

ABERDEENSHIRE COUNCIL

COMMUNITIES COMMITTEE

SKYPE MEETING, 18 FEBRUARY, 2021

Present: Councillors A Stirling (Chair), J Whyte (Vice Chair), A Allan, G Blackett, M Buchan, P Gibb, A Kloppert (as substitute for V Harper), D Mair, I Mollison (as substitute for A Hassan), C Pike, G Reynolds, A Ross and M Roy (as substitute for I Walker).

Apologies: Councillors V Harper, A Hassan, I Walker and S Wallace

Officers: Director of Infrastructure Services, Head of Service (Housing), Interim Head of Service (Lifelong Learning and Leisure), Head of Property and Facilities, Corporate Finance Manager, Strategic Procurement Manager, Housing Manger (Housing), Chief Superintendent G Macdonald, Police Scotland, Local Area Manager, Scottish Fire and Rescue Service, Head of Commercial and Procurement, Business Strategy Manager (Customer and Digital Services), Risk and Resilience Manager, Finance Officer (Strategy and Business Services) (Sheryl Donaldson), Category Manager (Procurement), Communities Benefit and Sustainable Procurement Manager, Team Manager (Property and Facilities), Principal Solicitor (Governance) (Lauren Cowie), and Senior Committee Officer (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 interests 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.

Item No	Paragraph No of Schedule 7A
16	
17	8
18	8
19	4
20	8

3. MINUTE OF MEETING OF THE COMMUNITIES COMMITTEE OF 17 DECEMBER, 2020

The Minute of Meeting of the Committee of 17 December 2020 had been circulated and was **approved** as a correct record to be signed by the Chair.

4. PROGRESS WITH ACTIONS FROM PREVIOUS COMMUNITIES COMMITTEE MEETINGS

There was circulated a report, which updated members on the progress made, against outstanding actions agreed at the meeting of the Communities Committee held on 17 December, 2020. The report also detailed the actions completed since the last meeting.

The Committee **agreed** to acknowledge the position with regard to the progressing of actions from previous meetings and those which had now been completed.

5. QUARTER 3 FINANCIAL PERFORMANCE: COMMUNITIES BUDGET

There was circulated a report dated 21 January 2021, by the Director of Business Services which provided the Committee with the revenue and capital financial performance information for those services which fall within the remit of the Committee, as at 31 December 2020.

The report explained that on 18 March, 2020 Full Council approved a Revenue Budget of £135.292 million in respect of those services for which Communities Committee was responsible. This strategy was revised on 19 November 2020 to take into account the adverse impact of COVID-19 on the income, budget assumptions and savings, which had been factored into the original revenue budget.

The report further explained that Communities Capital Budget for monitoring purposes for 2020/21 was agreed on 8 March 2020 by Council at £7.031 million and this increased to £7.253 million due to £222,000 being carried forward from 2019/20.

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

(1) acknowledge the Revenue and Capital Financial Performance for Quarter 3; and

(2) approve the budget movements as set out in Appendices 2 and 3.

6. FINANCIAL PERFORMANCE TO 31 DECEMBER 2020 – HOUSING REVENUE ACCOUNT

There was circulated a report dated 14 January, 2021, by the Director of Business Services which provided the Committee with the revenue and capital budget monitoring information to 31 December 2020 for consideration.

The report reminded members that the Housing Revenue Account (HRA) Revenue Budget for monitoring purposes for 2020/21 was agreed on 13 February, 2020 by Full Council as breakeven, with £64.513 million of income and expenditure. The phased budgeted income and expenditure on service delivery to the end of December 2020 was a net income position of £21.983 million and the actual was net income of £23.914 million, or £1.931 million more than expected and was detailed in Appendix 1.

The HRA Capital Budget for the year 2020/21 is £64.801 million and was detailed in Appendix 3. To the end of December 2020, capital expenditure amounted to £26.997 million (£9.769 million) or 42% (15% Q2) of budget after nine months. It was anticipated that expenditure would be £27.849 million lower than budget due to the implications of Covid-19 on the delivery of the plan.

The Committee **agreed** to acknowledge the Revenue and Capital budget monitoring to 31 December, 2020.

7. CORPORATE IMPROVEMENT PLAN 2020/21

There was circulated a report dated 21 January 2021, by the Director of Business Services which requested that the Committee note and provide comment on the Corporate Improvement Plan, specifically those actions within the remit of the Communities Committee.

The report explained that at the meeting of the Audit Committee on 17 September 2020 it was agreed to approve the Annual Governance Statement action plan and to receive quarterly progress reports on the Annual Governance Statement. The Corporate Improvement Plan had been developed following discussions with Audit Scotland and the Legal Services Manager (Governance), the Corporate Finance Manager and the Business Strategy Manager and feedback from senior Councillors during the preparation of the Annual Governance Statement. It was noted that concerns had been raised around progressing some actions and a lack of awareness of updates.

