

Aberdeenshire
COUNCIL



ABERDEENSHIRE COUNCIL

THURSDAY, 25 APRIL 2024 at 10.15 am

Your attendance is requested at a meeting of the **ABERDEENSHIRE COUNCIL** to be held in **COUNCIL CHAMBER - WOODHILL HOUSE, WESTBURN ROAD, ABERDEEN, AB16 5GB (WITH VIRTUAL ATENDEES)**, on **THURSDAY, 25 APRIL 2024, at 10.15 am**

This meeting will be live streamed and a recording of the public part of the meeting will be made publicly available at a later date.

Wednesday, 17 April 2024

Director of Business Services

Contact Person:- Fiona Stewart
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B U S I N E S S

1	Sederunt and Declaration of Members' Interests	
2A	Public Sector Equality Duty	3
	Consider, and if so desired, adopt the following resolution:-	
	(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 is provided, to consider its contents and take those into account when reaching a decision.	
3	Minutes of the Meeting of 22 February 2024	4 - 14
4	Best Value Improvement Plan	15 - 21
5	Appointment of Vice Chair of Local Review Body	22 - 24
6	Composition of Committees	25 - 29

At the conclusion of business, members are invited to attend a briefing session with Adam Coldwells, Chief Executive of NHS Grampian

PUBLIC SECTOR EQUALITY DUTY – GUIDANCE FOR MEMBERS

What is the duty?

In making decisions on the attached reports, Members are reminded of their legal duty under section 149 of the Equality Act 2010 to have due regard to the need to:-

- (i) eliminate discrimination, harassment and victimisation;
- (ii) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
- (iii) foster good relations between those who share a protected characteristic and persons who do not share it.

The “protected characteristics” under the legislation are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; and (in relation to point (i) above only) marriage and civil partnership.

How can Members discharge the duty?

To ‘have due regard’ means that in making decisions, Members must consciously consider the need to do the three things set out above. This requires a conscious approach and state of mind. The duty must influence the final decision.

However, it is not a duty to achieve a particular result (e.g. to eliminate unlawful racial discrimination or to promote good relations between persons of different racial groups). It is a duty to have due regard to the need to achieve these goals.

How much regard is ‘due’ will depend upon the circumstances and in particular on the relevance of the needs to the decision in question. The greater the relevance and potential impact that a decision may have on people with protected characteristics, the higher the regard required by the duty.

What does this mean for Committee/Full Council decisions?

Members are directed to the section in reports headed ‘Council Priorities, Implications and Risk’. This will indicate whether or not an Integrated Impact Assessment (IIA) has been carried out as part of the development of the proposals and, if so, what the outcome of that assessment is.

An IIA will be appended to a report where it is likely, amongst other things, that the action recommended in the report could have a differential impact (either positive or negative) upon people from different protected groups. The report author will have assessed whether or not an IIA is required. If one is not required, the report author will explain why that is.

Where an IIA is provided, Members should consider its contents and take those into account when reaching their decision. Members should also be satisfied that the assessment is sufficiently robust and that they have enough of an understanding of the issues to be able to discharge their legal duty satisfactorily.

For more detailed guidance please refer to the following link:-

<https://www.equalityhumanrights.com/en/equality-act/equality-act-2010>

ABERDEENSHIRE COUNCIL

THURSDAY, 22ND FEBRUARY, 2024

- Present: Councillors S Adams, J Adams, W Agnew, D Aitchison, N Baillie, D Beagrie, A Bell, D Black, G Blackett, S Brown, A Buchan, L Carnie, G Carr, R Cassie, Y Chou Turvey, J Cox, J Crawley, G Crowson, I Davidson, E Durno, A Evison, M Findlater, A Forsyth, J Gifford, M Grant, G Hall, A Hassan, M James, P Johnston, F Joji, D Keating, A Kloppert, L Knight, G Lang, S Logan, D Lonchay, 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 Reynolds, D Ritchie, A Ross, A Simpson, C Simpson, H Smith, S Smith, K Stelfox, A Stirling, M Sullivan, I Taylor, A Turner, C Victor, I Walker and J Whyte.
- Apologies: Councillors S Burnett, S Dickinson, M Ewenson, J Goodhall, G Reid, and R Withey.
- Officers: Jim Savege (Chief Executive), Laurence Findlay (Director of Education and Children's Services), Mary Beattie (Head of Service, Finance), Kate Bond (Head of Service (Customer & Digital Services)), Rob Simpson (Director of Business Services), Karen Wiles, (Head of Service, Legal & People), Alan Wood (Director of Environment and Infrastructure Services), Pamela Milliken (Chief Officer - Health & Social Care Partnership) and Lynsey Kimmitt (Principal Committee Services Officer).

1 SEDERUNT AND DECLARATION OF MEMBERS' INTERESTS

The Provost asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct. The following declarations of interest and transparency statements were made:

- (1) Councillor Evison made a transparency statement in respect of Item 4 by virtue of being the Chair of NHS Grampian and also by virtue of being a member of the Unite Trade Union. Having applied the objective test, Councillor Evison concluded that she would remain and participate in the meeting during consideration of the item.
- (2) Councillor Brown made a transparency statement in respect of Item 4 by virtue of being the Chair of Upper Deeside Amateur Swimming Club. Having applied the objective test, Councillor Brown concluded that she would remain and participate in the meeting during consideration of the item.
- (3) Councillor Payne made a transparency statement in respect of Item 6 by virtue of his employment which is detailed in his Register of Interests. Having applied the objective test, Councillor Payne concluded that he would remain and participate in the meeting during consideration of the item.

