

## **ABERDEENSHIRE COUNCIL**

**WOODHILL HOUSE, ABERDEEN (WITH VIRTUAL ATTENDEES)**

**THURSDAY, 19 MAY, 2022**

**Present:** Councillors S Adams, W Agnew, D Aitchison, N Baillie, D Beagrie, A Bell, D Black, G Blackett, S Brown, A Buchan, S Burnett, L Carnie, G Carr, R Cassie, Y Chou Turvey, J Cox, J Crawley, G Crowson, I Davidson, S Dickinson, E Durno, A Evison, M Ewenson, M Findlater, A Forsyth, J Gifford, J Goodhall, M Grant, A Hassan, M James, P Johnston, F Joji, D Keating, A Kloppert, L Knight, G Lang, S Logan, D A E Mair, D Mair, T Mason, L McAllister, R McKail, L McWhinnie, R Menard, C Miller, J Nicol, G Owen, S Payne, G Petrie, H Powell, G Reid, G Reynolds, D Ritchie, A Simpson, C Simpson, H Smith, S Smith, K Stelfox, A Stirling, M Sullivan, I Taylor, A Turner, C Victor, I Walker, J Whyte and R Withey.

**Apologies:** Councillors J Adams, G Hall, D Lonchay and A Ross.

**Officers:** Chief Executive, Director of Business Services, Director of Education and Children's Services, Director of Environment and Infrastructure Services, Chief Officer, Health and Social Care Partnership, Head of Legal and People, Head of Finance, Head of Customer & Digital Services and Principal Committee Services Officer.

### **1. COUNCILLORS ELECTED ON 5 MAY 2022**

The Chief Executive, as Returning Officer, took the Chair and welcomed all new and returning councillors. He reported that the members returned for the 19 electoral wards of Aberdeenshire Council were as detailed in the Appendix to this Minute, noting a correction in respect of Councillor Blackett who should be shown as an Independent.

### **2. DECLARATION OF MEMBERS' INTERESTS**

The Returning Officer asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct. No interests were declared.

### **3. APPOINTMENT OF PROVOST**

The Returning Officer called for nominations for the appointment of Provost of the Council.

Councillor Findlater, seconded by Councillor Stirling, moved that Councillor Whyte be appointed as Provost of the Council.

Councillor Petrie, seconded by Councillor Evison, moved that Councillor S Smith be appointed as Provost of the Council.

The members of the Council voted:-

for Councillor Whyte	(42)	Councillors S Adams, Agnew, Beagrie, Bell, Blackett, Brown, Burnett, Carnie, Carr, Chou Turvey, Cox, Crawley, Davidson, Dickinson, Ewenson, Findlater, Gifford, Goodhall, Hassan, James, Keating, Knight, Lang, Doreen Mair, Mason, McKail, Menard, Miller, Owen, Payne, Powell, Ritchie, A Simpson, C Simpson, H Smith, Stirling, Sullivan, Taylor, Turner, Walker, Whyte and Withey.
for Councillor S Smith	(23)	Councillors Aitchison, Baillie, Black, Cassie, Crowson, Durno, Evison, Forsyth, Grant, Johnston, Joji, Kloppert, Logan, David Mair, McAllister, McWhinnie, Nicol, Petrie, Reid, Reynolds, S Smith, Stelfox and Victor.
declined to vote	(1)	Councillor Buchan

Councillor Whyte was duly appointed Provost of the Council and took the Chair.

The Provost paid tribute to her predecessor, former Councillor Bill Howatson, and stated that it was an honour and privilege to accept the appointment as Provost. She thanked the residents of Aberdeenshire for participating in the recent local government election, thanked the Returning Officer and his staff for running the election, welcomed all new and returning councillor colleagues and encouraged all Members of the Council to work fairly together to serve the people of Aberdeenshire.

#### **4. PUBLIC SECTOR EQUALITY DUTY**

In making decisions on the following items of business, the Council **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.
- (2) where an Integrated Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.

#### **5. APPOINTMENT OF DEPUTY PROVOST**

The Provost called for nominations to the position of Deputy Provost and Councillor McKail was duly appointed.

