

ABERDEENSHIRE COUNCIL

BUSINESS SERVICES COMMITTEE

WOODHILL HOUSE, ABERDEEN, 13 SEPTEMBER, 2018

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

Apology: Councillors F C P Hood and H Partridge.

Officers: Director of Business Services, Head of Service (Property & Facilities Management), Head of Service (ICT), Corporate Finance Manager, Principal Solicitor (L Cowie) and Principal Committee Officer.

In attendance: Mr Samuel Rojas, Sign Language Interpreter (Item 4)

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked members if they had any interests to declare, in terms of the Councillors' Code of Conduct, and no declarations were intimated.

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
7	8
8	9
9	8

3. MINUTE OF MEETING OF THE BUSINESS SERVICES COMMITTEE OF 14 JUNE, 2018

The Minute of Meeting of the Committee of 14 June, 2018 had been circulated, was **approved** as a correct record and thereafter signed by the Chair.

4. BRITISH SIGN LANGUAGE LOCAL PLAN 2018 – 2024

The Chair welcomed Mr Samuel Rojas, sign language interpreter, who was in attendance to sign the discussion on this item.

There had been circulated a report dated 27 July 2018 by the Director of Business Services seeking approval of the Aberdeenshire British Sign Language (BSL) Local Plan 2018 – 2024 and arrangements for reporting progress on implementation on a biennial basis as part of the Equality Outcomes Monitoring report. The report explained that (1) the British Sign Language (Scotland) Act 2015 placed a legal duty on each public body to produce a local plan demonstrating how the organisation would work towards the national long term goals through locally delivered services; (2) the plan was intended to further enhance the council's existing arrangements in place to enable BSL users to engage and participate with the council and the services provided, to help raise awareness of the unique culture and identity of the D/deaf and Deafblind BSL community and help officers to reflect this within service planning and delivery appropriately; and (3) a consultation exercise had been undertaken with user groups and Area Committees on the draft plan and included responses received.

The Director of Business Services introduced the report, advised that the legislation did not require formal monitoring of the plan but that it was proposed that this would be done through the Equality Outcomes Monitoring report and responded to questions from Members on access to work including ongoing support for BSL users, how the success of the plan would be quantified and measured and engagement with schools and other partner organisations.

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

- (1) to approve the Aberdeenshire British Sign Language (BSL) Local Plan 2018-2024;
- (2) to receive a progress report in 12 months; and
- (3) that the Director report back, following consultation with Area and Policy Committees and the Integration Joint Board, with details of the implementation/action plan for delivery to include proposals for monitoring, measures of success and resources.

5. BUSINESS SERVICES FINANCIAL MONITORING TO 30 JUNE 2018

There had been circulated a report, dated 17 August 2018, by the Director of Business Services, which advised the Committee that the Council's Scheme of Governance aligned service budget responsibility with Policy Committee responsibility and the report contained revenue and capital budget financial monitoring information in respect of those functions under the remit of the Business Services Committee as at 30 June 2018. The report also provided accompanying narrative which detailed budget variances and proposals for a number of budget virements.

The report explained that the Business Services revenue budget for monitoring purposes for 2018/19 was £37,371,000 and that the virements proposed in the report would reduce the budget to £36,397,000. The forecasted position to the end of June 2018 was £36,644,000, or £247,000 higher than budget. Funding from reserves of £247,000 would reduce the overspend to zero. It was noted that included in the forecast were a number of assumptions and

risks attached which would be closely monitored and forecasts might fluctuate throughout the year as the savings were rolled out.

With regards to capital expenditure, the Business Services revised capital budget for the year 2018/19 was £26,342,000 which would alter during the year, as and when changes to the profile of capital expenditure from one year to another was agreed and adjusted. The report detailed the overall capital expenditure budget to the end of June 2018, forecasted to be £24,479,000, which was £1,863,000 less than the revised budget figure and provided reasons for major variances.

The Director of Business Services presented the report and responded to questions on the difference between revised and forecast revenue budget figures, the proposed use of reserves to address revenue budget overspend and the break even forecast included at paragraph 4.2, profit share proposals in respect of printing and increase in budget in respect of new Council Office project.

The Committee **agreed:-**

- (1) noted the revenue and capital budget monitoring as at 30 June 2018; and
- (2) to approve the revenue budget virements set out in Appendix 3 to the report.