- (4) Councillor Victor declared an interest in Item 7 by virtue of being the subject of the report. Having applied the objective test, Councillor Victor confirmed that she would leave the meeting and take no part in the Item.

2A PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted 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 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 Integrated Impact Assessment has been provided, its contents and to take those into consideration when reaching a decision.

3 MINUTE OF MEETING 18 JANUARY 2024

There had been circulated and was **approved** as a correct record the Minute of the Meeting of Aberdeenshire Council of 18 January 2024.

4 ABERDEENSHIRE COUNCIL BUDGET 2024-29

There had been circulated a report by the Director of Business Services which contained information from the Head of Finance providing financial information to enable the Council to set its Revenue and Capital Budgets for the financial year 2024/25 and indicative budgets for financial years 2025/26 to 2028/29. The report set out that the budget reflected a Council Tax Freeze and provided information to allow the Council to also approve the proposed Reserves, Treasury Management and Medium Term Financial Strategies. Furthermore, the report set out proposals in relation to all Council fees and charges for Council to consider and approve.

Prior to consideration of the Item, the Provost indicated that a Request to Speak had been received from a Member of the Public. The Provost confirmed that in terms of Standing Order 6.3 and the remit of Council, the Request to Speak was competent and relevant and confirmed that therefore, it was for Council to determine whether to hear the Request to Speak.

Having heard from Councillors Owen and Petrie, who both made reference to the widely publicised engagement with the public with comments received having been already considered by Councillors, the Council **agreed** to refuse the Request to Speak.

Councillor Owen, as Leader of the Council, introduced the budget proposals for the administration group, as outlined in the report, making reference to delivering essential services and supporting local communities in a financially responsible way, the challenges with single year settlements from the Scottish Government and the Council Tax freeze, the challenges of the current costs of providing public services and the need to focus on directing resources to the greatest areas of need while achieving a balanced budget. Reference was also made to looking at the Council Plan to ensure that priorities are continuing to meet the needs of our communities, that there is a commitment to a programme of transformation to ensure services are sustainable in the future and to continue working closely with communities during financially challenging times. Furthermore, reference was made to the importance of Integrated Impact Assessments accompanying each proposal for change which allowed careful consideration to be given to the impacts of proposed savings.

Thereafter, Councillor Owen moved, seconded by Councillor Stirling, approval of the budget proposals by the Administration Group as set out in the circulated report and as detailed in Appendices 1, 2, 3A, 3B, 4, 4A, 4B, 5, 5A, 6, 7, 8, 9, 10, 11, 11A, 12, 12A and 13 to the report and that Council –

Settlement

- (1) Agree acceptance of the funding package from the Scottish Government which includes £7.963 million for the acceptance of a Council Tax Freeze in Appendix 1, subject to Parliamentary approval of the Scottish Government Budget;

Medium Term Financial Strategy

- (2) Agree the Medium-Term Financial Strategy (MTFS) as detailed in Appendix 2;

Capital Budget

- (3) Agree the 5-year Capital Plan for 2024/25 to 2028/29 and the indicative high-level capital spend and funding estimates that fall within the affordability limits set out in the MTFS as detailed in Appendices 4,4A and 4B for the period through to 2038/39;
- (4) Agree to receive regular update reports on the progress of the Capital Plan and borrowing costs;

Treasury Management

- (5) Approve the Treasury Management Strategy (TMS) and Annual Investment Strategy for 2024/25 as set out in Appendices 5 and 5A;
- (6) Agree the Prudential Indicators and Limits for 2024/25 as set out in Appendix 5A and note the indicative indicators and limits for 2025/26 and 2026/27;

Revenue Budget

- (7) Agree the proposed Revenue Budget for 2024/25 as detailed in Appendix 6, including the proposed savings shown within Appendix 7;
- (8) Agree the indicative Revenue Budgets for 2025/26 to 2028/29 as detailed in Appendix 8;
- (9) Note the financial risks associated with this budget as set out in Appendix 3B;
- (10) Agree that Policy Committees will receive regular financial performance monitoring updates which encompasses progress with savings and managing of risks;

Council Tax Policy

- (11) Approve the Empty Property and Second Homes Council Tax Policy as shown within Appendix 9 with effect from 1 April 2024;

Business Rates Empty Property Policy

- (12) Approve the Business Rates Empty Property Policy as shown within Appendix 10 with effect from 1 April 2024;

Fees and Charges

- (13) Agree the proposal for revised fees and charges from 1 April 2024, as detailed in Appendices 11 and 11A;

Reserves

- (14) Agree the reserves strategy, being the principles for managing and using reserves, as detailed in Appendices 12 and 12A;
- (15) Agree to (i) maintain a Working Balance of £9m, (ii) the creation of the Place Strategy reserve of £1.4m, from the reduction in the Regeneration and Priority Town existing reserve;
- (16) Agree that any out of balance position in the Council Revenue Budget 2023/24 be funded from the Risk and Inflation Reserve;
- (17) Agree that Aberdeenshire Council's share of any out of balance position in 2023/24 for the Health and Social Care Partnership be funded from the Risk and Inflation Reserve – Health and Social Care Partnership;
- (18) Agree that £1.990m of the Transformation Reserve be released to fund the voluntary severance costs for staff leaving the organisation in 2023/24.
- (19) Note that the final level of reserves may be subject to change following the conclusion of financial year 2023/24 and agree to receive a further update following conclusion of the annual accounts process;

Monitoring

- (20) Agree that work continues to balance the future years revenue budgets as part of the Medium-Term Financial Strategy supported through the Council's planned transformation programme;
- (21) Agree that Revenue, Capital, and Reserves continue to be the subject of Financial Performance Reporting throughout 2024/25; and
- (22) Agree that a revised Medium-Term Financial Strategy, including a draft revenue and capital budget and reserves position for 2025/26 be considered by Full Council in November 2024.

