

Agenda Item	19
Report No	HC/15/16

Disaggregation of Community Services Budgets and Scheme of Delegation to relevant Committees

Report by the Director of Community Services

Summary

This report provides details of Community Services budgets which can be disaggregated to local Committees, and the policy basis for disaggregation. The report also provides recommendations for changes to the Council's Scheme of Delegation to Committees in relation to disaggregated budgets.

1. Background

1.1 The Council considered a report on Strengthening Local Democracy on 3 September 2015. In relation to local decision-making and local budgets it was agreed that:

- The current budget for Community Services should be apportioned to the localities in scope.
- The timescale for localising decisions would be 1 April 2016 as by then the budget savings decisions should have been made so the budgets devolved would reflect that;
- We use the principle of subsidiarity and assume that the budget for Community Services can be decided locally unless there is a strong case for aspects not being decided locally;
- Discussions take place to agree what is in and out of scope for local decisions involving local Members and the Strategic Committee Chair and the Chair of Resources Committee;
- We ensure appropriate accounting practice for local decisions; (controls, management and monitoring)
- We amend the Scheme of Delegation for the business affected at Area and Strategic Committee level;
- We seek new ways of engaging communities in deciding on local spending priorities.

1.2 Following discussion with Members, a number of key Community Services functions were identified with the potential for greatest local discretion. These are:

- Prioritisation and use of Council staff and plant/ machinery
- Winter maintenance

- Roads maintenance
- Public Conveniences
- Grounds maintenance
- Street Cleansing

- 1.4 Service budgets for 2016/17 are still being developed and are subject to the Council's budget setting process. There are likely to be changes to staff numbers and labour costs at local budget level following Voluntary Redundancy and approved Community Services savings. The normal timetable for reporting budget monitoring (for 2016/17) would be the August cycle of committees. Budget figures for 2015/16 are provided in **Appendix 1** for reference only at this stage. A separate Note at **Appendix 1a** shows the limitations that exist on local discretionary spend when considering current costs and what is already currently committed.
- 1.5 Although most budgets are currently capable of disaggregation to the level of the former 8 District Council areas, disaggregation below this level is more difficult. Work is still being undertaken to disaggregate the Skye and Lochalsh budget in order to report the Skye figure separately.
- 1.6 Current service delivery involves deployment of staff, fleet and other resources across area boundaries. Changes to arrangements in one area may therefore impact on other areas unless properly managed. This will need to be closely monitored as requests for change come through the new Local Committees.
- 1.7 Officers will need to balance staff resources across Local Committee boundaries to fit within the new Community Services structure and to ensure continuity of service delivery where this is necessary and more economical to do so.

2. Scheme of Delegation

- 2.1 Appropriate governance arrangements are required to manage the disaggregation of Community Services budgets to local committees. It is recommended that the scheme of Delegation to the Community Services Committee and to local committees should be amended to incorporate the following principles.
- 2.2 The **Highland Council** should set the Community Services Budget.
- 2.3 The **Community Services Committee** should:
- Approve policy and overall priorities for delivery of Community Services functions taking account of the Council's legal, regulatory and financial responsibilities.
 - Approve the distribution of operational budgets to Local Committees. Initially disaggregation will be based on current, historical budget distributions. In future years it may be necessary to review current resource distribution across Highland and, develop standard, objective distribution formulae where needed, which would be approved by the Community Services Committee.

- Monitor overall performance and delivery of policy and priorities.
- Monitor overall service budget and approve any variation in budget.
- Scrutinise Local Committee level expenditure against local budgets and agree corrective action to ensure a balanced Service budget.

2.4 **Local Committees** should:

- Agree local priorities within area operational budgets, taking account of statutory requirements and Council policy and priorities.
- Engage with communities to agree local priorities for local services and local service delivery arrangements, deploying methods for public participation, e.g. participatory budgeting and citizen juries.
- Consider proposals for community participation and transfer of functions to community management / ownership subject to Council policies and as guided by the Communities and Partnerships Committee.
- Agree variations in budget between local functional areas, within overall Council policy, to meet local priorities within local budgets.
- Agree whether and to what extent non-statutory functions are delivered locally, and how these are funded within local budgets.
- Recommend local service delivery arrangements, including whether particular services should be delivered by communities, by in-house staff or through local procurement, for consideration by the Community Services Committee in terms of the Council's overall legal duties relating to procurement.
- Set and scrutinise local performance standards with the engagement of communities.
- Monitor expenditure against local budgets to ensure a balanced position at the year end.

2.5 **Appendix 2** provides a revised Scheme of Delegation for the Community Services Committee. **Appendix 3** provides a revised Scheme of Delegation for Local Committees and **Appendix 4** provides a revised Scheme of Delegation for the City of Inverness Area Committee. In all cases revisions to the existing Schemes are in italics.