6. OUTTURN REVIEW OF THE PERFORMANCE OF THE TREASURY MANAGEMENT FUNCTION FOR THE PERIOD 1 APRIL 2017 TO 31 MARCH 2018

There had been circulated a report dated 13 July 2018 by the Director of Business Services detailing performance and compliance in respect of the Council's Treasury Management function for the period 1 April 2017 to 31 March 2018.

The report (1) explained that each year the long term borrowing requirements of the Council were identified as part of the Council's Medium Term Financial Strategy (MTFS); (2) advised that the current Strategy was to utilise internal balances to fund capital activity and only undertake long term borrowing when prudent, thereby securing low rates whilst minimising interest rate and credit risk; (3) detailed long term borrowing activity for the 2017/18 financial year; (4) confirmed that, during the reporting period, there had been no instances of breach or non-compliance with the Treasury Management Strategy; (5) detailed approved indicators for 2017/18 and actual outturn; and (6) confirmed that the Investment Policy complied with the Local Government Investments (Scotland) Regulations 2010 (the Investment Regulations) and the associated consent to invest now incorporated shareholdings, loans to third parties and investment properties and provided details of the performance of those investments.

Having heard from the Corporate Finance Manager, the Committee **agreed:-**

- (1) to note the contents of the report; and
- (2) that future reports on the performance of the Treasury Management function include information on debt profiling.

7. 18351 PHOTOVOLTAIC INSTALLATION PHASE 2 (ADDITIONAL WORKS)

There had been circulated a report dated 14 June 2018 by the Director of Business Services seeking approval of the addition of an item to the Business Services Directorate Annual Work Plan for 2018/2019 including the Business Case attached at Appendix B for the installation of photovoltaic panels on an additional 8 buildings, 6 schools and 2 sports centres, as detailed in the report.

Having heard from the Head of Service (Property and Facilities Management), the Committee **agreed:-**

- (1) to approve the addition of the item to the Business Services Directorate Annual Work Plan 2018/19;
- (2) to approve the Business Case attached at Appendix B; and
- (3) that a briefing note be provided to Members on roof space availability; grid connections and resources, to include borrowing costs where appropriate; availability/use of carbon budget funding and use of interest free loans for such projects.

8. DISPOSAL OF VACANT PROPERTY

With reference to the Minute of Meeting of the Committee of 8 March 2018 (Item 4), when it had been agreed that an update report be provided on the disposal of land or buildings which had not been used or had been empty for over a year, there had been circulated a report dated 4 June 2018 by the Director of Business Services which (1) reminded Members of the Council's approved Property Disposal Procedure; (2) included specific details of those assets vacant for more than one year; (3) provided an overview of all of the Council's vacant properties; and (4) advised that Area Committees had been consulted on the content of the report and any comments received had been included for consideration.

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

- (1) to note the work undertaken;
- (2) that Ward 15 members be provided with an update on disposal of the vacant property at Beltie Road, Torphins; and
- (3) that a briefing note be issued to Members to include an update on disposal options (including auctions), title issues (including plans for use of properties where title issues remained unresolved) and maximising income.

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 Work Plan for the Business Services Directorate for the financial year 2018/19, there was circulated a report dated 28 August, 2018, by the Director of Business Services, seeking the proposed addition of 6 items to the Directorate Annual Work Plan for 2018/19 and the approval of the Business Case for the Telephony Contract for Landlines and Mobiles, as detailed in the Appendices attached to the report.

The Director of Business Services introduced the report and responded to questions on contract details and timescales and the limited time provided to Members to consider and seek reassurance on the proposals. Thereafter, the Committee **agreed:-**

- (1) to approve the addition of the 6 items to the Directorate Annual Work Plan for 2018/19;
- (2) to approve the Business Case attached for Telephony – Landlines and Mobiles;
- (3) that a briefing note be issued to Members to include (a) further analysis undertaken in respect of the confidential waste contract, (b) proposals, timescales and minimum mobile coverage specified for the telephony landline and mobile phone contract, (c) further detail relating to the Contact Centre contract, and (d) timescale for delivery of the Education and Office Furniture contract; and
- (4) to note the Director's reassurance that action would be taken to improve reporting arrangements in future to provide adequate time for Member engagement and scrutiny of procurement proposals.