Thereafter, Councillor Petrie, moved as an amendment, seconded by Councillor Johnston, approval of the proposed budget by the Opposition group which was circulated to Members and published on the Council's website during the meeting and proposed changes to the Capital Budget, Revenue Budget and the use of Reserves as highlighted in the recommendations and detailed in Appendices 1, 2, 3A, 3B, 4, 5, 5A, 9, 10, 11, 11A, and 13 (of the Officer report circulated) and Appendices 4AX, 4BX, 6X, 7X, 8X, 12X and 12AX (of the Opposition group documentation circulated at the meeting) and that Council:-

Settlement

- (1) Agree acceptance of the funding package from the Scottish Government which includes £7.963 million for the acceptance of a Council Tax Freeze in Appendix 1, subject to Parliamentary approval of the Scottish Government Budget;

Medium Term Financial Strategy

- (2) Agree the Medium-Term Financial Strategy (MTFS) as detailed in Appendix 2;

Capital Budget

- (3) Agree the amended Opposition Group 5-year Capital Plan for 2024/25 to 2028/29 and the indicative high-level capital spend and funding estimates that fall within the affordability limits set out in the MTFS as detailed in Appendices 4AX and 4BX for the period through to 2038/39;
- (4) Agree to receive regular update reports on the progress of the Capital Plan and borrowing costs;

Treasury Management

- (5) Approve the Treasury Management Strategy (TMS) and Annual Investment Strategy for 2024/25 as set out in Appendices 5 and 5A;
- (6) Agree the Prudential Indicators and Limits for 2024/25 as set out in Appendix 5A and note the indicative indicators and limits for 2025/26 and 2026/27;

Revenue Budget

- (7) Agree the amended Opposition Group proposed Revenue Budget for 2024/25 as detailed in Appendix 6X, including the proposed savings shown within Appendix 7X;
- (8) Agree the indicative Revenue Budgets for 2025/26 to 2028/29 as detailed in Appendix 8X;
- (9) Note the financial risks associated with this budget as set out in Appendix 3B;
- (10) Agree that Policy Committees will receive regular financial performance monitoring updates which encompasses progress with savings and managing of risks;

Council Tax Policy

- (11) Approve the Empty Property and Second Homes Council Tax Policy as shown within Appendix 9 with effect from 1 April 2024;

Business Rates Empty Property Policy

- (12) Approve the Business Rates Empty Property Policy as shown within Appendix 10 with effect from 1 April 2024;

Fees and Charges

- (13) Agree the proposal for revised fees and charges from 1 April 2024, as detailed in Appendices 11 and 11A;

Reserves

- (14) Agree the amended Opposition Group reserves strategy, being the principles for managing and using reserves, as detailed in Appendices 12X and 12AX;
- (15) Agree to (i) a reduced Working Balance of £7m, (ii) the creation of the Place Strategy reserve of £1.4m, from the reduction in the Regeneration and Priority Town existing reserve;
- (16) Agree that any out of balance position in the Council Revenue Budget 2023/24 be funded from the Risk and Inflation Reserve;
- (17) Agree that Aberdeenshire Council's share of any out of balance position in 2023/24 for the Health and Social Care Partnership be funded from the Risk and Inflation Reserve – Health and Social Care Partnership;
- (18) Agree that £1.990m of the Transformation Reserve be released to fund the voluntary severance costs for staff leaving the organisation in 2023/24.

(19) Note that the final level of reserves may be subject to change following the conclusion of financial year 2023/24 and agree to receive a further update following conclusion of the annual accounts process;

Monitoring

(20) Agree that work continues to balance the future years revenue budgets as part of the Medium-Term Financial Strategy supported through the Council's planned transformation programme;

(21) Agree that Revenue, Capital, and Reserves continue to be the subject of Financial Performance Reporting throughout 2024/25; and

(22) Agree that a revised Medium-Term Financial Strategy, including a draft revenue and capital budget and reserves position for 2025/26 be considered by Full Council in November 2024.

Members of the Council voted –

for the motion	(38)	Councillors J Adams, S Adams, Agnew, Beagrie, Bell, Blackett, Brown, Carnie, Carr, Chou Turvey, Cox, Crawley, Davidson, Findlater, Gifford, Hall, Hassan, James, Keating, Lang, Lonchay, Doreen Mair, Mason, McKail, Menard, Miller, Owen, Powell, Ritchie, A Simpson, C Simpson, H Smith, Stirling, Sullivan, Taylor, Turner, Walker and Whyte
for the amendment	(23)	Councillors Aitchison, Baillie, Black, Cassie, Crowson, Durno, Evison, Forsyth, Grant, Johnston, Joji, Kloppert, Knight, Logan, McAllister, McWhinnie, David Mair, Nicol, Petrie, Reynolds, S Smith, Stelfox and Victor.
no vote	(2)	Councillors A Buchan and Ross.