Councillor McKail stated that it was an honour and privilege to be appointed for the second time to the position of Deputy Provost and that he would do his best to support the Provost to promote Aberdeenshire.

## **6. APPOINTMENT OF LEADER**

The Provost called for nominations to the position of Leader of the Council and Councillor Findlater was duly appointed.

The Leader of the Council paid tribute to his predecessor, former Councillor Kille, and thanked members for placing their trust in him as Leader of the Council.

The Leader of the Opposition congratulated the Provost, Deputy Provost and Leader on their appointment and welcomed the opportunity to work together progressively and proactively with the Council's new leadership for the benefit of all residents.

## **7. APPOINTMENT OF DEPUTY LEADER**

The Provost called for nominations to the position of Deputy Leader of the Council and Councillor Stirling was duly appointed.

The Deputy Leader congratulated the Provost, Deputy Provost and Leader on their appointment and confirmed that she was delighted to accept the appointment as Deputy Leader. She thanked colleagues for their support and stated that it was a privilege to be in a position to contribute and effect change for the benefit of Aberdeenshire communities and pledged to work collaboratively and effectively with her colleagues in the administration and with all other members of the Council.

## **8. MINUTE OF MEETING OF ABERDEENSHIRE COUNCIL - 28 APRIL, 2022**

There had been circulated and was **approved** as a correct record the Minute of Meeting of Aberdeenshire Council of 28 April, 2022.

## **9. APPOINTMENT OF COMMITTEES, CHAIRS AND VICE CHAIRS**

A report dated 10 May, 2022, by the Director of Business Services had been circulated requesting the Council to (a) agree the composition of meeting groups in accordance with the recommendations on proportionality contained in the supplementary paper tabled at the meeting, (b) appoint the Chairs and Vice Chairs of the four Policy Committees, the Audit Committee, Miscellaneous Committees and the Office Space Strategy Working Group, (c) appoint members to Joint Boards and Joint Committees, (d) approve arrangements for the appointment of religious and teacher representatives to the Education and Children's Services Committee, and (e) approve arrangements for the appointment of members to the School Placings and Exclusions Appeal Committee.

The Head of Legal and People introduced the report and the Council **agreed** to:

- (1) approve the composition of the Policy Committees and the Audit Committee on the basis of a one member one committee approach as follows –

<b>Political Groups</b>	<b>Business Services</b>	<b>Education and Children's Services</b>	<b>Infrastructure Services</b>	<b>Communities</b>	<b>Audit</b>
SCU, Lib Dem, Admin Ind	9	9	10	9	9
SNP, DIG	5	5	4	5	4
Individual	0	0	0	0	1
<b>Totals</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>14</b>

- (2) approve the composition of all 14 member, 8 member and 5 member model groups for Miscellaneous Committees, Sub-Committees and Working Groups as follows –

<b>Political Groups</b>	<b>14 member</b>	<b>8 member</b>	<b>5 member</b>
SCU, Lib Dem, Admin Ind	9	5	3
SNP, DIG	5	3	2
Individual	0	0	0

- (3) appoint Chairs and Vice Chairs and Members to Joint Committees and Joint Boards as follows –

- (i) Audit and Policy Committees

<b>Committee</b>	<b>Chair</b>	<b>Vice Chair</b>
Audit	Councillor Cassie	Councillor Stewart Adams
Business Services	Councillor Findlater	Councillor Cox
Communities	Councillor Stirling	Councillor Powell
Education and Children's Services	Councillor Owen	Councillor Anne Simpson
Infrastructure Services	Councillor Crawley	Councillor Davidson

(ii) Miscellaneous Committees and Working Group

<b>Committee</b>	<b>Chair</b>	<b>Vice Chair</b>
Appeals Committee	Councillor Hazel Smith	Not required
Appointments Committee	Councillor Stirling	Councillor Findlater
Consolidated Business Committee	Councillor Findlater	Councillor Stirling
Procedures Committee	Provost Whyte	Not required
Sustainability Committee	Councillor Dickinson	Councillor Gifford
Local Review Body	Administration appointment to be confirmed	Administration appointment to be confirmed
Office Space Strategy Member/Officer Working Group	Councillor Findlater	Not required