10(a). MINUTE OF MEETING OF LICENSING SUB-COMMITTEE OF 15 JUNE 2018

The Committee **noted** the Minute of Meeting of the Licensing Sub-Committee of 15 June 2018, as detailed in the Appendix to this Minute.

APPENDIX

ABERDEENSHIRE COUNCIL

BUSINESS SERVICES COMMITTEE

LICENSING SUB-COMMITTEE

GORDON HOUSE, INVERURIE, 15 JUNE, 2018

Present: Councillors F C P Hood (Chair), C C Buchan (as substitute for Councillor A E M Evison), R E Bruce, A C Forsyth, D-P L G Lonchay, D G Robertson, M J Roy and E A Stirling.

Apologies: Councillor A E M Evison.

Officers: Committee Officer (A Ziarkowska), Legal & Governance, and Solicitor (I Meredith), Legal and Governance.

In attendance: Sergeant Kim Wood (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.

Councillor Roy declared an interest in respect of Item 8, by virtue of the fact that the applicant was a constituent of his and of whose business he was aware. However, having applied the objective test, he concluded the interest was not clear and substantial, and he would remain and participate in the item.

Thereafter, Councillor Buchan declared an interest in respect of Item 9, by virtue of the fact that the applicant was a constituent of his and of whose business he was aware. However, having applied the objective test, he concluded the interest was not clear and substantial, and he would remain and participate in the item.

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 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 Items 4 – 9 below on account of the likely disclosure of confidential information in breach of the obligation of confidence.

3. MINUTE OF MEETING OF THE LICENSING SUB-COMMITTEE OF 20 APRIL, 2018

There had been circulated and was **approved** as a correct record, the Minute of Meeting of the Licensing Sub-Committee of 20 April, 2018.

4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – APPLICATION FOR THE GRANT OF TAXI DRIVER'S LICENCE (CASE NO. 945)

There had been circulated a report dated 29 May, 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. 945), 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 allow time for further information to be provided on the progression of suggested criminal proceedings against the applicant.

5. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – APPLICATION FOR THE GRANT OF TAXI DRIVER'S LICENCE (CASE NO. 946)

There had been circulated a report dated 28 May, 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. 946), 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 Chief Constable's representative, the Sub-Committee **agreed** to refuse the application for a taxi driver's licence on the basis that the applicant, on the evidence produced by Police Scotland, was not a fit and proper person to hold a licence by reason of his conduct and recent allegations.

6. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – APPLICATION FOR THE GRANT OF TAXI DRIVER'S LICENCE (CASE NO. 947)

There had been circulated a report dated 21 May, 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. 947), and (2) detailed information relevant to the application.

Having heard from the applicant, it was confirmed that residency could only be determined for the period to 22 December, 2018 which was less than the standard licence period.

The Sub-Committee unanimously **agreed** to grant the application for a taxi driver's licence for the period to 22 December, 2018.

7. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – REQUEST FOR THE RENEWAL OF TAXI DRIVER’S LICENCE (CASE NO. 948)

There had been circulated a report dated 24 May, 2018 by the Director of Business Services, which (1) requested that consideration be given to an application for the renewal of at Taxi Driver’s Licence, (identified as Case No. 948), in respect of which the Chief Constable had made representation, and (2) detailed information relevant to the application.

Having heard from the applicant, and the Chief Constable’s representative, the Sub-Committee unanimously **agreed** that the licence be granted for a period of one year.

8. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – REQUEST FOR THE RENEWAL OF TAXI DRIVER’S LICENCE (CASE NO. 949)

There had been circulated a report dated 28 May, 2018 by the Director of Business Services, which (1) requested that consideration be given to an application for the renewal of at Taxi Driver’s Licence, (identified as Case No. 949), in respect of which the Chief Constable had made representation, and (2) detailed information relevant to the application.

Having heard from the applicant’s agent, and the Chief Constable’s representative, the Sub-Committee unanimously **agreed** that the licence be granted for a period of three years.

9. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – REQUEST FOR THE RENEWAL OF TAXI VEHICLE LICENCE (CASE NO. 950)

There had been circulated a report dated 30 April, 2018 by the Director of Business Services, which (1) requested that consideration be given to an application for the renewal of at Taxi Vehicle Licence, (identified as Case No. 950, and (2) detailed information relevant to the application.

Having heard from the applicant, the Sub-Committee unanimously **agreed** that the licence be granted for a period of one year.