The motion was carried and Council **agreed**:

Settlement

(1) Agree acceptance of the funding package from the Scottish Government which includes £7.963 million for the acceptance of a Council Tax Freeze in Appendix 1, subject to Parliamentary approval of the Scottish Government Budget;

Medium Term Financial Strategy

- (2) Agree the Medium-Term Financial Strategy (MTFS) as detailed in Appendix 2;

Capital Budget

- (3) Agree the 5-year Capital Plan for 2024/25 to 2028/29 and the indicative high-level capital spend and funding estimates that fall within the affordability limits set out in the MTFS as detailed in Appendices 4,4A and 4B for the period through to 2038/39;
- (4) Agree to receive regular update reports on the progress of the Capital Plan and borrowing costs;

Treasury Management

- (5) Approve the Treasury Management Strategy (TMS) and Annual Investment Strategy for 2024/25 as set out in Appendices 5 and 5A;
- (6) Agree the Prudential Indicators and Limits for 2024/25 as set out in Appendix 5A and note the indicative indicators and limits for 2025/26 and 2026/27;

Revenue Budget

- (7) Agree the proposed Revenue Budget for 2024/25 as detailed in Appendix 6, including the proposed savings shown within Appendix 7;
- (8) Agree the indicative Revenue Budgets for 2025/26 to 2028/29 as detailed in Appendix 8;
- (9) Note the financial risks associated with this budget as set out in Appendix 3B;
- (10) Agree that Policy Committees will receive regular financial performance monitoring updates which encompasses progress with savings and managing of risks;

Council Tax Policy

- (11) Approve the Empty Property and Second Homes Council Tax Policy as shown within Appendix 9 with effect from 1 April 2024;

Business Rates Empty Property Policy

- (12) Approve the Business Rates Empty Property Policy as shown within Appendix 10 with effect from 1 April 2024;

Fees and Charges

- (13) Agree the proposal for revised fees and charges from 1 April 2024, as detailed in Appendices 11 and 11A;

Reserves

- (14) Agree the reserves strategy, being the principles for managing and using reserves, as detailed in Appendices 12 and 12A;
- (15) Agree to (i) maintain a Working Balance of £9m, (ii) the creation of the Place Strategy reserve of £1.4m, from the reduction in the Regeneration and Priority Town existing reserve;
- (16) Agree that any out of balance position in the Council Revenue Budget 2023/24 be funded from the Risk and Inflation Reserve;
- (17) Agree that Aberdeenshire Council's share of any out of balance position in 2023/24 for the Health and Social Care Partnership be funded from the Risk and Inflation Reserve – Health and Social Care Partnership;
- (18) Agree that £1.990m of the Transformation Reserve be released to fund the voluntary severance costs for staff leaving the organisation in 2023/24.
- (19) Note that the final level of reserves may be subject to change following the conclusion of financial year 2023/24 and agree to receive a further update following conclusion of the annual accounts process;

Monitoring

- (20) Agree that work continues to balance the future years revenue budgets as part of the Medium-Term Financial Strategy supported through the Council's planned transformation programme;
- (21) Agree that Revenue, Capital, and Reserves continue to be the subject of Financial Performance Reporting throughout 2024/25; and
- (22) Agree that a revised Medium-Term Financial Strategy, including a draft revenue and capital budget and reserves position for 2025/26 be considered by Full Council in November 2024.

5 HOUSING REVENUE ACCOUNT BUDGET 2024/25

There had been circulated a report dated 8 January 2024 by the Director of Environment and Infrastructure Services which provided information on the proposed Housing Revenue Account revenue and capital budgets for the financial year 2024/25 including indicative budgets for 2025/26 to 2028/29.

Councillor Stirling introduced the proposals making reference to positive engagement with tenants and the wider community to inform options, the challenges associated with affordable housing and the positive work of officers in the service.

Thereafter, Councillor Stirling moved, seconded by Councillor Reynolds approval of the proposals contained within the report and appendices 1, 2 and 3 of the Report. The Council **agreed**:

- (1) to the Housing Revenue Account (HRA) revenue and capital budgets for 2024/25 as outlined in Appendices 1 and 3, including indicative budgets for 2025/26 to 2028/29, subject to annual review of charges;
- (2) to maintain a working balance of £2m;
- (3) to reinstate the HRA Risk & Inflation Reserve to £0.3m;
- (4) to increase Council House average weekly rents by 5% from 1st April 2024, with an annual review thereafter for 2025/26; and
- (5) to revise other HRA charges and allowances as detailed in Appendix 2.

6 CARBON BUDGET 2024-2025

There had been circulated a report dated 9 February 2024 by the Director of Environment and Infrastructure Services which contained proposals for the Council's Carbon Budget for 2024/25. The report identified projects which will reduce operational emissions as the Council progresses with its interim target of 75% reduction in emissions by 2030 (from its 2010-2011 baseline). The report further outlined the progress made to date by the Council in reducing its internal operational emissions.

Councillor Gifford introduced the proposals making reference to the challenges of funding, the fact that this was a strategic priority in the Council plan, the Route Map and the work of Officers in reaching this stage.

Councillor Gifford moved, seconded by Councillor Taylor, to agree the recommendations as contained with the report. The Council **agreed**:

- (1) a total Carbon Budget of 40,921 tonnes CO₂e for 2024/25 as set out in Table 1 in Appendix 1;
- (2) future Carbon Budgets for 2024/25 to 2030/31 on a provisional basis as set out in Table 2 in Appendix 1;
- (3) the Carbon Budget 2024/25 reduction measures as set out in Appendix 2 and 3, noting that due to the financial constraints, at this stage, the measures will not fully meet the carbon budget target for 2024/25;
- (4) to delegate the responsibility to each Director to secure reduction totals for their areas of responsibility as set out in the interventions listed in Appendix 2 and 3, including consideration of additional opportunities for CO₂e savings to support reaching a Carbon Budget of 40,921tCO₂e for 2024/25 and the reduction totals for each Directorate as set out in Table 3 Appendix 1;
- (5) to note the risks set out in Appendix 4; and
- (6) to instruct each Director to nominate officers from across their services as Carbon Budget leads to report in year progress at 6 monthly intervals to the relevant Policy Committees and to the Sustainability Committee.

