

ABERDEENSHIRE COUNCIL
BUSINESS SERVICES COMMITTEE
SKYPE MEETING, 10 JUNE, 2021

Present: Councillors A Kille (Chair), M Findlater (Vice-Chair), J Cox (as substitute for Councillor H Partridge), L Berry, I Davidson, A Duncan, E Durno, A Forsyth, J Hutchison, G Petrie, D Robertson, N Smith, B Topping and R Withey.

Apologies: Councillor H Partridge

Also in attendance: Councillors R Cassie and A McKelvie for items 10 and 11.

Officers: Director of Business Services, Head of Property and Facilities Management, Head of Customer & Digital, Head of Commercial & Procurement Services, Strategic Finance Manager (Finance), Legal Services Manager (Legal and People) and Committee Officer (Kasia Balina).

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. STATEMENT ON EQUALITIES

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
13	8
14	9

3. MINUTE OF MEETING OF THE BUSINESS SERVICES COMMITTEE OF 22 APRIL, 2021

On consideration of the circulated Minute of Meeting of the Committee of 22 April, 2021, Members **agreed** to approve it as a correct record.

4. OUTSTANDING BUSINESS LIST

There was circulated a report by the Director of Business Services, which updated Members on progress made with actions agreed at previous meetings of the Business Services Committee held since 20 February, 2020.

The Director of Business Services introduced the report and provided a verbal update to the Committee which highlighted that the timescale for Item 3 (Digital Strategy for Scotland – Consultation Response) was not known for the national work and suggested that the item should be removed from the outstanding business list and delegated to officers to monitor. Members were also provided with an update on Review on Non-Statutory Ceremony Fees (Item 1), Business Services Directorate Plan 2020-22 (Item 2) and the Internal Catering Services (Item 4).

After consideration, the Committee **agreed**:-

- (1) to note the current position in respect of actions arising at previous meetings; and
- (2) that those actions which had been completed should be removed from the outstanding actions list.

5. COVID-19 VERBAL UPDATE (ORAL REPORT)

The Director of Business Services provided an update on steps taken within the Service to respond to the pandemic situation, with particular reference to services delivered by ICT to support remote working and support provided to staff working from home; as well as the delivery of testing and vaccination program in partnership with NHS Scotland.

The Committee discussed the availability and location of vaccination centres within Aberdeenshire and activities undertaken in response to local outbreaks of Covid-19.

Thereafter, the Committee **agreed** to note the ongoing response of the Service to the Covid-19 pandemic.

6. FINANCIAL PERFORMANCE AS AT 30 APRIL 2021

With reference to the Minute of Meeting of Aberdeenshire Council of 17 March, 2021 (Item 5), when approval had been given to the Business Services Revenue Budget for financial year 2021/2022, there was circulated a report dated 26 May, 2021 by the Director of Business Service, which (1) provided the Committee with financial

performance information on the areas of service delivery for which the Committee had responsibility, and (2) highlighted the financial information and forecast position as at 30 April, 2021.

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

- (1) note the financial information and forecast position, as at 30 April, 2021 and endorse the budget movements detailed in Appendix 4b to the report; and
- (2) note the progress in achieving the agreed savings, as detailed in Appendix 3 to the report.

7. BUSINESS SERVICES DIRECTORATE PLAN 2020-22 - UPDATED DIRECTORATE ACTION PLAN (ABERDEENSHIRE PERFORMS)

With reference to the Minute of Meeting of the Committee of 25 February, 2021 (Item 7), when the Committee (1) approved the Business Services Directorate Plan 2020-2021, (2) acknowledged that there were some areas within the Directorate Action Plan that required further developments, and (3) requested that an update report be brought back to Committee for consideration and approval once that work had been complete, there was circulated a report dated 25 May, 2021 by the Director of Business Services which presented the updated Business Services Directorate Plan and provided more detail in relation to the actions the Service would take in support of the Strategic Priorities set out in the Council Plan 2020-22.