3 **Legal and Policy Considerations**

3.1 In terms of the Local Government etc. (Scotland) Act 1994 The Highland Council remains the single corporate body in relation to all Council service delivery and the disaggregation of Community Services budgets needs to be considered in this context. The Council has a number of legal duties and must comply with a range of regulatory standards, all of which must apply Highland-wide. This inevitably limits the scope for Local Committees to vary service delivery arrangements, which must always comply with the Council's general legal and regulatory duties. The scope for local discretion for the key Community Services functions is set out below.

3.2 Members should also note that in terms of the Councillor's Code of Conduct issued by the Standards Commission in December 2010, all Members have a "duty to act in the interests of the Council as a whole and all the communities

served by it”.

4 Winter Maintenance

- 4.1 The function involves spreading salt and ploughing snow on carriageways and pavements in accordance with Council’s Winter Maintenance Policy, which sets out the prioritised hierarchy used to determine the order of treatment. The function is currently delivered locally, predominantly by in-house staff.
- 4.2 Under Section 34 of the Roads (Scotland) Act 1984, the Council has a duty to take reasonable steps to prevent snow and ice endangering the safe passage of pedestrians and vehicles over public roads. This is not an absolute duty and the Council has set out its approach in its Winter Maintenance Policy. The national Code of Practice for Highway Maintenance Management (CoPHMM) provides policy and practice guidance in respect of the function. The Council’s Insurance provider underwrites the Council in respect of third party liabilities and accidents and needs to approve changes to Council Policy.
- 4.3 Local Committees should:
- Approve the assignment of winter service priority to roads and footways, in accordance with the Council’s overall Winter Maintenance Policy and within the overall local budget
 - Agree to increase or reduce the local service within the overall local budget and in accordance with the Council’s overall Winter Maintenance Policy

5 Road Maintenance

- 5.1 The function is repairing and maintaining the condition of the local road network (including reactive and planned cyclic road and bridge maintenance, road marking and signage, drainage and roadside verge cutting). Budgets are allocated based on established distribution methods and work is carried out locally using in-house staff and plant.
- 5.2 Although there is a general legal duty to manage and maintain public roads the Council is able to set priorities, with road safety as a prime consideration, and in the context of aiming to improve the overall condition of the road network.
- 5.3 The national CoPHMM provides policy and practice guidance in respect of the various aspects of this function. The Council has policies for some aspects; for example response times for repairing defects.
- 5.4 Local Committees should:
- Agree the cyclic road maintenance budget within overall locally delegated budgets.
 - Prioritise between the various reactive and planned cyclic road and bridge maintenance activities in accordance with Council Policy and the CoPHMM.
 - Approve programmes for surfacing and surface dressing schemes within the local budget.

- Agree to increase or reduce the local service within the overall local budget and in accordance with the Council's overall policies on Road Maintenance

6 Public conveniences

- 6.1 The function is maintaining and servicing Council owned public conveniences and managing the Highland Comfort Scheme. This is a purely discretionary function for the Council.
- 6.2 Current budgets are based on historic expenditure and broadly follow the distribution of public conveniences and Highland Comfort Scheme participants. This work is carried out almost exclusively by external contractors.
- 6.3 Local Committees should:
- Decide whether to have public toilets/ Highland Comfort Scheme provision.
 - Adjust the opening times and seasons for toilets within overall locally delegated budgets.
 - Approve new Highland Comfort Scheme providers within overall locally delegated budgets and within policy approved by the Community Services Committee.

7 Grounds maintenance

- 7.1 The function is maintaining grass and hard landscaping in public spaces "adopted" by the Council (including cemeteries, war memorials, planted areas and playgrounds). This is currently carried out by a mix of in house staff and tendered services delivered by private contractors.
- 7.2 Although there are general legal requirements, the Council is able to set its own policy and standards.
- 7.3 Local Committees should:
- Agree local priorities for the service within the local budget.
 - Agree to increase or reduce the local service within the overall local budget and in accordance with the Council's overall policies on Grounds Maintenance.

8 Street cleansing

- 8.1 The function involves routine cleaning of roads and pavements. The work is carried out locally involving in-house staff and plant. Current cross-area operational practices optimise fleet and staff use.
- 8.2 Services must comply with the Environmental Protection Act 1990 which places a duty on the Council to keep roads **clean** and free of litter and refuse. The Act contains other provisions relating to land, and litter. A statutory Code of Practice sets out the standards to which the Councils should operate, and the Council is audited annually through the "Local Environmental Audit and

Management System” (LEAMS).

8.3 Local Committees should:

- Agree local priorities within legislation and Council policy.