7 COMPOSITION OF COMMITTEES

There had been circulated a report dated 14 February 2024 by the Director of Business Services which provided Council with information allowing them to note the change in political affiliation of a Councillor and invited them to consider the impact of the change on the composition of the Committees.

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

- (1) note, following notification to the Chief Executive of the change in political group affiliation of Councillor Victor, the following numbers:
 - The Administration has 46 members (comprising Scottish Conservative and Unionist (25), Liberal Democrats (14) and Administration Independents (7)),
 - the Opposition Coalition has 22 members (comprising SNP (20 (previously 21)) and the Democratic Independent Group (2)); and
 - there are two Independent members (previously one).

- (2) note that as a result of the notification outlined at recommendation 1.2.1 above no amendment is required in respect of –
 - the composition of the four Policy Committees and the Audit Committee, having regard to the principle of each member being allocated one committee place, and
 - the political proportionality for the current standard 14 member, 8 member and 5 member committees and for sub-committees and working groups as approved by Full Council on 19 May, 2022.

REPORT TO ABERDEENSHIRE COUNCIL - THURSDAY, 25 APRIL 2024

BEST VALUE IMPROVEMENT PLAN

Executive Summary and Recommendations

1.1 The Best Value reports presenting the findings of Grant Thornton, the Council's external auditors, were considered and agreed by Full Council at its meeting on 23 November 2023. Improvement plans were developed with Services in respect of the Best Value Reports and are attached at Appendix 1. Council is recommended to consider, comment on and approve the progress made on the actions in the improvement plan.

1.2 Recommendations

Full Council is recommended to:

1.2.1 Consider, comment on and agree the updates to the Best Value action plans (Appendix 1); and

1.2.2 Consider, comment on and agree the revised process in terms of the Corporate Improvement Plan as set out in this Report; and

1.2.3 Agree that progress in terms of implementing the Corporate Improvement Plan, including the Best Value action plans, will be reported to Full Council on a six-monthly basis, along with an update on ongoing best value activity as considered by Audit Committee on 17 April 2024.

2 Decision Making Route

2.1 The Local Government in Scotland Act 2003 introduced a statutory framework for Best Value for local authorities. The Best Value duties set out in the Act are:

- To make arrangements to secure continuous improvement in performance (while maintaining an appropriate balance between quality and cost); and, in making those arrangements and securing that balance, to have regard to economy, efficiency, effectiveness, the equal opportunities requirement and to contribute to the achievement of sustainable development
- To achieve break-even trading accounts, subject to mandatory disclosure
- To observe proper accounting practices
- To make arrangements for the reporting to the public of the outcome of the performance of functions

- 2.2 A [new approach](#) to auditing Best Value was introduced by Audit Scotland in 2023. The new approach continues to audit against the statutory duty but is now fully integrated with the annual audit at each council. It also includes detailed work each year, focusing on a theme across all of the councils, which will be collated into a national report. The theme for 2024 is Workforce Innovation.
- 2.3 Action plans were developed and agreed by Full Council on [23 November 2023](#) (Item 4).

3 Discussion

- 3.1 Good progress has been made with actions in the new plans with 4 actions complete and 9 in progress.
- 3.2 The plans have been added to the Corporate Improvement Plan and are reported quarterly to Audit Committee through that governance route.
- 3.3 At its meeting on 17 April 2024, Audit Committee will consider a revised process for the Corporate Improvement Plan. When the Plan was introduced in 2020, it was agreed that Audit Committee would receive quarterly updates, with 6 monthly updates going to Policy Committees. Taking account of feedback from Members, Audit Committee will consider a reviewed approach which sees the Corporate Improvement Plan reported 6 monthly to Full Council, rather than to individual Policy Committees. This is in line with the governance arrangements in place for the Best Value plans. This approach continues to allow full scrutiny of the Corporate Improvement Plan by Members, would heighten awareness and debate around the actions and would reduce agenda time at Policy Committees. Council is requested to consider and agree this approach.

4 Council Priorities, Implications and Risk

- 4.1 This report helps deliver all the Council's Strategic Priorities:

Pillar	Priority
Our People	Learning for Life Health & Wellbeing
Our Environment	Climate Change Resilient Communities
Our Economy	Economic Growth Infrastructure and public assets

- 4.2 The table below shows whether risks and implications apply if the recommendation(s) is (are) agreed.

Subject	Yes	No	N/A
Financial		X	
Staffing		X	

Subject	Yes	No	N/A
Equalities and Fairer Duty Scotland			X
Children and Young People's Rights and Wellbeing			X
Climate Change and Sustainability			X
Health and Wellbeing			X
Town Centre First			X

4.3 The screening section as part of Stage One of the Integrated Impact Assessment process has not identified the requirement for any further detailed assessments to be undertaken. This report is presenting Best Value improvement plans to Aberdeenshire Council and does not impact groups with protected characteristics or those experiencing poorer economic outcomes. Integrated impact assessments will be developed for individual actions in the improvement plan where appropriate.

4.4 The following Risks have been identified as relevant to this matter on a Corporate Level: [Corporate Risk Register](#).