Having considered Members' comments in respect of the internal floor area of operational buildings; percentage of income due from council tax received by the end of the year; percentage of invoices sampled that were paid within 30 days; working in partnership with local businesses to strengthen local supply chains and contribute towards local business growth; and percentage of procurement spend spent on local enterprises, the Committee **agreed** to:-

- (1) note and approve the updated Directorate Action Plan attached, as detailed in Appendix 1 to the report;
- (2) note the actions proposed in relation to the Business Services Local Government Benchmarking Framework (LGBF) Indicators, as detailed in Appendix 2 to the report;
- (3) note that the Director of Business Services would present performance reports to the Committee on a six-monthly basis, evidencing progress and performance with delivery of the Council Plan 2020-2022, with the next report due in November 2021; and
- (4) request that an update on performance measures be brought back to the Committee meeting in September 2021.

8. PARTICIPATION REQUESTS ANNUAL REPORT 2020/21

There had been circulated a report dated 7 May, 2021, by the Director of Business Services which (1) explained the background to the introduction of Participation Requests through the Community Empowerment (Scotland) Act 2015, as a means

by which community groups might request to have involvement in, and influence over, decisions and services affecting communities, (2) advised that every public service authority required to publish a report each year setting out the number of requests received within the reporting period, (4) indicated that, during the reporting period, no Participation Requests had been received by the Council, and (5) had appended a copy of the Participation Requests Annual Report for the period between 1 April, 2020, and 31 March, 2021.

After consideration, the Committee **agreed** to approve the submission of the Participation Request Annual Report 2020/21 to the Scottish Government.

9. CORPORATE IMPROVEMENT PLAN QUARTERLY UPDATE

With reference to the Minute of Meeting of Audit Committee of 20 May, 2021 (Item 13), there had been circulated a report dated 11 May, 2021 by the Director of Business Services providing an update on the implementation of actions in the Corporate Improvement Plan, which incorporated actions from the Annual Governance Statement Action Plan 2019, Annual Governance Statement Action Plan 2020, How Good Is Our Governance 2020 Action Plan and Best Value Action Plan 2020. The report explained that the Audit Committee had previously approved an amalgamation of actions across all plans and that had reduced the total number of actions from 98 to 81 and advised that whilst the number of overdue items had increased from 13 to 25 the number of completed actions had increased from 28 to 39.

Following consideration of Members' comments on the number of overdue actions and a further progress to be made prior to reporting next update to the Committee, the Committee **agreed** to:-

- (1) note the Corporate Improvement Plan ("the Plan"), attached as Appendix 1 to the report;
- (2) note that the Plan had been considered by Audit Committee on 20 May 2021; and
- (3) receive quarterly updates.

10. ANNUAL SCRUTINY REPORT 2020-2021

Councillor Cassie, Chair of the Audit Committee and Councillor McKelvie, Vice Chair of the Audit Committee, were present for this item and took part in the discussion.

There was circulated a report dated 15 May, 2021 by the Director of Business Services, which (1) explained that the Annual Scrutiny Report was part of the monitoring process allowing the Committee to keep track of progress and ensure any agreed actions had been implemented, (2) provided an opportunity for the Committee to reflect on scrutiny undertaken and identify any future scrutiny requirements as part of an annual programme of activity, and (3) provided the Committee with an annual report outlining its scrutiny activity in the period from 1 April 2020 to 31 March 2021.

Following consideration of Members' comments on more detailed information being included in future reports and clearer categories, the Committee **agreed** to note the activities outlined in the report.

11. DRAFT ANNUAL GOVERNANCE STATEMENT 2020/21

With reference to the Minute of Meeting of Audit Committee of 25 March, 2021 (Item 10), when approval had been given to the process and timetable for the preparation of the Annual Governance Statement 2020/21 and the proposed schedule of engagement and dialogue between the Chair and Vice-Chair of the Audit Committee and the Policy Committees, there was circulated a report dated 11 May, 2021 by the Director of Business Services Committee which asked Members to note and comment on the draft Annual Governance Statement 2020/21.

Councillor Cassie, Chair of the Audit Committee, and Councillor McKelvie, Vice Chair of the Audit Committee, were present for this item and took part in the discussion. The Committee heard from the Chair and Vice Chair of the Audit Committee on the work of the Audit Committee, including a self-evaluation exercise undertaken, the process and preparation of the Annual Governance Statement and opportunities to work together to achieve the best outcomes for the authority.

