

ABERDEENSHIRE COUNCIL

BUSINESS SERVICES COMMITTEE

COMMITTEE ROOM NO. 5, HYBRID MEETING, 23 JUNE, 2022

Present: Councillors M Findlater (Chair), J Cox (Vice-Chair), S Adams (as substitute for Councillor S Burnett), W Agnew (as substitute for Councillor C Miller), D Black, Y Chou Turvey, G Crowson, S Dickinson, J Goodhall, S Logan, D Lonchay, R McKail, G Petrie and C Victor.

Apologies: Councillors S Burnett and C Miller.

Officers: Director of Business Services, Head of Customer & Digital Services, Head of Property & Facilities Management, Head of Finance, Head of Commercial & Procurement, Area Manager (Buchan), Team Manager (Finance), Digital Stakeholder Lead Officer, Legal Service Manager (Ruth O'Hare) 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.

ADJOURNMENT

At this point in the proceedings the meeting was adjourned for a training and development session for substantive and substitute Members of the Committee on the committee and officer roles and responsibilities, including legislative requirements, for delivery of the Service. The meeting reconvened at 11.30 am.

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.

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
17	10
18	8

3. MINUTE OF MEETING OF THE BUSINESS SERVICES COMMITTEE OF 21 APRIL, 2022

On consideration of the circulated Minute of Meeting of the Committee of 21 April, 2022, 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 with actions agreed at previous meetings of the Committee held since 21 April, 2022. With regard to Item 1, it was reported that the matter was completed and could be removed from the list.

Thereafter, the Committee **agreed**:-

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

5. FINANCIAL PERFORMANCE AS AT 31 MAY 2022

With reference to the Minute of Meeting of Aberdeenshire Council of 9 March, 2022, when approval had been given to the revenue, capital and reserves allocations for the Business Services Committee, there was circulated a report dated 19 May, 2022 by the Director of Business Services, which provided the Committee with financial information in relation to expenditure and income for the services for which the Committee had responsibility.

Members made comments regarding the Local Government pay awards for 2022/2023, final reserve figure, Depot Programme being currently subject to review and the New Council Office Programme.

Thereafter, the Committee **agreed** to:-

- (1) note the current Revenue Budget position, as at 31 May 2022, and the financial risks identified;
- (2) note the Capital Budget position, as at 31 May 2022, and the risks identified;

- (3) note the Reserves position, as at 31 May 2022;
- (4) instruct officers to circulate information on Council reserves; and
- (5) information on the Depot Programme (information on final works) and the New Council Office (locality situation) being presented to Area Committees for review.

6. ANNUAL SCRUTINY AND IMPROVEMENT REPORT 2021/22

There was circulated a report dated 7 June, 2022 by the Director of Business Services, which (1) explained that the Scrutiny and Improvement at Aberdeenshire Guidance in Part 4 of the Scheme of Governance required each Committee to consider an Annual Scrutiny and Improvement Report, (2) included highlights of key scrutiny activity undertaken by the Committee over the past year, (3) outlined areas for inclusion in the scrutiny programme for the coming year, and (4) provided the Committee with an annual report outlining its scrutiny activity in the period from 1 April 2021 to 31 March 2022.

The Committee **agreed:-**

- (1) to note the activities outlined in the report;
- (2) to the proposed programme of scrutiny activity for 2022/23; and
- (3) that a procurement compliance workshop be arranged after the summer recess.

7. BUSINESS SERVICES' DIRECTORATE PLAN 2020-22 - YEAR-END PERFORMANCE REPORT - PROGRESS ON PROJECTS/ACTIONS AND PERFORMANCE INDICATORS (APRIL 2021 - MARCH 2022)

With reference to Minutes of Meetings of Committee of (1) 25 February, 2021 (Item 7), when approval had been given to the Business Services' Directorate Plan 2020-22 and (2) 10 June, 2021 (Item 7), when the final Business Services' Directorate Action Plan had been approved, there was circulated a report dated 7 June, 2022, by the Director of Business Services, which provided the Committee with a year-end update on progress made in relation to projects/actions and performance indicators within the Business Services' Directorate Action Plan and also presented details of proposed action in relation to the Local Government Benchmarking Framework (LGBF) Indicator results for 2020/21.

Members were informed that the overall progress of all projects/actions detailed in the Business Services' Directorate Action Plan was steady, with almost half of the projects (13 out of 28) already completed. There were 14 Performance Indicators (PI's) listed in the Business Services' Directorate Action Plan, many of which were statutory performance indicators and were reported annually. Overall performance was stable or improving with seven PI's showing as green. For the four PI's showing as red, although the results were below target, progress had been made and all were showing as "improving".