- ACORP001 – budget pressures
- ACORP002 – changes in government policy, legislation and regulation
- ACORP004 – business and organisational transformation
- ACORP005 Working with other organisations
- ACORP006 – reputation management including social media
- ACORP007 – social risk (e.g. population changes, poverty and social inequality, demographic changes, crime and anti-social behaviour)

The following Risks have been identified as relevant to this matter on a Strategic Level:

- BSSR003 We live within our means and use public money to maximise outcomes for our communities [Business Services Risk Register](#)
- BSSR004 Our assets, property and land are managed to the best financial effect, supporting delivery of our priorities and service ambitions in the medium to long term [Business Services Risk Register](#)

5 Scheme of Governance

5.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated within the report and are satisfied that the report complies with the [Scheme of Governance](#) and relevant legislation.

5.2 Council is able to consider and take a decision on this item in terms of the general provisions conferred by the [List of Committee Powers in Part 2A](#) of the Scheme of Governance as it relates to the endorsement and approval of corporate plans which are not delegated to any of the Council's appointed

Committees. Where substantive decisions are required in terms of the action plan these will be reported to the relevant Committee, or to Full Council where appropriate.

Rob Simpson

Director of Business Services

Report prepared by Fiona McCallum, Strategy & Innovation Manager
25 March 2024

List of Appendices –

Appendix 1: Best Value Plans 2023/24

BEST VALUE PLAN 2023/24**Report Type: Actions Report****Generated on: 6 March 2024**

Year	Plan	Number of actions	Complete March 2024	In progress March	Overdue March 2024
2023/24	Best Value Thematic Action Plan 2023/24	7	2	5	0
	Best Value Wider Scope Action Plan 2023/24	6	3	3	0
	<u>Total</u>	<u>13</u>	<u>5</u>	<u>8</u>	<u>0</u>

**Best Value Thematic Action
Plan 2023-24**

Report Type: Actions Report
Generated on: 06 March 2024

Action	Status	Progress	Managed By	Assigned To	Latest Note	Due Date
2023-24 BV T Best Value Thematic Action Plan 2023-24	In Progress	32%			<u>PARENT ACTION</u>	31-Jan-25
2023-24 BV T 1. Council Vision and Priorities	In Progress	15%		Kate Bond	<u>PARENT ACTION</u>	30-Sep-24
2023-24 BV T 1.1 All Head of Service Plans to be peer reviewed	In Progress	30%	Directors 2024	Kate Bond	Collaboration Board have agreed to peer review all Business Plans and this will take place during March/April - prior to all Business Plans being considered at committee.	01-May-24
2023-24 BV T 1.2 Provide case studies within the annual report	In Progress	0%	Directors 2024	Kate Bond		30-Sep-24
2023-24 BV T 2. Reducing Inequalities and Climate Change	Overdue	0%			<u>PARENT ACTION</u>	31-Dec-23
2023-24 BV T 2.1 Committees to consider and discuss the IIAs presented as part of a report and this will be formally minuted	Completed	100%	Area Chairs and Vice Chairs; Directors 2024; Policy Chairs and Vice Chairs	Karen Wiles	Committee officers will action when mentioned in debate	31-Dec-23
2023-24 BV T 3. Alignment of delivery plans – Transformation	In Progress	35%			<u>PARENT ACTION</u>	31-Jan-25
2023-24 BV T 3.1 Full Council to agree Transformation Strategy and associated governance framework	Completed	100%	Jim Savege	Kate Bond	Full Council agreed the transformation strategy and work to deliver the programme is now underway https://aberdeenshire.moderngov.co.uk/documents/s10444/Transformation%20Strategy%20-%20Covering%20Report.pdf	30-Nov-23
2023-24 BV T 3.2 Policy committees to monitor their areas of responsibility	In Progress	5%	Directors 2024; Jim Savege	Kate Bond	No transformation business cases have been completed yet, but policy committees will be responsible for overseeing them once approved.	31-Jan-25
2023-24 BV T 3.3. Twice yearly reporting to full council, with links to MTFS	In Progress	0%	Directors 2024; Jim Savege	Kate Bond		31-May-24
2023-24 BV T 4. Alignment of delivery plans – Asset Plans	In Progress	80%			<u>PARENT ACTION</u>	31-Mar-24
2023-24 BV T 4.1 Outputs from review of Capital Plan reported to budget meeting	In Progress	80%	Directors 2024; Jim Savege	Mary Beattie; Karlyn Watt; Allan Whyte	The Capital Plan was reviewed through the Capital Plan Sub Group and was subject to an affordability and achievability review. The Capital Plan was approved by the Council as part of the budget setting meeting in February 2024, with a cap of 8.5% on borrowing agreed. The development of a Capital Strategy will be progressed during 2024/25.	31-Mar-24