(iii) Joint Committees/Boards

<b>Joint Committee/Board</b>	<b>Political proportionality agreed</b>	<b>Members appointed</b>
Aberdeen City Region Deal Joint Committee	<u>3 Substantive Members</u> – 2 Administration 1 Opposition Coalition	Councillors Findlater, Petrie and Stirling
	<u>3 Substitute Members</u> – 2 Administration 1 Opposition Coalition	Councillors Cox, Davidson, Evison
Grampian Valuation Joint Board	<u>6 Substantive Members</u> – 4 Administration 2 Opposition Coalition	Group Leaders to confirm names.
	<u>6 Substitute Members</u> – 4 Administration 2 Opposition Coalition	Group Leaders to confirm names.

Northern Roads Collaboration Joint Committee	<u>2 Substantive Members –</u> 1 Administration 1 Opposition Coalition  2 Substitute Members – 1 Administration 1 Opposition Coalition	Councillor Crawley (1) Opposition Member to be confirmed by Group Leader  Councillor Taylor (1) Opposition Member to be confirmed by Group Leader
--	--	---

- (4) the composition of the Local Review Body on the basis of one substantive member and one substitute member (from a different electoral ward from the substantive member) appointed from each Area Committee with names in this instance to be confirmed at a later date by Group Leaders;
- (5) appoint the Roman Catholic Church and the Church of Scotland representatives to the Education and Children's Services Committee and approve the arrangements for seeking nominations for the third religious representative and two teacher representatives, as outlined in the report;
- (6) in respect of the School Placings and Exclusions Appeal Committee –
  - (i) reappoint the existing external members and approve the appointment of the three new external members as detailed in Appendix 2 of the report,
  - (ii) delegate to the six Area Committees to appoint two elected members each and to consider appointing one or more additional external members, and
  - (iii) delegate to officers to approach Parent Councils to seek the appointment of further external members.
- (7) reappoint the Office Space Strategy Working Group to oversee progress with the Office Space Strategy Project.

## 10. APPOINTMENTS TO PARTNERSHIPS AND STATUTORY BODIES

A report dated 10 May, 2022 by the Director of Business Services had been circulated seeking (a) the nomination of members to partnerships and statutory bodies as detailed in Appendix A to the report, (b) the appointment of a Chair (or Vice Chair as may be from time to time) of the Integration Joint Board from within the five councillor voting members appointed to the Integration Joint Board, (c) the appointment of one Member as the Armed Forces Champion, and (d) the appointment of one Member as the Veterans' Champion.

The Head of Legal and People introduced the report and the Council **agreed**:

- (1) the proportionality and appointment of Members to Partnerships and Statutory Bodies as follows –

<b>PARTNERSHIPS AND STATUTORY BODIES</b>	<b>PROPORTIONALITY AGREED</b>	<b>MEMBERS APPOINTED</b>
Aberdeenshire Community Planning Board	<u>Members</u> – Administration (2) Opposition Coalition (2)  <u>Substitutes</u> – Administration (2) Opposition Coalition (2)	<u>Members</u> Councillor Findlater Councillor Stirling (2) Opposition Members to be confirmed  <u>Substitutes</u> Councillor Powell Councillor Walker (2) Opposition Members to be confirmed
Aberdeenshire Integration Joint Board	<u>Members</u> – Administration (3) Opposition Coalition (2)  <u>Substitutes</u> – Administration (3) Opposition Coalition (2)	<u>Members</u> Councillor Keating Councillor Lang Councillor Stirling (2) Opposition Members to be confirmed  <u>Substitutes</u> Councillor Gifford (2) Administration Members to be confirmed (2) Opposition Members to be confirmed
Association for Public Service Excellence	Administration (1)	Provost Whyte
Cairngorms National Park Authority	1 Member of Infrastructure Services Committee (ISC) 1 Member of Marr Area Committee (MAC)	Noted that these were Ministerial appointments and agreed delegation to ISC and MAC to nominate one member from each.