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

- (1) to note the Corporate Improvement Plan (“the Plan”) (attached as Appendix 1 to the report) which was presented to Audit Committee on 4 February 2021;
- (2) to receive quarterly updates for monitoring and scrutiny; and

- (3) that exceptional trends in relation to matters within the remit of Communities Committee be advised to Committee by email, rather than waiting until next quarterly report.

8. LIVING WAGE – EMPLOYER ACCREDITATION

There was circulated a report by the Director of Business Services which requested comments on the proposal that the Council progresses submission of a corporate application to become a fully accredited Living Wage employer.

The report explained that those comments would then be made known to Members of the Business Services Committee at their meeting on 25 February 2021 where a final decision on this proposal would be taken.

The report further explained as background that The Council had considered seeking full accreditation as a Living Wage employer with Living Wage Scotland (LWS). To date, Aberdeenshire Council had not progressed full accreditation although the option to do so remained under review. This report sought to confirm the Committee's position with regard to this matter and seek approval to commence the process of corporate accreditation from April 2021. Presently, 22 out of the 32 Scottish local authorities had secured Living Wage employer accreditation status. The report to Business Services Committee was the result of a referral from discussion at the Communities Committee from the meeting on 5 September 2019, a report to Business Services Committee on 23 April 2020, and an updated briefing to Members on 31 December 2020.

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

- (1) in respect of the intention to progress a corporate application to become a fully accredited Living Wage employer under the auspices of Living Wage Scotland, with the accreditation process proposed to commence from April 2021, that the Director of Business Services be advised of the following comments to make known to the meeting of the Business Services Committee on 25 February: Communities Committee would wish this to be put in place as soon as possible; Communities Committee welcomes the investment in staff; the Council should continue to monitor the work of the Scottish Government Unit in the regard; the Council should robustly promote and encourage this to other local businesses and organisations; and the principles of Best Value should continue to be followed in procuring services; and
- (2) an email briefing be provided to Committee detailing comparative costs of the Council paying the Living Wage.

9. SCOTTISH FIRE AND RESCUE SERVICE – LOCAL FIRE AND RESCUE PLAN FOR ABERDEENSHIRE

There was circulated a report dated 21 January 2021, by the Director of Business Services seeking approval of the Aberdeenshire Local Fire and Rescue Plan 2021-2024 and the priorities contained within.

The report explained that the Police and Fire (Reform) Scotland Act 2012 placed a duty on the Scottish Fire and Rescue Service (SFRS) to prepare a local fire and

rescue plan for the local authority area. A robust consultation and engagement process was undertaken by the Local Senior Officer utilising the SFRS consultation hub, involving key internal and external stakeholders for the development of the Aberdeenshire Local Fire and Rescue Plan. This was the third Local Fire and Rescue Plan for Aberdeenshire and built on the previous plans. In developing the plan a review of the 2017-2020 plan was undertaken, this was presented to the meeting of the Communities Committee on 3 September 2020 and the priorities agreed at that meeting had now been developed to produce the Aberdeenshire Local Fire and Rescue Plan 2021-2024. A copy of the plan formed an appendix to the report.

Following discussion, the Committee **agreed** to approve the Aberdeenshire Local Fire and Rescue Plan 2021-2024.

10. SCOTTISH FIRE AND RESCUE SERVICE PERFORMANCE REPORT 1 APRIL TO 30 SEPTEMBER 2020

There was circulated a report dated 25 January 2021, by the Director of Business Services which detailed the Scottish Fire and Rescue Service was performing against key performance measures and associated targets, as set out in the Aberdeenshire Fire and Rescue Plan 2017-20 approved at the meeting of the Communities Committee on 9 December 2017.

This report provided an overview of the Scottish Fire and Rescue Service performance in the Aberdeenshire area for the period 1 April to 30 September 2020. The report gave the opportunity for Members to maintain scrutiny of significant fire and rescue activities, in order to achieve good outcomes for the residents of Aberdeenshire.

The Committee **agreed** to acknowledge the performance report relating to year to date performance for 1 April to 30 September 2020 for the Aberdeenshire area of the Scottish Fire and Rescue Service.

11. POLICE SCOTLAND PERFORMANCE MONITORING AND OPERATIONAL UPDATE

There was circulated a report dated 22 January 2021, by the Director of Business Services on how the Police Service was performing against key performance measures and associated targets, as set out in the Aberdeenshire Police Plan.

