

ABERDEENSHIRE COUNCIL

BUSINESS SERVICES COMMITTEE

WOODHILL HOUSE, ABERDEEN, 10 JANUARY, 2019

Present: Councillors J Gifford (Chair), M Roy (Vice-Chair), K Adam, L Berry, G Blackett, R Cassie (as substitute for Councillor R Thomson), I Davidson, A Duncan, E Durno, A Forsyth, F Hood, J Hutchison, H Partridge and N Smith.

Apology: Councillor R Thomson.

Officers: Director of Business Services, Corporate Finance Manager, Legal Services Manager (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.

Councillor Adam declared an interest in respect of Item 10, by virtue of the fact that her partner was an employee of Gordon Rural Action. She advised that she would leave the meeting and take no part in the item in question.

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
7	9
8	8 and 10
9	8
10	4

3. MINUTE OF MEETING OF THE COMMITTEE OF 15 NOVEMBER, 2018

On consideration of the circulated Minute of Meeting of the Committee of 15 November, 2018, members **approved** it as a correct record, after which the Minute was signed by the Chair.

4. BRITISH SIGN LANGUAGE IMPLEMENTATION PLAN 2018-2024

The Chair welcomed Sally Fraser-Hay and Elaine Campbell, registered sign language interpreters, and advised that they would sign the contributions of both himself and the Director of Business Services during this item.

With reference to the Minute of Meeting of the Committee of 13 September, 2018 (Item 4), when it had been agreed to approve the Aberdeenshire British Sign Language (BSL) Local Plan 2018 – 2024, and the Director of Business Services had been instructed to report back, following consultation with area and policy committees and the Integration Joint Board (IJB), there was circulated a report dated 20 December, 2018, by the Director of Business Services (1) which explained the background to the development of the Aberdeenshire BSL Local Plan, (2) which advised that the Council's BSL Implementation Plan was designed to highlight the costs of actions within the Local Plan and how the impact of those actions might be monitored and measured and (3) to which were appended a copy of the draft BSL Implementation Plan, together with comments received thereon from area and policy committees and the IJB.

After detailed consideration, the Committee:-

- (1) **approved** the Aberdeenshire BSL Implementation Plan 2018 – 2024, following consideration of comments received from area and policy committees and the IJB, and
- (2) **instructed** officers to submit an update report to a meeting of the Committee in 12 months' time, with the matter having first being considered at each of the 6 area committees.

5. PROPOSED SCRUTINY PROGRAMME FOR BUSINESS SERVICES COMMITTEE

Consideration was given to a circulated report by the Director of Business Services, which (1) explained that, since the adoption of the new Scheme of Governance by the Council in 2017, policy committees had been expected to undertake appropriate scrutiny in their own service areas, replacing scrutiny work no longer resting with the former Scrutiny and Audit Committee, (2) outlined the focus and method for appropriate scrutiny by the Business Services Committee, together with initial topic areas for consideration and (3) provided statistical detail of the work of the Council's Contact Centre.

After consideration, the Committee:-

- (1) **noted** members' comments in respect of the format of scrutiny workshops, the adoption of scrutiny functions by all policy committees, upgrading of telephone systems for the Contact Centre, unanswered calls, resourcing of the Contact Centre, and the levels of usage and analysis of footfall patterns at service points,
- (2) **agreed** that the Director of Business Services should develop a scrutiny programme for the Committee for the next 12 months and submit it to the next meeting for consideration, and
- (3) **noted** that Customer Services would be the first service area to be addressed, and that an initial informal workshop would take place immediately after the conclusion of the meeting.

6. SCOTLAND EXCEL REVIEW

Consideration was given to a circulated report dated 6 December, 2018, by the Director of Business Services, which (1) explained the background to the creation of Scotland Excel as a centre of expertise for local authority procurement, improving the value of purchasing through economies of scale, (2) advised that each local authority had agreed to pay an annual subscription, on a pro-rata basis, towards the operational costs of Scotland Excel and (3) outlined the subscription costs paid by Aberdeenshire Council, as against estimated savings through membership of Scotland Excel, together with the levels of spend with local Aberdeenshire suppliers and community benefit values.