COSLA Convention	Administration (3) Opposition Coalition (2)	Councillor Cox Councillor Findlater Councillor Stirling (2) Opposition Members to be confirmed
COSLA Boards a) Children and Young People b) Health and Social Care c) Environment and Economy d) Community Wellbeing	(a) Administration (b) Administration (c) Administration (d) Administration	(a) Councillor Owen (b) Councillor Stirling (c) Councillor Crawley (d) Councillor Anne Simpson
NHS Grampian Board	Administration (1)	Councillor Bell
North East Scotland Transport Board (NESTRANS)	<u>Members</u> – Administration (3) Opposition Coalition (1)  <u>Substitutes</u> – Administration (3) Opposition Coalition (1)	All members to be confirmed by Group Leaders
Opportunity North East (ONE)	<u>Member</u> – Administration (1) <u>Substitute</u> – Administration (1)	Councillor Findlater (Member) Councillor Stirling (Substitute)
Scottish Councils' Committee on Radioactive Substances	Administration (1)	Councillor Stewart Adams



Strategic Development Planning Authority (SDPA)	<u>Members</u> – Administration (3) Opposition Coalition (3)  <u>Substitutes</u> – Administration (3) Opposition Coalition (3)	<u>Members</u> Councillor Crawley Councillor Cox Councillor Doreen Mair (3) Opposition members to be confirmed  <u>Substitutes</u> Members to be confirmed by Group Leaders
Aberdeenshire Children's Panel Area Support Team	Administration (1)	Councillor Ewenson
East of Scotland War Pensions Committee	Opposition Coalition (1)	Group Leader to confirm
North East Scotland Pension Fund Board	<u>Member</u> – Opposition Coalition (1) <u>Substitute</u> – Opposition Coalition (1)	Group Leader to confirm
North Sea Commission	Administration (2)	Councillor Stewart Adams Councillor Stirling
Scotland Excel	<u>Member:</u> Administration (1) Opposition Coalition (1) <u>Substitute:</u> Administration (1) Opposition Coalition (1)	Group Leaders to confirm.

- (2) to appoint Councillor Stirling as the Vice Chair (or Chair as may be from time to time) of the Integration Joint Board;
- (3) to appoint Councillor McKail as the Armed Forces Champion;
- (4) to appoint Councillor McKail as the Veterans' Champion; and
- (5) that any changes to named appointments to the Groups detailed in the report during the current Council term be made by the political groups in line with the proportionality agreed by Council.

## 11. NOMINATIONS TO OUTSIDE BODIES

A report dated 10 May, 2022 by the Director of Business Services had been circulated proposing that the Council (a) nominate members to outside bodies and in the capacity detailed in Appendix A of the report, (b) nominate members in principle to the bodies listed in Appendix B of the report and delegate authority to the Area

Committees to nominate members to those outside bodies, (c) nominate members in principle to the Outside bodies listed in Appendix C of the report and delegate authority to the Policy Committees to nominate members to those outside bodies, (d) note that Council nominations to the outside bodies in Appendix D to the report were no longer required, (e) agree that Council nominations to the outside body in Appendix E should not be made at this time as detailed in the report, (f) consider whether contact should be made with the bodies listed in Appendix F, and (g) instruct the Head of Legal and People to ensure that the necessary formalities are dealt with regarding the resignations and nominations of Elected Members to the Outside Bodies listed in Appendices A – E to the report.