Performance in relation to the Local Government Benchmarking Framework Indicators had remained steady over the last two years. Ten indicators were showing as green and six were red with four showing improvements on the previous year (2019/20) results.

Having considered Members' comments on the categories used in the wellbeing employee survey, challenges with recruiting people in relation to future service provision and workforce requirements and staff absence, the Committee **agreed** to:-

- (1) acknowledge progress made in relation to the projects/actions and performance indicators contained within the Business Services' Directorate Action Plan which supported the Council Plan 2020-22, outlined in Appendices 1 and 2 to the report;
- (2) note the comments and proposed actions in relation to the Business Services' Local Government Benchmarking Framework (LGBF) Indicators, detailed in Appendix 3 to the report;
- (3) instruct the Director of Business Services to continue to present performance reports to the Committee on a six-monthly basis, in line with the Performance Management Framework, evidencing progress and performance with delivery of the Council Plan; and
- (4) instruct officers to provide the Committee with the detailed information on sickness absence.

8. CORPORATE IMPROVEMENT PLAN QUARTERLY UPDATE

There was circulated a report dated 6 June, 2022, 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 Plans, Annual Governance Statement Action Plans, How Good Is Our Governance Plan and Best Value Plan.

The report explained that since reporting commenced at the beginning of 2021, there had been a significant amount of work undertaken across Services and the vast majority of actions were complete. Increased monitoring and scrutiny had influenced pace and had focused attention on completing actions.

Following consideration of Members' comments on the working with citizens to help them to realise their digital aspiration and a good availability of funding streams on a local level, the Committee **agreed** to:-

- (1) note the Corporate Improvement Plan as detailed in Appendix 1 to the report;
- (2) note that the Corporate Improvement Plan would be considered at the meeting of the Audit Committee on 29 June, 2022; and
- (3) receive six-monthly updates.

9. CONSULTATION RESPONSE: SCOTTISH PARLIAMENT CALL FOR VIEWS ON THE NATIONAL PERFORMANCE FRAMEWORK: AMBITION INTO ACTION

There was circulated a report dated 10 May, 2022, by the Director of Business Services, which presented the Aberdeenshire Council response to the Scottish Parliament Call For Views on the National Performance Framework as detailed in Appendix 1 to the report.

The Committee **agreed** to note the Council response to the Scottish Parliament Call for Views on the National Performance Framework that had been submitted under delegation, following consultation by the Head of Customer and Digital Services on 14 April 2022.

10. PARTICIPATION REQUESTS ANNUAL REPORT 2021/2022

There had been circulated a report dated 12 May, 2022, by the Director of Business Services, which (1) explained the background to the introduction of Participation Requests through the Community Empowerment Act, 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, (3) indicated that, during the reporting period, no Participation Requests had been received by the Council, and (4) had appended a copy of the Participation Requests Annual Report for the period between 1 April 2021 and 31 March 2022.

Having considered Members' comments regarding the indicators measuring the level and quality of participation, direct engagement with local communities and how to raise the level of awareness of participation requests among communities, the Committee **agreed** to approve the submission of the Participation Request Annual Report 2020/21 to the Scottish Government and publication on the Council's website.

11. ABERDEENSHIRE'S DIGITAL STRATEGY IMPLEMENTATION UPDATE

With reference to the Minutes of Meetings of Committee of (1) 7 January, 2021 (Item 6), when approval had been given to the Aberdeenshire's Digital Strategy 2020-2025, and (2) 8 January, 2022 (Item 8), when the progress made in relation to implementing Aberdeenshire's Digital Strategy had been presented to the Committee, there was circulated a report dated 16 May, 2022 by the Director of Business Services, which (a) provided a background to the holistic approach to Digital Inclusion across Aberdeenshire's Health and Social Care partnership, and (b) set out the key areas of progress across the suite of projects which received funding under the Digital Strategy package of support.

The Committee **agreed**:-

- (1) to note the update report; and

- (2) that the information contained in the report be submitted to all Area and Policy Committees in the form of a formal report.

The Committee **agreed** to suspend Standing Order 2.1.2, in order to allow the meeting to continue beyond 1.00p.m.

12. ADOPTION OF ALL-PARTY PARLIAMENTARY GROUP (APPG) DEFINITION OF ISLAMOPHOBIA

There was circulated a report dated 3 May, 2022, by the Director of Business Services, which asked Members to consider adopting the All-Party Parliamentary Group (APPG) definition of Islamophobia. The adoption of the definition would support the Council in discharging the Public Sector Equality Duty and aligned with the Equality Outcomes agreed by Full Council on 23 September 2020.