The report explained that, in terms of the Police and Fire Reform (Scotland) Act 2012, the respective powers and duties that were relevant to the Committee's consideration of police matters were as follows: The Chief Constable was responsible for: policing of Scotland and must account to the Scottish Police Authority; ensuring adequate arrangements were in place for the policing of each local authority area; designating a constable as Divisional Commander after consultation with the local authority. The Divisional Commander was responsible for: involving the local authority in setting of priorities and objectives for policing of its area; providing to the local authority information it may reasonably require; preparing and submitting a local police plan to their local authority for approval and, if approved, publishing the local police plan; preparing and submitting replacement plan to the local authority for approval, following a review (local police plans must be

reviewed at least once every 3years). The local authority may: monitor and provide feedback to the Divisional Commander on policing of its area; specify policing measures it wished the Divisional Commander to include in a local policing plan.

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

- (1) acknowledge the performance monitoring information relating to the Aberdeenshire component of the North East Division of Police Scotland;
- (2) request the Divisional Commander to continue to report to Committee quarterly on performance measures against service objectives; and
- (3) request that locality maps/information be provided to Area Managers to share with Area Committees on the location of Police Scotland and Scottish Fire and Rescue facilities/services throughout Aberdeenshire.

12. ANNUAL PROCUREMENT PERFORMANCE REPORT 2019 – 2020

There was circulated a report dated 3 February 2021, by the Director of Business Services, which explained that each Scottish Local Authority has a legislative requirement to publish an Annual Procurement Report on its procurement activity, in a format as provided by Scottish Government. The Annual Procurement Report 2019-2020 had been produced in the format required and was attached as an appendix.

This report provided the performance of procurement activity across Aberdeenshire Council. The report had been produced in accordance with the guidance issued by the Scottish Government and included mandatory and optional sections. The report covered all regulated procurements completed from during the financial year 2019-2020; and anticipated future procurements covering the next two years (2021-2023).

The Committee **agreed**:

- (1) to note the content of the Annual Procurement Report 2019/2020 (Appendix A), previously approved at the Business Services Committee on the 7 January 2021; and
- (2) that the reference within the Plan to “under privileged children” be amended to “care experienced young people”.

13. HOUSING ACTION PLAN

There was circulated a report dated 20 January 2021, by the Director of Infrastructure Services which provided an update on the key areas for improvement for the Housing Service arising from the Annual Return on Charter.

The report explained that the Housing Service reported to the Scottish Housing Regulator annually by way of the Annual Return on Charter (ARC). The ARC documented how well the Housing Service was performing against the Scottish Housing Regulator’s Indicators. The Housing Service provided data to two benchmarking organisations throughout the year. The two organisations were Scottish Housing Network and Housemark. Both organisations provided in-depth

analysis of the Housing Service. An Action Plan showing the areas for improvement was attached to the report as an appendix.

The Committee is **agreed** to:-

- (1) acknowledge and approve the Housing Action Plan; and
- (2) receive six monthly updates on the progress of the Action Plan.

14. LIVE LIFE ABERDEENSHIRE PRICING UPDATE

There was circulated a report dated 16 January 2021, by the Director of Education and Children's Services which outlined progress on the interim approach for pricing, suggested an ongoing approach reflecting the existing pandemic circumstances and outlined the future approach to a pricing strategy working in tandem with Education.

The report explained that the Council's charging policy required a formal charging review every three years, with the Live Life Aberdeenshire (LLA) and Education and Children's Services (ECS) review having been due this financial year. Management of the pandemic had made this review impractical in 20/21, therefore the report will highlighted an indicative timetable for this review in 2021/22. Both the Education and Children's Services and Communities Committees were in the process of considering the Education Service Charging Policy, with specific reference to formally linking the LLA and ECS charging policies together as part of the annual review. Should both Committees endorse that approach, it was anticipated that the review of charges would be in a combined ECS and LLA one.

The Committee **agreed**:-

- (1) to continue to endorse the flexible approach to pricing for LLA products and services that had been taken since October 2020 and continue with the agreement to delegate authority to the Head of Live Life Aberdeenshire to approve pricing changes without referring back to Communities Committee until 31 August 2021;
- (2) that the Head of Live Life Aberdeenshire could defer any annual price rise typically implemented on April 1 on a product by product basis until 31 August 2021;
- (3) to endorse the approach and timescale for the formal charges review, as detailed in section 4.7 of the report; and
- (4) to endorse the approach of fully harmonising both the LLA and Education prices.

15. CHARGING POLICY AND UNIT COSTS 2021/22

With reference to the Minute of Meeting of the Aberdeenshire Integration Joint Board (IJB) of 3 February 2021 (Item 13), there was circulated a report dated 17 November 2020, by the Partnership Manager (Business and Strategy), Aberdeenshire Health and Social Care Partnership, which outlined the proposed Charging Policy for Non-

Residential Care and Support and the in-house unit costs for Non-Residential and Residential Care for the year 2021/22.