The Head of Legal and People introduced the report and the Council **agreed**:

(1) to nominate members to outside bodies as follows –

<b>Outside Body</b>	<b>Capacity</b>	<b>Political Proportionality</b>	<b>Appointed Members</b>
Gordon Highlanders Museum Advisory Committee	Observer	Member – (Administration) Substitute – (Administration)	<u>Member –</u> Councillor Lang <u>Substitute -</u> Councillor Hassan
Grampian Houston Association	Observer	Administration (2)	Councillor Ewenson Councillor Lonchay
Highland Reserve Forces and Cadets Association	Decision Making	Administration (1) Opposition Coalition (1)	Councillor Lang Councillor Forsyth
Veterans Scotland	Observer	Administration (1)	Councillor McKail

- (2) to nominate members in principle to the outside bodies and in the capacity listed in Appendix B and delegate authority to the Area Committees to nominate members to the outside bodies;
- (3) to nominate members in principle to the outside bodies and in the capacity listed in Appendix C and delegate authority to the Policy Committees to nominate members to the outside bodies;
- (4) to note that Council nominations to the outside bodies in Appendix D were no longer required;
- (5) that Council nominations to the outside bodies in Appendix E should not be made at this time;
- (6) that the outside bodies in Appendix F be contacted and a report brought back to Council at an appropriate time if required;

- (7) to instruct the Head of Legal and People to ensure that the necessary formalities were dealt with regarding the resignations and nominations of Elected Members to the outside bodies listed in Appendices A – E, as required;
- (8) that Officers look to identify alternative funding to sustain the work previously supported through funding from the Dick Bequest Trust; and
- (9) that any changes to named appointments made by the Council (not those delegated to Area and Policy Committees) to the Groups detailed in (1) above during the current Council term be made by the political groups in line with the proportionality agreed by the Council.

## **12. APPOINTMENTS TO ABERDEENSHIRE LICENSING BOARD**

A report dated 26 April, 2022 by the Director of Business Services had been circulated (a) seeking the appointment of 10 Members and a pool of equivalent named substitutes to the Aberdeenshire Licensing Board for the purposes of the Licensing (Scotland) Act 2005; and (b) advising that mandatory training for Members appointed to the Licensing Board would take place on 1 June, 2022 and that practical Licensing Board training would take place on 17 June, 2022.

Having heard from the Head of Legal and People on eligibility as detailed in the report and to the requirement to undertake mandatory training, the Council **agreed**:

- (1) that 10 Members be appointed to the Aberdeenshire Licensing Board for the purposes of the Licensing (Scotland) Act 2005 and that membership include at least one member from each Area Committee, and 2 members from the former North Board Area (Banff & Buchan, Buchan and the northern section of Formartine), 1 member from the former Central Board area (southern Formartine, Garioch and Northern Marr) and 1 member from the former south Board (Southern Marr and Kincardine and Mearns);
- (2) to appoint Councillors Ewenson, Goodhall, Mason and Ritchie and delegate authority to the Head of Legal and People to work with Group Leaders to secure nominations for the remainder of the vacancies in accordance with the membership requirements as detailed in (1) above; and
- (3) to note the mandatory and practical training dates for appointed Members as outlined in the report.

## **13. REMUNERATION OF COUNCILLORS**

A report dated 29 April, 2022 by the Director of Business Services had been circulated requesting the Council to agree a scheme for remuneration of councillors, taking account of the Local Government (Scotland) Act 2004 (Remuneration) Regulations 2007, as amended by the Local Government (Scotland) Act 2004 (Remuneration) Amendment Regulations 2008, and further guidance issued by the Scottish Government in April 2010. The report advised that Aberdeenshire Council was entitled to have a maximum of 19 senior councillors in addition to the Leader of the Council and the Civic Head, and that the maximum amount of remuneration which could be paid to senior councillors was £511,316.

The Head of Finance introduced the report and the Council **agreed**:

- (1) to note the legislative framework that controlled the payment of remuneration to Councillors in Aberdeenshire;
- (2) the current scheme of remuneration as outlined in the report; and
- (3) that payments would apply from the date of taking up appointment to the relevant positions.