9 Housing Services

9.1 These services are mainly funded through the Housing Revenue Account. Budgets and local service delivery are already localised but subject to heavily regulated national standards. The Council has a legal duty to consult with tenants on changes to service that affect them.

9.2 Local Committees should:

- Engage with tenants on local service standards and priorities and on enabling tenants to have a meaningful input to monitoring service quality.
- Scrutinising service quality and cost.
- Agree local priorities for capital and planned maintenance expenditure.

10 Implications

10.1 Resources

The disaggregation of Community Services budgets will allow greater local scrutiny and decision making but it will involve an increase in officer time and resources involved in preparing and presenting monitoring reports and providing professional advice on legal and regulatory issues. As the work of Local Committees develops in areas such as community engagement and considering local service delivery models there is likely to be an increase in officer time and resource required at a time when the Council’s overall budget is reducing. This will inevitably result in less money being available for other things. In other words, if officers are doing this they will have to stop doing other things.

The Council is in a period of severely constrained resourcing which may continue for some time. It is imperative that Members help manage community expectations as we roll out disaggregated budgets to the new Local Committees, recognising that some things will take longer to do and others things may have to be reduced or even stopped.

However, there is also an opportunity here for other Council budgets e.g. Ward Discretionary Funds, and community based funding e.g. Community Benefit, to be used to support/ enhance these disaggregated functions.

10.2 Legal

Legal duties apply to the Council as a whole, and it would not be competent for a Local Committee to make a decision which would place the Council in breach of its legal duties. The Scheme of Delegation aims to set out the formal governance arrangements associated with the disaggregation of Community Services budgets to Local Committees.

10.3 **Equalities**

There are no specific implications

10.4 **Climate Change/Carbon Clever**

There are no specific implications.

10.5 **Risk**

It will be evident from the description of Community Services functions described above that many involve legal and regulatory requirements. The disaggregation of budgets to Local Committees must be managed in a way that prevents the Council breaching legal, financial or regulatory requirements. The revised Schemes of Delegation contained in **Appendices 2-4** sets out the formal relationships between the Community Services Committee and Local Committees in order to achieve this.

There is a risk of inequality of service provision across Highland as the decisions of one Local Committee may well be different from another, resulting in, for example, neighbouring communities experiencing different levels of service provision.

There is also a risk of reducing performance, certainly in the short to medium term, as the impacts of VR and budget cuts takes effect. It is imperative that Members help manage community expectations in this regard.

10.6 **Gaelic**

There are no specific implications

10.7 **Rural**

There may well be a positive impact here as Local Committees may seek to improve service delivery in rural areas by utilising other sources of Council and/or community-based funding e.g. Ward Discretionary Funds and/or Community Benefit.

Recommendation

Members are invited to agree:

- i. the areas of discretion on local budgets contained in this report;
- ii. changes to the Scheme of Delegation to Committees, as detailed in **Appendices 2 to 4**; and
- iii. to hold local Member briefings on the detail of individual disaggregated budgets, including ongoing legal and policy commitments and the options for wider public participation in setting local priorities and scrutinising local service delivery.

Designation: Director of Community Services

Date: 29 February 2016

Author: David Goldie: Head of Housing
Mike Mitchell: Finance Manager

Appendix 1										
COMMUNITY SERVICES - SUMMARY				DISAGGREGATED AREA BUDGETS 2015/16						
REAL CASH BUDGETS ONLY										
		Badenoch & Strathspey	Caithness	Inverness	Lochaber	Nairn	Cromarty	Skye	Sutherland	Total
FUNCTION/ACTIVITY										
No of Employees		22	65	96	29.4	17	53	34	71.4	387.8
		£	£	£	£	£	£	£	£	£
Labour		621,045	2,012,941	2,671,605	1,103,177	475,496	2,280,689	1,095,045	1,282,805	11,542,803
Plant		281,619	978,588	1,097,135	520,005	213,551	1,689,835	781,004	918,784	6,480,521
Winter maintenance		146,100	153,700	256,900	110,000	47,800	447,700	109,100	342,500	1,613,800
Roads maintenance		135,100	65,900	153,800	108,200	49,800	170,800	82,500	302,900	1,069,000
Public conveniences		113,100	148,000	129,300	173,700	50,100	335,100	147,800	138,000	1,235,100
Burials		26,000	14,500	59,600	9,800	29,800	102,800	4,500	7,100	254,100
Grounds maintenance		93,400	8,700	529,200	201,800	109,300	138,900	136,000	5,000	1,222,300
Play areas maintenance		25,700	-	65,000	8,100	3,700	23,300	4,100	30,000	159,900
Street cleansing		-	3,000	22,600	22,000	-	12,000	2,500	11,000	73,100
Roads capital works		348,500	475,400	676,000	533,900	140,200	794,500	625,200	556,300	4,150,000
		1,790,564	3,860,729	5,661,140	2,790,682	1,119,747	5,995,624	2,987,749	3,594,389	27,800,624
Housing Revenue Account										
Supervision & management		130,100	411,900	1,319,100	295,200	103,200	1,097,900	201,400	223,300	3,782,100
Tenant participation		-	48,000	53,600	29,550	-	30,750	-	-	161,900
Sheltered housing		15,700	73,600	305,800	-	56,500	168,800	-	38,500	658,900
Homelessness		33,800	34,400	212,900	29,700	29,600	129,500	79,200	4,100	553,200
Repairs & maintenance		514,400	2,217,000	4,544,100	1,288,200	742,900	3,844,100	496,300	960,800	14,607,800
House rent voids		25,000	98,100	202,200	64,700	32,900	208,500	23,900	45,700	701,000
Other rent voids		900	20,100	14,000	4,300	1,800	1,000	1,200	4,200	47,500
HRA capital programme		476,319	2,359,171	3,034,055	1,202,145	589,727	3,173,054	432,689	1,139,991	12,407,151
		1,196,219	5,262,271	9,685,755	2,913,795	1,556,627	8,653,604	1,234,689	2,416,591	32,919,551