The report explained that the impact of Covid-19 had had a significant impact on the provision of services for which charges were made. In areas like Respite or Day Care services had either been paused or operated at a significantly reduced capacity. A lower number of service users impacts on the unit costs for these services and at this stage it was not yet clear what the activity levels and cost base of these services would be in the future. The wider economic impact of the Covid-19 pandemic on service users also needed to be considered. For these reasons, it was proposed that rather than undertake a full review of charges for the 2021/22 year, a more pragmatic approach of applying a 2.8% uplift in line with RPI for all charges and unit costs be adopted.

The Committee **agreed** to approve the Charging Policy for Non-Residential Care and Support 2021/22 specifically: the recommendations from the IJB as detailed in Appendix 1; the refreshed charging policy document in Appendix 2; the rates for Charges and Allowances as detailed in Appendix 3; and the Unit Costs as detailed in Paragraph 4.1.

16. RISK PRESENTATION

The Risk and Resilience Manager gave a presentation to the Committee on Risk and Resilience.

The detailed presentation included information on: the formation of the Risk and Resilience Team; Covid-19 challenges; the Risk Management Review; Emergency Planning; and Business Continuity. There followed a question and answer session.

The Committee concurred with the Chair in thanking the Risk and Resilience Manager for an informative presentation.

17. HARD FACILITIES MANAGEMENT UPDATE

There was circulated a report dated 20 January 2021, by the Director of Business Services which provided an update on performance of FES Limited, the term contractor, under the Hard Facilities Management contract.

The Committee **agreed** to:-

- (1) acknowledge the performance of FES Limited under the Hard Facilities Management contract; and
- (2) continue to receive further updates on a six monthly basis.

18. PROCUREMENT PLAN 2021/22 FOR HOUSING AND BUILDING STANDARDS

There was circulated a report dated 20 January 2021, by the Director of Infrastructure Services on the Procurement Plan 2021/22 for Housing and Building Standards.

The report explained that the Procurement Plan, included as an appendix to the report, was the opportunity for the Service to set out what it needs to procure to deliver services for the financial year ahead. Obtaining approval in advance was a mechanism which aided efficiency and ensured that the Service was prepared for what it needed to procure.

The Committee **agreed** to:-

- (1) approve the items in the Procurement Plan in Appendix 1;
- (2) not reserve approval of the Procurement Approval Form for any item on the Procurement Plan where the value of the matter was between £50,000 and £1,000,000;
- (3) acknowledge that the Committee would receive the Procurement Approval Form for approval for any item on the Procurement Plan which was within the Committee's remit and the value of the matter was over £1,000,000;
- (4) approve the Procurement Approval Forms for items on the Procurement Plan which were included at Appendix 2 and Appendix 3 (3.1, 3.2 and 3.3);
- (5) determine whether to reserve the award of the final contract for any item over £1,000,000 and acknowledge that if not reserved the Head of Housing and Building Standards had the delegated authority to award the final contracts.

19. LIVE LIFE ABERDEENSHIRE GRANT FUNDING 2021/2022

There was circulated a report dated 16 January 2021, by the Director of Education and Children's Services on the grant funding proposed for distribution via Live Life Aberdeenshire for 2021/22.

The report explained that the development of an outcome-based scheme named Positive Action Grants was agreed by the Culture and Sport Sub-Committee on 3 December 2019. However, due to the challenges of the pandemic, it was subsequently agreed not to launch the new scheme in the year 2020/21. Small project focused funding could very effectively support a range of health and wellbeing activity as restrictions eased and move from response to recovery.

The Committee **agreed** to:-

- (1) acknowledge the recommendations on funding in the year 2021/22 and note that this was subject to the outcome of the Council's Budget Setting process; and
- (2) approve Option 2, as detailed in the report, as the distribution methodology for the funding available following the budget setting process.

20. ABERDEENSHIRE INTEGRATION JOINT BOARD – ANNUAL PROCUREMENT PLAN DIRECTION

There was circulated a report dated by the Interim Chief Officer, Aberdeenshire Health and Social Care Partnership on 2021/22 Annual Procurement Plan.

The report explained that the Aberdeenshire Integration Joint Board directed Aberdeenshire Council to purchase and enter into contracts with suppliers for the provision of works, goods and services in relation to functions for which it had responsibility. Aberdeenshire Council procured works, goods, and services with support from the Commercial and Procurement Shared Service in accordance with Aberdeenshire Council's Scheme of Governance.

The Committee **agreed** to:-

- (1) note the details included in the Report to the Integration Joint Board entitled '2021-22 Annual Procurement Plan, attached at Appendix 1 and approved by the Integration Joint Board on 3 February 2021;
- (2) implement the Direction from the Integration Joint Board to procure the items in the Work Plan; and
- (3) note that the Committee may reserve the approval of Business Cases for items on the Work Plan with a value of £50,000 up to £1,000,000 and the award of contract with a value over £1,000,000.