**Best Value Wider Scope Action Plan
2023-24**

Report Type: Actions Report
Generated on: 06 March 2024

Action	Status	Progress	Managed By	Assigned To	Latest Note	Due Date
2023-24 BV WS Best Value Wider Scope Action Plan 2023-24	In Progress	82%			PARENT ACTION	31-Jan-25
2023-24 BV WS 1. Financial sustainability - Transformation Plans	In Progress	36%			PARENT ACTION	31-Jan-25
2023-24 BV WS 1.1 Full Council to agree Transformation Strategy and associated governance framework	Completed	100%	Directors 2024; Jim Savege	Kate Bond	Full council agreed the transformation strategy at its meeting of 23rd Nov 2023. https://aberdeenshire.moderngov.co.uk/documents/s10444/Transformation%20Strategy%20-%20Covering%20Report.pdf	01-Dec-23
2023-24 BV WS 1.2 Policy committees to monitor their areas of responsibility	In Progress	10%	Directors 2024; Jim Savege	Kate Bond	Discovery work on the transformation themes is underway. Once business cases have been developed and approved, these will be subject to regular monitoring by policy committees	31-Jan-25
2023-24 BV WS 1.3 Twice yearly reporting to full council, with links to MTFS	In Progress	0%	Directors 2024; Jim Savege	Kate Bond		31-May-24
2023-24 BV WS 2. Financial sustainability - Capital	Completed	100%			PARENT ACTION	31-Mar-24
2023-24 BV WS 2.1 The outputs from the Capital Plan review is reported to the budget meeting	Completed	100%	Directors 2024	Mary Beattie	A revised 5 year and indicative future years capital plan was agreed as part of the Council's 24-25 budget setting process.	31-Mar-24
2023-24 BV WS 3. Vision, Leadership and Governance – updating policies	Completed	100%			PARENT ACTION	31-Dec-23
2023-24 BV WS 3.1 A review will be undertaken to ensure all externally-facing policies are included in the corporate reporting framework	Completed	100%	Kate Bond	Fiona McCallum	This review has been undertaken and all policies are being considered by their respective policy committees to determine as timetable for updates being made	31-Dec-23
2023-24 BV WS 4. Vision, leadership and governance: Adult Social Care	In Progress	95%			PARENT ACTION	31-Mar-24
2023-24 BV WS 4.1 Develop and complete action plan on recommendations from Internal Audit of IJB Governance	In Progress	95%	Pamela Milliken	Lauren Cowie	All actions from the Internal Audit report have now been completed except one. The last recommendation relates to publication of agendas for the Clinical and Adult Social Work Committee. Information is provided to this Committee from both Council and NHSG and agreement is therefore required on publication of information. Work is progressing rapidly with the Information Governance team of NHSG with the aim to complete as soon as practicable. Once agreement is reached, any updated exemptions will be placed before the IJB for consideration as part of the refreshed IJB Handbook due to be presented in March 2023.	31-Mar-24

**REPORT TO ABERDEENSHIRE COUNCIL – 25 APRIL, 2024
APPOINTMENT OF VICE CHAIR OF LOCAL REVIEW BODY**

1. Executive Summary/Recommendations

1.1 The Council is requested to consider the appointment of a Vice Chair of the Local Review Body following the resignation of Councillor Johnston from that position.

1.2 The Council is recommended to:

1.2.1 Note the resignation of Councillor Johnston as the Vice Chair of the Local Review Body; and

1.2.2 Take the necessary steps to fill the vacancy.

2. Decision Making Process

2.1 The Council, at its meeting on 19 May 2022, agreed that the Chair and Vice Chair appointments for the Local Review Body should be confirmed by the Administration. Councillor Johnston commenced the position of Vice Chair for the Local Review Body on 24 June, 2022.

2.2 Councillor Johnston has intimated his resignation from that position, with effect from 24 October, 2023.

3. Discussion

3.1 The appointment of Committees and their Chairs and Vice Chairs, other than the Chairs and Vice Chairs of Area Committees, is a matter reserved for determination by Full Council. The Council is therefore invited to take the necessary steps to fill the vacancy of Vice Chair of the Local Review Body.

4. Council Priorities, Implications and Risk

4.1 This report supports all six of the Council's Priorities by ensuring the Council has a council and governance structure that can deliver on the Council's aims.

Pillar	Priority
Our People	Learning for Life Health & Wellbeing
Our Environment	Climate Change Resilient Committees
Our Economy	Economy Growth Infrastructure and public assets

4.2 The table below shows whether risks and implications apply if the recommendations are agreed.

Subject	Yes	No	N/A
Financial		X	
Staffing		X	
Equalities and Fairer Duty Scotland			X
Children and Young People's Rights and Wellbeing			X
Climate Change and Sustainability			X
Health and Wellbeing			X
Town and Centre First			X

4.3 There are no staffing or financial implications arising from this report.

4.4 The screening section as Part One of the Integrated Impact Assessment process has not identified the requirements for any further detailed assessments to be undertaken as the changes proposed are procedural matters and do not have a differential impact on any of the protected characteristics.

4.5 The following risks have been identified at Corporate Level:

ACORP002 Changes in government policy, legislation and Regulation; and

ACORP004 Business and organisational change (including: ensuring governance structures support change; and, managing the pace of change).

The Council needs to be assured that it has a council and governance structure that reflects and serves well the communities whose priorities it is here to deliver.

5. Scheme of Governance

5.1 The Head of Finance and Monitoring Officer with Business Services have been consulted in the preparation of this report and their comments are incorporated within the report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

5.2 Section A.2.1 of the List of Committee Powers at Part 2A of the Scheme of Governance requires the appointment of Committees and the appointment of their Chairs and Vice Chairs, other than appointment of Chairs and Vice Chairs of Area Committees, to be determined by Full Council.

Rob Simpson

Director of Business Services

Report prepared by Alasdair Maciver, Trainee Solicitor, and Lynsey Kimmitt, Principal
Committee Services Officer

19 March 2023

REVISED REPORT TO ABERDEENSHIRE COUNCIL - THURSDAY, 25 APRIL 2024

COMPOSITION OF COMMITTEES

1 Executive Summary/Recommendations

1.1 The Council is requested to note the change in political group affiliation of Councillors Ross and Victor and to consider the impact of these changes on the composition of committees.

1.1.1 Councillor Ross is no longer a member of the Scottish Conservative and Unionist Group nor the Administration with effect from 22 February 2024 and will be an Independent Member.