**Appendix 1a - COMMUNITY SERVICES SUMMARY
REAL CASH BUDGETS ONLY**

DISAGGREGATED AREA BUDGETS 2015/16

FUNCTION/ACTIVITY	Total
No of Employees	387.8
	£
Labour	11,542,803
Plant	6,480,521
Winter maintenance	1,613,800
Roads maintenance	1,069,000
Public conveniences	1,235,100
Burials	254,100
Grounds maintenance	1,222,300
Play areas maintenance	159,900
Street cleansing	73,100
Roads capital works	4,150,000
	<u>27,800,624</u>

NOTES ON BUDGETS

Labour	Staff costs (9.618), overtime (1.153), standby (0.209), hired labour (0.161), training, tools, consumables, protective clothing, mobile phones, PL insurance (0.402)
Plant	Fleet charges (3.773), vehicle & plant hire (0.639), plant purchases (0.040), repairs (0.355), fuel, workshop consumables, insurance, materials (1.673)
Winter maintenance	Salt (1.350), carriage (0.208), contractors (0.034), ice alerts (0.022)
Roads maintenance	Materials/contractors
Public conveniences	Contractors (0.915), property(0.309), other (0.011)
Burials	Contractors (0.184), property (0.031), other (0.039)
Grounds maintenance	Contractors (1.164), materials (0.055), property (0.003)
Play areas maintenance	Contractors (0.117), materials (0.043)
Street cleansing	Contractors (0.017), materials (0.013), other (0.003), disposal of waste materials (0.040)
Roads capital works	Materials/contractors

Appendix 2

Community Services Committee

1. General

- 1.1 To carry out the functions of the Council as the statutory authority in relation to:
- Roads
 - Harbours
 - Environmental Protection
 - Waste Collection and Disposal
 - Burials
 - Food Safety
 - Health and Safety Enforcement
 - Housing and the determination of the Local Housing Strategy
 - Coast Protection
- 1.2 *Approve policy and overall priorities for delivery of Community Services functions to comply with the Council's legal, regulatory and financial responsibilities.*
- 1.3 *Approve the distribution of operational budgets to Local Committees.*
- 1.4 *Scrutinise Local Committee level expenditure against local budgets and agree corrective action to ensure a balanced Service budget.*
- 1.5 *To set service standards and monitor overall performance and delivery of policy and priorities including those delegated to Local Committees.*
- 1.6 *Monitor overall Community Services budget and approve any variations within that budget, including for those functions and budgets delegated to Local Committees.*
- 1.7 *Consider changes to local service delivery arrangements proposed by Local Committees, for example, whether particular services should be delivered by communities, where there are legal or financial implications for the Council.*
- 1.8 *Consider changes to local priorities / service delivery arrangements proposed by Local Committees where these would have an impact on more than one Local Committee area.*
- 1.9 Overall responsibility for policy and budget for all of the functions of the Council in delivering services relating to:
- Ferries
 - Environmental Health, Animal Health and Contaminated Land
 - Community Works
 - Emergency Planning
 - Oil Pollution
 - Recycling
 - Street Cleansing
 - Roads Network Management

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- Property Maintenance Management
- Street Lighting
- Public Transport
- School Transport
- Road Safety
- Communications
- Fleet Management
- Stores
- Winter Maintenance
- Grounds Maintenance
- Estates and Tenancy Management
- Housing Allocations
- Tenant Participation
- Homelessness
- Housing Maintenance
- Housing input into Community Care
- Housing Grants
- Airstrips