After consideration, the Committee:-

- (1) **agreed** to continue with Scotland Excel membership for financial years 2019/20 and 2020/21,
- (2) **approved** the uplift in subscription fees from £156,995 to £159,420 for 2019/20 and 2020/21,
- (3) **requested** the Head of Commercial and Procurement Services to report to the Committee on a bi-annual basis, providing detailed evidence of the outcomes of, and benefits from, Scotland Excel membership, and
- (4) **requested** officers to arrange a workshop event on Scotland Excel for members of the Committee.

7. PROPOSED SALE OF SITE AT SOUTH HARBOUR ROAD, FRASERBURGH

With reference to the Minute of Meeting of Banff and Buchan Area Committee of 6 November, 2018 (Item 15), when it had been agreed to refer consideration of the sale of the site at South Harbour Road, Fraserburgh, to the Business Services Committee, with the recommendation that officers conclude the bargain by accepting offer number 2, as listed within the report, there was circulated a report dated 27 November, 2018, by the Director of Business Services, which (1) explained the background to the proposed sale of a development site at South Harbour Road, Fraserburgh and (2) provided details of the offers received.

After detailed consideration, the Committee **agreed** to defer determination until the next meeting, in order to enable officers to seek clarity on the detail of the offers submitted and to provide members with as much relevant information relating to the site as possible.

8. QUANTITY SURVEYING RESOURCE – PROCUREMENT APPROVAL

With reference to the Minute of Meeting of the Committee of 8 March, 2018 (Item 7), when approval had been given to the Annual Directorate Work Plan for financial year 2018/2019, there was circulated a report dated 18 December, 2018, by the Director of Business Services, which provided details of an additional project for inclusion within the Work Plan, aimed at providing additional quantity surveying resources.

Thereafter, the Committee:-

- (1) **approved** the addition of the item on the Business Services Supplementary Work Plan to the Directorate Work Plan, and
- (2) **noted** and **approved** the business case attached to the report.

9. SUPPLEMENTARY WORK PLAN 2018/19 FOR BUSINESS SERVICES DIRECTORATE – PROCUREMENT APPROVAL

With reference to the Minute of Meeting of the Committee of 8 March, 2018 (Item 7), when approval had been given to the Annual Directorate Work Plan for financial year 2018/2019, there was circulated a report dated 20 December, 2018, 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, and
- (3) **agreed** not to reserve approval of the business case for any of the items on the Supplementary Work Plan falling within the Committee's remit, where the value of the matter was between £50,000 and £1,000,000.

10. NORTH-EAST OF SCOTLAND PENSION FUND – GUARANTOR

On consideration of a circulated report dated 12 December, 2018, by the Director of Business Services, which explained (1) the background to Gordon Rural Action, a registered charity providing free independent advice on debt, welfare rights and in-court services, as well as general advice to Aberdeenshire citizens and (2) the status of its employees within the North-East of Scotland Pension Fund (NESPF), the Committee **agreed** that the Council should become guarantor for Gordon Rural Action, in respect of the NESPF.

11. MINUTE OF MEETING OF THE LICENSING SUB-COMMITTEE OF 12 OCTOBER, 2018

The Committee **noted** the Minute of Meeting of the Licensing Sub-Committee of 12 October, 2018, a copy of which forms Appendix A to this Minute.

APPENDIX A

ABERDEENSHIRE COUNCIL BUSINESS SERVICES COMMITTEE LICENSING SUB-COMMITTEE

WOODHILL HOUSE, ABERDEEN, 12 OCTOBER, 2018

- Present:** Councillors F C P Hood (Chair), R E Bruce, C C Buchan (as substitute for Councillor D G Robertson), A C Forsyth, V G Harper (as substitute for Councillor A E M Evison), D-P L G Lonchay, M J Roy and E A Stirling.
- Apologies:** Councillors A E M Evison and D G Robertson.
- Officers:** Principal Solicitor (Jennifer McKearney), Senior Committee Officer (Allan Bell) and Solicitor (Iain Meredith), all 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. No interests were declared.