Thereafter, and having considered Members' comments on importance of self-evaluation; more collaborative work and meetings between committees to achieve the best outcomes; and the importance of training provided to new members following Local Government Elections in 2022, the Committee **agreed** to:-

- (1) note the draft Annual Governance Statement ("the draft Statement"), as detailed in Appendix 1 to the report;
- (2) note that the draft Statement was a work in progress and further amendments would be made, as detailed in the report;
- (3) note that the draft Statement would be presented to all other Policy Committees and would be subject to change prior to presentation and sign off at the meeting of the Audit Committee on 1 July 2021;
- (4) note that the Annual Scrutiny Report formed an integral part of the review of annual effectiveness activities and would be included within the Statement; and
- (5) acknowledge details of the Committee's contribution to providing assurance that it had complied with the Code of Corporate Governance and ensured that the Code was operating effectively in practice.

12. UPDATE ON THE CONTRACT REGISTER SYSTEM

With reference to the Minute of the Business Services Committee meeting of 7 January, 2021 (Item 10), when the Committee agreed (1) that the Committee Review Process had concluded and a Stage Two (Workshop) was not required, and (2) that officers report to the Committee, on a six monthly basis, there had been circulated a report dated 12 May, 2021, by the Director of Business Services, which provided an update on the improvement plan in relation to the Contract Register.

After consideration, the Committee **agreed** to note the progress made in relation to the improvement plan agreed within the Stage One report, and implementation of the improvement actions which were outlined within the report.

12A. GAELIC LANGUAGE PLAN 2021-2026 HIGH LEVEL AIMS

Consideration was given to a circulated report dated 2 June, 2021 by the Director of Business Services which sought approval of the draft high level aims which would provide direction for the next version of Aberdeenshire Council's Gaelic Language Plan.

After consideration, the Committee **agreed** to approve the high level aims, outlined in the report, to support the development of the next version of the Council's Gaelic Language Plan.

13. HARD FACILITIES MANAGEMENT (HARD FM) UPDATE

There had been circulated a report dated 12 May, 2021 by the Director of Business Services, which asked Members to consider the performance of FES Limited, the term contractor, under Hard Facilities Management contract.

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

- (1) note the performance of FES Limited under the Hard Facilities Management contract;
- (2) receive further updates on a six monthly basis; and
- (3) instruct Officers to check whether there could be protection introduced in contracts to mitigate against raising prices.

14. PROPOSED SALE OF FORMER FIFE STREET SCHOOL, 108 FIFE STREET, MACDUFF AB44 1NT

There had been circulated a report dated 13 May, 2021 by the Director of Business Services, which sought Members' determination in relation to the agreement by Banff and Buchan Area Committee to refuse permission to sell the Former Fife Street School, Macduff, contrary to Officers' recommendation.

After consideration, the Committee **agreed** to defer consideration of the matter for 1 cycle.

ITEM FOR NOTING

APPENDIX A

MINUTE OF LICENCING SUB-COMMITTEE MEETING

SKYPE MEETING, 4 DECEMBER, 2020

- Present:** Councillors F Hood (Chair), R Bruce, C Buchan (as substitute for Councillor A Forsyth), M Ewenson, V Harper, A Stirling and I Taylor (as substitute for Councillor M Roy).
- Apologies:** Councillors A Forsyth and M Roy.
- Officers:** Principal Committee Officer, Assistant Committee Officer, Solicitor (Amanda de Candia), Trainee Solicitor (Kirsty Street), all representatives from Legal & People.
- In attendance:** Sergeant G Flett, (Police Scotland) and G Ross, Fleet Services Officer (Aberdeenshire Council).

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 Item 5 below, on account of the likely disclosure of confidential information, in breach of the obligation of confidence.

3. MINUTE OF SPECIAL MEETING OF THE SUB-COMMITTEE OF 2 OCTOBER, 2020

On consideration of the circulated Minute of Special Meeting of the Sub-Committee of 2 October 2020, members **approved** it as a correct record subject to Item 6 being amended to reflect the correct dates of meetings for 2021 as follows –

5 February, 2021
23 April, 2021
4 June, 2021
20 August, 2021
1 October, 2021, and
3 December, 2021

4. APPLICATION FOR APPROVAL OF SIGNS AND ADVERTISING ON PRIVATE HIRE CAR VEHICLE

There had been circulated a report dated 18 November, 2020, by the Director of Business Services, which (1) requested that consideration be given to an application for the approval of signs and advertising on an existing Private Hire Vehicle, in respect of which Aberdeenshire Council's Transportation Services' Fleet Manager had lodged an objection, and (2) detailed information relevant to the application.