2. Specifics

2.1 Roads

2.1.1 To set policy for the management and maintenance of roads and bridges.

2.2. Housing

2.2.1 To approve the Housing Revenue Account Estimates and set associated rents and service charges.

2.2.2 To have overall responsibility for the Council's housing management and homelessness policies.

2.2.3 To oversee the work of the Building Maintenance DLO.

2.2.4 To have overall responsibility for the Council's policies on unauthorised Gypsy/Traveller encampments.

2.3 Ferries, Harbours, Piers and Slipways

2.3.1 To set policy for the management and maintenance of ferries, harbours, piers and slipways.

2.3.2 To promote Harbour Orders

2.3.3 To approve the scale of charges for ferries, harbours, piers and slipways in the Council's control.

2.3.4 To receive the Minutes of the Harbours Management Board.

2.4 Waste Management

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2.4.1 To promote and approve strategies for waste minimisation, storage, collection, treatment and disposal.

2.4.2 To approve the scale of charges for the collection and disposal for certain wastes.

2.5 Environmental Health

2.5.1 To promote and approve policies in relation to:

- Public Health
- Health and Safety at Work
- Pollution Control
- Private Water Supplies
- Animal Health and Welfare
- Contaminated Land
- Enforcement of Civic Government Licensing
- Food Safety

2.5.2 To promote and approve policies in relation to administration and enforcement of miscellaneous licensing under:

- Animal Boarding Establishments Act 1963
- Breeding of Dogs Act 1973
- Breeding of Dogs Act 1991
- Caravan Sites and Control of Development Act 1960
- Cinemas Act 1985
- Dangerous Wild Animals Act 1976
- Deer (Scotland) Act 1996
- Game Licenses Act 1860
- Guard Dogs Act 1975
- Performing Animals (Regulations) Act 1925
- Pet Animals Act 1951
- Riding Establishments Acts 1964/70
- Theatres Act 1968
- Zoo Licensing Act 1981

2.6 Community Works

2.6.1 To approve the policy, and standards to be achieved, for the range of activities delivered through Community Works, including street cleaning, grounds maintenance and public conveniences.

2.7 Burials

2.7.1 To approve the scale of charges for burials and cremations.

2.7.2 To approve extension of burial grounds/new burial grounds.

2.8 Community Support

2.8.1 To scrutinise and approve the distribution of funds to external parties to assist in community based projects.

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2.8.2 To scrutinise and approve the distribution of funds in relation to improving unadopted roads, where there is need to address social inclusion.

2.9. Coast Protection

2.9.1 To set policy for the maintenance of existing and implementation of new coast protection schemes

2.10 Airstrips

2.10.1 To set policy for the management and maintenance of airstrips

2.10.2 To approve the scale of charges for airstrips

2.11 Transport Planning

2.11.1 To approve the scale of charges for car parking

2.11.2 To approve the scheme for concessionary fares

Powers and Duties Delegated to the Committee

All the powers and duties listed in 1.1 to 2.11.2 above other than those specifically reserved under Part I of this scheme and those fully delegated to the following –

** (a) Education Transport Review Sub Committee

To determine reviews in respect of the provision of school transport.

Appendix 3

Local Committees Powers Delegated from the Council

Proposed March 2016

1. General Powers

- 1.1 To appoint the Chair of the Local Committee, responsible for the running of the Committee and the management of its functions. To appoint a Civic Leader where appropriate.
- 1.2 To develop appropriate connections with, and ensure Council support for, the local community planning partnership for the area covered by the Local Committee.
- 1.3 To ensure implementation of the Council's localism action plan as it relates to the locality.
- 1.4 To scrutinise and monitor the local delivery of Council services, within approved resources and strategy.
- 1.5 To scrutinise the performance of, and engage with, Police Scotland and the Scottish Fire and Rescue Service.
- 1.6 To monitor the delivery of Council Capital Projects within the local area, as agreed within the Council's Capital Programme.
- 1.7 To approve delegated local functions e.g. Road Traffic Orders; Road Construction Consents; and Upholding Access Rights.
- 1.8 To champion local initiatives which promote and support the traditional languages, heritage and culture of the Highlands.
- 1.9 To deal with requests for and make nominations/ appointments to local outside bodies not covered by the Council or Strategic Committees e.g. Local Access Forums.
- 1.10 To agree any local community engagement, including the work of Ward Forums in relation to Council business in the locality.
- 1.11 *To consider proposals for community participation and transfer of functions to community management / ownership subject to Council policies and as guided by the Communities and Partnerships Committee.*
- 1.12 To ensure that all local decisions taken are within the terms of the legislation governing the work of the Council and the approved Scheme of Delegation to Committees and Officers.

2. Specific Powers

Corporate, cross service and civic powers

- 2.1 To consider any proposals made by Council Services to review service delivery, other than annual revenue budget proposals, which would have a materially significant impact on the Locality.