Councillor Dickinson, seconded by Councillor Lonchay, moved to defer consideration of the report for one cycle to allow the officers to consider any negative consequences of adopting the definition of Islamophobia.

As an amendment, Councillor Petrie, seconded by Councillor Victor, moved to support the recommendation contained in the report to adopt the definition of Islamophobia and accompanying guidelines.

Members of the Committee voted:

for the motion	9	Councillors S Adams, Agnew, Cox, Dickinson, Findlater, Goodhall, Lonchay, McKail and Turvey.
for the amendment	5	Councillors Black, Crowson, Logan, Petrie and Victor.

The motion was carried and the Committee **agreed** to:-

- (1) note the UK All-Party Parliamentary Group (APPG) definition of Islamophobia and accompanying guidelines as detailed in this report; and
- (2) defer consideration of the report for one cycle to allow the officers to consider any negative consequences of adopting the definition of Islamophobia.

13. SURPLUS PROPERTY POLICY

With reference to the Minute of Meeting of the Policy and Resources Committee of 9 June, 2016, when approval had been given to the Surplus Property Policy, there was circulated a report dated 26 May, 2022, by the Director of Business Services, which sought Members' approval to the Draft Revised Surplus Property Policy.

The report explained the principal differences between the new and existing policies.

If approved, the new Policy would replace the existing one, approved by the Infrastructure Services Committee in 2016, and also the Policy on the Disposal of Public Open Space and Amenity Ground, the date and origin of which were unclear, although it appeared to relate to some historic principles adopted by Landscape Services in considering land disposals.

The Draft Revised Surplus Property Policy was the subject of reports to all Area Committees in late January and early February 2022 seeking the formal comments of each Committee for submission to Business Services Committee when considering a report on the proposed policy. As part of the report to each Area Committee the comments from the workshops held late April and May 2021 with that Committee were addressed in accordance with the previous undertaking given by the Estates Manager.

Having considered Members' comments regarding the monitoring of the condition of a property, disposal decision processes and property value, timelines put in place to speed up the process of disposal, the Common Good properties list and involvement of local communities in planning process through Community Council forums, the Committee **agreed** to approve the Draft Revised Surplus Policy, as detailed in Appendix 1 to the report.

14. PUBLIC CONVENIENCES - FUTURE SERVICE DELIVERY

There was circulated a report dated 27 May, 2022 by the Director of Business Services, which proposed a revised governance model for the management of public conveniences across Aberdeenshire that would enable a service that could respond to evolving need for facilities and that public toilets were comfortable, clean, safe, functional and accessible.

The report advised that there were 69 public conveniences across Aberdeenshire. The facilities were generally provided in larger settlements and at recognised tourist routes and other attractions. In order to maximise impact of public conveniences across Aberdeenshire, it was proposed that all facilities would be managed through one Directorate and that the Head of Property and Facilities Management should have delegated authority and management for all public convenience assets across Aberdeenshire bringing together facilities managed by Property and Facilities and Landscape Services. That would allow a uniform delivery from a Council wide perspective and cleaning regimes and opening hours to be consistent across Aberdeenshire.

Having considered Members' comments regarding the differences in cleaning and maintenance costs across Aberdeenshire and examples of public conveniences not included in the report, the Committee **agreed**:-

- (1) in principle, that the Head of Property and Facilities be given delegation for the management of all Aberdeenshire Council owned public conveniences and to recommend to Procedures Committee that the necessary amendments be made to the Scheme of Governance to facilitate that; and

- (2) to instruct the Head of Property and Facilities to lead on the development of a Public Conveniences Strategy, in accordance with the Policy Development and Review Framework, and that this strategy be reported to a future meeting of the Business Services Committee, following consideration by Area Committees.

15. APPOINTMENT OF BUSINESS SERVICES SUB-COMMITTEES

A report dated 24 May, 2022 by the Director of Business Services had been circulated inviting the Committee to consider whether it wished to reappoint the Sub-Committees previously established under the Committee and, if so, to agree membership of the Sub-Committees.

The groups were detailed in an appendix to the report, namely: the Employee Joint Consultative Committee, the Licensing Sub-Committee and the Conciliation Sub-Committee.