1.1.2 Councillor Victor has joined the SNP group and the Opposition Coalition with effect from 22 April 2024.

1.2 The Council is recommended to:

1.2.1 **note, following notification to the Chief Executive of the change in political group affiliation of Councillors Ross and Victor, the following numbers:**

- **The Administration has 45 members (comprising Scottish Conservative and Unionist (24, previously 25), Liberal Democrats (14) and Administration Independents (7)),**
- **The Opposition Coalition has 23 members (comprising SNP (21, previously 20) and the Democratic Independent Group (2)); and**
- **There are two Independent members.**

1.2.2 **Consider and agree, as a result of the notifications outlined at recommendation 1.2.1 above, –**

- **the political proportionality for the current standard 14 member, 8 member and 5 member committees and for sub-committees and working groups, and**
- **the composition of the four Policy Committees and the Audit Committee, having regard to the principle of each member being allocated one committee place.**

2 Decision Making Route

2.1 The Council at its meeting on 19 May 2022 (Item 9) approved the allocation of places and the appointment of members to committees, sub-committees, joint

committees and working groups to reflect the political proportionality of the Council.

- 2.2 Following the change in political affiliation of Councillor Ross, the Administration has 45 members (comprising Scottish Conservative and Unionist (24 (previously 25)), Liberal Democrats (14) and Administration Independents (7).
- 2.3 Following the change in political affiliation of Councillor Victor, the Opposition Coalition has 23 members (comprising SNP (21 (previously 20)) and the Democratic Independent Group (2), and
- 2.4 there are two Independent members.
- 2.5 The overall percentages are -

Total Members		
Scottish Conservative and Unionist, Liberal Democrat, Administration Independents	45/70	64.29%
Scottish National Party and Democratic Independent Group	23/70	32.86%
Individual	2/70	2.85%

- 2.6 This provides the following percentages for standard 14, 8 and 5 member Committees, Sub-Committees and Working Groups -

Groups	14 member		8 member		5 member	
Administration	64.29% x 14 = 9.0	9	64.29% x 8 = 5.14	5	64.29% x 5 = 3.2	3
Opposition Coalition	32.86% x 14 = 4.6	5	32.86% x 8 = 2.6	3	32.86% x 5 = 1.64	2
Individual	2.85% x 14 = 0.4	0	2.85% x 8 = 0.22	0	2.85% x 5 = 0.14	0
Totals		14		8		5

It should be borne in mind that to achieve political balance is never an exact science since percentages and whole places on committees rarely precisely coincide. The figures are usually sensibly rounded with the higher number being rounded up, and the smaller rounded downwards or, where equal, Council determine the proportionality. This provides a fair and reasonable means of achieving political proportionality and a workable structure for a council of 70 members.

3 Discussion

- 3.1 In February 2024 Council agreed that, in relation to the 14 member committee membership, the Opposition Coalition allocation which was 4.4 would be

rounded up to 5 members given that the individual allocation was 0.4. Having regard to the recent changes of political affiliation, the figures are now that the Opposition Coalition has increased to 4.6 and the Individual allocation is reduced to 0.4.

3.2 The current composition of the Policy Committees and Audit Committee is as follows:-

	Business Services	Education and Children's	Infrastructure Services	Communities	Audit	Total
Administration	9	9	10	9	9	46
Opposition Coalition	4	5	4	5	4	22
Independent	1	0	0	0	1	2

3.3 Councillor Ross held an administration nominated place on Infrastructure Services Committee until her resignation. Councillor Victor holds an Independent place on the Business Services Committee.

3.4 In order to meet the aspiration of one member, one committee place in a council of 70 members with four policy committees and an audit committee, the Administration need to reduce by one committee place to Total 45; the Opposition Coalition need to increase by one committee place to Total 23; and the Independents remain the same in number, 2, although are made up of different councillors (Councillors Buchan and Ross as opposed to previously Councillors Buchan and Victor).

4 Council Priorities, Implications and Risk

4.1 This report helps deliver the Council's Strategic Priorities by ensuring transparency in decision making.

Pillar	Priority
Our People	Learning for Life Health & Wellbeing
Our Environment	Climate Change Resilient Communities
Our Economy	Economic Growth Infrastructure and public assets

- 4.2 The table below shows whether risks and implications apply if the recommendations are agreed.

Subject	Yes	No	N/A
Financial			X
Staffing			X
Equalities and Fairer Duty Scotland			X
Children and Young People's Rights and Wellbeing			X
Climate Change and Sustainability			X
Health and Wellbeing			X
Town Centre First			X

- 4.3 There are no staffing or financial implications relating to this report.
- 4.4 The screening section as part of Stage One of the Integrated Impact Assessment process has not identified the requirement for any further detailed assessments to be undertaken because the changes proposed are procedural matters and do not have a differential impact on any of the protected characteristics.
- 4.5 The following Risks have been identified as relevant to this matter on a Corporate Level:

[Aberdeenshire Corporate Risks](#)

ACORP006 – Reputation Management

[Business Services Directorate Risks](#)

BSSR007 – Council Transition

5 Scheme of Governance

- 5.1 The Monitoring Officer within Business Services has been consulted in the preparation of this report and their comments are incorporated within the report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 5.2 Section A.2.1 of the List of Committee Powers at Part 2A of the Scheme of Governance requires any changes in committee structure and appointments to be determined by Full Council.

Rob Simpson

Director of Business Services

Report prepared by Fiona M Stewart, Principal Committee Services Officer
22nd April 2024