- 2.2 To agree any Bye-Laws and Management Rules etc. and their amendment or review.
- 2.3 To recommend to Council any proposals for Business Improvement Districts.
- 2.4 To ensure productive relations with Community Councils within the locality and to agree any Community Council boundary changes.
- 2.5 To support local youth forums and to promote the engagement of young people in local democracy.
- 2.6 To facilitate and, where appropriate, make arrangements in relation to Town Twinning and ceremonial matters.
- 2.7 To invite groups/ bodies funded by Highland Council or with an Elected Member on their Board, to submit an update report to the Local Committee should the Committee consider it necessary.

Finance Services

- 2.8 To allocate and monitor expenditure from agreed localised funds e.g. Deprived Area Fund, Carbon Clever Community Capital Grants and to allocate Ward Discretionary Grants where individual grant awards exceed £10,000 (individual awards of up to £9,999 are delegated to the Ward Manager following consultation with local Ward members).
- 2.9 To oversee the management of any Common Good Fund (CGF) assets for the locality by: scrutinising CGF budget monitoring; approving costs and grant applications for any local CGF as required and agreed within Council policy; and to purchase and dispose of Common Good Trust assets up to 10% of the value of the CGF. (For the avoidance of doubt, the purchase and disposal of Common Good and Trust assets of more than 10% of the value of the CGF is reserved for Highland Council).
- 2.10 To approve any Local Authority Trust costs associated with the locality and to approve grant applications in excess of £10,000 as required and agreed within Council policy.
- 2.11 From the resources that are agreed to be delegated to the Local Committee, for the Local Committee to agree which resources are to be allocated through participatory budgeting and the methods to use.

Community Services

- 2.12 *To agree local priorities within area operational budgets for Community Services, taking account of statutory requirements and Council policy and priorities.*
- 2.13 *To agree variations within local budgets between individual functional areas to meet local priorities as specified below.*
- 2.14 *To agree whether and to what extent non-statutory functions are delivered locally, and how these are funded within local budgets.*
- 2.15 *To recommend local service delivery arrangements, including whether particular services should be delivered by communities, by in-house staff or through local procurement, for consideration by the Community Services Committee in terms of the Council's overall legal duties relating to procurement.*

- 2.16 *To set and scrutinise local performance standards and monitor expenditure against local Community Services budgets.*
- 2.17 *To engage with tenants on local housing service standards and priorities and on enabling tenants to have a meaningful input to monitoring service quality.*
- 2.18 *To scrutinise housing service quality, cost and performance and taking into account tenant feedback.*
- 2.19 *To agree local priorities for housing capital and planned maintenance expenditure in line with overall Council priorities and within the local budget.*
- 2.20 *To approve maintenance programmes for roads and bridges; approve surfacing and surface dressing schemes within the overall local budget; and to increase or reduce the local service within the overall local budget, in accordance with the Council's road maintenance policies, legislation and good practice guidance.*
- 2.21 *To prioritise between the various reactive and planned cyclic road and bridge maintenance activities in accordance with Council Policy and the national Code of Practice (CoPHMM).*
- 2.22 *To monitor the local delivery of the transport strategy and local community transport schemes.*
- 2.23 *To promote Road Traffic Orders, where there are statutory objections.*
- 2.24 *To approve the stopping up of roads and private means of access and the deletion of roads from the list of public roads and the adoption of roads (that are not constructed under the Road Construction Consent procedure) onto the list of public roads.*
- 2.25 *To approve the local winter road maintenance service in accordance with the Council's overall Winter Maintenance Policy and to increase or reduce the local service within the overall local budget, in accordance with the Council's overall Winter Maintenance Policy.*
- 2.26 *To decide whether to have public toilets / Highland Comfort Scheme provision and, where they are provided, to adjust the opening times and seasons for toilets within overall local budget.*
- 2.27 *To approve new Highland Comfort Scheme providers according to Council policy and within the overall local budget.*
- 2.28 *To approve local priorities for grounds maintenance in accordance with overall Council policy, and to increase or reduce the local service within the overall local budget, in accordance with the Council's policies on grounds maintenance, legislation and good practice guidance.*
- 2.29 *To agree local priorities for street cleansing in accordance with legislation and Council policy and within the overall local budget.*

- 2.30 To approve local initiatives to encourage waste minimisation, reduce litter and increase recycling within the strategy and budget agreed by Community Services Committee.