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. CONFIDENTIAL 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 the Item 4 below on account of the likely disclosure of confidential information in breach of the obligation of confidence.

3. MINUTE OF MEETING OF THE SUB-COMMITTEE OF 24 AUGUST, 2018

On consideration of the circulated Minute of Meeting of the Sub-Committee of 24 August, 2018, members **agreed** to amend the Appendix to the Minute to read “an”, instead of “and”. The Minute was thereafter **approved** as a correct record and signed by the Chair.

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

(a) Application for a Taxi Driver’s Licence (Case No. 952)

With reference to the Minute of Meeting of the Sub-Committee of 24 August, 2018 (Item 6), there had been circulated a report dated 5 September, 2018, 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. 952), in respect of which the Chief Constable had lodged an objection and (2) detailed information relevant to the application.

Notwithstanding the absence of the applicant, Councillor Stirling, seconded by Councillor Harper, **moved** that the Sub-Committee should proceed to consider the substantive application.

As an amendment, Councillor Lonchay, seconded by Councillor Buchan, **moved** that consideration of the application be further deferred to the next meeting to clarify gaps in the information provided in the application form.

Members of the Sub-Committee voted as follows:-

for the motion	(6)	Councillors Hood, Bruce, Forsyth, Harper, Roy and Stirling.
for the amendment	(2)	Councillors Buchan and Lonchay.

The motion was carried in the following terms:-

That the Sub-Committee proceed to consider the substantive application before them.

Thereafter, and having heard from the representative of the Chief Constable, the Sub-Committee **agreed**, by a majority, 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.

(b) Application for a Taxi Driver’s Licence (Case No. 953)

There had been circulated a report dated 21 September, 2018, 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. 953), in respect of which the Chief Constable had made observations 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 consideration of the application be deferred to the next meeting to allow time for pending criminal proceedings to be concluded.

(c) Application for a Taxi Driver’s Licence (Case No. 954)

There had been circulated a report dated 17 September, 2018, 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. 954), in respect of which the Chief Constable had made observations and (2) detailed information relevant to the application.

Thereafter, the Sub-Committee **agreed** unanimously that consideration of the application be deferred to the next meeting to enable the applicant to attend.

(d) Application for a Taxi Driver's Licence (Case No. 955)

There had been circulated a report dated 20 September, 2018, by the Director of Business Services, which (1) requested that consideration be given to an application for a taxi driver's licence (identified as Case No. 955), 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 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 a history of offending.

5. UPDATE ON IMPLEMENTATION OF REVISED TAXI FARE SCALE

With reference to the Minute of Meeting on the Sub-Committee of 24 August, 2018 (Item 7), when approval had been given to the retention of the current taxi fare scale, subject to a number of minor adjustments, there was circulated and **noted** a report dated 2 October, 2018, by the Director of Business Services, which (1) explained that the Council has subsequently received notice from the Office of the Traffic Commissioner that a member of the taxi trade had indicated an intention to appeal against the process and that, as a consequence, the implementation date of the revised scale had been put back to 1 November, 2018, to allow the trade to put the required measures in place.

Thereafter, the Sub-Committee **agreed** that the Chair should speak to the Corporate Communications and Improvement team regarding arrangements for publicising the change of date for implementing the revised scale.

6. LICENSING SUB-COMMITTEE DATES FOR 2019

On consideration of a circulated report dated 20 September, 2018, by the Director of Business Services, it was **agreed** that the Sub-Committee should meet on the following dates:-

1 February, 2019 (10:15am, in Gordon House, Inverurie),
26 April, 2019 (10:15am, in Gordon House, Inverurie),
7 June, 2019 (10:15am, in Gordon House, Inverurie),
23 August, 2019 (10:15am, in Gordon House, Inverurie),
4 October, 2019 (10:15am, in Gordon House, Inverurie),
6 December, 2019 (10:15am, in Gordon House, Inverurie).

Thereafter, the Sub-Committee further **agreed** that officers should arrange a training session for members to take place on 23 November, 2018, at 9:30am.