## APPENDIX

### ABERDEENSHIRE COUNCIL COUNCILLORS ELECTED ON 6 MAY 2022

	Electoral Ward	Name	Description
1	Banff and District	Stewart Adams	Scottish Conservative and Unionist
		John Barclay Cox	Independent
		Glen David Reynolds	Scottish National Party (SNP)
2	Troup	Ross Alexander Cassie	Scottish National Party (SNP)
		Mark Findlater	Scottish Conservative and Unionist
		Richard Menard	Scottish Conservative and Unionist
3	Fraserburgh and District	James Adams	Scottish Conservative and Unionist
		Ann Bell	Scottish Liberal Democrats
		Seamus Logan	Scottish National Party (SNP)
		Doreen Ann Elizabeth Mair	Independent
4	Central Buchan	Geoff Crowson	Scottish National Party (SNP)
		David Mair	Scottish National Party (SNP)
		Hannah Powell	Scottish Conservative and Unionist
		Anne Margaret Simpson	Scottish Liberal Democrats
5	Peterhead North and Rattray	Dianne Beagrie	Independent
		Alan S. Buchan	Independent
		Matthew James	Scottish Conservative and Unionist
		Leeann McWhinnie	Scottish National Party (SNP)
6	Peterhead South and Cruden	George Hall	Scottish Conservative and Unionist
		Colin Alexander Simpson	Scottish Liberal Democrats
		Stephen William Smith	Scottish National Party (SNP)
7	Turriff and District	Alastair Forsyth	Scottish National Party (SNP)
		Gordon Lang	Scottish Conservative and Unionist
		Anne Stirling	Scottish Liberal Democrats
		Iain Walker Taylor	Scottish Conservative and Unionist
8	Mid Formartine	Andrew John Hassan	Scottish Liberal Democrats
		Paul Johnston	Independent
		Jenny Nicol	Scottish National Party (SNP)
		Derek Ritchie	Scottish Conservative and Unionist
9	Ellon and District	John Crawley	Scottish Conservative and Unionist
		Isobel Davidson	Scottish Liberal Democrats
		Louise McAllister	Scottish National Party (SNP)
		Gillian Owen	Scottish Conservative and Unionist
10	West Garioch	Moray Charles Grant	Scottish National Party (SNP)
		Sam Payne	Scottish Conservative and Unionist
		Hazel Linda Smith	Scottish Liberal Democrats
11	Inverurie and District	Neil Baillie	Scottish National Party (SNP)
		Marion Jane Muir Ewenson	Scottish Liberal Democrats
		David Keating	Scottish Conservative and Unionist
		Judy Margaret Whyte	Independent

12	East Garioch	Jim Gifford	Independent
		Dominic Lonchay	Scottish Conservative and Unionist
		Trevor Booth Mason	Scottish Liberal Democrats
		Glen Reid	Scottish National Party (SNP)
13	Westhill and District	Fatima Joji	Scottish National Party (SNP)
		Ron McKail	Scottish Conservative and Unionist
		Craig Miller	Scottish Conservative and Unionist
		Iris Margaret Walker	Scottish Liberal Democrats
14	Huntly, Strathbogie and Howe of Alford	Jeff Goodhall	Scottish Liberal Democrats
		Lauren Knight	Scottish Conservative and Unionist
		Gwyneth Elaine Petrie	Scottish National Party (SNP)
		Robbie Withey	Independent
15	Aboyne, Upper Deeside and Donside	Geva Blackett	Independent
		Sarah Brown	Scottish Conservative and Unionist
		Anouk Kloppert	Scottish National Party (SNP)
16	Banchory and Mid Deeside	Yi-Pei Chou Turvey	Scottish Liberal Democrats
		Eileen Durno	Scottish National Party (SNP)
		Ann Ross	Scottish Conservative and Unionist
17	North Kincardine	David Aitchison	Scottish National Party (SNP)
		Shirley Burnett	Scottish Conservative and Unionist
		Mel Sullivan	Scottish Liberal Democrats
		Catherine Mary Victor	Scottish National Party (SNP)
18	Stonehaven and Lower Deeside	Wendy Agnew	Scottish Conservative and Unionist
		Dawn Black	Scottish National Party (SNP)
		Sarah Dickinson	Scottish Liberal Democrats
		Alan Turner	Scottish Conservative and Unionist
19	Mearns	Laurie Carnie	Scottish Conservative and Unionist
		George Carr	Scottish Conservative and Unionist
		Alison Elizabeth McBean Evison	Independent
		Kevin Stelfox	Scottish National Party (SNP)