Development and Infrastructure Services

- 2.31 To monitor the status of building projects and environmental works in the agreed Capital and maintenance programmes.
- 2.32 To consider the content of and approve Development Briefs and Master Plans (with the exception of those prepared as Statutory Supplementary Guidance) relating to land within their geographic area. In the case of Development Briefs and Master Plans relating to land within their geographic area and prepared as Statutory Supplementary Guidance, to consider their content and recommend them to the Planning, Development and Infrastructure Committee for adoption.*
- 2.33 To monitor progress in the implementation of Local Development Plans in general, consider the content of Local Development Plans applicable to their geographic area that are being prepared or reviewed in accordance with the Development Plans Scheme and submit representations and recommendations on those Local Development Plans to the Planning, Development and Infrastructure Committee.*
- 2.34 To agree the naming of buildings and streets within the Council's control.
- 2.35 To review Core Path Plans and make recommendations to the Planning, Development and Infrastructure Committee.*
- 2.36 To identify property which is non-operational or which may be declared surplus to requirements for referral to Asset Management Project Board.
- 2.37 To approve local Safer Routes to Schools projects within the strategy and budget agreed by Community Services Committee.

Care and Learning Service

- 2.38 To monitor the local delivery and outcomes from Curriculum for Excellence, including performance of schools within the locality.
- 2.39 To scrutinise and monitor HMIE school inspection reports.
- 2.40 To monitor the local delivery of the Highland Play Strategy as agreed by the Education, Children and Adult Services Committee.

* Within the parts of Badenoch & Strathspey Area covered by the Cairngorms National Park Authority, the starred items are reserved to that authority.

Appendix 4

City of Inverness Area Committee **Powers Delegated from the Council**

1. General

- 1.1 To appoint the Provost and Depute Provosts of Inverness and Leader of Inverness and Area responsible for the running of the Committee and the management of its functions (the Provost and Depute Provosts roles being restricted to Civic Duties only).
- 1.2 To work with partners to achieve the effective promotion and future prosperity of the City/Area, facilitating opportunities for inward investment, regeneration and economic development of the City/Area. This includes the realisation of the "Inverness City Vision".
- 1.3 To develop and work in partnership with community planning partners, including Community Councils, as appropriate, to achieve a co-ordinated approach to the provision of services and to deliver community planning objectives.
- 1.4 *To ensure implementation of the Council's localism action plan as it relates to the City/Area.*
- 1.5 To scrutinise and monitor the local delivery of *Council* services, within approved resources and strategy.
- 1.6 To scrutinise the performance of, and engage with, Police Scotland and the Scottish Fire and Rescue Service
- 1.7 To monitor the delivery of Capital Projects within the City/Area , as agreed within the Council's Capital Programme.
- 1.8 To approve delegated local functions e.g. Road Traffic Orders; Road Construction Consents; and Upholding Access Rights.
- 1.9 To champion local initiatives which promote and support the traditional languages, heritage and culture of the Highlands.
- 1.10 To deal with requests for and make nomination / appointments to local outside bodies not covered by the Council or Strategic Committees.
- 1.11 *To agree any community engagement, including co-ordination of the work of the Ward Forums, in relation to City/Area wide issues.*
- 1.12 *To consider proposals for community participation and transfer of functions to community management / ownership subject to Council policies and as guided by the Communities and Partnerships Committee.*
- 1.13 To ensure that all decisions taken are within the terms of the legislation governing the work of the Council and the approved Scheme of Delegation to Committees and Officers.

2. Specific

Corporate, cross service and civic powers

- 2.1 To consider any proposals made by Council Services to review service delivery, other than annual revenue budget proposals, which would have a materially significant impact on the City / Area.
- 2.2 To agree any Bye-Laws and Management Rules etc. and their amendment or review.
- 2.3 To recommend to Council any proposals for Business Improvement Districts.
- 2.4 *To ensure productive relations with Community Councils within the City/Area and to agree any Community Council boundary changes.*
- 2.5 To support local youth forums and to promote the engagement of young people in local democracy.
- 2.6 To facilitate and, where appropriate, make arrangements in relation to Town Twinning and ceremonial matters.
- 2.7 To invite groups/ bodies funded by Highland Council or with an Elected Member on their Board, to submit an update report to the City/Area Committee should the Committee consider it necessary.

Finance Services

- 2.8 To allocate and monitor expenditure from agreed localised funds e.g. Deprived Area Fund, Carbon Clever Community Capital Grants and to allocate Ward Discretionary Grants where individual grant awards exceed £10,000 (individual awards of up to £9,999 are delegated to the Ward Manager following consultation with local Ward members).
- 2.9 To oversee the management of any Common Good Fund (CGF) assets for the locality by: scrutinising CGF budget monitoring; approving costs and grant applications for any local CGF as required and agreed within Council policy; *and to purchase and dispose of Common Good Trust assets up to 10% of the value of the CGF. (For the avoidance of doubt, the purchase and disposal of Common Good and Trust assets of more than 10% of the value of the CGF is reserved for Highland Council).*
- 2.10 *To approve any Local Authority Trust costs associated with the locality and to approve grant applications in excess of £10,000 as required and agreed within Council policy.*
- 2.11 To receive annual reports on the following companies, including financial reports and accounts – Inverness Business Improvement District Ltd, Inverness City Heritage Trust and Loch Ness and Inverness Tourism Business Improvement District Ltd
- 2.12 *From the resources that are agreed to be delegated to the City and Area Committee, for the Committee to agree which resources are to be allocated through participatory budgeting and the methods to use.*

