part of the basement of Woodhill House, Aberdeen to Xerox on the terms and conditions detailed in the report and for the addition of the contract to the Directorate Work Plan for 2017/2018.

The report explained that the terms to be proposed for approval had very recently been provisionally agreed with Xerox. The transaction required Xerox to carry out works that tied in with critical dates in the Xerox services contract, as detailed within the report.

Following discussion, the Committee **agreed** to:-

- (1) acknowledge that the item on the Supplementary Work Plan was identified as falling within the remit of the Business Services Committee,
- (2) to approve the addition of the item on the Supplementary Work Plan, as detailed in Appendix 1 to the report, to the Directorate's Annual Work Plan 2017/2018, as approved by the Business Services Committee at the meeting on 20 April, 2017,
- (3) to approve the terms and conditions contained within Appendix 2 to the report, relating to the lease of part of the basement of Woodhill House to Xerox, and that in the event that the Head of Terms could not be implemented, to delegate authority to the Head of Legal and Governance, following consultation with the Head of Property and Facilities Management, the Chair and Vice Chair of the Committee and the opposition spokesperson, to agree any new terms to facilitate the relocation of Xerox staff and equipment located in Woodhill House to an alternative location, and
- (4) to note that the Head of Legal and Governance, after consultation with the Head of Property and Facilities Management, had the delegated authority to agree and concluded detailed lease terms.