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

- (1) re-establish the Employee Joint Consultative Committee, the Licensing Sub-Committee and the Conciliation Sub-Committee.
- (2) appoint members to the Employee Joint Consultative Committee, Licensing Sub-Committee and Conciliation Sub-Committee as follows:

Employee Joint Consultative Committee substantive members – Councillors S Adams, Blackett, Cassie, Davidson, Evison, Findlater, Lang, McKail, Reynolds and Stirling.

Licensing Sub-Committee substantive members – Councillors Crowson, Ewenson, Gifford, Mason, McWhinnie, Menard, Nicol, Stirling.

Licensing Sub-Committee substitute members – Councillors Grant, David Mair, S Smith and 5 other members from the Administration, names to be advised.

Conciliation Sub-Committee – Councillors Cox, Findlater, Kloppert, Logan, Owen, Petrie, Stirling, Turner; and

- (3) note that the membership of the Sub-Committees was based on the proportionality model approved by the Full Council on 19 May 2022, namely that an 8 Member group comprise 5 Administration members and 3 Opposition Coalition members; and a 5 Member group comprise 3 Administration members and 2 Opposition Coalition members.

16. FUTURE MEETING ARRANGEMENTS

With reference to the Minute of Meeting of Aberdeenshire Council of 23 September, 2021 (Item 13), when it had been agreed to introduce a Choice Based Blended Model of Fully Virtual and Hybrid Meetings, which incorporated the principle that

meeting groups should be able to choose how they want to meet, there was circulated a report dated 27 May, 2022, by the Director of Business Services, which (1) informed Members that work was ongoing to develop an options appraisal for upgrading Council venues to provide a high quality hybrid experience, and (2) asked the Committee to confirm preferred arrangements for meetings for 2022/2023, having regard to existing limitations including availability of audio visual equipment and staffing resources.

The Committee **agreed**:-

- (1) to note the options for fully virtual and hybrid meetings of the Committee as outlined in section 3 of the report; and
- (2) the hybrid option as preferred arrangement for the meetings listed in Appendix 1 to the report.

17. WOODHILL HOUSE COUNCIL CHAMBER - HYBRID WORKING

With reference to the Minute of Aberdeenshire Council of 28 April, 2022 (Item 11), when it had been agreed that upgrade works should be progressed to the Council Chamber in order to facilitate hybrid meeting arrangements and that approval for the procurements of said works would be reported to Business Services Committee, as the Policy Committee with the remit for Property and Facilities Management, there was circulated a report dated 31 May, 2022, by the Director of Business Services, which sought approval to proceed to tender for the works, with an outline of what would be required including installation of additional power points, upgrades to existing microphones, speakers, cameras and screens, and consideration of network capacity.

The Committee **agreed** to: -

- (1) approve the scope of the upgrades to the Council Chamber, as set out in paragraph 3.4 within the report;
- (2) approve the Procurement Plan and Procurement Approval Form, as presented in Appendices 1 and 2 to the report;
- (3) note that the Committee would be asked to award the contract in the event that the contract value exceeded more than 25% of the value approved by Committee; and
- (4) note that an update would be provided to the meeting of Full Council in September 2022 as part of the options analysis of Council meeting venues.

18. BUSINESS SERVICES' DIRECTORATE SUPPLEMENTARY PROCUREMENT PLAN - 2022/23 - PROCUREMENT APPROVAL

Consideration was given to a circulated report dated 7 June, 2022, by the Director of Business Services, which (1) advised that the Scheme of Governance provided that Committee approval was required for expenditure of £50,000 or more on the

purchase of goods, works and services from external suppliers via the Procurement Plan, as the first stage of the procurement approval process, and (2) had appended the Procurement Plan for a number of items, as detailed in Appendix 1 to the report. The Committee **agreed**:-

- (1) to approve the items within the Supplementary Procurement Plan for 2022/23, as detailed in Appendix 1 to the report;
- (2) to approve the Procurement Approval Form (PAF) for Item 3.2 approved at the meeting of the Committee on 24 February, as detailed in Appendix 3 to the report;
- (3) not to reserve approval of the Procurement Approval Form for any item with a value up to £1,000,000;
- (4) to approve the Procurement Approval Form (PAF), attached as Appendix 4 to the report;
- (5) not to reserve the award of the contract for any item with a contract value of over £1,000,000; and
- (6) to acknowledge that the respective Heads of Service for Customer and Digital Services, Legal and People and Property and Facilities Management had the delegated authority to award the final contracts of items with a contract value up to £1,000,000 (and those items with a contract value that exceeded £1,000,000 where the Committee had not reserved the right to award the final contract).