Community Services

- 2.13 *To agree local priorities within area operational budgets for Community Services, taking account of statutory requirements and Council policy and priorities.*
- 2.14 *To agree variations within local budgets between individual functional areas to meet local priorities as specified below.*
- 2.15 *To agree whether and to what extent non-statutory functions are delivered locally, and how these are funded within local budgets.*
- 2.16 *To recommend local service delivery arrangements, including whether particular services should be delivered by communities, by in-house staff or through local procurement, for consideration by the Community Services Committee in terms of the Council's overall legal duties relating to procurement.*
- 2.17 *To set and scrutinise local performance standards and monitor expenditure against local Community Services budgets.*
- 2.18 *To engage with tenants on local housing service standards and priorities and on enabling tenants to have a meaningful input to monitoring service quality.*
- 2.19 *To scrutinise housing service quality, cost and performance and taking into account tenant feedback.*
- 2.20 *To agree local priorities for housing capital and planned maintenance expenditure in line with overall Council priorities and within the local budget.*
- 2.21 *To approve maintenance programmes for roads and bridges; approve surfacing and surface dressing schemes within the overall local budget; and to increase or reduce the local service within the overall local budget, in accordance with the Council's road maintenance policies, legislation and good practice guidance.*
- 2.22 *To prioritise between the various reactive and planned cyclic road and bridge maintenance activities in accordance with Council Policy and the national Code of Practice (CoPHMM).*
- 2.23 *To monitor the local delivery of the transport strategy and local community transport schemes.*
- 2.24 *To promote Road Traffic Orders, where there are statutory objections.*
- 2.25 *To approve the stopping up of roads and private means of access and the deletion of roads from the list of public roads and the adoption of roads (that are not constructed under the Road Construction Consent procedure) onto the list of public roads.*

- 2.26 *To approve the local winter road maintenance service in accordance with the Council's overall Winter Maintenance Policy and to increase or reduce the local service within the overall local budget, in accordance with the Council's overall Winter Maintenance Policy.*
- 2.27 *To decide whether to have public toilets / Highland Comfort Scheme provision and, where they are provided, to adjust the opening times and seasons for toilets within overall local budget.*
- 2.28 *To approve new Highland Comfort Scheme providers according to Council policy and within the overall local budget.*
- 2.29 *To approve local priorities for grounds maintenance in accordance with overall Council policy, and to increase or reduce the local service within the overall local budget, in accordance with the Council's policies on grounds maintenance, legislation and good practice guidance.*
- 2.30 *To agree local priorities for street cleansing in accordance with legislation and Council policy and within the overall local budget.*
- 2.31 To approve local initiatives to encourage waste minimisation, reduce litter and increase recycling within the strategy and budget agreed by Community Services Committee.

Development and Infrastructure Services

- 2.32 To monitor the status of building projects and environmental works in the agreed Capital and maintenance programmes.
- 2.33 To consider the content of and approve the Inverness City Vision, Development Briefs and Master Plans (with the exception of those prepared as Statutory Supplementary Guidance) relating to land within their geographic area. In the case of Development Briefs and Master Plans relating to land within their geographic area and prepared as Statutory Supplementary Guidance, to consider their content and recommend them to the Planning, Development and Infrastructure Committee for adoption.
- 2.34 To monitor progress in the implementation of Local Development Plans in general, consider the content of Local Development Plans applicable to their geographic area that are being prepared or reviewed in accordance with the Development Plans Scheme and submit representations and recommendations on those Local Development Plans to the Planning, Development and Infrastructure Committee.
- 2.35 To agree the naming of buildings and streets within the Council's control.
- 2.36 To review Core Path Plans and make recommendations to the Planning, Development and Infrastructure Committee.

- 2.37 To identify property which is non-operational or which may be declared surplus to requirements for referral to Asset Management Project Board.
- 2.38 To approve local Safer Routes to Schools projects within the strategy and budget agreed by Community Services Committee.

Care and Learning Service

- 2.39 To monitor the local delivery and outcomes from Curriculum for Excellence, including performance of schools within the City/Area.
- 2.40 To scrutinise and monitor HMIE school inspection reports for the City/Area.
- 2.41 To monitor the local delivery of the Highland Play Strategy as agreed by the Education, Children and Adult Services Committee.