Having heard from the applicant and from the Fleet Services Officer, the Sub Committee **agreed**:

- (1) by majority to grant the application with the exception of the proposed rear window graphics and signage which were not authorised, and
- (2) that officers report back to the next meeting with an update on the timescale for the review of the Council's Policy on Signs and Advertising on Taxis and Private Hire Cars.

5. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - APPLICATIONS FOR DETERMINATION

(a) Application for Suspension of a Taxi Driver's Licence (Case No. 1005).

There had been circulated a report dated 30 October, 2020, by the Director of Business Services, which (1) requested that consideration be given to an application for the suspension of a taxi driver's licence (identified as Case No. 1005), in respect of which the Chief Constable had lodged an objection and (2) detailed information relevant to the application.

In the absence of the applicant and having heard from the representative of the Chief Constable, the Sub-Committee **agreed** unanimously:

- (1) that the licence conditions had been contravened;
- (2) that the licence holder's behaviour had caused a public nuisance and a threat to public safety;

- (3) that the taxi driver's licence be suspended;
- (4) that the period of suspension should be six months; and
- (5) that the circumstances of the case justified the immediate suspension of the licence.

(b) Application for Renewal of a Taxi Vehicle Licence (Case No. 1006).

There had been circulated a report dated 14 October, 2020, by the Director of Business Services, which (1) requested that consideration be given to an application for the renewal of a taxi vehicle licence (identified as Case No. 1006), in respect of which the Chief Constable had lodged an objection, and (2) detailed information relevant to the application.

Having heard from the applicant's representative and the Chief Constable's representative, the Sub-Committee **agreed** by majority to grant the application for renewal of the taxi vehicle licence for a period of 3 years.

Thereafter, having been advised that the standard time period for grant or renewal of a taxi vehicle licence was 1 year, the Sub-Committee **agreed** unanimously:

- (1) to suspend Standing Order 7.2.1b to review the previous decision on this application; and
- (2) to grant the application for the standard period of 1 year.

(c) Application for Grant of a Taxi Vehicle Licence (Case No. 1007).

There had been circulated a report dated 14 October, 2020, by the Director of Business Services, which (1) requested that consideration be given to an application for the grant of a taxi vehicle licence (identified as Case No. 1007), in respect of which the Chief Constable had lodged an objection, and (2) detailed information relevant to the application.

Having heard from the applicant's representative and the Chief Constable's representative, the Sub-Committee **agreed** unanimously to grant the application for a taxi vehicle licence for the standard period of 1 year.

**6. CONSULTATION ON TRAVELLING FUNFAIRS (LICENSING)
(SCOTLAND) BILL NO 69**

There had been circulated a report dated 27 November, 2020, by the Director of Business Services, which (1) requested that consideration be given to questions asked by the Scottish Parliament's Local Government and Communities Committee in respect of the proposed Travelling Funfairs (Licensing)(Scotland) Bill ("the Bill"), and (2) sought consideration of a draft response on behalf of Aberdeenshire Council, to be lodged by 7th December 2020, as detailed in Appendix 1.

After detailed consideration, the Sub-Committee **agreed**:-

- (1) that representation made by Police Scotland in relation to applications of this type, would need to be determined by the Sub-Committee,
- (2) that evidence relating to the number and content of complaints received should be included in the submission,
- (3) that the proposed £50 fee was not sufficient and should be increased to allow Authorities to achieve full cost recovery,
- (4) that Officers should clarify whether the processing period was proposed to be 21 calendar days or 21 working days, given the time required to process such applications, particularly allowing for any consultation required,
- (5) that public liability insurance should be required for such applications,
- (6) that relationship building should be one of the main aims of the Bill and it was noted that the Bill currently lacked a mechanism for industry and communities to have any concerns raised and to build relationships with applicants, and
- (7) that Officers should -
 - (a) amend the response to reflect the comments of the Sub-Committee;
 - (b) submit the final response by the deadline following consultation with the Chair; and
 - (c) circulate a copy of the final version of the submission to all members of the Sub-Committee, for their information.